UNITED STATES DISTRICT COURT FOR THE

DISTRICT OF PUERTO RICO

UNITED STATES OF AMERICA

Plaintiffs;

v.

COMMONWEALTH OF PUERTO RICO, ET AL.

Defendants.

No. 12-cv-2039 (GAG)

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MOTION TO FILE FOURTH SIX MONTH REPORT TO THE HONORABLE COURT,

COMES NOW before the Court Arnaldo Claudio, the Technical Compliance Advisor ("T.C.A."), and respectfully files this brief stating:

1. Pursuant to Paragraph § 250 of the Agreement for the Sustainable Reform of the Puerto Rico Police Department (hereinafter "the Agreement"), the Technical Compliance Advisor (hereinafter 'the TCA"), prepared the required Six Month Report covering the period from December 9, 2015 to June 9, 2016.

2. In compliance with Paragraph § 252 of the Agreement, the TCA submitted to the parties a copy of the current Six Months report, in a draft form, on June 21, 2016.

3. The Agreement states in Paragraph § 252, that "the Parties shall have fifteen calendar days upon receipt of the draft report to allow the Parties to informally comment on the draft reports."

4. On July 6, 2016, the TCA received comments by the parties.

5. Having considered the parties' comments, the TCA is ready to file, in its final form, the Six Month Report with this Court, pursuant to Requirements 250 and 252 of

the Agreement.

6. Thus, the TCA is now able to formally present the Six Month Report in accordance with all applicable sections of the Agreement.

FOR ALL OF WHICH, the TCA respectfully requests that this Honorable Court allow for the filing of this Report, in compliance with Paragraphs §§ 250 and 252 of the Agreement, approving and authorizing the filing of the fourth Six Month Report, covering the period from December 9, 2015 to June 9, 2016.

In San Juan, Puerto Rico, this day July 11, 2016.

RESPECTFULLY SUBMITTED.

Arnaldo Claudio – TCA

CERTIFICATE OF SERVICE: I hereby certify that an electronic copy of this document has been sent to all parties of record.

SIX-MONTH REPORT OF THE TECHNICAL COMPLIANCE ADVISOR DECEMBER 9, 2015 – JUNE 9, 2016

Office of the Technical Compliance Advisor to the Agreement for the Sustainable Reform of the Puerto Rico Police Department

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A Message from the

Technical Compliance Advisor

The following semi-annual report, hereinafter referred to as Report, summarizes the work conducted by the Technical Compliance Advisor, hereinafter called the TCA, for the six-month period ending on June 9, 2016. The same is submitted under Paragraphs 250 and 252 of the Agreement for the Sustainable Reform of the Puerto Rico Police Department, hereinafter the Agreement. (All references to paragraphs are paragraphs of the Agreement). Consistent with Paragraph 252, the TCA provided a draft copy of the Report to the Parties on June 21, 2016. On July 7, 2016, the Parties provided their responses. The TCA made changes to the draft based on input provided by the parties.

This is the fourth semi-annual report since the appointment of the undersigned as TCA on June 6, 2014. Taking into account that the Puerto Rico Police Department, hereinafter called the PRPD, has completed eight (8) out the eleven (11) Action Plans and has submitted for review the remaining three (3) plans, the TCA is better positioned to formulate recommendations, engage in detailed analysis of programs and operations and target areas susceptible to improvement. This development by the PRPD facilitates the adoption of best practices within the timelines provided by the Agreement and the Action Plans.

It is proper to acknowledge the positive evolution of the Reform Unit under the leadership of Colonel Clementina Vega. Consistent with Paragraphs 231 through 234, the Unit has become a more cohesive, synchronized, and active source of reform within the PRPD. The Unit has achieved this objective by assembling an impressive team of officers, attorneys, and civilian contractors. They have consistently shown the ability to draft effective policies, general orders, and other critical administrative documents following both, the Agreement and best practices in modern law enforcement. This evolvement is highly commendable.

The Reform Unit has implemented the practice of conducting regular visits to precincts, the PRPD Police Academy, and community groups. At the conclusion of these site visits, they report their observations and findings to the Director of the Reform Unit, who in turn reports them to the Superintendent and other Commanders. Through this process, they are efficiently and consistently helping the PRPD to understand and welcome the institutional changes required by the Reform.

The TCA also wants to acknowledge the diligence and dedication of the Reform Unit in drafting the required eleven (11) Action Plans of which the TCA and the United Stated Department of Justice, hereinafter called the USDOJ, have approved eight (8). The remaining three (3) plans are actually under review. Once the last Action Plans are approved, the PRPD, led by its Reform Unit, will reach a significant milestone in the reform process, a significant feat to be acknowledged upon completion.

In view of the upcoming elections and the usual occurrence of personnel and operational changes responding to such process, the TCA respectfully submits that pursuant to Paragraph 233 the Commonwealth and the PRPD "make their best efforts to retain such personnel and resources to ensure continuity of effort and successful implementation of this Agreement and the comprehensive reform of PRPD." Within the aforementioned framework, the TCA further submits and recommends that the experience, knowledge, and documented performance of the Reform Unit be considered before any personnel changes are implemented to assure the desired continuity of the progress made bringing about reform within the PRPD after the election process is over.

Consistent with Paragraph 205, the PRPD is required to engage with the community in the Reform process. The TCA was very impressed with the work of the PRPD in the implementation of the new Community Interaction Councils, a major milestone in the Reform process, and the continued growth of the neighborhood security councils. Instilling a culture of transparency and trust is always a difficult task, but the TCA is satisfied that the dialogue with the community, which remains open, will ultimately make this plan succeed. In this vein, the TCA continues to promote the exchange of communication between the PRPD and community groups, among them, GRUCORPO. GRUCORPO is a conglomerate of organizations and groups with diverse interests that have volunteered to assist the PRPD during the reform process without yielding their particular objectives. Nevertheless, they have contributed to this process by examining policies and protocols and providing advice and observations consistent with the goals of constitutional and bias-free policing.

Presently, the dialogue between the PRPD and GRUCORPO continues; however, it appears to have slowed down due to administrative issues regarding the terms of the policy review protocol. The TCA will continue to mediate between the PRPD and GRUCORPO in order to facilitate a better working relationship between them and to look for opportunities to promote collaboration with the community.

As required in Paragraph 241, the TCA must conduct comprehensive surveys of the police, the community, and detainees arrested by the PRPD. The goal is to use these surveys to tap into the pulse of police-community relations in Puerto Rico. It further

requires that these surveys should be statistically valid, based on a sound methodology, and conducted by an independent entity. The TCA has complied with the requirements of Paragraph 241. The completed surveys and their results will be published in a separate special report to the Court in August 2016. The Superintendent has been briefed on all three (3) surveys and directed the briefing to all of his thirteen (13) Area Commanders, which was completed in June. These surveys will enable the PRPD to make informed decisions in critical areas of human and civil rights based on well-documented scientific data for the first time in the history of the organization. Furthermore, during the "capacity building period," it provides the PRPD the opportunity to address deficiencies using a greater strategic awareness program. The next group of surveys will involve community focus groups, which will supplement the quantitative data and information obtained from the written surveys by providing a more qualitative dimension. By hearing and recording direct experiences from the community, the PRPD can better align itself to address its needs.

