COLLABORATIVE REFORM INITIATIVE

Six-Month Assessment Report on the Philadelphia Police Department

James "Chip" Coldren, Steven Carter,
James LaRochelle, Ashley Shultz

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ANALYSIS & SOLUTIONS

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Contents

Executive Summary **1**
Background 1
Progress toward report recommendations 2
Next steps 2
Chapter 1. Introduction **3**
Background 3
Approach 5
Organization of this six-month assessment report 6
Chapter 2. Use of Force Policies **7**
Finding 1 7
Finding 2 9
Finding 3 11
Finding 4 11
Finding 5 12
Finding 6 12
Finding 7 13
Finding 8 14
Finding 9 16
Finding 10 18
Chapter 3. Basic Recruit Training **21**
Finding 12 23
Finding 13 23
Finding 14 24
Finding 15 25
Finding 16 27
Finding 17 27
Finding 18 28
Finding 19 28
Finding 20 29
Finding 21 30
Chapter 4. In-Service Training **31**
Finding 22 31
Finding 23 33
Finding 24 35
Finding 25 35
Finding 26 38

Finding 27 39
Finding 28 39
Finding 29 40
Finding 30 41

Chapter 5. Investigations 43
Finding 31 44
Finding 32 45
Finding 33 46
Finding 34 47
Finding 35 47
Finding 36 48
Finding 37 50
Finding 38 50
Finding 39 51

Chapter 6. Use of Deadly Force Review and Officer Accountability 53
Finding 40 53
Finding 41 57
Finding 42 57
Finding 43 58
Finding 44 59

Chapter 7. External Oversight and Transparency 61
Finding 45 61
Finding 46 63
Finding 47 63
Finding 48 65

Chapter 8. Conclusion and Next Steps 67
Appendix A. Philadelphia Police Department Recommendation Status Summary 69
Appendix B. Acronyms, Abbreviations, and Initialisms 81
About CNA 83
About the COPS Office 85

Executive Summary

Background

In June 2013, Commissioner Charles H. Ramsey of the Philadelphia Police Department (PPD) requested technical assistance from the U.S. Department of Justice (DOJ) Office of Community Oriented Policing Services (COPS Office) through the Collaborative Reform Initiative for Technical Assistance (CRI-TA). While Philadelphia was experiencing reductions in violent crime and assaults against the police, the city was also experiencing increases in fatal officer-involved shootings.

CRI-TA provides law enforcement agencies in the United States with an option to closely assess emerging issues of concern which, if left unchecked, might develop into serious problems requiring extensive and expensive reform efforts. Through CRI-TA, independent organizations conduct assessments of the identified problems in a police agency and recommend reforms aimed at eliminating or substantially reducing the problems; they then monitor the police agency's implementation of those reforms for 12 to 18 months, helping to insure that the reforms have a lasting effect.

The goals of CRI-TA at the PPD include examining and reforming deadly force training, policies, and practices in the PPD and improving community involvement in these matters. The objectives of this assessment include the following:

- Enhance training as it relates to officer and public safety in deadly force situations.
- Improve the quality and transparency of deadly force investigations from both criminal and administrative standpoints.
- Strengthen the use of force review process.
- Institutionalize organizational learning processes and practices related to deadly force incidents.

At the request of the COPS Office, CNA[1] conducted a thorough assessment of trends and patterns, training, and policies and practices pertaining to use of force at the PPD..

The COPS Office published the initial assessment report, Collaborative Reform Initiative: An Assessment of Deadly Force in the Philadelphia Police Department, in March 2015.[2] That report presented a detailed analysis of use of force incidents in the PPD from 2007 to 2013. The analysis revealed that during those years, the PPD averaged about 50 officer-involved shootings (OIS) per year and that the number of OISs had declined in recent years. However, the percentage of OISs that involved PPD officers shooting at unarmed individuals increased over that same time period, from approximately eight percent to more than 20 percent.[3]

While the release of the assessment report in March marked the completion of the assessment phase, the COPS Office, CNA, and the PPD have continued their collaboration to support the implementation of the 91 recommended reforms included in that report. Tracking the implementation progress of these reforms began in April 2015 and will continue through October 2016, a period of about 18 months.

1. CNA is a research and analysis firm specializing in policing reform issues around use of force and police-community relations. CNA worked with the COPS Office to develop the Collaborative Reform Initiative and has worked on CRI-TA projects in Las Vegas, Nevada; Spokane, Washington; and Fayetteville, North Carolina, in addition to the Philadelphia project.
2. George Fachner and Steven Carter, *An Assessment of Deadly Force in the Philadelphia Police Department*, Collaborative Reform Initiative (Washington, DC: Office of Community Oriented Policing Services, 2015), http://ric-zai-inc.com/Publications/cops-w0753-pub.pdf.
3. Fachner and Carter, *An Assessment of Deadly Force in the Philadelphia Police Department*, 17–33 (see note 2).

This six-month assessment report is the first of two progress reports that the COPS Office will publish on the PPD's progress toward implementation of the recommended reforms. It will inform all stakeholders (i.e., the PPD, the DOJ, and the Philadelphia community) of the PPD's progress to date. Over the next year, CNA will conduct additional site visits and interviews with PPD personnel and community members; directly observe PPD activities; analyze related data; and continue to review supporting documentation provided by the PPD. The final assessment report will document the status of the implementation of the recommended reforms at the completion of the monitoring phase. The COPS Office will make the final assessment report publicly available.

Progress toward report recommendations

This six-month assessment report assigns one of four statuses to each of the 91 recommendations contained in the assessment report: Complete, Partially complete, In progress, or No progress. Table 1 shows the tally of the status of the 91 recommendations as of October 30, 2015. To date, the PPD has completed 21 recommendations, has made demonstrable progress on an additional 61 recommendations (those listed as **Partially complete** and **In progress**), and has made no progress on nine recommendations. The PPD has made positive progress toward implementing the reforms. At the one-third mark in the implementation phase (after six of 18 months), 24 percent of the 91 reform recommendations are **Complete** or **Partially complete** with another 66 percent In progress. Thus, 90 percent of the 91 recommendations for the PPD are **Complete**, **Partially complete**, or **In progress**.

Table 1. Status of PPD assessment report recommendations

Status	Reforms/ Recommendations (N)	Percent (%)
Complete	21	23
Partially complete	1	1
In progress	60	66
No progress	9	10
Total	91	100

Next steps

Over the next year, the assessment team will continue to monitor the PPD's progress towards implementing the reform recommendations. A final assessment report on the implementation of the Collaborative Reform Initiative in the PPD will be provided in early 2017.

Chapter 1. Introduction

Background

In June 2013, Commissioner Charles H. Ramsey of the Philadelphia Police Department (PPD) requested technical assistance from the U.S. Department of Justice (DOJ) Office of Community Oriented Policing Services (COPS Office) through the Collaborative Reform Initiative for Technical Assistance (CRI-TA). While Philadelphia was experiencing reductions in violent crime and assaults against the police, the city was also experiencing increases in fatal officer-involved shootings.

CRI-TA provides law enforcement agencies in the United States with an option to closely assess emerging issues of concern which, if left unchecked, might develop into serious problems requiring extensive and expensive reform efforts—possibly even consent decrees and appointment of independent monitors. Through CRI-TA, independent organizations conduct assessments of the identified problems in a police agency and recommend reforms aimed at eliminating or substantially reducing the problems; they then monitor the police agency's implementation of those reforms for 12 to 18 months, helping insure that the reforms have a lasting effect.

In the case of the PPD, the goals of CRI-TA, which were mutually agreed upon by the COPS Office and the PPD, included examining and reforming deadly force training, policies, practices in the PPD, taking into account national standards, best practices, current and emerging research, and improving community involvement in these matters. The agreed upon objectives of this initiative included the following:

- Enhance training as it relates to officer and public safety in deadly force situations.
- Improve the quality and transparency of deadly force investigations from both criminal and administrative standpoints.
- Strengthen the use of force (UOF) review process.
- Institutionalize organizational learning processes and practices related to deadly force incidents.

At the request of the COPS Office, CNA conducted a thorough assessment of trends and patterns, training, and policies and practices pertaining to use of force at the PPD.

In March 2015, following a 12-month assessment, the COPS Office published CNA's initial assessment report, *An Assessment of Deadly Force in the Philadelphia Police Department*.[4] That report presented a detailed analysis of UOF incidents in the PPD from 2007 to 2013. This analysis revealed that during those years, the PPD averaged about 50 officer-involved shootings (OIS) per year, and that the number of OISs declined in recent years. However, the percentage of OISs that involved PPD officers shooting at unarmed individuals increased over that same time period, from approximately eight percent to more than 20 percent.[5]

While the release of the initial assessment report marked the completion of the assessment phase, the COPS Office, CNA, and the PPD have continued their collaboration to support the implementation of 91 recommended reforms included in that report. Tracking the implementation progress of these reforms began in April 2015 and will continue through October 2016, a period of about 18 months.

4. Fachner and Carter, *An Assessment of Deadly Force in the Philadelphia Police Department* (see note 2).
5. Fachner and Carter, *An Assessment of Deadly Force in the Philadelphia Police Department*, 17–33 (see note 2).

This six-month assessment report is the first of two reports that the COPS Office will publish on the PPD's progress toward implementation of the recommended reforms. It will inform all stakeholders (i.e., the PPD, the DOJ, and the Philadelphia community) of the PPD's progress to date. The final assessment report will document the status of the implementation at the completion of the monitoring phase.

In this six-month assessment report, each recommendation has been assigned one of four statuses (see table 2).

Table 2. Definitions of recommendation statuses

Status	Definition
Complete	The recommendation has been sufficiently demonstrated to be complete based on the assessors' review of submitted materials, observations, and analysis. Ongoing review of this recommendation throughout the monitoring period will determine whether this reform has been fully institutionalized within the department.
Partially complete	The agency has submitted materials that they believe demonstrate completion of the recommendation. However, the assessors have deemed that additional effort is needed to complete the recommendation. The agency has stated that no further work will be forthcoming on the recommendation.
In progress	Implementation of the recommendation is currently in progress based on the assessors' review of submitted materials, observations, and analysis.
No progress	The agency has not sufficiently demonstrated progress toward implementation of the recommendation.

There are important caveats to the statuses reported here. Every recommendation from the initial assessment report is subject to review over the entire course of the program, including those recommendations that have reached the status of "Complete." This is necessary to ensure that the completed recommendations continue to be institutionalized within the department and to examine potential modifications to the implementation of these reforms. A status of "Partially complete" is assigned to those recommendations where the department did not fully implement a recommendation as stated in the initial assessment report and has no further plans to continue working on or fully implementing the recommendation. If the assessment team believes that the PPD will continue to work on the recommendation, the status is listed as "In progress." This status is also used to indicate instances in which the department has made considerable progress and has submitted enough materials for the assessors to make determination that constructive steps have been taken toward completion. Recommendations listed as "No progress" are those for which either (1) insufficient materials were provided for the assessors to document demonstrative progress towards completion, (2) the department was unable to implement the recommendations because of circumstances within or beyond their control (e.g., they have not yet begun implementation of changes or they are restricted by state legislation or contractual issues), or (3) the department has noted that it does not have plans to implement the recommendation.

Table 3 shows a tally of the status of report recommendations. To date, the PPD has completed 21 recommendations, has partially completed or made demonstrable progress on an additional 61 recommendations, and has made no progress on nine recommendations. The PPD has made positive progress toward

implementing the reforms. At the one-third mark in the monitoring phase (after six of 18 months), 24 percent of the 91 reform recommendations are **Complete** or **Partially complete** with another 66 percent **In progress**. Thus, 90 percent of the 91 recommendations at the PPD are **Complete**, **Partially complete**, or **In progress**.

Table 3. Status of PPD initial assessment report recommendations

Status	Reforms/Recommendations (N)	Percent (%)
Complete	21	23
Partially complete	1	1
In progress	60	66
No progress	9	10
Total	91	100

Approach

The goals of the CRI-TA monitoring phase are for the members of the assessment team to fully understand the steps the PPD has taken toward implementing the recommended reforms and to collect and review as much evidence as necessary to confirm that those steps have been completed. In order to track the implementation progress, the assessment team provided the PPD with a document outlining processes that provide evidence of compliance. That document included examples of important steps the department should take in completing the reforms as well as a list of formal documentation necessary to provide evidence of the implementation progress.

From April to October 2015, the assessment team conducted two site visits, maintained frequent contact with the PPD, and reviewed documents containing evidence of the PPD's deliberate actions and progress towards agency reform based on the 91 recommendations in the initial assessment report. To date, the PPD has submitted more than 100 documents and files for review covering most of the recommendations, including policies and directives, internal bulletins and memoranda, training lesson plans, attendance records, OIS investigation files, e-mail communications, and other pertinent documentation. The assessment team has critically reviewed these files for relevance and consistency with the recommendations as well as for clarity and quality of the documents. In addition to reviewing the documents and files received from the PPD, the assessment team held bi-weekly calls with the PPD liaison for the CRI-TA assessment during which the progress toward each recommendation was discussed in detail. To supplement the bi-weekly phone calls, the assessment team conducted two site visits to the PPD on June 3–5 and October 14–16, during which the team observed several different training sessions, attended community policing events, interviewed several command-level staff in the training and internal affairs divisions, met with the Police Community Oversight Board, and interviewed Commissioner Ramsey.

Over the next year, CNA will conduct additional site visits and interviews with PPD personnel and community members, directly observe PPD activities, analyze related data, and continue to review supporting documentation provided by the PPD.

Organization of this six-month assessment report

The organization of this six-month assessment report resembles the format established with the initial assessment report. Chapters 2 to 7 in this six-month assessment report cover the same topic areas analyzed in the initial assessment report and covered in chapters 4 through 9 of that report. This six-month assessment report addresses all recommendations in the same order in which they appeared in the initial assessment report (and we have maintained consistent numbering for the recommendations), though the chapter numbers themselves do not align across the two reports. For each recommendation, we include information excerpted from the initial assessment report that explains the relevance of the recommendation. Where possible, we document evidence supporting the assessments. We conclude the report with a section on next steps.

Appendix A provides a table that outlines the status of all the reforms, and appendix B provides a list of the acronyms, abbreviations, and initialisms used throughout this report.

Chapter 2. Use of Force Policies

This topic appeared in chapter 4 of the initial assessment report on the Philadelphia Police Department (PPD) and included 20 recommendations based on an analysis of directives 10 and 22, which are the department's use of force (UOF) policies. Several other directives and policies influence officer decision making, public encounters, and critical incidents, such as directive 111 on crisis response and critical incident negotiations; directive 136 on severely mentally disabled persons; directive 146 on foot pursuits; and a draft directive on electronic control weapons (ECW). The initial assessment report's recommendations included themes such as consistency with training practice and other policies; consistency with promising and emerging practices, research literature, and the department's unique needs; court decisions; and the importance of officer and public safety. Of the 20 recommendations, 11 are complete and nine are in progress, as shown in table 4. The following chapter provides a detailed assessment of PPD's progress in implementing these 20 recommendations. We have maintained the original recommendation numbers (1.1, 1.2, etc.) for consistency across the reports.

Table 4. Status of use of force policies recommendations

Status	Reforms/Recommendations (N)	Percent (%)
Complete	11	55
Partially complete	0	0
In progress	9	45
No progress	0	0
Total	20	100

Finding 1

PPD officers do not receive regular, consistent training on the department's deadly force policy.

Recommendation 1.1

The PPD should develop a standard training module on directives 10 and 22 and require all sworn personnel to complete the training on an annual basis.

The initial assessment report found there was a significant lack of in-service training that throughout an officer's career reinforced the critically important tenets of the department's deadly force policy.

Current assessment of compliance | In progress.

The PPD has developed a 10-minute video of Commissioner Charles H. Ramsey discussing specific changes in policies and practices as they relate to these two directives. In addition, the PPD has developed an eight-hour lesson plan on this topic that has been submitted for command approval. The lesson plan includes appropriate references to *Graham* v. *Conner* and *Tennessee* v. *Garner*. It includes illustrative teaching points on how officers can better articulate more precisely what occurred during an incident. There is a discussion on the requirement for officers to intervene when excessive force is used and the duty to report these types of incidents. Many of the policy changes recommended in the initial assessment report are highlighted in the lesson plan. Case studies are used as mechanisms to reinforce the learning objectives. The assessment team will continue to monitor the progress of this recommendation in analyzing the lesson plan and how the PPD intends to deliver it.

Recommendation 1.2

The PPD should engage with officers and supervisors at the patrol level to seek their input on the clarity and comprehensibility of the department's use of force directives.

The initial assessment report found that the PPD's policy and planning division conducted significant outreach to other department personnel in revising directive 10. However, their outreach did not include patrol officers or sergeants whose position at the street level can help shape the policy in a way that is understandable, practical, and accessible to such officers, as they are the most likely to apply the policy to everyday practice.