The TCA continues to have a dim view of the Drugs, Narcotics, Vice, and Illegal Firearms Bureau. Recently reported incidents of alleged corruption and civil rights violations continue to reflect a pattern of conduct of a Unit in disarray, lacking leadership and direction. Such reports in other police organizations typically result in wholesale transfers, dismissals, convictions, or disbandment of the Unit in a very short period. Those corrective measures, however, have not taken place in Puerto Rico. The TCA has consistently mentioned this specific Unit in all of his previous semiannual reports and has included recommendations for improvement and reform. Although the Superintendent has recognized the urgency of the situation by engaging Internal Affairs and submitting a policy for the reorganization of the Unit, there are little-known improvements to date. The TCA acknowledges these steps towards change, but he has persistently recommended a complete transformation of this Unit. Further comments and recommendations of the TCA will be addressed later on in this Report.

Paragraph 13 requires the PRPD to conduct a personnel-staffing study to assess human resource needs by the PRPD. This requirement is highlighted under the approved Action Plan on Professionalization. The set deadline is June 2016. However, the PRPD will not comply with this deadline. Upon the insistence of the TCA, the PRPD has assembled a working group to complete the staffing study. The PRPD has submitted an application for a federal grant to defray expenses. Since this is a colossal undertaking, the TCA does not entirely blame the PRPD for being slow-paced in this situation, but, on the other hand, the TCA fails to understand how can the PRPD continue to promote personnel and conduct random transfers --including the recent transfer of several Area Commanders-- without first understanding the strategic and operational needs of the organization. **The TCA recommends that no additional promotions are made until the PRPD completes the study, and transfers are warranted on the basis of operational**

needs. Further comments and recommendations of the TCA on Paragraph 13 will be addressed later on in this Report.

The TCA recognizes that Puerto Rico faces unprecedented fiscal problems that may affect police reform efforts, particularly relating to the Agreement requirements for Information Technology. The TCA encourages the PRPD to search for new funding and grant opportunities. The TCA and his team will continue to provide technical assistance to lessen PRPD's expenditures whenever possible. It should be noted that within this reporting period, the TCA provided the PRPD more than one hundred (100) differentiated best practice models of police department policies, procedures, and training modules in use in the United States and the Caribbean, and the team of subject matter experts often worked pro-bono.

Finally, the TCA takes this opportunity to thank all involved in the Reform process for their continued support and cooperation.

Arnaldo Claudio, US Army, Col. (ret)
Technical Compliance Advisor

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TCA Reports under the Agreement

Paragraph 250 of the Agreement:

"During the first four years, from the Appointment Date, the TCA shall file with the Court, written public reports every six months that shall include:

a) a description of the work conducted by the TCA;

b) a listing of each detailed step in the Action Plans and its timeframe indicating whether the timeframe has been met, and whether the Commonwealth of Puerto Rico is making satisfactory progress toward implementation of the Agreement by rating PRPD in full, partial, or non-compliance steps in the Action Plan;

c) the methodology and specific findings for each review conducted, where appropriate, and redacted as necessary for privacy concerns. An un-redacted version shall be filed under seal with the Court and provided to the Parties. The underlying data for each audit or review shall not be publicly available, but shall be retained by the TCA and provided to either or both Parties upon request;

d) for any detailed steps that were reviewed and found not to have been fully implemented in practice, the TCA's recommendations regarding necessary steps to achieve compliance; and

e) a projection of the work to be completed during the upcoming reporting period and any anticipated challenges or concerns related to implementation of the Agreement."

Paragraph 252 of the Agreement:

"The TCA shall provide a copy of the six-month reports to the Parties in draft form within 15 days after the end of the reporting period. The Parties shall have fifteen calendar days upon receipt of the draft report to allow the Parties to informally comment on the draft report. The TCA shall consider the Parties' responses and make appropriate changes, if any, and shall file the final report with the Court within 45 days of the end of the review period. DOJ and PRPD may file responses to the TCA's final report within 30 days."

Introduction

This is the fourth six-month report ("Report") of the Technical Compliance Advisor ("TCA"). The purpose of this Report is to measure the progress made by the Puerto Rico Police Department ("PRPD") in meeting the requirements outlined in the Agreement for the Sustainable Reform of the Puerto Rico Police Department for the period from December 9, 2015, through June 9, 2016. Pursuant to the terms of the Agreement, it is the responsibility of the TCA to provide technical assistance and systematically review Action Plans, policies, procedures, programs, protocols, training, and systems of the PRPD; while measuring the nature and the extent of the PRPD's compliance with the terms set forth in the Agreement and the Action Plans.

This Report consists of three major sections. In the first section, the Report comments on the PRPD's Fourth Status Report ("Status Report") documenting the PRPD's accomplishments and progress made from December 1, 2015, through May 15, 2016. Consistent with Paragraph 250(a), this section also discusses the work conducted by the TCA in the last six months, from December 9, 2015, through June 9, 2016. It focuses on the work of the TCA in providing technical assistance to the PRPD, including work in the development and review of policies and procedures, Action Plans, and training materials.

In its second section, the Report emphasizes on the eleven (11) areas of the Agreement, each requiring an individual Action Plan that delineates how and when PRPD will meet the objectives of the Agreement. This process is consistent with the requirements of Paragraph 250, subsections (b) through (d). In August 2015, the TCA and the United Stated Department of Justice ("USDOJ") approved four Action Plans: (1) *Use of Force; (2) Searches and Seizures; (3) Equal Protection and Non-Discrimination; and, (4) Civilian Complaints, Internal Investigations, and Discipline*. In February 2016, the TCA and the USDOJ approved four additional Plans: (5) *Professionalization; (6) Recruitment, Selection, and Hiring; (7) Supervision and Management; and (8) Community Engagement and Public Information*. The final set of Action Plans are currently under review; namely, the Action Plans on *Policies and Procedures, Training, and Information Systems and Technology*. Once these Plans are approved, all required eleven (11) Action Plans will be fully incorporated, enforceable by the terms of the Agreement and in compliance with Paragraph 238.

In the third section, as required by Paragraph 250(e), the Report makes recommendations for improvement wherever the TCA identifies gaps in policy and practice in connection with the implementation of the Action Plans. The TCA makes recommendations regarding any anticipated challenges or concerns related to the

implementation of the Agreement. This section additionally includes a projection of the work to be completed during the upcoming reporting period. It concludes with a summary of the Third Public Hearing and the challenges and possible solutions discussed during this crucial element of the Reform process.

Section I

The Fourth PRPD Status Report

On May 31, 2016, the PRPD submitted its Fourth Status Report assessing progress for each of the eleven (11) focus areas, steps towards implementation of the Agreement, and a response to prior concerns raised by the TCA. The Status Report documents the overall progress made by the PRPD for the period covering December 1, 2015, through May 15, 2016. Paragraph 261 requires that the Commonwealth "file with the Court sealed and unsealed versions of the status report, with a copy to the TCA and DOJ, no later than 15 days before the end of the period under review." Although the filing with the Court was submitted after the deadline, it should be noted that the Commonwealth has complied with the filing requirement.

Except for the substantial progress made by the Reform Unit and the Police Academy in the drafting of very polished policies and training modules, the Status Report does not document the steps taken by the PRPD in building capacity during the last six months. The Status Report describes assorted actions but neglects to provide an explanation of how these actions have enhanced PRPD's capacity, or how the PRPD uses its resources towards meeting the requirements of the Agreement and the Action Plans. It is unclear the inclusion of certain information when the subject is Information Systems and Technology or another area of compliance, and the relevance of certain activities or purchases. For example, the acquisition of items like walkie-talkies and computers does not show the link between the acquisition, the purpose of said acquisitions, and how they are pertinent to compliance with the Agreement. The Status Report must connect the reported action or activity to its purpose and how it meets the demands of the capacity building phase. During various organized site visits, the TCA, and his team observed the need for hand-held radios and other forms of communication devices and properly informed the Reform unit in our reports. However, nowhere in the Status Report, there is any information of the operational distribution of, nor the impact of the purchased

communication devices, nor the impact on the capacity of PRPD to operate more efficiently.

In the discussion of open meetings between the PRPD and the community, the input received from participants of the meeting is not addressed. It does not convey the fact that the relationship between the PRPD and the community it serves is a reciprocal one. It is important for the PRPD to inform the community of how the community's input changes the policies and operations of the PRPD, or at least provide an explanation of why PRPD made no change. This action is particularly important in the context of the Agreement. The PRPD cannot act as if there is no Agreement in place requiring the PRPD to alter the manner in which it must interact with the community. Also, it is important to note that the average group participation is of approximately 50 persons, which gives the impression of little synchronization between the community and police, or perhaps ineffective communication protocols. Also, the TCA recommends a tracking mechanism in which issues presented by the community are introduced in a lessons learned type of program. The purpose of such program is to document and track issues that inform the police-community relations creating a basic repository of issues of mutual concern. The information obtained by PRPD can be utilized to establish a more efficient communication with the community about the issues presented and subsequent solutions. This program or mechanism will give the PRPD a better sense of how communities are reacting to both the Reform process and the PRPD's community engagement programs. Also, the TCA recommends the use of extensive social media and other communication tools to enhance community participation in open, public meetings.

The Status Report addresses ethics training by the PRPD. However, the TCA must note that the reported training consists of a visual presentation that only addresses the issue of personal finances, leaving aside the primary topic of police ethics. The Status Report does not indicate the impact, or intended impact, of the training on the attendants. Therefore, the TCA recommends that any ethics training should be commensurate with the best practices on ethics training for police in the United States. This training should include but not be limited to: Code of Conduct, Professional Conduct, Contracts, Rules of Law and Ethical Behavior, Integrity, Forms of Corruption, Rewards and The Use of Internal Affairs Units in the reporting of Ethical Violations. The TCA does note that this training was not provided under the auspices of the PRPD Training Academy, but was sponsored by the Commonwealth of Puerto Rico. Though all training is a learning experience, the TCA wants to ensure that this training does not become a substitute for the type of ethical training which is required and envisioned under the Agreement.

During the last six months, one of the most important operational issues has been the reorganization of the Division in charge of drugs, narcotics, vice, and control of illegal weapons. However, the Status Report make absolutely no reference to this important

topic. The TCA submits this is a very significant omission. As previously informed, this matter will be fully addressed further in this report.

Once again the PRPD publicizes and discusses troubling statistics without context or internal audit. This deficiency is an issue that the TCA has mentioned in prior reviews of the PRPD Status Report. We found little consistency between the numbers obtained by the TCA and those presented in the Status Report. For example, in the PRPD Report, Aibonito registers 0 uses of force, but 18 uses of force were reported to the TCA by the Area Commander himself during a PRPD open meeting in Coamo. Similarly, there is no discussion of the substantial increase in the number of use of force cases reported in 2015 versus the number reported in 2014.

At this point, the TCA has serious concerns about the ability of the PRPD to report and, more importantly, to audit its statistics. There is a great concern that these problems in auditing and reporting statistical information will continue after the adoption of NIBRS. Further comments and recommendations of the TCA on NIBRS will be addressed later on in this Report.

It is certainly disquieting that the table informing about cases of domestic violence (as in the prior report) shows that there were cases reported but no convictions. (The table refers to "convicted PRPD members.") The TCA recommended that the PRPD provides both information about complaints, as well as information about outcomes of DV investigations and discipline. More importantly, the Status Report does not address the persistent problem of domestic violence and its relationship to issues of mental health in light of the numerous recent cases. The TCA expressly points out the case at the Ponce Police Headquarters, where on December 28th, 2015, there was the unfortunate killing of three police officers by an on-duty police officer who had just been recently rearmed. The issue of mental health will be further discussed in this Report.

The Status Report also fails to *show* the specific steps being taken by the PRPD towards building capacity, as well as additional steps that must be taken to engage the community. The Status Report documents that, as part of the collaboration efforts with the TCA and the USDOJ, the PRPD successfully submitted for approval the second set of Action Plans (which consisted of Plans on *Professionalization; Recruitment, Selection and Hiring; Supervision and Management; and Community Engagement and Public Information)* and the review of more than 40 policies and training modules. The TCA commends the effort and the established protocol of Action Plan and policy development.

The PRPD has effectively argued its case regarding the progress being made in the area of training. The Auxiliary Superintendence of Education and Training, created by the Superintendent to delegate his responsibility to provide training, has developed courses

in accordance with Paragraphs 119 and 120. The TCA has promptly reviewed the syllabi for the on-going semester and commends the Academy's promptness in the matter.

In March 2016, the TCA attended the graduation of the second class of cadets under the Reform. Although the TCA praises this accomplishment, there is a great concern over the composition of the graduating class: more than 95 percent of the graduates in the last two graduating classes were municipal police, not PRPD cadets. **At the two-year mark in this process of capacity building, the expectations were to see more PRPD cadets being trained under the requirements of the Agreement. In discussion with the Superintendent of the Police Department, the TCA learned that there was no funding assigned for a new Police Academy class in the Fiscal Year 2017 PRPD budget. The TCA understands that there are monetary issues; however, he recommends prioritizing recruitment and training versus promotions and transfers. Allocating budget funds to promote members of the PRPD without a staffing study determining the real current needs of the agency points to the fact that these hard decisions must be made by setting priorities consistent with the Agreement. At this rate, and with an aging police force PRPD will face an unbalanced force challenged of performing its operational responsibilities with respect to manpower resources.**

A Description of the Work Conducted by the TCA: Paragraph 250(a)

During this reporting period, one of the central tasks of the TCA has been to provide technical assistance while reviewing a considerable number of policies and training documents drafted and implemented by the PRPD. The process of reviewing policies and training materials follows the schedule agreed by the Parties and set by the Action Plans presented by the PRPD in compliance with Paragraphs 234 and 237. For this reporting period, the Parties and the TCA successfully reviewed over 40 general orders, special orders, administrative orders, regulations, and complementary forms. Also, the TCA reviewed more than 35 training documents. (See Appendix #1).

Section II

PRPD's Action Plans: Paragraph 250(b) through 250(d)

As reported in the TCA's prior reports, for each of the eleven (11) focus areas, the Agreement sets forth specific timelines on when PRPD is to submit Action Plans for approval. It also mandates a stepped approach on how and when the PRPD is to comply with the terms outlined in the Agreement. The Action Plans describe temporal benchmarks and detailed steps agreed upon to execute and implement the required reforms and to achieve the desired outcomes in each substantive area. Paragraphs 231 through 240 discuss in detail their development, implementation, and assessment. The Action Plans are to examine policies and any required revisions, mandatory training, resources, staffing, budgetary requirements, and a schedule for when specific policies are to become field operational.

This section of the Report addresses whether the PRPD is in compliance and meeting the timeframe outlined in the Action Plans and making satisfactory progress toward implementation of the Agreement by rating the PRPD in full, partial, or non-compliance with steps in the Action Plans. It also discusses the specific findings and methodology for each review, when appropriate. It also includes the TCA's recommendations detailing the necessary steps to achieve compliance with any detailed steps that were found not to have been fully implemented.