Current assessment of compliance | In progress.

The assessment team reviewed a July 2015 revision to directive 150, Department Directive Program, and concluded that the following language demonstrates the department's effort to meet the criteria for completion of Recommendation 1.2:

The Research and Planning Unit will initiate a focus group consisting of officers and supervisors at the patrol level to seek their input on the clarity and comprehensibility of any recommendation to update or change all or part of the Use of Force Directives.

The assessment team requested in March 2015 that if the department makes any major revisions to the UOF policy or institutes any new UOF related policies, the department will document that it has received feedback from officers and supervisors at the patrol level as a requirement of directive 150. However, several drafts were written between March and October 2015 without any officer-level engagement. At the end of September, the PPD issued a new directive 7.16, Department Directive Program, which states that a focus group of officers and supervisors will be formed to ensure that future changes to UOF directives are clear and comprehensible. While the revised directives 7.16 and 150 show progress toward implementing the requirements of this recommendation, the assessment team will monitor whether future revisions included input from officers and supervisors.

Finding 2

The PPD's use of force policies are fragmented, as are revisions of these policies. As a result, the PPD currently has two use of force models, which can be a source of confusion for officers.

Recommendation 2.1

The PPD should revise directives 10 and 22 at the same time to ensure the policies provide clear and consistent direction and guidance.

The initial assessment report noted that directives should be revised at the same time, and when making revisions, the PPD should audit to ensure that the language, guidance, and illustrations are consistent and understandable to officers on the street. The initial assessment report also noted that the directives should be reviewed at least annually for compliance with changing laws, court precedents, emerging best practices from the field, findings and recommendations from the use of force review board (UFRB), and findings and recommendations from the police advisory commission.

Current assessment of compliance | Complete.

Under the new directive 7.16, Department Directive Program, one modification is the following:

The Research and Planning Unit will initiate a focus group consisting of officers and supervisors at the patrol level to seek their input on the clarity and comprehensibility of any recommendation to update or change all or part of the Use of Force directives. All changes/updates that are made to the Use of Force Directives will be made and disseminated at the same time.

The assessment team will follow up to determine whether directive 10 has been audited within one year of its revision.

Recommendation 2.2

For each district unit, the PPD should designate or assign an individual who is responsible for policy and training bulletin dissemination and auditing.

The initial assessment report noted that officers interviewed suggested the position of training coordinator be created in each district and that training coordinators be responsible for timely policy dissemination and verification that training was received and audited. The initial assessment report observed that officers noted the lengthy time it takes to receive updates and disseminate them constitutes a large workload. Therefore, making this the primary responsibility of a district training coordinator will result in a more timely dissemination.

Current assessment of compliance | In progress.

The PPD has developed a different structure for training coordination. PPD directive 150 established the position of Training Coordinator, which is responsible for the distribution of policy updates and training bulletins. This is an extremely limited role, and in a functional sense this person has no real involvement in training; they are merely performing the administrative duties of document distribution and tracking.

The chief inspector (CI) of the Training Bureau has proposed the creation of a Field Training Coordinator program. This position would be a corporal or sergeant who, while working in a district or division, would be responsive to the CI of the Training Bureau (and could also conduct training at the request of the district captain). They would monitor a district's compliance with the distribution of training materials, policies, and the Municipal Police Officer Education and Training Commission (MPOETC) requirements. They would monitor UOF reports to determine if there are training needs that should be addressed. They would deliver short-term training at roll calls or in hour long blocks at the districts, including the rotating firearms training simulator (FATS) machine. They would be MPOETC certified instructors. The assessment team has closely reviewed the proposal and feels it would be a major improvement to the current operational environment. It would facilitate in-service training at the unit level while ensuring consistency with training conducted at the Academy. The assessment team will closely follow the progress of this proposal.

Recommendation 2.3

The PPD should incorporate officers' acknowledgement of receipt of training bulletins and policy updates into the PPD's training record-keeping system.

The initial assessment report found that the PPD could not determine how well officers are keeping abreast of policy updates at the department level, nor could it track compliance at the unit level, because officers' acknowledgement of receipt of policy updates were not recorded in any type of electronic records system. The initial assessment report noted that the PPD should collect and store receipt information electronically and integrate those records with other information maintained on officer training.

Current assessment of compliance | In progress.

The CI of the Training Bureau requested that the existing training records database be replaced with a system that

- supports a web-based platform that permits online training and ease of access across the department;
- transmits notifications and alerts across different users via e-mail;
- allows system entries at the district or unit commander level with the ability to upload completion training certificates with Training Bureau vetting of courses taken outside the department;
- tracks inventories of equipment, alerting equipment holders to expirations, etc. (e.g., ballistic vests, oleoresin capsicum [OC] spray [pepper spray] canisters, Narcan vials), with specific firearm/electronic control weapons (ECW) assignment and location tracking;
- allows bulk entries of training data, such as with the QIST database;
- tracks student certification expirations for all personnel to satisfy the department's training matrix needs.

PPD members reviewed the proposed Qualtrax[6] system and noted that it is lacking in other areas needed to track training and equipment. The assessment team will continue to monitor the progress of this request.

6. Qualtrax is an automated training records system that the PPD thought could replace its current system.

Finding 3

Directive 10 is too vague in its description of use of force decision making, relying too heavily on the use of force decision chart.

Recommendation 3

The PPD should update directive 10 to include additional narrative context describing the appropriate level of force to be applied under various circumstances.

The initial assessment report found that based solely on the use of force decision chart, an officer appears to be able to use any force option ranging from physical control to batons to ECWs on a subject who is either passively resistant or noncompliant, which would be an inappropriate UOF.

Current assessment of compliance | Complete.

The PPD changed directive 10 to include additional narrative to explain each level on the UOF decision chart. The additional narrative complements the concepts depicted on the new UOF decision chart. It includes examples of how to interpret the decision chart. An early revision included ASP/baton strikes (not all permitted uses of the baton—strikes only) in the moderate UOF level. However, after working with the assessment team, the directive was revised to reflect the following:

> The use of the Electronic Control Weapon (ECW) and/or ASP/Baton is authorized when the offender is physically aggressive or assaultive and there is an immediate likelihood that they may injure themselves or others. Such behaviors may include punching, kicking, grabbing, or approaching with a clenched fist.

Finding 4

Directive 10 uses the term "probable cause" in the context of deadly force, which is an unnecessary and confusing departure from the traditional legal definition of the term.

Recommendation 4

The PPD should remove the term "probable cause" from directive 10 and expound upon the principles of Graham *v.* Connor *to guide officers in deadly force decision making.*

The initial assessment report found that directive 10 uses the term "probable cause" in the context of deadly force, which is an unnecessary and confusing departure from the traditional legal definition of the term. Like all law enforcement officers in this country, PPD officers apply probable cause to arrests and searches in the vast majority of their work. However, because of the PPD's policy language, officers must shift their thinking on probable cause when confronted with a deadly force situation, resulting in confusion when applied in the field.

Current assessment of compliance | Complete.

The PPD changed the term "probable cause" in directive 10 to "objectively reasonable" and provided the definition that expounded upon the legal precepts in *Graham* v. *Connor.*

Finding 5

The definition of "objectively reasonable" in PPD directive 10 includes the terms "imminent" and "immediate," which can be a source of confusion for officers in the field. Notably, the term "imminent" does not appear in the *Graham* v. *Connor* decision.

Recommendation 5

The PPD should remove the term "imminent" from directive 10.

The initial assessment report also found that directive 10 defines *imminent* as "threatening, likely, and unavoidable," which is vague and insufficient language.

Current assessment of compliance | Complete.

The PPD changed the term "imminent" in directive 10 to "immediate".

Finding 6

The PPD's "duty to intervene" clause in directive 22 creates a limited requirement—specifically, that officers are required to stop another officer from using force when it is no longer required. The policy is silent on whether officers are required to stop the initial use of force when it is inappropriate and on whether any such abuses should be reported.

Recommendation 6.1

The PPD's "duty to intervene" should be revised to account for any officers witnessing the inappropriate initiation of force.

The initial assessment report found that the policy neglects the duty of officers to intervene when the level of force being applied is inappropriate in the first place.

Current assessment of compliance | Complete.

The PPD changed directive 22 policy to reflect officers' "duty to intervene" upon witnessing excessive force being used. The assessment team suggested the following additional language to the directive that had not already been added:

> No person should ever be subject to excessive force at the hands of the police. Your intervention will uphold the moral and ethical standards of the Philadelphia Police Department. Officers who engage or are complicit in the use of excessive force are subject to civil and criminal liability, in addition to disciplinary action.

The revised Directive 22 now states,

> The primary duty of all police officers is to preserve human life. Only the amount of force necessary to protect life or to effect an arrest should be used by an officer. **Excessive force will not be tolerated**. Officers should exercise all safe and reasonable means of control and containment, using only the minimal amount of force necessary to overcome resistance.

Recommendation 6.2

The PPD's "duty to intervene" should be expanded to include a "duty to report".

The initial assessment report found that directive 22 is silent on whether officers are required to stop the initial use of force when it is inappropriate and on whether any such abuses should be reported. The initial assessment report also found that while directive 114 on employees' responsibility to report corruption, misconduct, and other improper acts negatively affecting the department requires the reporting of such incidents, it is not stated clearly, nor is it referenced in the department's UOF directives.

Current assessment of compliance | Complete.

The PPD changed directives 10 and 22 to include "duty to report" and the statement "Officers who witness inappropriate or excessive force have a duty to report such violations to a supervisor and Internal Affairs."

Finding 7

Directive 22 does not require officers to carry oleoresin capsicum (OC) spray.

Recommendation 7

Directive 22 should state that officers are required to carry OC spray on their duty belt at all times while on duty.

The initial assessment report found that many officers do not carry their OC spray because they do not believe it to be effective, based largely on anecdotal stories shared throughout the ranks. By not carrying OC spray, PPD officers are not availing themselves of a valuable tool that could enable them to gain compliance without injury or the enhanced danger of going "hands-on" with a suspect.

Current assessment of compliance | In progress.

The PPD changed directives 78 and 22 to reflect this recommendation. The assessment team asked that language be added to reflect that subsequent violations will subject the officer to increasing levels of discipline. The PPD explained that the disciplinary code is a contractual matter between PPD and the police union (the Fraternal Order of Police) and that the matter of changes to the disciplinary code cannot be addressed until the next contract negotiations scheduled for 2017.

While policy has been changed, which meets the minimum requirement of this recommendation, it is not likely that the disciplinary code matter will be addressed during the 18-month implementation phase. In addition, during its two monitoring visits, the assessment team observed uniformed officers working in various capacities who were not carrying OC spray. The assessment team will continue to monitor for evidence that officers are held to this standard.

Finding 8

The PPD requires officers to complete CIT in order to obtain an ECW. This requirement conflates the two tactical approaches and limits the distribution of less-lethal tools throughout the department.

Recommendation 8.1

The PPD should decouple ECWs and CIT both conceptually and operationally.

The initial assessment report found that crisis intervention team (CIT) training is meant to train officers on the recognition of individuals who are in crisis (because of mental health or other temporary impairments) and then to employ de-escalation strategies, including verbal de-escalation, so that when possible, encounters with persons in a state of mental crisis can be resolved without violence. The PPD's strong linkage of this concept with ECWs sends mixed messages. In fact, many interviewed officers referred to CIT training as "Taser training" because they viewed obtaining the tool as the primary outcome of the training.[7]

Current assessment of compliance | In progress.

Commissioner Ramsey indicated that the PPD is working on a compromise version of decoupling ECW and CIT that would include some de-escalation training to go along with the ECW class.

Recommendation 8.2

ECWs should be standard issue weapons for all PPD officers assigned to uniformed enforcement units.

The initial assessment report found that the distribution of ECWs has coincided with a decreasing proportion of armed encounters being resolved with deadly force. The initial assessment report noted that the PPD should make ECWs a standard issue tool for all uniformed personnel assigned to uniformed enforcement units.

Current assessment of compliance | In progress.

The PPD indicated that this is a costly recommendation. The assessment team acknowledged this issue and suggested that unlike the current system of individually issuing an ECW to each officer, the PPD could maintain a supply in each district and issue them at the beginning of the shift to cut down on costs.

On May 18, 2015, the Academy began training recruits on the ECW. In addition, over half of the PPD is ECW certified. The assessment team requested evidence of progress regarding this recommendation for incumbent officers.

7. CNA interviews.

Recommendation 8.3

All PPD officers in uniformed enforcement units should be required to carry ECWs on their duty belt at all times.

The initial assessment report found that the PPD does not require CIT officers to carry their ECW on their duty belt at all times. Some department personnel noted that officers who have had CIT do not carry ECWs because they prefer to use their verbal skills. Others noted that even when required to carry ECWs, officers would occasionally leave them in their vehicles rather than carry them on their duty belt because of their bulkiness.

Current assessment of compliance | In progress.

The PPD changed directives 78 and 22 to reflect this recommendation. The assessment team asked that language be added to reflect that subsequent violations will subject the officer to increasing levels of discipline. As noted earlier (see recommendation 7), changes to the disciplinary code are subject to union contract negotiations, which will not take place until 2017. Thus it is unlikely that this recommendation will be completed during the implementation phase.

The assessment team requested to see evidence that this is part of roll call inspection. The PPD indicated that when the directive changes are approved by Commissioner Ramsey, a general message will be sent by Research and Planning Division stating that supervisors will inspect personnel to ensure compliance and that this inspection will be documented in the officer's personnel records.

While the policy has been changed to meet the recommendation, the assessment team suggests a mechanism that allows the department to ensure those officers who are ECW certified are carrying their ECWs as this cannot be simply observed. The assessment team will continue to monitor this aspect of the recommendation.

Recommendation 8.4

The PPD should continue to dispatch CIT officers to calls for service involving persons in a probable state of mental crisis.

The initial assessment report noted that being armed with an ECW does not better prepare an officer to manage an encounter with someone in mental crisis. It should remain the policy of the PPD that CIT officers be dispatched to calls for service involving persons in a state of excited delirium or mental crisis.

Current assessment of compliance | In progress.

The PPD drafted a memo in 2011 entitled "Dispatching Crisis Intervention Teams" mandating that when there is an incident involving a "Severely Mentally Disabled Person (SMDP) who is violent, suicidal or acting out," the dispatcher will attempt to dispatch CIT officers. If none are available, dispatch will notify a radio and street supervisor. The radio supervisor will attempt to find a CIT officer from a nearby district or division. The memo also documents how CIT trained officers are documented in their computer aided dispatch (CAD). The assessment team is concerned that this is focused only on mental health clients and does not recognize that there may be others who are suffering a temporary emotional crisis for whom these procedures should also be implemented.

The PPD updated the Communications Division's standard operating procedure (SOP) 421, entitled "Severely Mentally Disabled Person '302.'" (The designation 302 is a radio code for a SMDP.) This SOP defines a SMDP as

> A person is severely mentally disabled when, as a result of mental illness, his/her capacity to exercise self-control, judgment, and discretion in conduct of his/her affairs and social relations or to care for his/her own personal needs is so lessened that he/she poses a clear and present danger of harm to others or to him/herself.

This again reinforces that CIT is only required for the mentally ill and not those who may be in a temporary emotional crisis. In addition, this policy only addresses what to do when a call comes into dispatch requesting transport of a SMDP to a crisis center. The assessment team is concerned that this pertains only to requests for SMDP transports to a crisis center and not to situations when a call-taker identifies a potential CIT client while assessing other calls for service from the public.

The assessment team requested data from dispatch from the beginning of the year that shows all of the calls for service that involved a mental health issue and the corresponding number of CIT officers dispatched, but the CAD system was not capable of producing such reports.

The PPD requested technical assistance in obtaining dispatch protocols for CIT calls; the assessment team sent relevant policies from the Denver (Colorado) and Las Vegas (Nevada) Metropolitan police departments and will continue to monitor this recommendation.

Finding 9

The PPD's ECW policy drafted in 2014 is not detailed enough regarding the circumstances in which use of the tool should be limited.

Recommendation 9.1

The PPD's ECW policy should limit the number of cycles used per subject to three.

The initial assessment report found that the policy does not explicitly limit the number of cycles used on a single subject.

Current assessment of compliance | Complete.

The PPD revised directive 22 to read as follows:

> When activating an ECW, personnel should use it for one (1) standard cycle (a standard cycle is five (5) seconds) and should evaluate the situation to determine if subsequent cycles are necessary. Personnel should consider that exposure to multiple activations, continuous cycling and exposure to the ECW longer than fifteen (15) seconds may increase the risk of death or serious injury. Any subsequent activation should be independently justifiable and should be weighed against other force options. Under no circumstances are officers authorized to administer more than **THREE (3) CYCLES** against a person.

Recommendation 9.2

The PPD's use of force decision chart policy should clearly illustrate where using ECWs is appropriate and where it is inappropriate.