During this reporting period, there were four (4) Action Plans in full effect: *Use of Force; Searches and Seizures; Equal Protection and Non-Discrimination; Civilian Complaints, Internal Investigations, and Discipline.* These plans were sent on May 7, 2015, to the TCA and the USDOJ for review and approval. The TCA and the USDOJ issued edits and suggestions, which the PRPD reviewed and accepted. The revised versions of these Plans were sent to the TCA and the USDOJ on July 13, 2015. Additional suggestions were made, and on August 7, 2015, the final revised versions were resubmitted. On August 27, 2015, these four (4) Action Plans were approved by the TCA and the USDOJ. In September 2015, the TCA submitted his methodology for evaluation of the aforementioned Plans that were later approved by the Parties.

There were four (4) Action Plans that went into effect during the reporting period. In February 2016, the TCA and the USDOJ approved the Action Plans for

Professionalization; Recruitment, Selection, and Hiring; Supervision and Management; and Community Engagement and Public Information. These Plans were originally submitted on September 25, 2015. The TCA and the USDOJ issued comments and recommendations, which were reviewed and accepted by the PRPD. The revised versions of the plans were sent to the TCA and the USDOJ on January 10, 2016. That same month, the TCA submitted the methodology for evaluation of these plans, which was also approved by the Parties.

In April 2016, the PRPD submitted the remaining set of Action Plans on *Policies and Procedures, Training, and Information Systems and Technology*. These three (3) Action Plans have been reviewed by the USDOJ and the TCA resulting in a set of specific changes and recommendations. In May 25, 2016, the PRPD re-submitted these Plans, and they are currently under a second review by the USDOJ and the TCA.

With the final approval of all eleven (11) Action Plans, the Parties will treat all of these Plans as fully incorporated, enforceable terms of the Agreement. During the first four years from the appointment date of the TCA, the Agreement requires the TCA to evaluate and assess the PRPD's progress against these eleven Action Plans. Given that it has taken two years of cooperative work between the Parties and the TCA to complete these eleven Action Plans for all compliance areas, the Parties are renegotiating an extension of the capacity building period.

For accountability purposes, the TCA notes that the PRPD provided their Action Plan activities in the form of a table that pointed out which Paragraphs of the Agreement were applicable, as well as a due date for deliverables. Keeping in mind these timelines, the TCA has started to conduct interviews, review documents, and conduct site visits to determine the nature and extent of the PRPD's progress with that particular Action Plan to be able to report his findings in a similar table. These visits are documented in this report.

For methodological purposes, it is important to clarify that the TCA comments for Action Plans cover all activities up to June 9, 2016, as established by the timelines in the PRPD timetables. The TCA measures timeframes and steps. When measuring timeframes, the question is whether the timeframe has been met and the PRPD is "in compliance" or "noncompliance." When measuring steps, the question is whether the PRPD is making satisfactory progress towards the steps indicated in the Plans. Progress is measured by rating the PRPD in full, partial, or noncompliance with the steps.

With regards to the site visits, the TCA and his team conducted site visits to the area commands of Bayamón, Humacao, Fajardo, Guayama, Carolina, Caguas, Arecibo and

San Juan. These visits focused on measuring progress in capacity building and compliance with the terms set in the Action Plans.

TCA REVIEW OF PRPD ACTION PLAN ON USE OF FORCE

Use of Force

The TCA reviewed procedures and documentation for policies relating to use of force -- including impact weapons (baton), chemical agents (pepper spray), and electronic control devices (Taser) -- to ensure the PRPD is acting consistently with the terms of the Agreement and the milestones set in the Action Plans.

In its new policies, the PRPD has stratified use of force at four different levels. Level 4, the most serious, regulates force when the use of force may cause death, grave risk of death, and serious bodily harm. It includes the discharge of a firearm whether or not there is injury, except if an animal is humanely euthanized. It also includes chokeholds, strikes to the head, neck, throat, and any in-custody deaths. Level 3 involves the use of an electronic control device (Taser), direct use of a chemical agent (pepper spray), intentionally pointing a firearm, use of any impact weapon or a bite by a police canine. Level 2 consists of a takedown, an indirect use of a chemical agent, use of an electronic control device or impact weapon where there is no contact, a control technique using a hard hand during an arrest, or injuries with the hands, open hand, elbows, kicks, or leg sweeps. Level 1 involves escorts using physical contact (this includes techniques with the baton), immobilization techniques, and grab and twists of an arm or wrist. Control techniques of a vulnerable area (grab hair, restriction on pressure points, holding and grabbing shoulder muscle) and shooting an injured animal.

During each site visit, the TCA and his Core Team interviewed commanding officers ("FRB presidents") of the Area Force Review Boards ("FRB"). The PRPD has thirteen (13) different Area Commands all of which have an FRB. All Presidents have received training at the PRPD Academy on policies on use of force as well as their duties and responsibilities consistent with the newly published policy.

The Core Team found some FRB presidents demonstrated exceptional initiative. For instance, Bayamon created a database of use of force incidents occurring in their Area Command. However, no other site had any similar equivalent. The other sites had piecemeal information, some more than others, but it was clear that there was no uniformity in reporting documentation. It should be noted that the current policy does not require or detail specific uniform reporting requirements to capture all the data in the

aggregate, which, in opinion of the TCA, is a policy deficiency that should be reviewed and corrected pursuant to Paragraphs 112 and 113.

The TCA recommends that the PRPD ought to create policies and regulations where the data points on information can capture all four (4) levels of use of force along with the required forms requiring specific data to readily retrieve information. The PRPD should also consider Area Command level instruction to jumpstart the process, which can later be reinforced with Police Academy training and by establishing an information technology database for this requirement. This information would be useful in identifying deficiencies in training as well as possible patterns.

A universal problem reported by all of the FRB presidents has been that cases forwarded to the FRB for evaluation in many instances were incomplete, or inaccurate, necessitating the FRB to return the case to the command of origin for corrections. This deficiency resulted in delays in evaluating cases. The FRB presidents attributed this to a lack of official training for supervisors in the field on the use of force related policies. Notwithstanding the aforesaid, the TCA commends the PRPD for identifying the problem and seeking to remedy it. The TCA will continue to review the use of force documentation to ensure this problem does not become a recurring one. If the problem persists, the TCA recommends that this policy deficiency be reviewed and corrected and for the PRPD to provide renewed training materials on use of force reporting.

In many locations, the TCA discovered no mechanisms to provide feedback to precinct/district Commanders regarding findings of the FRB relating to cases occurring in their geographical area of responsibility. The PRPD should implement a protocol to inform commanders of all findings of the FRB within their command.

The TCA found a significant problem concerning FRB personnel transfers. For example, during this period, there were 16 personnel transfers, which included high-ranking supervisors in the Area Commands, with no identifiable replacements. In these cases, the PRPD had to appoint new members or FRB presidents to the respective FRBs. This situation delayed cases before the FRB for lack of quorum as well as the time needed to train the new replacements.

Force Investigation Unit

The TCA met with the Commanding Officer of the Force Investigation Unit ("FIU"). The FIU investigates all Level 4 uses of force, as well as any level of force where a crime is alleged, or any use of force is alleged of an officer above the rank of Sergeant. Similarly, the FIU can investigate a use of force ordered by the Superintendent, the Assistant Superintendent Professional Responsibility ("SARP"), or the FRBs. The FIU also has the

added task of being the repository for all original use of force reports (PPR-854). The PRPD does not permit the copying of form PPR-854. Additionally, the FIU responds to the actual scene and investigates all forced entries into dwellings and residences regardless if the PRPD uses force on any individual. It is the FIU's responsibility to determine if the forced entry was justified. There is no relating form prepared or report generated by the FIU. The TCA recommends that such report be generated and disseminated through the Chain of Command.

At PRPD Headquarters, the FIU commander, on his initiative, has computerized the PPR-854 in an Excel database making each populated field easily retrievable. The commander periodically queries the database program to determine if any officers have multiple uses of force incidents reported against them in a relatively short period. That action enables him to identify a potential problem. If he determines that there is a potential problem, he notifies his superiors in SARP.

The TCA recommends the PRPD to adopt the database developed by the Bayamón FIU Commander as an official function of SARP while it waits for the implementation of an "Early Intervention System" required by the Agreement, in Paragraph 147. This database can temporarily function as an effective alternative until PRPD attains a permanent IT solution.

Superintendent's Force Review Board

In addition to the thirteen (13) Area FRBs, there is a Superintendent's Force Review Board (SFRB), which evaluates all FIU investigations and dispositions. Additionally, the SFRB president, who holds the rank of Lieutenant Colonel, meets with area FRB commanders to discuss pending issues and concerns. Paragraph 52 requires the SFRB to evaluate all FIU investigations, including FIU reports and determinations. The SFRB shall consist of senior command staff from varying units. The PRPD policies specify the conduct requirement of SFRB proceedings to ensure thorough, timely, and objective reviews. The SFRB reviews each FIU investigation for completeness, evidentiary support, and compliance with PRPD policy. The SFRB must document each force review proceeding sent to the Superintendent, which shall include findings and recommendations.

The SFRB president reported to the TCA that he meets regularly with presidents of the area FRBs. He strongly supports the premise that the work done by the SFRB and FRBs will enhance the integrity of the PRPD in the eyes of its members and the public. The TCA recommends that this practice of meeting regularly between SFRB and area FRBs be incorporated into future use of force policies and procedures.

The TCA recommends the PRPD to assess the protocol requiring SFRB to evaluate all forced entry cases, even those where no force was used against an individual. The TCA understands why PRPD initially proposed this requirement, however, as a matter of efficiency, the TCA recommends that only those cases where FIU reports reflect that forced entry was unwarranted should be referred to the SFRB.

Verification of Compliance Progress

I. Policies and Procedures Development Objectives

Requirement	Develop a General Order creating Review Boards to Evaluate Incidents of Use of Force by PRPD members.
Due Date	July 2015
Progress	Approved by the Superintendent on July 16, 2015.
Finding	Full Compliance

Requirement	Develop General Order Chapter 100 Section 113: Creation of Force Investigating Unit (FIU).
Due Date	June 2015
Progress	Approved by the Superintendent on February 11, 2016
Finding	Full Compliance

Requirement	Develop General Order Chapter 100 Section 112: Reorganization of the Tactical Operations Division
Due Date	July 2015
Progress	Approved by the Superintendent on January 21, 2016

Finding	Full Compliance

Requirement	Develop General Order Chapter 100 Section 117: Reorganization of the Division of Special Weapons and Tactics Division
Due Date	August 2015
Progress	Approved by the Superintendent on January 21, 2016
Finding	Full Compliance

Requirement	Develop General Order Chapter 600 Section 620: Rules and Procedures for the Use of Specialized Weapons by Members of the Division of Specialized Tactics
Due Date	September 2015
Progress	Approved by the Superintendent on Aril 19, 2016
Finding	Full Compliance

Requirement	Develop General Order Chapter 600, Section 625, Crowd Control and Management.
Due Date	September 2015
Progress	Final review and approval April 2016
Finding	Partial Compliance

Requirement	Revise General Order, Chapter 600, Section 607, on Foot Pursuits.
Due Date	November 2015

Progress	Completed review and consolidated with General Order 600-623: Rules for the Handling of Police Pursuit on March 17, 2016.
Finding	Full Compliance

Requirement	Revise General Order 600, Section 609, on Management of Vehicles in Cases of Emergency Police Pursuits.
Due Date	November 2015
Progress	Completed review and consolidated with General Order 600-623: Rules for the Handling of Police Pursuit on March 17, 2016.
Finding	Full Compliance

Requirement	Protocol Regulating Use of K-9 for Patrol
Due Date	March 2016 (At the request of the Superintendent, the policy was moved to be considered in November 2015)
Progress	PRPD submitted Rules and Procedures for Implementation and Regulation of Patrol Dogs (K9). Also, PRPD submitted General Order, Chapter 100, and Section 116: Reorganization of the Canine Division (K9). Both policies were approved in January 2016.
Finding	Full Compliance

II. Force Review and Investigation

Requirement	Supervisors must complete the reviews and investigation of the use of force within five working days in accordance with

	General Order Chapter 600, Section 605- Reporting and Investigation Incidents of Use of Force by PRPD members.
Due Date	Not applicable
Progress	TCA reviewed UOF reports (PPR-854). In some instances, officers were using outdated report forms (PPR-854). Reform Unit notified and corrected the situation. A significant number of reports were not properly classified by level based on the narratives. In some instance supervisor's review was not completed within the five (5) days. In some instances, reports were prepared when an injury to the subject was not as a result of an officer using force to make an arrest. Commanding Officers of the Zone of Excellence were generally well versed in the Use of Force Policy and protocol regarding reporting and investigating incidents.
Finding	Partial Compliance

III. Training Development Objectives

Requirement	Design Training for Force Investigation Unit (FIU)
Due Date	January 2016
Progress	The TCA reviewed and provided comments on training material.
Finding	Full Compliance

Requirement	Design Training for Tactical Operations Unit (DOT)
Due Date	February 2016
Progress	The TCA reviewed and provided comments on training material.
Finding	Full Compliance

Requirement	Design Training for Division of Tactical and Specialized Weapons (SWAT).
Due Date	March 2016
Progress	The TCA reviewed and provided comments on training material
Finding	Full Compliance

Requirement	Design Training for the Use of Less-then-Lethal Weapons and Munitions
Due Date	April 2016
Progress	The TCA and USDOJ reviewed and provided comments on training material.
Finding	Full Compliance

Requirement	Design Training for Crowd Control
Due Date	April 2016
Progress	The TCA reviewed and provided comments on training material.
Finding	Full Compliance

TCA REVIEW OF PRPD ACTION PLAN ON SEARCH AND SEIZURE AND ARRESTS AND SUMMONS

During the months of January through April of 2016, the TCA Core Team conducted a number of site visits to Area Commands. The TCA focused on interviewing the directors and assistant directors of PRPD Crime Investigation Centers (CIC) and Drug Units. In all visits, representatives from the PRPD Reform Unit were present during all interviews, and, for some visits, there were representatives from the USDOJ. The following locations were visited:

- Bayamón
- Humacao
- Fajardo
- Guayama
- Carolina
- Caguas
- Arecibo
- San Juan

The purpose of the visits and interviews was to determine how effective the PRPD has been in following procedures outlined in the PRPD Action Plans for General Orders ("GO") 600-612, Search and Seizure, and 600-615, Arrests and Summons. The following are the TCA's general findings on these site visits to the PRPD CIC's and Drug Units. The TCA is aware that the PRPD is still under the "capacity building period" as provided by the Agreement, but these observations are meant to assist the PRPD and make its leadership aware of what the needs are.

The PRPD has begun training on GO 600-615, Arrests and Citations, and the Academy reported it had trained about 38% of the Department as of the end of April 2016. Also, the

PRPD also has ensured that all officers assigned to Specialized Units, such as CIC's and Drug Units, have received training on GO 600-615, and also on GO 600-612, Search and Seizure.

The TCA was informed that all CIC's and Drug Units are presently gathering data and keeping records manually. Most directors stated they are, or will soon start, converting documents to PDF format for storage and easier communication with Headquarters and Commanders using Microsoft Outlook. Directors also stated that, in the past, they rarely coordinated searches with other Department units. They stated that, at present, they all communicate and coordinate searches and seizures better due to the reform the Department is undergoing. The TCA recommends that these particular area needs are re-examined as the PRPD develops the Information Technology Action Plan to ensure that the data collection protocols for this Unit are upgraded to conform to the best practices standards.