The initial assessment report found that ECWs are positioned in the UOF decision chart such that using the tool on a noncompliant or passively resisting subject can be interpreted as an appropriate use of the weapon.

Current assessment of compliance | Complete.

The PPD changed directive 22 to contain language under the decision chart that outlines when it is appropriate to use the ECW. The UOF decision chart and accompanying narrative now provide clear direction on the ECW; it now states:

> The use of the Electronic Control Weapon (ECW) and/or ASP/Baton is authorized when the offender is physically aggressive or assaultive and there is an immediate likelihood that they may injure themselves or others. Such behaviors may include punching, kicking, grabbing, or approaching with a clenched fist.
>
> **EXCEPTION:** Protestors/Demonstrators that are exercising their Constitutional Rights of Free Speech or Assembly and are noncompliant and passively resisting officer's commands, ECW **SHALL NOT BE USED** to overcome the resistance. Rather, officers will disengage and contact a supervisor. If necessary, additional officers will be used to overcome the resistance.

Recommendation 9.3

ECW discharges used against handcuffed persons should be permissible only in cases where the officer or another is in danger of serious bodily injury.

The initial assessment report found that the PPD's current policy contained no prohibition against using ECW discharges on handcuffed prisoners.

Current assessment of compliance | Complete.

The PPD changed directive 160. It now states, "The ECW SHALL NOT be used in the following manner: I. On handcuffed persons unless necessary to prevent the individual from inflicting serious bodily injury to themselves or others."

Recommendation 9.4

Officers who accidentally discharge an ECW and strike a suspect or non-suspect should be required to complete a use of force report.

The initial assessment report noted that UOF reports were not required if someone was accidentally struck by an ECW. Reports should, outside of the training environment, always be required when force is used against a party, whether intentional or accidental.

Current assessment of compliance | Complete.

The PPD changed directive 22 to reflect that UOF reports will now be required whenever a person is struck by an ECW, regardless of intent.

Finding 10

Between 2007 and 2013, PPD officers were involved in 30 OISs involving vehicles. The department's policy does not provide enough limitations on this practice.

Recommendation 10

The PPD should amend its policy and include a stronger prohibition on shooting at moving vehicles.

The initial assessment report found that the department's policy does not provide enough limitations on this practice, and expounding upon the policy statement would make it stronger.

Current assessment of compliance | Complete.

PPD changed directive 10 to emphasize this prohibition. The new language contains the following:

> G. Police officers shall not discharge their firearms FROM a moving vehicle unless the officers are being fired upon. Shooting accurately from a moving vehicle is extremely difficult and therefore, unlikely to successfully stop a threat of another person.
>
> H. Police officers shall not discharge their firearms AT a vehicle unless officers or civilians are being fired upon by the occupants of the vehicle.
>
> 1. Officers shall not discharge their firearms AT a vehicle when circumstances do not provide a reasonable probability of striking the intended target or when there is substantial risk to the safety of innocent bystanders or officers.
> 2. A moving vehicle alone shall not presumptively constitute a threat that justifies an officer's use of deadly force.
> 3. Officers shall not move into or remain in the path of a moving vehicle. Moving into or remaining in the path of a moving vehicle, whether deliberate or inadvertent, SHALL NOT be justification for discharging a firearm at the vehicle or any of its occupants. An officer in the path of an approaching vehicle shall attempt to move to a position of safety rather than discharging a firearm at the vehicle or any of the occupants of the vehicle.
>
> NOTE: An officer should never place themselves or another person in jeopardy in an attempt to stop a vehicle.

4. The prohibitions regarding the discharge of a firearm at or from a moving vehicle exist for the following reasons:
    a. Bullets fired at a moving vehicle are extremely unlikely to disable or stop the vehicle.
    b. Disabling the driver of a moving vehicle creates unpredictable circumstances that may cause the vehicle to crash and injure other officers or innocent bystanders.
    c. Moving to cover in order to gain and maintain a superior tactical advantage maximizes officer and public safety while minimizing the need for deadly or potentially deadly force.

    NOTE: Barring exigent circumstances, (e.g., the driver is unconscious and the motor is still running), an officer shall never reach into an occupied vehicle in an attempt to shut off the engine or to recover evidence, since this has been known to result in serious injury to officers.

Although this recommendation is considered complete, the assessment team will continue to monitor the status of this recommendation to determine whether any training is provided to support this policy change. The assessment team feels this is an opportunity to use reality-based training (RBT) to reinforce this policy in the future.

Chapter 3. Basic Recruit Training

This topic appeared in chapter 5 of the initial assessment report of the Philadelphia Police Department (PPD) and included 16 recommendations, which were based on a comprehensive assessment of the PPD's recruit academy training as it relates to deadly force. These recommendations included defensive tactics, de-escalation, use of force, and firearms. Of the 16 recommendations, two are complete and 14 are in progress, as shown in table 5. This chapter provides a detailed assessment of the PPD's progress in implementing these 16 recommendations. We have maintained the original recommendation numbers (11.1, 11.2, etc.) for consistency across the reports.

Table 5. Status of basic recruit training recommendations

Status	Reforms/Recommendations (N)	Percent (%)
Complete	2	12
Partially complete	0	0
In progress	14	88
No progress	0	0
Total	16	100

Finding 11

PPD recruit training is not conducted in a systematic and modular fashion. As a result, some recruit classes receive firearms training close to the end of the academy while others receive it early on.

Recommendation 11.1

The PPD should revise the sequencing of its academy curriculum so that recruits are continually building on previously learned skills.

The initial assessment report found that the sequence of courses throughout the academy does not generally flow from the instruction of foundational skills to more complex skills, because much of the schedule is determined by the availability of instructors and space due to overlapping academy classes.

Current assessment of compliance | In progress.

The PPD indicated that the Recruit Training Unit (RTU) reviewed its curriculum to sequentially provide recruit training. The chief inspector (CI) of the Training Bureau met with the Los Angeles Police Department (LAPD) to gain insight into how to improve the sequencing of the training curriculum. The PPD indicated

that there are several factors that determine the placement of a course or block of instruction (e.g., Shooting Range, Emergency Vehicle Operators Course [EVOC]) within the recruit schedule. Some factors over which they have no control include the following:

- The size of the class. This determines the number of platoons; for example a 90-recruit, 3-platoon class will inevitably have a nine-week difference in starting time at the range between A platoon and C platoon.
- The amount of overlap between classes based on when classes begin and possible conflicts in the timing of the curriculum.
- Limitations placed by the training venue—one range, one gym, one EVOC course. Recruit training does not always take priority compared to other units using the training facility (for example, in-service bike training, crisis intervention team [CIT] training, and other in-service courses).

The assessment team performed a detailed analysis of one of the most recent recruit schedules. There has been significant effort to structure the sequencing of the courses such that advanced instruction only occurs after foundational ideas and concepts have been presented. The Academy staff is continuing to study the structure of the curriculum in light of recommendations made by the assessment team and the addition of new courses of study that expand on the concepts of community policing, fair and impartial policing, and procedural justice. In addition, they are re-engineering their defensive tactics program, which will have an impact on scheduling. The staff has indicated an even better schedule will be forthcoming, and this schedule will also be analyzed in detail by the assessment team.

Recommendation 11.2

Skills that require continual training and refinement, such as firearms, defensive tactics, communications, and driving, should be staggered throughout the length of the academy.

The initial assessment report found that firearms training is conducted in its entirety in one 80-hour block of instruction. The problem was that this block of instruction would, at times, occur early in the eight-month recruit academy. This early scheduling, coupled with the requirement that officers are only required to fire their service weapons once per year, could result in an officer who was new to handguns not practicing with their firearm for almost two years.

Current assessment of compliance | Complete.

The PPD examined the feasibility of staggered firearms training. Physical training and defensive tactics are already staggered, and communications has several components (state mandated and city courses) that can be scheduled at different points in the curriculum.

The PPD indicated that driving and firing are muscle memory skills, which their experienced instructors feel should continue to be scheduled as they currently are. They felt recruits learn more with repetition, practicing each maneuver over and over again for better skill development. Beginning with a class that started in mid-2015, the academy initiated a program to send all recruits to a full day to the firearms range and driver training shortly before leaving the police academy to reacquaint the recruits with the mechanics of both skill sets. This training regimen will continue for future recruit classes, and the assessment team will continue to monitor this practice.

Finding 12

PPD training staff members are required to complete instructor training just one time during their careers, in accordance with minimum MPOETC standards.

Recommendation 12

The PPD should establish a minimum continuing education requirement for all training staff to remain certified by the PPD.

The initial assessment report found that most PPD training staff members maintain their instructor certification by continuing to teach, which is the minimum required by Municipal Police Officer Education and Training Commission (MPOETC) standards. However, the report recommended a more formalized process to keep up the instructor's proficiency.

Current assessment of compliance | In progress.

MPOETC currently requires an instructor not to exceed a period of four years without teaching in order to maintain certification. A Training Bureau Certified Instructor list is reviewed on an annual basis to ensure instructors are in the teaching rotation. The Advanced Training Unit (ATU) staff created an eight-hour instructor development refresher course that will be required training for all certified instructors every two years after successful completion of the two-week MPOETC instructor development course. While there is no current minimum educational requirement to be assigned to the Training Bureau, MPOETC is in the process of amending this standard to require a minimum of an Associate degree while pursuing a Bachelor's degree. Applicants for transfer to the Training Bureau are required to have exceptional writing, research, and analytical skills in order to successfully communicate information to students and prepare comprehensive lesson plans. College-level education provides applicants with the tools necessary to complete these tasks required of all Training Bureau personnel.

The instructor development course is pending command approval.

Finding 13

On occasion, PPD training staff provides inconsistent or contradictory instruction to recruits.

Recommendation 13

The PPD should create formal, ongoing collaboration between the FTU [Firearms Training Unit] and the academy.

The initial assessment report found that PPD training staff members occasionally provide inconsistent or contradictory instruction to recruits. This inconsistent instruction is one of the most frequently cited issues by recruits on their exit evaluations of the Academy.[8] The inconsistencies were described as occurring between firearms instruction and the academy classroom instruction on use of force (UOF) (two different staffs are responsible for these instructional areas).

8. CNA interviews.

Current assessment of compliance | In progress.

At the direction of the CI of the Training Bureau, the RTU UOF instructors have been cross trained as firearms instructors and Firearms Training Unit (FTU) instructors are to be cross trained as UOF instructors. To date, RTU and FTU personnel have met several times on a monthly basis to discuss a best practices strategy to ensure ongoing collaboration between the two units. The meetings focus on best practices and logistical issues of cross training additional personnel in both UOF and firearms disciplines. The PPD indicated that RTU and FTU will continue to meet on a monthly basis.

The assessment team will monitor the minutes from these meetings to determine if the working group establishes any goals or outcomes are realized. The assessment team requested evidence of formal meeting protocol and processes in place that will keep the workgroup goal-driven and makes them review their policy every year.

Finding 14

PPD officers are dissatisfied with academy defensive tactics training.

Recommendation 14.1

The PPD should review and update its defensive tactics manual at least once every two years, taking into account PPD officer experiences and emerging best practices from the field.

The initial assessment report found that PPD officers (recruits and incumbents) are dissatisfied with academy defensive tactics (DT) training by the lack of routine refresher training in DT, too much focus on legal liability, and not enough focus on teaching practical and realistic methods for surviving a physical encounter.

Current assessment of compliance | In progress.

The DT manual has been updated and submitted to Commissioner Ramsey for approval. The PPD has investigated a ground-fighting program from the LAPD as well as Krav Maga for law enforcement officers and will incorporate both beginning in January 2016. While MPOETC does exercise some control over DT instruction, they do not mandate specific tactics and maneuvers. The PPD is free to teach such styles as Koga and Krav Maga.[9]

The assessment team feels it is relevant to note that in response to current events and the recommendations of the President's Task Force on 21st Century Policing, MPOETC has mandated a change of references in the DT manuals and training from "warrior" to "guardian" and "survival" to "prevailing".

The assessment team requested and received the color copy of the DT manual, which has been simplified greatly with hundreds of photographs to explain all of the moves to new recruits. The manual is currently under review by the assessment team.

9. Koga and Krav Maga are widely accepted styles of arrest control and defensive tactics instruction taught to law enforcement officers around the country. Koga was developed by Bob Koga, an LAPD officer, in the mid-1960s. Krav Maga is a form a self defense taught in Israel that has been adapted for law enforcement.

Recommendation 14.2

Ground fighting should be part of the PPD's defensive tactics training.

The initial assessment report found that the PPD does not include ground fighting as part of their DT training, unlike the vast majority of other large municipal agencies.[10] Many physical altercations will necessitate this skill. Including ground fighting in the department's curriculum will help address recruits' concerns about the relevance of defensive tactics training and better prepare them for physical altercations in the field.

Current assessment of compliance | In progress.

The DT manual has been updated and submitted to Commissioner Ramsey for approval. The PPD will receive a Krav Maga train-the-trainer class in November 2015. This instruction will be combined with information provided by the LAPD to develop "ground defensive tactics" that may be incorporated into the DT manual.

The assessment team will continue to monitor the progress of this recommendation to assess the PPD's move to incorporate ground fighting or ground defensive tactics into their training.

Recommendation 14.3

The PPD should discontinue training on the use of neck restraints and eliminate its use from the field except in exigent circumstances when life or grave bodily harm are at risk.

The initial assessment report found there was a concern about the lack of clarity on training as it relates to the use of neck restraints.

Current assessment of compliance | Complete.

The PPD's directive 22 explicitly forbids the use of neck restraints. In addition, the department issued the following teletype regarding adherence to directive 22 Use of Force:

> The intentional use of neck restraints (choke holds, 'sleeper holds' or other holds to render a subject unconscious) [is] prohibited. This will include any incident where an individual attempts to ingest narcotics or other evidence; they will be taken immediately to the nearest hospital.

Finding 15

For some PPD recruits, de-escalation training has amounted to little more than lectures and observations.

Recommendation 15.1

The PPD should revamp its academy de-escalation training, ensuring recruits receive more hours of scenario training, which allows each recruit to exercise and be evaluated on verbal de-escalation skills.

10. Brian A. Reaves, "State and Local Law Enforcement Training Academies, 2006," Special Report, revised April 14, 2009 (Washington, DC: Bureau of Justice Statistics, 2009), http://www.bjs.gov/content/pub/pdf/slleta06.pdf.

The initial assessment report found that although many of the scenarios involve student participation, not all students participated because of time restrictions, class size, or unwillingness of some recruits to volunteer. The initial assessment report also found that scenarios were frequently cited as the most beneficial training, and academy and FTU evaluations indicated that recruits wanted more of them.

Current assessment of compliance | In progress.

The PPD indicated they are revamping their Academy de-escalation training through the creation of the Reality-Based Training Unit (RBTU). RBTU is identifying scenario-based courses so a comprehensive evaluation tool that assesses verbal and physical de-escalation skills can be developed. The scenarios are being reworked so that the role players are responsive to the actions of the trainee. In other words, depending on how the recruit performs, the role player will either escalate or de-escalate the scenario.

The PPD indicated that a tactical de-escalation lesson plan was submitted to the CI of the Training Bureau for approval. They are revising their de-escalation lesson plan to include tactical de-escalation goals and learning objectives. A recruit RBTU module is also in development. The assessment team will continue to monitor the progress of this recommendation to observe these developments and revisions.

Recommendation 15.2

The PPD de-escalation training should be expanded to include a discussion of tactical de-escalation.

The initial assessment report noted that de-escalation involves not only verbal skills but also tactics. In many ways tactical de-escalation may be just as important as the use of verbal skills in that officers will use tactics to slow down the situation, request additional resources, and create distance between them and the threat. These actions will reduce the likelihood that officers will place themselves in a position of peril and unnecessarily precipitate the use deadly force.

Current assessment of compliance | In progress.

The PPD developed a 40-hour reality-based training (RBT) program that incorporates eight hours of classroom discussion during which tactical de-escalation is discussed in conjunction with actual scenarios, including a de-brief with training recruits following each scenario. PPD is reviewing for adoption an in-service tactical de-escalation lesson plan from the Seattle Police. In addition, the RBTU curriculum will include tactical de-escalation components that conform to the Las Vegas Metropolitan Police Department (LVMPD) model curriculum. Part of the duties of the RBTU will be to create classroom instruction that augments the scenarios. This will also have a focus on the tactical elements of de-escalation.

The assessment team will continue to monitor the progress of this recommendation to observe how the department will include tactical de-escalation training units while working on the overall RBTU plan.

Finding 16

Academy recruits are not trained to use ECWs.

Recommendation 16

ECW certification should be incorporated into the PPD's basic recruit academy.

The initial assessment report found that the PPD has not implemented the practice to train their academy recruits in the use of ECWs, unlike roughly half of police agencies with 1,000 or more sworn officers as of 2006.[11] Many graduates and officers interviewed said they wanted more less-lethal force options. In fact, recruit graduates nearly unanimously expressed their desire to complete CIT in order to obtain an ECW.