An issue that often came up was that, in many instances, Drug Unit and CIC Unit directors and assistant directors were being transferred around the PRPD for no apparent reason. In only a couple of cases, the transfer was justified due to a promotion or the officer had asked to be transferred. In many cases, directors or their assistants told the TCA, they had just arrived at the unit, although they were almost all well versed in their assigned duties. In one case, a unit director had only three months as head of that unit and said he had just been notified he would be transferred yet again within the following week. The TCA recommends that before any transfer is made at director or assistant director level a study on the impact of operational leadership is conducted, and incoming replacements are properly trained regarding their duties and responsibilities.

The TCA noticed that, in some cases, there were good practices that these units implemented on their initiative. For example, a Unit included a checklist of members participating in searches, including their signatures, with each search warrant file; other units designed a checklist of forms and documents required to be included in the files, which was then attached to the front of the file folder for easy reference. TCA recommended to the Reform Unit that these forms should be part of policy and procedure manuals as required by Paragraph 111 and be formalized and used department-wide. As a result, the PRPD Reform Unit is in the process of standardizing these checklists to be used by all appropriate PRPD units.

The PRPD Operational Plan form, PPR-853, and the Miranda Rights form, PPR-264, were generally well completed, with the exception that some were missing officer's and/or commander's signatures. In most PPR-264 forms, when arrestees refused to sign, there was no notation made by the officer. TCA recommended a notation be made to that effect when applicable. Also, in a few cases, the units were still using old versions of both forms,

although new approved versions had been in existence for months. The TCA pointed this out to the unit directors and the representatives of the Reform Unit.

Directors mentioned a concern by their members with the new on-foot pursuit policy and its many required forms. They informed this new policy is creating a lot of extra work for them because just about all arrests are made after a pursuit on foot. Directors said suspects rarely give in without engaging first on a foot pursuit, even if it is a brief one. The TCA recommends that a specific database is created to deal with the problem of multiple reports.

Verification of Compliance Progress

I. Policies and Procedures Development Objectives

Requirement	PRPD will submit to the TCA for annual review General Order 600-615: Arrests and Summons.
Due Date	February 2016
Progress	Original Order was approved by Superintendent November 2015. The TCA conducted the annual review of this general order in February 2016.
Finding	Full Compliance

Requirement	PRPD will submit to the TCA for review General Order 600-612 on Search and Seizure.
Due Date	August 2015
Progress	Approved by Superintendent November 2015.
Finding	Full Compliance

Requirement	PRPD will "Develop a Protocol for the digital recording and storage of communications between the immediate supervisor and the MPRPD through Command Center and Radio Control communication channels.

Due Date	May 2016
Progress	A protocol has been created by PRPD and submitted to the TCA on May 31, 2016. However, it has not yet been reviewed and/or approved by the TCA.
Finding	Partial Compliance

II. Reporting and Data Collection Objectives

Requirement	Once General Order 600-612 on Search and Seizure has been approved with all recommendations from the TCA and USDOJ, PRPD will ensure that all officers comply with documenting all consents to search persons and/or vehicles.
Due Date	August 2015
Progress	PRPD has created Form PPR-879 Consent to Search, and the TCA has reviewed and approved this form. GO 600-612 was last reviewed and approved by the TCA on October 30, 2015. The TCA will monitor compliance with Action Plan deadlines. The TCA will also monitor the impact that the implementation PPR-879 will have on the deadline. The TCA has visited Zones of Excellence in Bayamon West, Quebradillas, and Utuado, as well as Arecibo's CIC. There were no reported cases of consent to search during this reporting period that ended in December 2015. The TCA will visit other Zones of Excellence and Specialized Units for further inspections. Between January and May 2016, the TCA visited the following Police Area's CIC's and Drug Units and interviewed its directors and/or assistant directors. Also, search and seizure files were reviewed to check for completion of form

	PPR-879 when applicable: Bayamon, Humacao, Fajardo, Guayama, Carolina, Caguas, Arecibo, San Juan. The TCA found that PPR-879 forms were well completed whenever it was applicable.
Finding	Partial Compliance. TCA will continue to visit and interview other CIC's, Drug Units and Zones of Excellence and check for compliance.

Requirement	After the annual review is conducted, PRPD will ensure that the requirement that MPRPD's must continue informing the Command Center and a supervisor immediately after making an arrest, or as soon as possible, will be maintained.
Due Date	February 2016
Progress	TCA conducted an annual review of this order in February 2016. Search and seizure files were reviewed to check for completion of form PPR-879, when applicable, at the following Police Areas: Bayamon, Humacao, Fajardo, Guayama, Carolina, Caguas, Arecibo, San Juan. The TCA found that PPR-879 forms were properly completed whenever it was applicable.
Finding	Partial Compliance. TCA will continue to visit and interview other CIC's, Drug Units and Zones of Excellence and check for compliance.

III. Training Development Objectives

Requirement	Review the training on General Order on 600-615 on Arrests and Summons.
Due Date	September 26, 2015
Progress	Training module was reviewed and approved by the TCA. As of April 30th, 2016, the PRPD Academy has trained 38% (5107 officers) of the Department.

Finding	Full Compliance

Requirement	The PRPD will submit training curriculums on General Order, Chapter 600, Section 612, entitled "Authority of the Puerto Rico Police Department to conduct Searches and Seizures" to the TCA for review and approval.
Due Date	April 27, 2016
Progress	The TCA reviewed and approved the training curriculums on this general order for police cadets and in-service training in May 2016.
Finding	Full Compliance

IV. Feedback Committee Creation Objectives

Requirement	PRPD will create and submit to TCA a Protocol to receive comments regularly from the offices of district attorneys, public defenders, and judges of the Commonwealth of Puerto Rico regarding the quality of the investigations, arrests, court testimony, and indications of improper conduct by members of the PRPD.
Due Date	May 2016
Progress	The TCA received a Protocol draft from PRPD on May 31, 2016. TCA has not yet reviewed nor approved this Protocol.
Finding	Partial compliance

V. Data Gathering and Reporting:

Requirement	Ensure that all officers document all consents to search. Once GO 600-612 has been approved with all recommendations from the TCA and USDOJ, PRPD will

	ensure that all officers comply with documenting all consents to search persons and/or vehicles.
Due Date	August 2015
Progress	PRPD has created Form PPR-879 Consent to Search, and the TCA has reviewed and approved this form. GO 600-612 was last reviewed and approved by the TCA on October 30, 2015. The TCA will monitor compliance with Action Plan deadlines. The TCA will also monitor the impact that the implementation PPR-879 will have on the deadline. The TCA has visited Zones of Excellence in Bayamon West, Quebradillas, and Utuado, as well as Arecibo's CIC. There was no reported Cc III. Review and Investigation: Cases of consent to search. The TCA will visit other Zones of Excellence and Specialized Units.
Findings	Partial Compliance

TCA REVIEW OF PRPD ACTION PLAN ON ADMINISTRATIVE COMPLAINTS

Although it was not included in the Action Plans, the PRPD submitted for review of the TCA and the USDOJ General Order 100-114 re-structuring the Auxiliary Superintendence for Professional Responsibility ("SARP"). The General Order was approved and is effective as of February 11, 2016.

Verification of Compliance Progress

I. Policies and Procedures Development Objectives

Requirement	Develop the Regulation of Receipt, Processing, Investigation and Adjudication of Administrative Complaints Against PRPD Employees.
Due Date	October 2016

Progress	The TCA and USDOJ reviewed and provided comments on the regulation. Approved by TCA in May 2016.
Finding	Full Compliance

Requirement	Develop the Investigation Manual for the Auxiliary Superintendence in Professional Responsibility
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments on the manual. Approved by TCA in May 2016.
Finding	Full Compliance

Requirement	Develop the Investigation Manual for the Auxiliary Superintendence in Professional Responsibility
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments to the manual. Approved by TCA in May 2016.
Finding	Full Compliance

Requirement	Revise Regulation 4216, PRPD Personnel Regulations to establish Code of Ethics & Conduct, Identify Major & Minor Offenses, & Impose Disciplinary Penalties.
Due Date	January 2016
Progress	The TCA and USDOJ reviewed and provided comments to the Revised Regulation.
Finding	Partial Compliance (under current review for final approval by the TCA)

Requirement	Develop the Administrative Order for the Investigation, Management, & Adjudication of Minor Offenses by Supervisors.
Due Date	March 2016
Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Retitled: "Administrative Order for Non-Punitive Corrective Actions Applicable to the Puerto Rico Police Members".
Finding	Partial Compliance (under current review for final approval by the TCA)

II. Training Development Objectives

Requirement	Design Training on the Administrative Order Regarding Filing of Administrative Complaints.
Due Date	January 2016
Progress	The TCA reviewed and provided comments on the training.
Finding	Full Compliance

Requirement	Design Training on an Interagency Memorandum between PRPD & PRDOJ on Responsibilities for Criminal & Administrative Investigations.
Due Date	March 2016
Progress	The TCA reviewed and provided comments on the training.
Finding	Full Compliance

Requirement	Design Training on the Responsibilities of PRPD Employees to Provide Statements about Work-Related Incidents.
Due Date	April 2016
Progress	The TCA reviewed and provided comments on the training.
Finding	Full Compliance

III. Data Gathering Objectives

Requirement	The Office of the Assistant Superintendent for Managerial Services and its Bureau of Technology and Bureau of Human Resources will call upon SARP and OLA to evaluate the Information System they must acquire. They must identify the needs of the work units involved in the process of registering and evaluating complaints for improper conduct to receive, process, and resolve the same.
Due Date	February 2016
Progress	No clear progress reported
Finding	No Compliance

Requirement	After making an inventory of the files of MPRPD's, SARP, OLA, and SASG, with its Bureau of Technology and Bureau of Human Resources, will establish the procedures to digitalize files and the specific time established in the Public Document Management Policy.
Due Date	May 2016
Progress	No clear progress reported
Finding	No Compliance

TCA REVIEW OF PRPD ACTION PLAN ON EQUAL PROTECTION AND NON-DISCRIMINATION

Verification of Compliance Progress

I. Policies and Procedures Development Objectives

Requirement	Control on the Use, Distribution, Archiving and Final Disposition of the Crime Incident Report (NIBRS) in the Puerto Rico Police Department
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments on the regulation. Approved by TCA in December 2015. Effective: January 1, 2016,
Finding	Full Compliance

Requirement	Internal Rules for the Prevention of Discrimination, Harassment, Sexual Misconduct and Retaliation in Puerto Rico Police
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments. Approved by TCA in December 2015. Approved by the Superintendent on February 11, 2016. Effective on February 26, 2016. Subsequently, the USDOJ objected to the policy. The TCA is addressing in accordance with Paragraph 230.
Finding	Pending action based on USDOJ objections.

Requirement	PRPD Regulation No. 8728 for the Establishment of Police Practices Free of Sexual Misconduct, Discrimination, and Retaliation
Due Date	December 2015

Progress	The TCA and USDOJ reviewed and provided comments. Approved by TCA in February 2016. Effective on April 13, 2016.
Finding	Full Compliance

Requirement	General Order 100-118: Functions and Responsibilities Special Domestic Violence Division
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments. Approved by TCA in February 2016. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	Administrative Order 2016-4: Investigation on Incident of Domestic Violence Involving Puerto Rico Police Employees
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Approved by TCA in March 2016. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	General Order 600-627: Investigation of Domestic Violence Incidents
Due Date	December 2015

Progress	The TCA and USDOJ reviewed and provided comments to the General Order. Approved by TCA in March 2016. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	Administrative Order 2015-3: Investigation of Incidents of Sexual Violence Committed by PRPD Employees
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Approved by TCA in January 2016. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	General Order 100-115: Reorganization and Functional Structure of the Sexual Offenses and Child Abuse
Due Date	December 2015
Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Approved by TCA in December 2015. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	General Order 600-622: Investigation of Sexual Offenses Incidents
Due Date	December 2015

Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Approved by TCA in December 2015. Effective on April 21, 2016.
Finding	Full Compliance

Requirement	General Order 600-626: Intervention of Foreign Persons
Due Date	January 2016
Progress	The TCA and USDOJ reviewed and provided comments on the Administrative Order. Approved by TCA in March 2016. Effective on May 26, 2016.
Finding	Full Compliance

II. Training Development Objectives

None

III. Data Gathering Objectives: NIBRS

In 2016, the new policy on the use, distribution, archiving and final disposition of the Crime Incident Report (NIBRS) in the Puerto Rico Police Department went into effect. In April 2016, the TCA and his team had a meeting with the PRPD to determine the progress being made in the effective implementation of NIBRS. The PRPD informed that data collection under NIBRS is taking place, but reporting has not started because the format of the reporting is to be approved. For that reason, the TCA could not see a sample of the work being done by the Division of Statistics.

It is the view of the TCA that the current data collection practices of the PRPD suffer from the same problems that were highlighted by the TCA during the discussion of the approved General Order on NIBRS. The emphasis of the PRPD is displaced for two reasons. First, although the role of the Division of Statistics is central to the implementation of a consistent NIBRS policy across the PRPD, the Division of Statistics appears to play a minimal role in the current phase of development of NIBRS. The Division of Statistics must provide consistent and homogeneous training and guidance on

crime data collection around the Department, and this was not articulated the presentation to the TCA. There is no reason to wait for training at the Police Academy for the Division of Statistics to play a leadership role in this process.

The second reason is that the current approach of the Department should focus on controls, and there is not a single indication that the Division of Statistics plays a role in conducting quality review controls frequently and diligently. The data in the PRPD Status Report is evidence of these deficiencies. The auditing function is crucial in all stages of data collection, from data entry, data classification to the final process of data analysis and data reporting. The meeting demonstrated that the PRPD must develop strong protocols to advance its data analysis capacity.

There were two positive developments in this meeting. First, the PRPD has an ongoing relationship with the academic community in Puerto Rico and has a collaborative agreement with the Institute of Statistics of Puerto Rico. This agreement should be fully utilized to provide the Department with much-needed capacity. Second, the PRPD has started to make progress on the technological front to integrate both IT and quantitative analytical functions. This is a positive development that should strongly provide the PRPD with a strong opportunity to meet the demands of the Agreement.