Current assessment of compliance | In progress.

The PPD amended the Recruit Firearms Training lesson plan to include ECW training. Instruction commenced with the recruit class that began its firearms training on May 18, 2015. The assessment team will continue to monitor the progress of this recommendation to determine when the financial structure is in place to support recruits graduating the Academy with ECWs individually assigned to them.

Finding 17

Incidents involving discourtesy, use of force, and allegations of bias by PPD officers leave segments of the community feeling disenfranchised and distrustful of the police department.

Recommendation 17.1

The PPD's academy should significantly increase the scope and duration of its training on core and advanced community oriented policing concepts.

The initial assessment report found that the PPD's academy does not include a strong community oriented policing component, committing just eight hours of training on the topic per recruit class.

Current assessment of compliance | In progress.

The assessment team continues to monitor PPD progress on this recommendation and plans to review the content and lesson plans for several other courses that could be classified as community-policing related. In addition, the introduction of fair and impartial policing and procedural justice classes will count toward progress on this recommendation.

Recommendation 17.2

The PPD should develop and implement an action plan in response to the organizational assessment on community oriented policing policies and practices throughout the department.

11. Ibid.

The initial assessment report found a number of weaknesses in the department's policies and training related to the principles of community oriented policing. The initial assessment report also found that community members had polarized views on the state of the community relations with the PPD.

Current assessment of compliance | In progress.

The PPD completed a community policing self-assessment to determine where the department falls along the community policing continuum. This is the first step toward the development of an action plan. The assessment team will review the content of that community policing assessment report and provide technical assistance to the PPD in the development of a community policing action plan.

Finding 18

Academy instruction materials on the use of force policy and use of force continuum are inconsistent.

Recommendation 18

The PPD should conduct a complete audit of its use of force policy and legal instruction conducted throughout the academy and ensure that messaging is clear, consistent, and understandable.

For example, the continuum concept and visual aid presented in the department's UOF law enforcement academy class is markedly different from the force decision model that appears in the PPD's policies.

Current assessment of compliance | In progress.

The PPD conducted an internal audit of the UOF curriculum dated April 24, 2015. It noted that there was a "glaring discrepancy" in the reviewed training materials—they all used different UOF continuum models—and recommended they be addressed with MPOETC and the Research and Planning Division. The assessment team requested evidence that all of the materials have been updated and are now consistent. Upon approval of directives 10 and 22, the PPD will perform an audit of these lesson plans and submit changes noted by red lines to the assessment team for review.

Finding 19

The majority of academy instruction and scenario-based training sessions related to use of force end with the officer having to use force.

Recommendation 19

The PPD should review all of its use of force course materials, including lesson plans, case studies, and scenarios, and ensure that they demonstrate the opportunity for a peaceful resolution.

Recruits often state that the scenarios presented to them were invariably "no-win" situations. Trainers, on the other hand, indicate they felt a need to prepare recruits for the worst possible situations. While it is important to develop an appreciation for how a situation can turn for the worse, the vast majority of police-citizen[12] encounters do not end in a physical confrontation, much less requiring the use of deadly force.

Current assessment of compliance | In progress.

The PPD continues to work on making the changes necessary to complete this recommendation. The PPD created the MPOETC Scenario Based Training Curriculum that not only outlines how to accomplish RBT but also includes the following statement:

> Every scenario will be based on the theory that scenario training situations should be "win-able", building the cadet's confidence in training received. When the cadet displays confidence, empathy, proper understanding of the lessons taught and sound communication skills, then the instructors/Role-players will cooperate with the responding cadet(s) and allow the cadet to "win" the situation, thereby building confidence and reinforcing objectives. Since 97% of police-citizen contacts are non-physical, the police officer who possesses better communication skills will have a higher chance of successfully dealing with confrontational situations.

Finding 20

There is a strong desire for more reality-based training throughout the department.

Recommendation 20

The PPD should increase the amount of reality-based training offered to academy recruits.

The initial assessment report found that the department has increased the amount of RBT it offers. However, there is a strong desire for more RBT throughout the department, including in-service training.

Current assessment of compliance | In progress.

The PPD indicated the new RBTU is scheduled to begin operating in the spring of 2016. The requested unit staffing includes one lieutenant, two first-level supervisors, and six officers. The PPD has begun testing the scenarios with current recruits in an effort to perfect them. In addition, the unit continues to develop the scenario manual and policies. The unit is awaiting U.S. Department of Justice grant funding for movable walls in the garage at the new Woodhaven training facility for the scenario training.

12. This report uses "citizen" to refer to all individuals in a city or town who are not sworn law enforcement officers or government officials. It should not be understood to refer only to U.S. citizens.

Finding 21

PPD training scenarios are not developed with a consistent method or evaluation process.

Recommendation 21

PPD scenarios should be developed in a formal fashion and include learning objectives and evaluation criteria.

The initial assessment report found that PPD training scenarios are not developed with a consistent method or evaluation process. Some are developed with specified learning objectives and evaluation criteria, whereas other newly developed trainings are less well developed.

Current assessment of compliance | In progress.

The RBTU is currently restructuring the scenario playbook with evaluation criteria to encompass 15 scenarios for Academy instruction on police encounters. The RBTU will be instrumental in the success of this form of training. To date, three practical exercise manuals are completed and were submitted to the CI of the Training Bureau for review on June 8, 2015. The assessment team will continue to monitor the progress of this recommendation and requests evidence of these written scenarios, learning objectives, and evaluation criteria.

Chapter 4. In-Service Training

This topic appeared in chapter 6 of the initial assessment report of the Philadelphia Police Department (PPD) and included 14 recommendations, which were based on a comprehensive assessment of the PPD's in-service training program. These recommendations included the structure of PPD in-service training, officer requirements, and various types of in-service training available to PPD officers. Of the 14 recommendations, three are complete and 11 are in progress, as shown in table 6. This chapter provides a detailed assessment of the PPD's progress in implementing these 14 recommendations. We have maintained the original recommendation numbers (22, 23.1, etc.) for consistency across the reports.

Table 6. Status of in-service training recommendations

Status	Reforms/Recommendations (N)	Percent (%)
Complete	3	21
Partially complete	0	0
In progress	11	79
No progress	0	0
Total	14	100

Finding 22

The PPD lacks a field training program to help transition academy graduates into full-time work as officers.

Recommendation 22

The PPD should develop a field training program.

The initial assessment report found that the current academy-to-field transition process for rookie officers occurs through foot patrol beats, where these newly graduated recruit officers are paired with one another and assigned to patrol a high-crime area. The initial assessment report also noted that a number of officers interviewed stated that this missing component of field training is something that dramatically hinders the development of officers in the department.

Current assessment of compliance | In progress.

The PPD developed an 11-week field development program (FDP) that it points out exceeds the Pennsylvania Law Enforcement Accreditation (PLEAC) standard, which only requires three weeks of field training. As part of developing this program, the PPD surveyed recruits to receive input on the types of training nec-

essary to prepare them. Recruits' feedback indicated the FDP program provided greater structure and a longer training period than the PLEAC standard of only three weeks. Ninety percent felt that overall, the FDP was beneficial in helping transition from the Academy to working independently as an officer on the street (in the field). However, only 40 percent thought the training was enough to prepare them; they also felt that the training provided was inconsistent. There were concerns that the veteran officers responsible for the field training varied greatly in their level of interest in having the recruits work with them; the professionalism of these officers varied widely; and while some helped the recruits learn how to accomplish tasks on their own, others just told the recruits to observe the veteran officers in action.

The FDP claims it is an 11-week training program; however, the assessment team disagrees. During the first five weeks, the new officer rides with a veteran officer, who is monitored by a sergeant. A large number of recruits noted that this period actually amounted to two weeks, not five. According to the officers interviewed by the assessment team, the sergeant often sees very little of the new officer's performance and relies on verbal reports from the veteran officer. The training standards are ill defined, and there are only two evaluations.

After this period, the new officer then is assigned to a foot beat with another new officer for 12–18 months. At the conclusion of that period the officer completes another six weeks of FDP training. However, this six-week period cannot reasonably be considered training because the recruits ride with a variety of veteran officers (often a different one each night), and there are no training standards or recruit evaluations required during this period. The veteran officers go through no objective selection process and receive no instruction on the training of new officers in the field.

The assessment team provided detailed technical assistance to the PPD on the widely used San Jose field training officer model, which is a 12—16 week program. In addition, the team provided information on the Reno (Nevada) Police Training Officer model. This is a more advanced program that creates a seamless and consistent transition from the recruit academy to field training. It heavily incorporates community policing and problem-solving concepts throughout the process. Both models rely on specially selected field training officers who receive specific instruction on how to train new officers in the field. The recruits are evaluated on a daily basis based on clearly defined learning goals.

The assessment team makes several observations regarding this recommendation. The PPD responded to the recommendation and developed a new field training protocol (FTP), and the assessment team recognizes that the PPD has made a substantial organizational investment in implementing the new FTP. However, the implementation of the new FTP has been uneven and, in some facets, incomplete. The PPD's FTP exceeds state standards and, even in its current state, surpasses those of other eastern urban police departments. It does not meet the standards of several FTP programs recognized as exemplary (such as San Jose, California, and Reno, Nevada, as noted earlier). The assessment team will continue to monitor the implementation of this new FTP with the expectation that some of its shortcomings will be resolved during the implementation phase.

Finding 23

The PPD's annual in-service training requirements tend to be limited to MPOETC standards. As a result, officers do not regularly receive in-service training on threat perception, decision making, and de-escalation.

Recommendation 23.1

The PPD should add at least one additional day of RBT to its annual requirements.

The initial assessment report found that PPD's in-service training requirements tend to be limited to Municipal Police Officer Education and Training Commission (MPOETC) standards. As a result, officers have received in-service training on topics related to use of force (UOF) on only three occasions in the last few years. The initial assessment report also noted that the vast majority of officers interviewed indicated that reality-based training (RBT) was the most effective training they had received while with the department and that they desired more of this type of training.

Current assessment of compliance | In progress.

The PPD recently created the Reality-Based Training Unit (RBTU) and is in the process of adding a day of RBT to their annually required training. The requested staffing for the RBTU is one lieutenant, two first-level supervisors, and six officers. This model was based on observations of the Las Vegas Metropolitan Police Department's (LVMPD) RBT unit and projections of training demands. In addition, the RBTU will use a building on the current academy grounds or the garage at the new Woodhaven academy, or both, as training locations. The RBTU will be separate from the Firearms Training Unit (FTU) as they have separate missions; going forward the FTU will not engage in RBT and instead will focus on shooting mechanics. In addition, the PPD has requested funding to purchase three firearms training simulator (FATS) machines. These are UOF video simulation systems that challenge officer's decision-making abilities in situations such as shoot / don't shoot.

In the creation of the RBTU, the following has occurred:

- Researching and writing scenarios and a lesson plan of module I to begin the reality based class
- Communication established with LVMPD as a point of reference in establishing the new RBTU module I
- Communication established with the Deputy Commissioner for Organizational Services about potential location of RBTU and recent requests for equipment
- Communication established with Internal Affairs Division (IAD) shooting team for past police shooting cases to help establish a catalog of realistic scenarios
- Research on and requests and purchase orders for equipment, such as safety equipment, Simunition, and portable shoot house

- Members of the RBTU completed two days of in-house training with members of the special weapons and tactics (SWAT) Unit; RBTU personnel have received Room Entry and Active Shooter Training
- Additional in-house training for members of RBTU set with physical training (PT)/defensive tactics (DT) section of academy staff for a review of DT
- Requests for additional outside training for Simunition Scenario Development and Simunition Safety certification.

The assessment team will continue to monitor the implementation of this recommendation to ensure that the PPD gets more local control over the mandated MPOETC annual training requirements.

Recommendation 23.2

The PPD should include training in procedural justice during their next offering of mandatory in-service program courses.

Research suggests that when members of the public believe that their contact with the police has been characterized by fair treatment, they are more likely to respect the outcome of that interaction and have more favorable views of the police and acknowledge them as legitimate legal authorities.[13] These favorable views of the police can translate into greater legitimacy for the department and therefore more positive interactions with less resistance from the community they serve.

Current assessment of compliance | In progress.

The PPD has surveyed other agencies and is developing a procedural justice lesson plan. In addition, Commissioner Charles H. Ramsey plans to promote internal procedural justice by developing a disciplinary process for minor offenses such that instead of creating a history of discipline, the commissioner can proscribe a penalty that will be held in abeyance; if there are no further complaints, the case will be expunged. This is an incentive to encourage good behavior and not unnecessarily punish good officers who make minor mistakes. However, if the officer gets another complaint, he or she would receive the abeyance penalty and the discipline on the new case. While this is a good idea, it will undoubtedly require the change to be part of the next Fraternal Order of Police (FOP) contract negotiation session in 2017.

Recommendation 23.3

The PPD should include training in unconscious bias and law enforcement during the next offering of mandatory in-service program courses.

The initial assessment report found that Black suspects were subject to threat perception failures (TPF) in nine percent of officer-involved shootings (OIS), more than twice the rate of White suspects, supporting the notion that unconscious bias plays a role in deadly force decision making and TPFs. The initial assessment report also noted that training officers should be made aware that unconscious biases can play a large role in how police officers interact with their community members.

13. Jason Sunshine and Tom R. Tyler, "The Role of Procedural Justice and Legitimacy in Shaping Public Support for Policing," *Law and Society Review* 7, no. 3 (September 2003), 513–548.

Current assessment of compliance | In progress.

The PPD participated in Dr. Lorie Fridell's train-the-trainer course on Fair and Impartial Policing in August 2015. The Advanced Training Unit (ATU) will be responsible for delivering the course during the annual 2016 in-service training session. The PPD indicates that training will be reinforced through roll call training and the issuance of training bulletins.

Finding 24

The PPD training staff lacks opportunities for exposure to day-to-day officer experiences.

Recommendation 24

The PPD should require training staff members to work a patrol shift in a two-officer car at least twice annually.

The initial assessment report found that training staff is too far removed from working in the field to effectively communicate course lessons in a context that resonates with field officers' day-to-day experiences.

Current assessment of compliance | Complete.

All training staff members have been scheduled twice per year to work a patrol district. The periods range from two days to two weeks. The PPD provided the assessment team with documents illustrating their scheduling of all personnel in the ATU, RBTU, and FTU to two-week rotations in the patrol districts over the next year, thereby codifying this recommendation into policy. All Training Bureau personnel are directed to work a patrol district in a two-person car twice a year.

Finding 25

The PPD lacks a comprehensive scenario playbook that includes a diverse set of scenarios relevant to policing in Philadelphia.

Recommendation 25.1

The PPD should develop a catalog of scenarios based on real-world incidents experienced by PPD officers and other officers across the country.

The initial assessment report found that officers encounter a diverse collection of calls for service and a variety of individuals, including persons in mental health crises, foot pursuits in high-crime areas, and animals, among others. In addition, officers who have not spent much time in an urban environment are confronted with situations and individuals that are unfamiliar to them, adding yet another layer of complexity to their decision-making process. The initial assessment report also noted that the department shot 29 unarmed suspects as a result of TPFs between 2007 and 2013 and that 33 percent of OISs involved a foot pursuit.

Current assessment of compliance | In progress.

The PPD has enough real world experiences to choose from as part of their RBT. The RBTU is developing a catalog of such scenarios and plans to continually add new scenarios. The PPD is taking care to create scenarios that are realistic and, where possible, that incorporate newsworthy, high profile events involving police at the local, national, and international level. These scenarios serve as source material for the newly implemented 40-hour reality based scenario training program—which, as previously mentioned, will be expanded.

RBTU is researching and identifying scenarios that will cover a wide variety of situations and incidents experienced by police officers to include in a catalog that will be used in RBT. Recently, MPOETC issued an instructional guide, created by the PPD, for the State of Pennsylvania. It covers the development and administration of scenarios during recruit training, including the following:

- Three methods of instruction
- Scenarios and role playing
- Scenario debriefs
- Guided discussion
- Evaluation strategies
- Evaluation grading sheets
- Individual and group discussions with evaluators
- Review of digital recordings
- Rules for conducting safe scenarios, including the fact that in addition to role players there must be three additional instructors who fill the roles of moderator/lead instructor, safety officer, and evaluator
- Five types of scenarios:

1. Phase I (easiest)
2. Phase II (increase in complexity, possible arrest situations, search, de-escalation, etc.)
3. Phase III (more complex, definite arrest scenarios, decision making, UOF, crime scene awareness, etc.)
4. Phase IV (potential UOF, higher level of complexity, disengagement, tactical awareness, testifying, etc.)
5. Phase V (shoot/don't shoot, life or death, providing a public safety statement to a supervisor, etc.)

The assessment team will continue to monitor the implementation of this recommendation. The team feels the scenario development document is excellent. The assessment team awaits the release of the catalog of scenarios to observe during the next site visit.

Recommendation 25.2

Officer performance in training should be recorded as a way to track officer progress across the department and flag any tactical issues that may require additional targeted training.

The initial assessment report noted that a rubric for grading officer performance in the scenarios should be developed in conjunction with the development of the scenario playbook. The initial assessment report also noted that officers should be graded on each scenario with results entered into a PPD electronic training record keeping system, thereby enabling the department to analyze and proactively address any department-wide or officer-specific tactical deficiencies.

Current assessment of compliance | In progress.

The chief inspector (CI) of the Training Bureau requested permission for the Training Bureau to be included in the IAD officer review process in order to identify remedial training issues. This was approved by Commissioner Ramsey in July 2015. IAD has agreed to inform the Training Bureau when training needs are identified as a result of these reviews and has requested that a Commander's Training Request form be developed for their Intranet to facilitate this process. That form would be used whenever any commander feels there is a need for a specific training course; it would be sent to the Training Bureau and evaluated, and action would be taken.

The PPD met with vendors for the Qualtrax software to see if the program, which is being used elsewhere in the city, would be suitable for this purpose. It was determined that this may not be the best solution for this problem. The CI of the Training Bureau requested that the existing training records database be replaced with a system that

- supports a web-based platform that permits online training and ease of access across the department;
- transmits notifications and alerts across different users via e-mail;
- allows system entries at the district or unit commander level with the ability to upload completion certificates with Training Bureau vetting of nondepartmental courses;
- tracks inventories of equipment, alerting equipment holders to expirations, etc. (e.g., ballistic vests, oleoresin capsicum [OC] spray [pepper spray] canisters, Narcan vials), with specific firearm/electronic control weapon (ECW) assignment and location tracking;
- allows bulk entries of training data, such as with the QIST database;
- tracks student certification expirations for all personnel to satisfy PD 101 training matrix needs.

Recommendation 25.3

The PPD should review its training on animal shootings to ensure they are consistent with the community expectations while considering factors affecting officer safety.

The initial assessment report found that the PPD is involved in an average of 30 animal-related OISs per year. The initial assessment report also found that there has been great concern generated by excessive animal shootings by law enforcement officers nationally, in response to which some states have enacted legislation specifically designed to address this issue.

Current assessment of compliance | In progress.

The PPD developed an excellent recruit lesson plan (Dog Encounters) for basic recruits. During the October site visit, the assessment team observed the recruit training on this issue. Unfortunately, the training consisted mostly of the viewing of a 10-minute video (one of five) on dog encounters called "An Overview: Assessing the Situation" produced by the Office of Community Oriented Policing Services, in addition to a verbatim reading aloud of part of the lesson plan by the instructor. The video briefly touches on issues regarding community concerns and expectations.

While the development of the lesson plan provides technical compliance with this recommendation, the assessment team will continue to monitor the actual implementation of this recommendation to ensure that PPD is appropriately delivering the training to make it more lengthy and comprehensive. This lengthening should include discussions about community expectations including specific examples that heighten relevancy of the training for basic recruits, and these expectations should be incorporated in the learning objectives accordingly. The PPD could look to other departments for best practices.

Finding 26

The PPD does not have a recertification program for CIT.

Recommendation 26

The PPD should create a periodic recertification training program for CIT officers.

The initial assessment report found crisis intervention team (CIT) instruction to be some of the most valuable training according to officers interviewed by the assessment team, specifically the verbal skills learned that help defuse crisis situations. The initial assessment report also found that while nearly half of the PPD's patrol officers—nearly double the widely used standard—have completed the training, the department does not have a recertification requirement in place, and therefore the officers receive the training only once.

Current assessment of compliance | Complete.

The PPD developed a 2015 CIT refresher training entitled "De-escalation of Veterans in Crisis." It consists of a lesson plan (117 pages) for an eight-hour CIT refresher course. It is a review of important verbal de-escalation skills with a focus on the specific factors relevant to dealing with returning veterans. The PPD indicates this will be delivered by ATU officers, who have undergone specialized training this past spring to deal with veterans in crisis.

The PPD revised directive 136, Severely Mentally Disabled Persons, to state that all officers who have undergone initial CIT training shall receive a minimum of eight hours of refresher training every two years.

Finding 27

The PPD does not have a recertification program for ECWs.

Recommendation 27

The PPD should create a periodic recertification training program for ECWs.

The initial assessment report found that PPD officers receive no formal refresher training on use of the device.

Current assessment of compliance | In progress.

The PPD updated the ECW recertification lesson plan to address the policy and mechanics of handling an ECW. At the end of the training, there is a practical exercise in which the trainee fires two training cartridges and participates in FATS scenario training. The policy section does not incorporate the latest revision to the policy as it applies to the UOF decision chart, and therefore the assessment team suggests the following language from the revised policy be included in the lesson:

> The use of the electronic control weapon (ECW) or ASP/baton is authorized when the offender is physically aggressive or assaultive and there is an immediate likelihood that they may injure themselves or others. Such behaviors may include punching, kicking, grabbing, or approaching with a clenched fist.
>
> **EXCEPTION:** Protesters/demonstrators that are exercising their constitutional rights of free speech or assembly and are noncompliant and passively resisting officer's commands; ECW **SHALL NOT BE USED** to overcome the resistance. Rather, officers will disengage and contact a supervisor. If necessary, additional officers will be used to overcome the resistance.

Finding 28

Unique opportunities for scenario-based and simulated training have been eliminated from the department.

Recommendation 28.1

The PPD should reinstitute the rotating simulation use of force training program.

The initial assessment report found that the department should reinstate the use of the portable FATS across the department's operational units. It was noted that this program was discontinued due to FTU staffing shortages. The assessment report noted that reinstating the program would allow officers to take advantage of additional training in a simulated UOF environment to include nondeadly-force and deadly-force scenarios.

Current assessment of compliance | In progress.

The Training Bureau is concerned there is insufficient FTU staffing to fulfill this recommendation. CNA pointed out that the district training coordinators could be trained to manage this task in each unit. The FTU is waiting on a purchase order for a mobile FATS and has requested funding to purchase three FATS machines.

Recommendation 28.2

The PPD should investigate and obtain a sufficient facility or facilities, to house reality-based training.

The initial assessment report found that the PPD needs to obtain access to facilities that will allow it to provide more realistic RBT. The initial assessment report noted that this could be done with the assistance of partnerships with the owners of abandoned buildings throughout the city or repurposing training spaces already in possession of the PPD.

Current assessment of compliance | In progress.

There is no space for a new RBT building at the old Academy location, but a building on the top of the range, if properly renovated, could be used for RBT. Upon relocation of the academy to the new Woodhaven location, one of the existing buildings could also be used for this purpose. The Training Bureau requested to obtain Justice Assistance Grant funding for movable walls for the new scenario building (a large garage) at the new Woodhaven location. In any case, the Training Bureau is actively researching ways and locations by which they will deliver their RBT.

Finding 29

The PPD requires that officers qualify with their firearms just once per calendar year.

Recommendation 29

The PPD should require that officers qualify with their weapons at least twice per year.

The initial assessment report found that an officer could go as long as 23 months between qualifications, depending on an officer's scheduling in any given year.

Current assessment of compliance | Complete.

The PPD submitted a proposal to implement an in-service relay qualification shoot whereby on-duty personnel would come to the range at a designated time and shoot the qualification course. Afterward, they would return to their respective assignments. This process would take about 30 minutes, exclusive of driving time to and from the range. This relay shoot would be in addition to the annually mandated MPOETC requirement. The FTU tried a pilot program in May and June 2015, in which officers came by on-duty and shot a 25-round qualification course and then returned to work. The end result was very positive with a total of 96 officers completing their second qualification over the course of the four relay sessions. Based on the results of the first test shoot, the PPD planned to make some scheduling modifications for the next two pilot sessions that would allow for 400 officers to qualify in a day's time. The FTU was working on a scheduling process by which the graveyard shift officer may also be able to shoot on-duty, thereby eliminating the need for paid overtime in order to shoot twice a year. This program has been well received by the officers who have participated.

The assessment team will continue to monitor the pilot and how it will be delivered, particularly how it will be delivered to third platoon (graveyard shift) officers.

Finding 30

PPD officers do not receive in-service defensive tactics training.

Recommendation 30

The PPD should provide periodic defensive tactics training.

The initial assessment report found that PPD officers do not receive in-service defensive tactics training and therefore may be more likely to resort to excessive force or lethal options to gain compliance because of a lack of practice and confidence in their abilities. The initial assessment report also noted that a total of 27 suspects were involved in physical altercations with PPD officers that led to OISs from 2007 to 2013. Although PPD officers are able to subdue or apprehend assaultive suspects without resorting to deadly force in the vast majority of incidents, officers are not consistently trained on UOF decision making and how and when to stop applying force during such encounters.

Current assessment of compliance | In progress.

The PPD is in the final stages of planning DT refresher training to be conducted at the district level by certified DT instructors so as to minimize time spent traveling to receive the training elsewhere. As part of this planning, the PPD selected ATU staff to receive an instructor-level DT training course. These trained staff members will be certified to conduct off-site DT refresher training as part of the PPD's in-service training. In addition to selecting staff, the PPD approved funding for a Krav Maga train-the-trainer session.

Chapter 5. Investigations

This topic appeared in chapter 7 of the initial assessment report of the Philadelphia Police Department (PPD) and included 18 recommendations. The assessment team derived these recommendations from three sources of information: (1) review of the manuals and policies pertaining to use of force and deadly force investigations at the PPD, (2) review of information obtained through interviews with members of the shoot team in the Internal Affairs Division (IAD) that conducts administrative use of force (UOF) investigations, and (3) systematic assessment of the quality of the PPD's UOF investigation files. This systematic review is found on pages 90–98 of the initial assessment report. It concluded that the PPD's UOF investigations were rated "fair," attaining a 3.2 score on a rating scale from 1 to 5, based on the independent assessment of four experienced officer-involved shooting (OIS) investigators.

The recommendations of the assessment team regarding the PPD's UOF investigations covered a number of different topics, including but not limited to the following:

- Establish a single investigative unit, the Force Investigation Team (FIT), for the criminal investigation of deadly force incidents.
- Provide training for the proposed FIT.
- Develop a manual for deadly force (criminal) investigations.
- Develop a checklist for public safety statements.
- Develop a policy mandating video and audio recordings of witness and suspect statements.
- Make video recordings of the crime scene and of the discharging officer's statement.
- Expand the administrative shoot team's investigation to include all involved personnel's communications, tactics, and decision making leading up to a UOF incident.
- Conduct interviews with discharging officers within 72 hours of an incident.
- Close the administrative review of the shooting investigation within 30 days of the declination of criminal charges by the District Attorney's Office.

Table 7 summarizes the status of the 18 recommendations regarding UOF investigations and is followed by commentary on the status of each individual recommendation. Of the 18 recommendations, one is complete, 13 are in progress, and four have had no progress made.

Table 7. Status of investigation recommendations

Status	Reforms/Recommendations (N)	Percent (%)
Complete	1	6
Partially complete	0	0
In progress	13	72
No progress	4	22
Total	18	100

Finding 31

OIS investigations generally lack consistency. . . . Much of an OIS investigation is conducted by one of two units, which are inconsistent in their approach. The homicide unit investigates fatal incidents and fields a team of six detectives to do so. The detective division investigates nonfatal incidents and fields a team of two detectives to do so.

Recommendation 31.1

The PPD should establish a single investigative unit devoted to criminal investigations of all deadly force incidents.

Deadly force incidents have unique characteristics that make the investigation of such incidents different from other criminal investigative work, even homicide cases.

Establishing a single FIT devoted to these investigations will help ensure the institutionalization of a consistent investigative standard.

Current assessment of compliance | In progress.

The PPD, through Commissioner Charles H. Ramsey, is exploring the best method for the creation of a separate unit exclusively focused on the criminal investigation of the use of deadly force by an officer. Currently, two options are under consideration: (1) a completely separate investigating agency or (2) a task force approach that would include PPD investigators under the direction of the independent agency.

Recommendation 31.2

FIT members should have the experience and training necessary to conduct thorough and objective OIS investigations.

Members of the newly established unit [see recommendation 31.1] should have prior major case investigation experience with a strong preference for homicide investigations. Furthermore, all members of the unit should receive specialized training in OIS investigations.

Current assessment of compliance | In progress.

The decision to form a new unit focused on the criminal investigation is still under consideration. Having said this, the PPD is reviewing its training for investigators who are responsible for certain aspects of use of force investigations in its current investigative model. The PPD is looking at outside training opportunities and identifying internal subject matter experts to instruct key classes of specialized training related to OISs. Although it was requested, the PPD has not provided its investigators' training records to the assessors, nor has the PPD shared with assessors the upcoming training schedule for investigators.

Recommendation 31.3

The PPD should develop a manual for conducting OIS investigations from a criminal standpoint.

The manual should describe a detailed, step-by-step protocol for investigators to follow and have as a reference point when conducting OIS investigations. The manual will serve as another mechanism for ensuring that all OIS investigations are conducted with a consistent, high quality standard.

Current assessment of compliance | In progress.

The PPD shoot team has constructed a manual based on their current model. This manual details the steps taken to conduct an OIS investigation to an acceptable standard under a process the initial assessment report criticized. Though the manual incorporates some of the reforms that have been made through completing recommendations, it does not include the comprehensive reform efforts that have yet to be accomplished.

Finding 32

PPD officers involved in a shooting provide a "public safety statement" to the transporting supervisor regarding the crime scene, evidence, suspects, and witnesses. In practice, the statement lacks structure and consistency.

Recommendation 32.1

The PPD should develop a standard checklist of items constituting a public safety statement that transporting supervisors must obtain from an officer involved in a shooting.

The PPD should create a policy that specifies all pieces of information a transporting supervisor is expected to gather in the event of an OIS. All supervisors should be made aware of the policy and be issued a standard checklist to use when performing this duty.

Current assessment of compliance | Complete.

The checklist was completed and approved by the commissioner, and the assessment team has reviewed it and finds it to be comprehensive. The checklist is incorporated into directive 10 and into the shoot team's investigative manual. The assessment team will review training to ensure that supervisors are aware of the policy and know how to use the checklist. In addition, the team will review OIS investigations conducted since September 2015 to verify that the checklist is routinely used.

Recommendation 32.2

The transporting supervisor should conduct a walk-through of the scene with the discharging officer(s).

By conducting a walk-through with the discharging officer(s), transporting supervisors will better assist investigators with the crime scene investigation and incident reconstruction.

Current assessment of compliance | In progress.

The PPD reports that this practice is now in place. The assessment team will review case files of OIS incidents to confirm that this practice has been implemented.

Finding 33

The PPD's current practice for recording interviews of witnesses and discharging officers is through typed notes.

Recommendation 33

The PPD should establish a policy that interviews of all critical witnesses and suspects in the course of an OIS investigation will be video and audio recorded.

Video recording interviews will increase public confidence and demonstrate fairness and impartiality in the PPD's investigative procedures. From an investigative standpoint, video recordings can provide investigators, courts, and juries with an added perspective that photos and audio recording cannot provide. A video recorded interview will allow for an unadulterated, objective view of the interview and allow viewers to observe the behavior of both the interviewers and interviewees.

Current assessment of compliance | In progress.

The PPD has taken steps to purchase cameras, though the cameras have not yet been placed in the interview rooms and video recorded interviews of witnesses or suspects have not occurred. A written policy has not been established. The assessment team will review case files of OIS investigations to ensure compliance once the PPD has taken further steps toward implementing this recommendation.

Finding 34

Control of the initial crime scene is assigned to the criminal investigators on an informal basis. As a result, there is a general lack of consistency in the quality of crime scene control and integrity.

Recommendation 34

The PPD should establish a policy that control of an OIS crime scene must be assigned to the criminal investigative unit.

[The deadly force investigation team] should work collaboratively with the IAD shooting team to sufficiently document the scene before the scene is released.

Current assessment of compliance | No progress.

The PPD has not established a clear policy to definitively note which investigative unit is responsible for an OIS crime scene. Under the current model in an OIS investigation, several investigative details respond to the scene. To prevent confusion and strengthen accountability, a policy identifying who has control and who manages the release of the scene should be formalized in a written protocol.

Finding 35

Crime scene photos of OIS incidents are inconsistent and often lack the appropriate perspectives and details.

Recommendation 35.1

The PPD should establish a standard for OIS crime scene photography to be incorporated into its OIS investigations manual.

The PPD's OIS investigation manual should outline or reference the proper techniques and documentation of crime scene photos from the lead investigator's standpoint.

Current assessment of compliance | No progress.

In discussing this recommendation with investigators, the quality and scope of the PPD's photography of OIS investigations continues to vary from incident to incident. A checklist or protocol is still needed that clearly sets expectations and identifies the steps to be taken to ensure a high standard is met. The assessment team has suggested that a working group be formed that consists of IAD, the Homicide Unit, and the Crime Scene Unit to create a protocol for the documentation of OIS crime scenes.

Recommendation 35.2

The crime scene should be video recorded.

Preservation of the crime scene is essential to the integrity of the OIS investigation. [Video recording the crime scenes of deadly shootings] will provide supervisors and investigators with an additional perspective on the incident [(compared to crime scene photos)] and [will better depict] the spatial relationships between different parts of the crime scene.

Current assessment of compliance | In progress.

The PPD has relayed that this practice has been implemented. The assessment team will review the case files and videos pertaining to recent OISs to confirm that the video recording of scenes is now the PPD's standard practice.

Finding 36

The IAD shooting team waits for the District Attorney's Office (DAO) to decline charges against an officer before it interviews discharging officers and closes its investigation. As a result, most officers involved in shootings are not interviewed until three or more months after the incident occurred.

Recommendation 36.1

The PPD should revise its policy and practice so that the criminal investigative unit assigned to each OIS is the primary point of contact with the DAO. The IAD should be extricated from this role.

The criminal investigation of the incident should be led by a single investigative unit in the PPD. That unit should be the sole liaison with [the district attorney's Special Investigations Unit (] SIU [)] and [the separate office of their] criminal prosecutors. By [implementing this single point of contact], the department will ensure that [the criminal investigation is walled off from the internal administrative investigation].

This approach means that the criminal and the administrative investigations (with compelled statements and information derived from those statements) are bifurcated. As the investigations move forward independently, the IAD will be able to interview discharging officers sooner without concern of contamination between the administrative investigation and the criminal investigation.

Current assessment of compliance | No progress.

This recommendation is dependent upon the construction of the FIT or criminal investigative unit for OISs.

Recommendation 36.2

The [IAD] shooting team should conduct interviews with the discharging officer(s) as soon as practical, but not later than 72 hours after the incident.

The PPD shooting team investigators should interview officers as soon as all other interviews have been completed but not longer than 72 hours after an OIS. While there are no industry standards regarding this time frame, this recommendation is consistent with the guidelines set forth by Americans for Effective Law Enforcement.[14]

Current assessment of compliance | No progress.

There has been no progress on this recommendation. The completion of this recommendation depends in part on the completion of recommendation 31, so its status is on hold. In addition, the implementation of this recommendation is contingent upon union negotiations.

Recommendation 36.3

The IAD should set a goal to close administrative investigations within 30 days of the DAO's declination.

This will significantly reduce the amount of time it takes to complete an administrative UOF investigation at the PPD (for nondeadly force incidents). It will also move up the timeframe in which the Use of Force Review Board (UFRB) can meet and therefore improve the timeliness with which the department rectifies any training, policy, or practice issues identified in the administrative investigation.

Current assessment of compliance | In progress.

The PPD purports that they have made strides in reducing the time to close the administrative investigation after the DAO's declination. The assessment team is waiting for a spreadsheet on closed cases that outlines the dates to verify that the time frame of 30 days is being met.

14. Americans for Effective Law Enforcement, "Administrative Investigations of Police Shootings and Other Critical Incidents: Officer Statements and Use of Force Reports, Part One: The Prologue," *AELE Monthly Law Journal* 201, no. 6 (2008), 201–211, http://www.aele.org/law/2008FPJUN/2008-6MLJ201.pdf; Drew Tracy, "Handling Officer-Involved Shootings," *The Police Chief* 77, no. 10 (2010), http://www.policechiefmagazine.org/magazine/index.cfm?fuseaction=display_arch&article_id=2213&issue_id=102010.

Recommendation 36.4

All interviews of discharging officers should be video recorded.

. . . Video recording interviews with officers can increase public confidence and demonstrate fairness and impartiality in PPD's investigation of officers involved in shootings. . . . From an investigatory perspective, video can provide investigators, courts, and juries with an added perspective that photos or audio recordings cannot provide.

Current assessment of compliance | In progress.

There has been some progress on this recommendation. IAD has requested the purchase of video equipment to support this recommendation, and the assessment team will continue to monitor this issue.

Finding 37

The PPD lacks official training requirements for IAD shooting team members.

Recommendation 37

Current and future members of the shooting team should be required to receive specialized training in OIS investigations.

Such training, in addition to the development of investigation manuals (as detailed earlier in this chapter), will further support the institutionalization of consistent, high quality use of force investigations at the PPD.

Current assessment of compliance | In progress.

The supervisor of the shooting team has an appreciation for this recommendation. Currently, the PPD is surveying external training for use of force investigations. The PPD is also trying to identify quality internal instructors to deliver additional training.

Finding 38

The shooting team does not have a formal process for consulting with subject matter experts to inform their investigation and findings.

Recommendation 38

The shooting team should establish a policy to review its investigation and findings with other departmental experts.

Investigators should consult with training staff, tacticians, and other experts to address officer decision making and tactics during the OIS [incident]. Experts in specialized topics such as defensive tactics, officer safety, firearms training, crime scene management, or crisis intervention can illuminate conflicts in the officers' actions and departmental procedure and training.

Current assessment of compliance | In progress.

The supervision of the shoot team indicates that they are consulting with trainers and subject matter experts on tactical, training, and decision-making issues found in the review of a deadly force incident. The assessment team has requested copies of the investigative reports to see evidence of this collaboration. In addition, the assessment team will monitor UFRB presentations and outcomes to ensure compliance to this recommendation.

Finding 39

The scope of shooting team investigation focuses solely on policy while largely neglecting officer tactics and decision making.

Recommendation 39.1

The shooting team should significantly enhance its investigative scope to include officer tactics and decision making.

The shooting team should investigate the tactics and decision making of all officers, dispatchers, and supervisors involved in a UOF incident, including but not limited to communications, assessment of backdrop, officer safety, officer coordination, cover and concealment, less-lethal options, exhaustion of other alternatives, supervision, incident command, and de-escalation. This enhanced scope should be reflected in interview questions, consultations with other department experts, and investigative reports.

Current assessment of compliance | In progress.

The command staff and supervision within the shoot team have indicated anecdotally that UOF incidents are being critically inspected to a greater degree, assessing tactics, decision making, and incident command. The assessment team will review case files and the UFRB presentations to verify compliance with this recommendation.

Recommendation 39.2

Shooting team investigative reports should highlight findings and any inconsistencies in policy, procedure, and training for the UFRB to evaluate in its decision.

Shooting team reports . . . describe the incident, crime scene evidence, and witness accounts pertaining to the incident. Given the shooting team investigator's knowledge and experience investigating the case, they should clearly delineate officer actions and relevant departmental policy, procedure, and training issues that arise in the investigation. This will foster better deliberation during UFRB hearings and ultimately more informed decisions [by police officers].

Current assessment of compliance | In progress.

The assessment team will review UFRB presentations and findings to verify that the shooting team is noting any inconsistencies in policy, procedures and training to the UFRB.

Recommendation 39.3

The shooting team should develop an operations manual delineating all of its investigative activities, reporting, and role in the review process.

The manual should describe a step-by-step process for conducting an administrative investigation of OISs. It should be written in [such] a way that each investigation will be standardized and replicable from start to finish. The shooting team manual should be separate from the criminal investigation manual for OISs.

Current assessment of compliance | In progress.

As noted earlier, the PPD shoot team has constructed a manual based on their current model. This manual details the steps taken to conduct an OIS investigation to a standard under a process the initial assessment report criticized. Though the manual incorporates some of the reforms that have been made through completing recommendations, it does not include the comprehensive reform efforts that have yet to be accomplished. Completion of this recommendation will depend on whether the PPD is successful in creating or appointing a single independent team for investigation of criminal police shooting cases.

Chapter 6. Use of Deadly Force Review and Officer Accountability

This topic appeared in chapter 8 of the initial assessment report of the Philadelphia Police Department (PPD) and included 12 recommendations. The assessment team derived these recommendations from four sources of information: (1) review of the manuals and policies pertaining to use of force (UOF) and deadly force within the PPD Office of Professional Responsibility (OPR), (2) interviews with members of the PPD Use of Force Review Board (UFRB), (3) observation of UFRB meetings covering 20 UOF cases, and (4) an analysis of outcomes and disciplinary data from UFRB files. The details of this inquiry and the assessment team's findings are found on pages 108–112 of the initial assessment report.

The recommendations of the assessment team regarding the PPD's UOF review and officer accountability covered such topics as the composition and administrative workings of the UFRB, the penalties available for firearms-related violations by PPD officers, the PPD's officer early intervention system, and organizational learning processes within the PPD.

Table 8 summarizes the status of the 12 recommendations regarding UOF review and officer accountability and is followed by commentary on the status of each individual recommendation. Of the 12 recommendations, three are complete, six are in progress, and three have had no progress.

Table 8. Status of UOF review and officer accountability recommendations

Status	Reforms/Recommendations (N)	Percent (%)
Complete	3	25
Partially complete	0	0
In progress	6	50
No progress	3	25
Total	12	100

Finding 40

The UFRB [Use of Force Review Board] and PBI [Police Board of Inquiry] are duplicative processes that at times have conflicting outcomes. This sends a mixed message to members of the department and causes unnecessary internal strife.

The PPD has two separate but connected review processes in place for OISs; at times they result in different outcomes. The UFRB comprises solely high-ranking command staff, whereas the [PBI] has a more diverse set of ranks (of which the highest is captain) and fewer voting members. In addition, the PBI process allows for the calling and questioning of witnesses, whereas the UFRB does not.

Recommendation 40.1

The PPD should dismantle the two-board system for OISs and combine the functions of the UFRB and PBI into one integrated board.

An integrated board would eliminate the inherent conflict in the current two-board system and allow the department to speak with one voice in terms of officer conduct and accountability. Findings of the board should be forwarded directly to the [Police Commissioner]. The integrated board should be held only for intentional discharges involving persons, injurious accidental discharges, or other uses of force that result in death or serious bodily injury. The goal of the board should be to determine whether any policy violations occurred and whether there are any lessons to be learned regarding tactics and decision making of all officers, supervisors, and other personnel involved. The board should also ensure that when officers are present and being questioned, they have representation, affording them the due process afforded to all employees.

Current assessment of compliance | No progress.

There has been no progress on this recommendation. The assessment team recognizes that this recommendation is contingent upon union negotiations.

Recommendation 40.2

The newly established board should conduct a comprehensive review of each incident.

The board's scope should not be limited to the [brief] moment of deadly force. The review process should enhance scrutiny of these incidents from all angles, including department-wide policy and training deficiencies [and] tactical decision making of all officers and supervisors, from the beginning of the incident up to the moment of force itself.

The assessment team recommended 17 distinct deadly force incident factors that the board should cover in its review: "This can help the PPD continually learn and improve as an organization while also holding officers accountable when needed."[15] The board attempted to revise this process in response to the recommendation in its current form.

Current assessment of compliance | In progress.

Although it has been recently revised, in its current form, the directive pertaining to the UFRB (directive 161) does not indicate that the UFRB should consider the actions of all personnel involved in a deadly shooting; it only refers to the discharging officer.

15. Fachner and Carter, *An Assessment of Deadly Force in the Philadelphia Police Department*, 113 (see note 2).

Recommendation 40.3

Voting board members should include command staff, a sworn officer one rank higher than the involved officer, a peer officer, and at least one citizen representative.

[It is important, for transparency and accountability reasons, that] the community be included in the review process that rules on the most critical conflicts between the police and the public. The board should have at least one [community member] with voting power. The PPD and the Police Advisory Commission (PAC) should work together to develop a pool of citizen board members. The [community member(s) must] be trained and familiarized in the PPD's policies, procedures, and use of force training. The [community] representative[(s)] should not be in law enforcement, have law enforcement experience, or have any close family members in law enforcement. [In addition, the community] member(s) should not have pending lawsuits against the department. [The community] member(s) should sign a nondisclosure agreement related to the details of the case and hearing in which they participated.

Current assessment of compliance | In progress.

Directive 161 has been revised to include the chairperson of the PAC as a voting member of the UFRB and the president of the Fraternal Order of Police (FOP) as a nonvoting member. The PPD indicates that the decision to add a peer and supervisor member to the UFRB will take place after a decision has been reached about establishing a single review board (recommendation 40.1), which will require negotiations with the collective bargaining unit (i.e., the FOP) in 2017. The PPD has not indicated whether it will pursue this restructuring of the two boards. The assessment team will continue to monitor any progress.

Recommendation 40.4

Shooting team investigators should make a formal presentation of the facts to the board, highlighting any potential conflicts and key points for deliberation among the board.

At a minimum, the presentation should include the following components:

- *Case summary*
- *Identification of all officers and supervisors involved*
- *Satellite view of the scene*
- *Timeline of incident*
- *Critical decision points*
- *Annotated crime scene photographs*
- *Photographs of involved officers and subject, if available, as they appeared at the time of the incident*

- *Any injuries or fatalities associated with the incident*
- *Impact and recovery of all rounds*
- *Officers' training records pertinent to the incident*
- *Review of all training pertinent to the incident*
- *Review of relevant policies and officers' actions as they pertain to the policy*
- *Review of relevant training and officers' actions as they pertain to the training*

Current assessment of compliance | Complete.

The revised directive 161 states that the investigators will make a presentation of the facts without offering any opinion and that they will point out any conflicts and key points. The directive states that the board

> shall review the totality of the circumstances and issue a final determination of whether the force deployed was appropriate or the officer had an objectively reasonable belief that they must protect themselves or another person from death or serious bodily injury.

Recommendation 40.5

Board members should have the opportunity to call witnesses and ask questions related to the incident.

Witnesses could include, but not be limited to, shooting team investigators, officer witnesses, civilian witnesses, departmental experts, outside experts, and discharging officers. Discharging officers should be required to participate on the board and answer questions. If an officer's participation is not voluntary, the department should issue a Garrity *warning and compel the officer to participate. Discharging officers may also have representation with them if desired. Only voting board members should be allowed to ask questions. The questions should be nonadversarial and fact-finding in nature.*

Current assessment of compliance | In progress.

The revised directive 161 states that the board may call witnesses. The assessment team will further monitor this issue through upcoming observations of the UFRB.

Recommendation 40.6

After board proceedings are complete, voting members should deliberate the case and issue a finding by majority vote.

All nonvoting members should exit the meeting space for the deliberations and return when a decision has been rendered. The PPD's revised findings structure for UFRB hearings positions the department better to take remedial action as the result of an OIS.

Current assessment of compliance | In progress.

The revised directive 161 states that the board will deliberate and issue a finding based on a majority vote. As noted earlier, the assessment team will further monitor this issue through upcoming observations of the UFRB.

Finding 41

The PPD's disciplinary code section on firearm discharges is too encompassing. As a result, the penalty for violating this code ranges widely from reprimand to dismissal for first, second, and third offenses.

Recommendation 41

The PPD should delineate the various firearms-related violations in its disciplinary code and the penalties for first, second and third time offenders.

Discharging a firearm is one of the most important and consequential decisions an officer can make. Charges and penalties should reflect the various circumstances under which discharging a firearm may violate policy.

Current assessment of compliance | No progress.

This matter will have to be taken up in the next round of negotiations with the FOP in 2017.

Finding 42

The process for reviewing OISs in the PPD is separated from the department's commendatory process. As a result, officers may be issued commendations for actions that were less than commendable.

Recommendation 42.1

The UFRB should review and, if appropriate, approve all recommendations for commendations related to deadly force incidents.

The board should be empowered to [review,] modify[, or approve] the narrative of any citation [for a commendation, award, or medal related to any OIS incident] to ensure it is an accurate reflection of the event.

Current assessment of compliance | Complete.

The PPD amended directive 1, which covers "Commendations, Awards, and Rewards," to add the following:

> When the commendatory action involves a use of force case, the submitting Commanding Officer will contact the Commanding Officer, Internal Affairs to ascertain the status of the investigation and the accuracy of the known information. Commendation requests involving use of force

incidents presented to the Use of Force Review Board will not be reviewed or considered until the incident has been cleared of any administrative violations by the Use of Force Review Board via memorandum to the submitting Commanding Officer.

Recommendation 42.2

The department should develop a commendation that recognizes when an officer uses exceptional tactical or verbal skills to avoid a deadly force situation.

There is little official, department-endorsed incentive for officers to utilize good tactics and de-escalation skills in a potentially deadly confrontation. The department should recognize the good, life-saving work of officers who de-escalate incidents and resolve otherwise dangerous situations safely.

Current assessment of compliance | Complete.

PPD directive 1 contains the addition of a new commendation for de-escalation of a situation called the "Medal of Tactical De-escalation." This award is presented when an officer uses exceptional tactical skills or verbal approaches and techniques to de-escalate any deadly force situation resulting in the saving or sustaining of a human life.

Finding 43

The PPD's case review program has disciplinary overtones.

Recommendation 43

The PPD should refine its case review program [(early intervention system)] and review its metrics, thresholds, procedures, and organizational structure to ensure that it is best serving the interests of the department, the officers, and the community.

. . . The department's refinement of its early intervention system should be guided by the following principles:

- *The system should be proactive, not disciplinary in either perception or reality.*
- *The system should be procedurally just to the officers, meaning officers should understand the program, process, and its outcomes and be involved in its development.*
- *Data points and thresholds should be grounded in a combination of normative and empirically driven concepts about errant officers and indicators of officer misconduct while recognizing that there is no panacea.*
- *Interventions should result in action plans with measurable goals. Supervisors should follow up with subject officers to ensure that courses are corrected and that goals are being achieved.*

Current assessment of compliance | No progress.

This matter will have to be taken up in the next round of negotiations with the FOP in 2017.

Finding 44

The PPD does not have an established process for organizational learning related to OISs or, more broadly, use of force.

[Currently, n]o unit within the department is charged with conducting analyses on OISs, UOF, or, more broadly, officer safety from a trend or pattern perspective. Yet the department regularly collects data related to these issues. The department manages a database containing all UOF reports, another database on all OISs, and yet another on officer injuries. Valuable trends and patterns can be identified from these data sources and used to inform the development and improvement of policy and training.

Recommendation 44.1

The department should establish a permanent office for organizational learning and improvement related to officer safety, tactics, and use of force.

The office should be responsible for conducting analysis and producing analytic products on a routine basis, accepting special study requests from command staff, and actively improving the department's record keeping related to officer safety, tactics, and use of force, including policy, training, and real-life incidents.

Current assessment of compliance | In progress.

The PPD continues to plan for implementation of this recommendation and indicates that a general order on this matter is forthcoming. The commissioner has suggested that the unit will reside within the Audits and Inspections Bureau.

Recommendation 44.2

The newly established office should convene a working group at least bi-annually.

At least twice per year, the department should convene a workshop committed to identifying ways the department can improve officer safety and tactics, and reduce use of force. The working group should review department-wide trends on these topics, review current policy, training, and practice, and identify best and emerging practices from across law enforcement.

Current assessment of compliance | In progress.

The PPD indicates that a multidisciplinary group has been meeting since August 2015 to discuss how to implement this recommendation.

Chapter 7. External Oversight and Transparency

This topic appeared in chapter 9 of the initial assessment report of the Philadelphia Police Department (PPD) and included 11 recommendations. These recommendations were derived from three sources of information: (1) a review of the manuals and policies pertaining to public release of information on use of force (UOF) and officer-involved shootings (OIS), (2) interviews with PPD command staff and staff from the PPD Office of Communications, and (3) interviews with community members. The details of this inquiry and the assessment team's findings are found on pages 119–120 of the initial assessment report.

The recommendations of the assessment team regarding external oversight and transparency regarding PPD covered such topics as policies and practices regarding the PPD website, the PPD's relationship with the Police Advisory Committee (PAC), the PPD's handling of OISs involving unarmed citizens, and the PPD's plans for implementing body worn cameras.

Table 9 summarizes the status of the 11 recommendations regarding external oversight and transparency and is followed by commentary on the status of each individual recommendation. Of the 11 recommendations, one is complete, one is partially complete, seven are in progress, and two have had no progress made.

Table 9. Status of external oversight and transparency recommendations

Status	Reforms/Recommendations (N)	Percent (%)
Complete	1	9
Partially complete	1	9
In progress	7	64
No progress	2	18
Total	11	100

Finding 45

The PPD has begun posting a significant amount of data and case information on its website. Still, more transparency is needed to properly keep the community informed.

Recommendation 45.1

The PPD should, at a minimum, publish directives 10 and 22 and the yet-to-be-written directive on the UFRB on its OIS web page.

In addition, any updates and significant revisions of these policies should be published on the website, as needed. This transparency helps inform community members about the parameters of officer decision making related to use of force and the process for reviewing these incidents in the PPD.

Current assessment of compliance | Complete.

Currently, directives 10.1 through 10.4, which now include the former directive 22, are posted on the "Officer-involved Shootings" page of the PPD website.

Recommendation 45.2

The PPD should update its website as case files are closed and available for public dissemination.

[The PPD should update the information on OISs more frequently than quarterly (its current practice).] The community would prefer more frequent information regarding the facts and circumstances of deadly conflicts involving members of the department. Incident summaries should be posted on the website within 72 hours of an OIS.

Current assessment of compliance | No progress.

Since the release of the initial assessment report, the PPD has not changed its practices regarding the posting of summary information on OISs to its website, though it is considering making changes along the lines recommended.

Recommendation 45.3

The PPD website should be updated to include more detailed accounts of the OIS and DAO [District Attorney's Office] review of the incident.

When [a use of force] investigation has been completed, the PPD should publish a redacted version of the DAO's declination letter. All subsequent internal review files and outcomes (i.e., administrative investigation, UFRB, police board of inquiry [PBI], and arbitration hearing) should also be posted to the website. This transparency will demonstrate to the public what internal accountability mechanisms are in place in the PPD and the outcomes of those processes. The criminal investigation summary should be posted within seven days after the district attorney issues a declination letter.

Current assessment of compliance | No progress.

Since the release of the initial assessment report, the PPD has not changed its practices regarding the posting of summary information on OISs to its website. The assessment team is conducting some technical assistance for the PPD in this area, which may result in some changes to the level of detail on OISs on the PPD website.

Recommendation 45.4

The PPD should publish a detailed report on use of force, including deadly force, on an annual basis. The report should be released to the public.

The report should present statistical trends and analyses of incident characteristics of all uses of force, including deadly force incidents, for that year. The report should also highlight any major revisions in department policies and procedures related to use of force and, more broadly, public interactions.

Current assessment of compliance | In progress.

The PPD indicates that it has begun working on a structure for this report. The assessment team will revisit this recommendation in early 2016.

Finding 46

The PPD does not fully accommodate the PAC [Police Advisory Committee] in its role of providing independent civilian oversight of police operations in Philadelphia.

[In the past, the PPD] has not fully cooperated with the PAC's request for access to OIS investigative files and statistical data. Yet Executive Order 8-93 empowers the PAC to access such data related to any internal investigation into police misconduct.

Recommendation 46

The PPD should work with the PAC and accommodate requests for important documentation, investigative files, and data related to all uses of force, including OISs.

The PPD should submit these files to the PAC in a timely fashion to allow for the civilian oversight intended in Executive Order 8-93. This recommendation applies to all files and databases maintained by the PPD related to administrative investigations, criminal investigations, UFRB findings, memoranda to the commissioner regarding UFRB findings and recommendations, PBI proceedings, and arbitration hearings.

Current assessment of compliance | In progress.

In June 2015, the PAC Agreement document included language stating that the PPD will share its OIS reports with PAC and that PAC was restricted from releasing the documents. Recent correspondence between the assessment team and PAC indicates that this agreement is in fact a practice. The assessment team will continue to monitor this issue to insure it becomes an institutionalized practice.

Finding 47

Distrust in the ability of the PPD to investigate itself pervades segments of the community. Past and present scandals, high-profile OIS incidents, and a lack of transparency in investigative outcomes help cement this distrust.

Recommendation 47.1

The PPD should establish a policy stating that the police commissioner or designee will hold a press conference on an OIS incident within 72 hours of the incident.

All OISs, fatal and nonfatal, should be addressed in a press conference within 72 hours of the incident by the police commissioner or a designee. At the press conference, the commissioner or their designee should share basic facts and circumstances of the incident known at the time as collected and confirmed by investigators.

Current assessment of compliance | Partially complete.

Directive 89 on *Media Relations and Release of Information to the Public* has been revised to state that "a press conference and/or an official press release" will be released by the Police Commissioner or a designee within 72 hours of an OIS. The assessment team recommends that this language be changed to mandate a press conference only (no option for a press release) for OISs involving human beings and allowing press releases for officer shootings of animals. The PPD indicates that it has no plans to revise the language in directive 89 along these lines.

Recommendation 47.2

The PPD should enter into an agreement with the PAC allowing a PAC observer access to all pertinent documentation related to an OIS investigation.

PAC observers should be called out to the scene and receive a briefing from the lead investigator prior to the release of the crime scene. In addition, PAC observers should have the names of all involved persons and witnesses so they can conduct their own interviews if deemed appropriate. PAC observers should sign nondisclosure agreements, prohibiting them from sharing any information about any open investigations. PAC observers should be required to report any allegations of misconduct or violation of investigative protocols to the PAC executive director, the PPD IAD, and the police commissioner.

Current assessment of compliance | In progress.

A memorandum of understanding between the PPD and PAC on this recommendation is under development, and the assessment team will continue to monitor this situation.

Recommendation 47.3

The police commissioner should enter into a memorandum of understanding with an external, independent investigative agency, through which the investigation of all OISs involving an unarmed person will be submitted for review.

The PPD should consider the Philadelphia field office of the Federal Bureau of Investigation (FBI) or the Pennsylvania office of the U.S. Attorney General to serve in this role. In addition to OISs involving unarmed persons, the department may also consider other controversial, challenged, or complex OIS incidents for external review at the discretion of the commissioner.

Current assessment of compliance | In progress.

Police Commissioner Charles H. Ramsey is discussing this recommendation with a prospective independent investigative agency.

Finding 48

The PPD has taken the initiative to launch a pilot program for BWCs [body worn cameras] in several districts in the city.

Recommendation 48.1

The PPD should collaborate with the multiple stakeholders in the development of policies and protocols for use of BWCs.

The department should engage with community members, particularly privacy advocates, to ensure the department deploys BWCs in a way that is in line with community values and expectations of privacy. In addition, the department should engage in a dialogue with the Philadelphia FOP to ensure that officers' due process and privacy are considered and addressed in the policies, training, and protocols of BWCs.

Current assessment of compliance | In progress.

Recent conversations with the PPD indicate that the PPD BWC policy was developed by a multidisciplinary working group within the PPD that included a representative from the Fraternal Order of Police (FOP). The PPD is now in the process of obtaining input from the Community Oversight Board regarding the BWC policy.

Recommendation 48.2

The PPD should actively monitor the implementation of BWCs and study its effects on the department's objectives.

The department should pay particular attention to all uses of force and complaints. The PPD should consider conducting public satisfaction surveys to study the impact of BWCs on police-public encounters, paying particular attention to the impact that BWCs may have on public engagement in foot patrol districts and other high-crime areas.

Current assessment of compliance | In progress.

Recent conversations with the PPD indicate that Temple University conducted a study of the BWC pilot program. The assessment team has requested and will review the report from that study and will determine whether the PPD plans to continue monitoring BWC implementation as the program moves from a pilot to a true implementation status.

Recommendation 48.3

The PPD should address major training and policy concerns prior to the deployment of BWCs.

Before deploying BWCs, the department should address the following key policy issues:

- *Training requirements*
- *Data storage location*
- *Data retention time*
- *Impact of Pennsylvania's two-party consent law on BWC use by the PPD*
- *Impact of Pennsylvania's public disclosure law on BWC use by the PPD*
- *Encounters in which BWCs should and should not be activated.*

The department should also address the following policy issues, if BWCs become a fixture in the department:

- *Voluntariness of PPD officers*
- *Voluntariness of persons being recorded*
- *Auditing of BWC activations*
- *Auditing of BWC footage*
- *Sustainment costs of equipment and software*
- *Distribution of BWCs by police district*
- *Readdressing all policy issues listed above and uncovered during the pilot.*

Current assessment of compliance | In progress.

Documentation received from the PPD indicates that these considerations will be taken into account as the BWC initiative moves forward.

Chapter 8. Conclusion and Next Steps

The Philadelphia Police Department (PPD) has made significant progress toward the implementation of the 91 recommendations for police department reform included in the initial assessment report regarding the PPD's use of deadly force. The assessment team has determined that 91 percent of the recommended reforms are either **Complete**, **Partially complete**, or **In progress**. While much progress needs to be made, and understanding that some of the recommended reforms depend on future negotiations with the PPD's collective bargaining unit and other external entities, at this juncture the PPD is on track to complete all or most of the recommended reforms within the remaining 12 months of the monitoring phase.

Over the next year, the assessment team will continue to monitor the recommendations categorized as "Complete" and "Partially complete" to ensure continued compliance and sustainability within the PPD. In addition, the assessment team will continue to work with the PPD on those recommendations categorized as "In progress" or "No progress" so that they have the best chance of eventually becoming fully implemented. The assessment team will also continually assess, as best as possible, the community's response to the reforms.

A final assessment report on the implementation of the Collaborative Reform Initiative in the Philadelphia Police Department will be provided in early 2017.

Appendix A. Philadelphia Police Department Recommendation Status Summary

Table 10 outlines the compliance assessment status for each recommendation made in the initial assessment report.

Table 10. Recommendation status summary

#	Finding	Recommendation	Status
Chapter 2. Use of Force Policies			
1.1	**PPD Officers do not receive regular, consistent training on the department's deadly force policy.**	The PPD should develop a standard training module on Directives 10 and 22 and require all sworn personnel to complete the training on an annual basis.	In progress
1.2		The PPD should engage with officers and supervisors at the patrol level to seek their input on the clarity and comprehensibility of the department's use of force directives.	In progress
2.1	**The PPD's use of force policies are fragmented, as are revisions of these policies. As a result, the PPD currently has two use of force models which can be a source of confusion for officers.**	The PPD should revise Directives 10 and 22 at the same time to ensure the policies provide clear and consistent direction and guidance.	Complete
2.2		For each district unit, the PPD should designate or assign an individual who is responsible for policy and training bulletin dissemination and auditing.	In progress
2.3		The PPD should incorporate officers' acknowledgment of receipt of training bulletins and policy updates into the PPD's training record-keeping system.	In progress
3	**Directive 10 is too vague in its description of use of force decision making, relying too heavily on the use of force decision chart.**	The PPD should update Directive 10 to include additional narrative context describing the appropriate level of force to be applied under various circumstances.	Complete
4	**Directive 10 uses the term "probable cause" in the context of deadly force, which is unnecessary and confusing departure from the traditional legal definition of the term.**	The PPD should remove the term probable cause from Directive 10 and expound upon the principles of *Graham* v. *Connor* to guide officers in deadly force decision making.	Complete

#	Finding	Recommendation	Status
5	**The definition of "objectively reasonable" in PPD Directive 10 include the terms "imminent" and "immediate," which can be a source of confusion for officers in the field. Notably, the term "imminent" does not appear in the Graham v. Connor decision.**	The PPD should remove the term imminent from Directive 10.	Complete
6.1	**The PPD's "duty to intervene" clause in Directive 22 creates a limited requirement—specifically, that officers are required to stop another officer from using force when it is no longer required. The policy is silent on whether officers are required to stop the initial use of force when it is inappropriate and on whether any such abuses should be reported.**	The PPD's duty to intervene should be revised to account for any officers witnessing the inappropriate initiation of force.	Complete
6.2		The PPD's duty to intervene should be expanded to include a duty to report.	Complete
7	**Directive 22 does not require officers to carry oleoresin capsicum (OC) spray.**	Directive 22 should state that officers are required to carry OC spray on their duty belt at all times while on duty.	In progress
8.1	**The PPD requires officers to complete CIT in order to obtain an ECW. This requirement conflates the two tactical approaches and limits the distribution of less-lethal tools throughout the department.**	The PPD should decouple ECWs and CIT both conceptually and operationally.	In progress
8.2		ECWs should be standard issue weapons for all PPD officers assigned to uniformed enforcement units.	In progress
8.3		All PPD officers in uniformed enforcement units should be required to carry ECWs on their duty belt at all times.	In progress
8.4		The PPD should continue to dispatch CIT officers to calls for service involving persons in a probable state of mental crisis.	In progress

#	Finding	Recommendation	Status
9.1	**The PPD's ECW policy drafted in 2014 is not detailed enough regarding the circumstances in which use of the tool should be limited.**	The PPD's ECW policy should limit the number of cycles used per subject to three.	Complete
9.2		The PPD's use of force decision chart policy should clearly illustrate where using ECWs are appropriate and inappropriate.	Complete
9.3		ECW discharges used against handcuffed persons should be permissible only in cases where the officer or another is danger of serious bodily injury.	Complete
9.4		Officers who accidentally discharge an ECW and strike a suspect or nonsuspect should be required to complete a use of force report.	Complete
10	**Between 2007 and 2013, PPD officers were involved in 30 OISs involving vehicles. The department's policy does not provide enough limitations on this practice.**	The PPD should amend its policy and include a stronger prohibition on shooting at moving vehicles.	Complete
Chapter 3. Basic Recruit Training			
11.1	**PPD recruit training is not conducted in a systematic and modular fashion. As a result, some recruit classes receive firearms training close to the end of the academy while others receive it early on.**	The PPD should revise the sequencing of its academy curriculum so that recruits are continually building on previously learned skills.	In progress
11.2		Skills that require continual training and refinement, such as firearms, defensive tactics, communications, and driving, should be staggered throughout the length of the academy.	Complete
12	**PPD training staff members are required to complete instructor training just one time during their careers, in accordance with minimum MPOETC standards.**	The PPD should establish a minimum continuing education requirement for all training staff to remain certified by the PPD.	In progress
13	**On occasion, PPD training staff provides inconsistent or contradictory instruction to recruits.**	The PPD should create formal, ongoing collaboration between the FTU and the academy.	In progress

#	Finding	Recommendation	Status
14.1	**PPD officers are dissatisfied with academy defensive tactics training.**	The PPD should review and update its defensive tactics manual at least once every two years, taking into account PPD officer experiences and emerging best practices from the field.	In progress
14.2		Ground fighting should be a part of the PPD's defensive tactics training.	In progress
14.3		The PPD should discontinue training on the use of neck restraints and eliminate its use from the field except in exigent circumstances when life or grave bodily harm are at risk.	Complete
15.1	**For some PPD recruits, de-escalation training has amounted to little more than lectures and observations.**	The PPD should revamp its academy de-escalation training, ensuring that recruits receive more hours of scenario training, which allows each recruit to exercise and be evaluated on verbal de-escalation skills.	In progress
15.2		PPD de-escalation training should be expanded to include a discussion of tactical de-escalation.	In progress
16	**Academy recruits are not trained to use ECWs.**	ECW certification should be incorporated into the PPD's basic recruit academy.	In progress
17.1	**Incidents involving discourtesy, use of force, and allegations of bias by PPD officers leave segments of the community feeling disenfranchised and distrustful of the police department.**	The PPD's academy should significantly increase the scope and duration of its training on core and advanced community oriented policing concepts.	In progress
17.2		The PPD should develop and implement an action plan in response to the organizational assessment on community oriented policing policies and practices throughout the department.	In progress
18	**Academy instruction materials on the use of force policy and use of force continuum are inconsistent.**	The PPD should conduct a complete audit of its use of force policy and legal instruction conducted throughout the academy and ensure that messaging is clear, consistent, and understandable.	In progress

#	Finding	Recommendation	Status
19	**The majority of academy instruction and scenario-based training sessions related to use of force end with the officer having to use force.**	The PPD should review all of its use of force course materials, including lesson plans, case studies, and scenarios, and ensure that they demonstrate the opportunity for a peaceful resolution.	In progress
20	**There is a strong desire for more reality-based training throughout the department.**	The PPD should increase the amount of reality-based training offered to academy recruits.	In progress
21	**PPD training scenarios are not developed with a consistent method or evaluation process.**	PPD scenarios should be developed in a formal fashion and include learning objectives and evaluation criteria.	In progress
Chapter 4. In-Service Training			
22	**The PPD lacks a field training program to help transition academy graduates into full-time work as officers.**	The PPD should develop a field training program.	In progress
23.1	**The PPD's annual in-service training requirements tend to be limited to MPOETC standards. As a result, officers do not regularly receive in-service training on threat perception, decision making, and de-escalation.**	The PPD should add at least one additional day of RBT to its annual requirements.	In progress
23.2		The PPD should include training in procedural justice during the next offering of mandatory in-service program courses.	In progress
23.3		The PPD should include training in unconscious bias and law enforcement during the next offering of mandatory in-service program courses.	In progress
24	**The PPD training staff lacks opportunities for exposure to day-to-day officer experiences.**	The PPD should require training staff members to work a patrol shift in a two-officer car at least twice annually.	Complete
25.1	**The PPD lacks a comprehensive scenario playbook that includes a diverse set of scenarios relevant to policing in Philadelphia.**	The PPD should develop a catalog of scenarios based on real-world incidents experienced by PPD officers and other officers across the country.	In progress

#	Finding	Recommendation	Status
25.2		Officer performance in training should be recorded as a way to track officer progress department-wide and flag any tactical issues that may require additional targeted training.	In progress
25.3		The PPD should review its training on animal shootings to ensure they are consistent with the community expectations while considering factors affecting officer safety.	In progress
26	**The PPD does not have a recertification program for CIT.**	The PPD should create a periodic recertification training program for CIT officers.	Complete
27	**The PPD does not have a recertification program for ECWs**	The PPD should create a periodic recertification training program for ECWs.	In progress
28.1	**Unique opportunities for scenario-based and simulated training have been eliminated from the department.**	The PPD should reinstitute the rotating simulation use of force training program.	In progress
28.2		The PPD should investigate and obtain a sufficient facility or facilities to house reality-based training.	In progress
29	**The PPD requires that officers qualify with their firearms just once per calendar year.**	The PPD should require that officers qualify with their weapons at least twice per year.	
30	**PPD officers do not receive in-service defensive tactics training.**	The PPD should provide periodic defensive tactics training.	In progress
Chapter 5. Investigations			
31.1	**OIS investigations generally lack consistency.**	The PPD should establish a single investigative unit devoted to criminal investigations of all deadly force incidents.	In progress
31.2		PPD D-FIT members should have the experience and training necessary to conduct thorough and objective OIS investigations.	In progress
31.3		The PPD should develop a manual for conducting OIS investigations from a criminal standpoint.	In progress

#	Finding	Recommendation	Status
32.1	**PPD officers involved in a shooting provide a "public safety statement" to the transporting supervisor regarding the crime scene, evidence, suspects, and witnesses. In practice, the statement lacks structure and consistency.**	The PPD should develop a standard checklist of items constituting a public safety statement that transporting supervisors must obtain from an officer involved in a shooting.	Complete
32.2		The transporting supervisor should conduct a walk-through of the scene with the discharging officer(s).	In progress
33	**The PPD's current practice for recording interviews of witnesses and discharging officers is through types notes.**	The PPD should establish a policy that interviews of all critical witnesses and suspects in the course of an OIS investigation will be video and audio recorded.	In progress
34	**Control of the initial crime scene is assigned to the criminal investigators on an informal basis. As a result, there is a general lack of consistency in the quality of crime scene control and integrity.**	The PPD should establish a policy that control of an OIS crime scene must be assigned to the criminal investigative unit.	No progress
35.1	**Crime scene photos of OIS incidents are inconsistent and often lack the appropriate perspectives and details.**	The PPD should establish a standard for OIS crime scene photography to be incorporated into their OIS investigations manual.	No progress
35.2		The crime scene should be video recorded.	In progress
36.1	**The IAD shooting team waits for the DAO to decline charges against an officer before it interviews discharging officers and closes its investigations. As a result, most officers involved in shootings are not interviewed until three or more months after the incident occurred.**	The PPD should revise its policy and practice so that the criminal investigative unit assigned to each OIS is the primary point of contact with the DAO. The IAD should be extricated from this role.	No progress
36.2		The shooting team should conduct interviews with the all discharging officer(s) as soon as practical, but not later than 72 hours after the incident.	No progress

#	Finding	Recommendation	Status
36.3		The IAD should set a goal to close administrative investigations within 30 days of the DAO's declination.	In progress
36.4		All interviews of discharging officers should be video recorded.	In progress
37	**The PPD lacks official training requirements for IAD shooting team members.**	Current and future members of the shooting team should be required to receive specialized training in OIS investigations.	In progress
38	**The shooting team does not have a formal process for consulting with subject matter experts to inform their investigation and findings.**	The shooting team should establish a policy to review their investigation and findings with other departmental experts.	In progress
39.1	**The scope of shooting team investigations focuses solely on policy while largely neglecting officer tactics and decision making.**	The shooting team should significantly enhance their investigative scope to include officer tactics and decision making.	In progress
39.2		Shooting team investigative reports should highlight findings and any inconsistencies in policy, procedure, and training for the UFRB to evaluate in their decision.	In progress
39.3		The shooting team should develop an operations manual delineating all of their investigative activities, reporting, and role in the review process.	In progress
Chapter 6. Use of Deadly Force Review and Officer Accountability			
40.1	**The UFRB and PBI are duplicative processes that at times have conflicting outcomes. This sends mixed messages to members of the department and causes unnecessary internal strife.**	The PPD should dismantle the two board system for OISs and combine the functions of the UFRB and PBI into one integrated board.	No progress
40.2		The newly established board should conduct a comprehensive review of each incident.	In progress
40.3		Voting board members should include command staff, a sworn officer one rank higher than the involved officer, a peer officer, and at least one citizen representative.	In progress

#	Finding	Recommendation	Status
40.4		Shooting team investigators should make a formal presentation of the facts to the board, highlighting any potential conflicts and key points for deliberation among the board.	Complete
40.5		Board members should have the opportunity to call witnesses and ask questions related to the incident.	In progress
40.6		After board proceedings are complete, voting members should deliberate the case and issue a finding by majority vote.	In progress
41	**The PPD's disciplinary code section on firearm discharges is too encompassing. As a result, the penalty for violating this code ranges widely from reprimand to dismissal for first, second, and third offenses.**	The PPD should delineate the various firearms-related violations in its disciplinary code and the penalties for first, second and third time offenders.	No progress
42.1	**The process for reviewing OISs in the PPD is separated from the department's commendatory process. As a result, officers may be issued commendations for actions that were less than commendable.**	The UFRB should review and, if appropriate, approve all recommendations for commendations related to deadly force incidents.	Complete
42.2		The department should develop a commendation that recognizes when an officer uses exceptional tactical or verbal skills to avoid a deadly force situation.	Complete
43	**The PPD's case review program has disciplinary overtones.**	The PPD should refine its case review program and review its metrics, thresholds, procedures, and organizational structure to ensure that it is best serving the interests of the department, the officers, and the community.	No progress
44.1	**The PPD does not have an established process for organizational learning related to OISs or, more broadly, use of force.**	The department should establish a permanent office for organizational learning and improvement related to officer safety, tactics, and use of force.	In progress
44.2		The newly established office should convene a working group at least bi-annually.	In progress

#	Finding	Recommendation	Status
Chapter 7. External Oversight and Transparency			
45.1	**The PPD has begun posting a significant amount of data and case information on its website. Still, more transparency is needed to properly keep the community informed.**	The PPD should, at a minimum, publish Directives 10 and 22 and the yet-to-be-written directive on the UFRB on its OIS webpage.	Complete
45.2		The PPD should update its website as case files are closed and available for public dissemination.	No progress
45.3		The PPD website should be updated to include more detailed accounts of the OIS and DAO review of the incident.	No progress
45.4		The PPD should publish a detailed report on use of force, including deadly force, on an annual basis. The report should be released to the public.	In progress
46	**The PPD does not fully accommodate the PAC in its role of providing independent civilian oversight of police operations in Philadelphia.**	The PPD should work with the PAC and accommodate requests for important documentation, investigative files, and data related to all uses of force, including OISs.	In progress
47.1	**Distrust in the ability of the PPD to investigate itself pervades segments of the community. Past and present scandals, high-profile OIS incidents, and a lack of transparency in investigative outcomes help cement this distrust.**	The PPD should establish a policy stating that the police commissioner or designee will hold a press conference on OIS incident within 72 hours of incident.	Partially complete
47.2		The PPD should enter into an agreement with the PAC allowing a PAC observer access to all pertinent documentation related to an OIS investigation.	In progress
47.3		The police commissioner should enter into a memorandum of understanding with an external, independent investigative agency, through which the investigation of all OISs involving an unarmed person will be submitted for review.	In progress

#	Finding	Recommendation	Status
48.1	**The PPD has taken the initiative to launch a pilot program for BWCs in several districts in the city.**	The PPD should collaborate with the multiple stakeholders in the development of policies and protocols for use of BWCs.	In progress
48.2		The PPD should actively monitor the implementation of BWCs and study its effects on the department's objectives.	In progress
48.3		The PPD should address major training and policy concerns prior to the deployment of BWCs.	In progress

Appendix B. Acronyms, Abbreviations, and Initialisms

ATU	Advanced Training Unit
BWC	body-worn camera
CAD	computer aided dispatch
CI	chief inspector
CIT	crisis intervention team
COPS Office	Office of Community Oriented Policing Services
CRI-TA	Collaborative Reform Initiative for Technical Assistance
DAO	district attorney's office
DOJ	U.S. Department of Justice
DT	defensive tactics
ECW	electronic control weapon
EVOC	Emergency Vehicle Operators Course
FATS	firearms training simulator
FBI	Federal Bureau of Investigation
FDP	field development program
FIT	force investigation team
FOP	Fraternal Order of Police
FTP	field training protocol
FTU	Firearms Training Unit
IAD	Internal Affairs Division
JAG	Justice Assistance Grant
LAPD	Los Angeles (California) Police Department
LVMPD	Las Vegas (Nevada) Metropolitan Police Department
MOU	memorandum of understanding
MPOETC	Municipal Police Officer Education and Training Commission
OC	oleoresin capsicum ("pepper spray")
OIS	officer-involved shooting
OPR	Office of Professional Responsibility
PAC	Police Advisory Commission
PBI	Police Board of Inquiry
PLEAC	Pennsylvania Law Enforcement Accreditation
PPD	Philadelphia Police Department
PT	physical training
PTO	police training officer
RBT	reality-based training
RBTU	reality-based training unit
RTU	Recruit Training Unit
SIU	Special Investigations Unit

SMDP	severely mentally disabled person
SOP	standard operating procedure
SWAT	special weapons and tactics
TPF	threat perception failure
UFRB	Use of Force Review Board
UOF	use of force

About CNA

CNA is a not-for-profit organization based in Arlington, Virginia. The organization pioneered the field of operations research and analysis 70 years ago and today applies its efforts to a broad range of national security, defense, and public interest issues, including education, homeland security, public health, and criminal justice. CNA applies a multidisciplinary, field-based approach to helping decision makers develop sound policies, make better-informed decisions, and lead more effectively. CNA is one of the technical assistance providers for the U.S. Department of Justice's Office of Community Oriented Policing Services Collaborative Reform Initiative for Technical Assistance.

About the COPS Office

The **Office of Community Oriented Policing Services (COPS Office)** is the component of the U.S. Department of Justice responsible for advancing the practice of community policing by the nation's state, local, territorial, and tribal law enforcement agencies through information and grant resources.

Community policing begins with a commitment to building trust and mutual respect between police and communities. It supports public safety by encouraging all stakeholders to work together to address our nation's crime challenges. When police and communities collaborate, they more effectively address underlying issues, change negative behavioral patterns, and allocate resources.

Rather than simply responding to crime, community policing focuses on preventing it through strategic problem solving approaches based on collaboration. The COPS Office awards grants to hire community police and support the development and testing of innovative policing strategies. COPS Office funding also provides training and technical assistance to community members and local government leaders, as well as all levels of law enforcement.

Another source of COPS Office assistance is the Collaborative Reform Initiative for Technical Assistance (CRI-TA). Developed to advance community policing and ensure constitutional practices, CRI-TA is an independent, objective process for organizational transformation. It provides recommendations based on expert analysis of policies, practices, training, tactics, and accountability methods related to issues of concern.

Since 1994, the COPS Office has invested more than $14 billion to add community policing officers to the nation's streets, enhance crime fighting technology, support crime prevention initiatives, and provide training and technical assistance to help advance community policing.

- To date, the COPS Office has funded the hiring of approximately 127,000 additional officers by more than 13,000 of the nation's 18,000 law enforcement agencies in both small and large jurisdictions.
- Nearly 700,000 law enforcement personnel, community members, and government leaders have been trained through COPS Office-funded training organizations.
- To date, the COPS Office has distributed more than eight million topic-specific publications, training curricula, white papers, and resource CDs.
- The COPS Office also sponsors conferences, roundtables, and other forums focused on issues critical to law enforcement.

The COPS Office information resources, covering a wide range of community policing topics—from school and campus safety to gang violence—can be downloaded at **www.cops.usdoj.gov**. This website is also the grant application portal, providing access to online application forms.

At the request of the COPS Office, CNA conducted a thorough assessment of trends and patterns, training, and policies and practices pertaining to use of force at the PPD. In March 2015, the initial assessment report, *An Assessment of Deadly Force in the Philadelphia Police Department*, presented a detailed analysis of PPD use of force incidents from 2007 to 2013. While the release of that report marked the completion of the assessment phase, the COPS Office, CNA, and the PPD have continued their collaboration to support the implementation of 91 recommended reforms included in that report.

This six-month assessment report, which is the first of two that the COPS Office will publish on PPD's progress toward implementation of these reforms, will inform all stakeholders (i.e., the PPD, the U.S. Department of Justice, and the Philadelphia community) of the PPD's progress to date.

COPS
Community Oriented Policing Services
U.S. Department of Justice

U.S. Department of Justice
Office of Community Oriented Policing Services
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Washington, DC 20530

To obtain details on COPS Office programs,
call the COPS Office Response Center at 800-421-6770.

Visit the COPS Office online at **www.cops.usdoj.gov**.

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