TCA REVIEW OF PRPD ACTION PLAN ON RECRUITMENT, SELECTION & HIRING

Verification of Compliance Progress

I. Policies and Procedures Development Objectives

Requirement	The SAEA will create a training class for personnel in the Security and Protection Office attached to the SAIC to investigate recruits.
Due Date	March 2016
Progress	The TCA has not received any training materials.
Finding	Non-Compliance

Requirement	The Recruitment Office and its work team will develop a flow chart of the various phases of the recruitment process from nomination until selection.
Due Date	February 2016
Progress	The TCA has not received a copy of the flow chart.
Finding	Non-Compliance

TCA REVIEW OF PRPD ACTION PLAN ON PROFESSIONALIZATION

Verification of Compliance Progress

I. Policies and Procedures Development Objectives

Requirement	Review the General Order 600-617: Code of Ethics for Members of the PRPD (Signed by Superintendent on April 24, 2015).
Due Date	April 2016
Progress	The TCA reviewed policy submitted by PRPD and returned with recommendations in May 2016 (annual review).
Finding	Full Compliance

Requirement	Review the General Order 2010-12: Rules and Procedures for Transfers' Transactions of Staff from System of Rank.
Due Date	April 2016
Progress	The policy was submitted on May 31, 2016
Finding	Non-Compliance

I. Objectives in the Development of Training

Requirement	Develop training on Ethics for all the PRPD personnel.
Due Date	General Order 600-617: Code of Ethics for Members of the PRPD was signed by Superintendent on April 24, 2015.
Progress	The TCA participated, evaluated and presented recommendations for this process.
Finding	Full Compliance

Requirement	Develop a Training Program for all Members of the Promotions Examination Board.
Due Date	This activity was carried out in June 2015.
Progress	The TCA participated, evaluated and presented recommendations for this process.
Finding	Full Compliance

II. Implementation Objectives

Requirement	Established a "Working Group" made up of a representative from the Office of the Superintendent and each of the Auxiliary Superintendents.
Due Date	December 2016
Progress	The group has been established in March 2016 and is led by the Auxiliary Superintendent for General Services, who will be responsible for the development of the work plan for conducting an evaluation for the Staffing Allocation and Resource Study.
Finding	Full Compliance

Requirement	An assessment of the human resources (PRPD's staffing pattern) the considering their status and functions performed (operational and/or administrative).
Due Date	June 2016
Progress	The "Working Group" is still working in the development of the work plan for conducting an evaluation for the Staffing Allocation and Resource Study
Finding	Non-Compliance

Requirement	Select and designate the Members of the Promotions Examination Board.
Due Date	From 6 to 12 months prior to the announcement of the examination.
Progress	This activity was carried out by PRPD in the promotion process by exams during the last semester.
Finding	Full Compliance

Requirement	The PRPD Academy will provide advice for the development and administration of exams of Promotions.
Due Date	From 6 to 12 months prior to the announcement of the examination.
Progress	This activity was carried out by the Academy in the promotion process by exams during the last semester.
Finding	Full Compliance

Requirement	The Promotions Examination Board will develop tests that will be subjected applicants to promotions, and similarly, organize and execute all activities related to its administration and correction.
Due Date	Session I: Sergeants (August 29, 2015) Session II: Captain and Lieutenant I (October 24, 2015) Session III: Lieutenant II (December 5, 2015)
Progress	This activity was carried out by PRPD in the promotion process by exams during the last semester.
Finding	Full Compliance

TCA REVIEW OF PRPD ACTION PLAN ON COMMUNITY ENGAGEMENT & PUBLIC INFORMATION

Verification of Compliance Progress

I. Policies and Procedures Development Objectives

Requirement	Develop the General Order on Community Policing.
Due Date	March 2016
Progress	PRPD Reform Unit submitted to TCA for review their preliminary policy on Community Policing in April 2016. The TCA Core Team reviewed the policy and offered observations and recommendations on April and May 2016. PRPD Reform Unit still working in the development of the policy.
Finding	Partial Compliance

Requirement	Review the Manual of Procedure for the Open Meetings to the Public.
Due Date	November 2015

Progress	As a replacement for the Manual of Procedure, PRPD Reform Unit submitted a General Order for Open Meetings in April 2016. The TCA Core Team reviewed the policy and offered observations and recommendations on meeting held in April 2016. The PRPD withdrew the policy and will deliver a general order's draft that meets the processes for the concept of "Community Meetings" instead of "Open Meetings".
Finding	Partial Compliance

II. Objectives for the Development of Trainings

Requirement	Develop multi-thematic seminars for the members of the Committees of Citizen Interaction.
Due Date	April 2016
Progress	PRPD Reform Unit submitted to TCA the multi-thematic seminars 2016 in May 2016.
Finding	Full Compliance

Requirement	Perform an open invitation to the public to recruit candidates interested in being members of the Central Committee or to one of the thirteen (13) Committees of Citizen Interaction of the police areas.
Due Date	July 2015
Progress	The initial call was carried out from 1 to 30 July 2015. Subsequent calls will take place every two years (2).
Finding	Full Compliance

Requirement	To appoint the members of the Board for the selection of candidates for the appointment to the Committee of Citizen Interaction.
Due Date	October 2015
Progress	Initial appointment was done in October 2016. The subsequent appointment will take place every two years (2).
Finding	Full Compliance

Requirement	Select and appoint the new members of the fourteen (14) Committees of Citizen Interaction.
Due Date	October 2015
Progress	This process will take place every two (2) years.
Finding	Full Compliance

Section III

Anticipated Challenges and Projected Activities: Paragraph 205(e)

Promotions

Paragraph 17 of the Agreement provides as follows:

"PRPD shall utilize competitive written examinations as a component of the selection process to award promotions through the rank of Captain. Written promotion examinations shall conform to generally-accepted professional standards for test validity and security and be designed to evaluate qualifications that are job-related and consistent

with business necessity. PRPD shall develop these examinations in consultation with the TCA based on generally accepted policing practices and in compliance with anti-discrimination laws."

Within the prior reporting period, covering from June through December 2015, the Superintendent appointed a Board of Examinations for Promotions ("Board"), which met weekly to prepare and administer competitive written examinations for the ranks of Sergeant, Second Lieutenant, First Lieutenant, and Captain as well as to address other administrative matters important to the promotional process.

The Human Resources Division then identified vacancies and made determinations about the proper supervisor to officer span of control as required by the Agreement. This ratio is subject to change once the PRPD completes a staffing study as required under Paragraph 13.

As part of the promotional process, the PRPD published a profile of responsibilities and qualifications for all ranks and identified the subject matter and laws that would be covered in each examination. In addition to passing a written examination, applicants are required to approve special courses at the PRPD Police Academy. A clean record, rid of sustained disqualifying administrative complaints, is also required.

In November 2015, the Board administered examinations for the ranks of Sergeant, First Lieutenant, and Captain under very strict security measures to guarantee the confidentiality of each exam. Of the 1,431 members of the PRPD who took the Sergeant's exam, 196 passed (13.7%); for First Lieutenant 68, out of 206 passed (33%); and for the rank of Captain, 81 of a total of 153 were successful (53%). Thereafter, an examination for the rank of Second Lieutenant was administered on December 5, 2015 and of out of a total of 978 applicants, 517 (53%) approved the test.

During the month of February 2016, the PRPD held its first promotion ceremony under the Agreement. It was the first promotional process where the PRPD selected police officers through a truly competitive process of examinations using "best police practices" as a frame of reference. Although the ceremony was a success, there are underlying questions about the fairness of the selection process that emerged in the days after the event.

Given the importance of this issue under the Agreement, the USDOJ, and the TCA concurred to assess the validity of the promotional process following Paragraphs 14 through 21. This assessment was to be conducted in two phases: the ranks from Sergeant to Captain and the higher echelons comprising the ranks of Inspector to Colonel. This task is now completed.

Within the realm of the subject of promotions from Sargent to Captain, the TCA continues to encourage the PRPD to prioritize the preparation of its staffing study, so the PRPD may be better positioned to determine the necessary number of supervisors that the PRPD should promote. Additionally, the current process of determining who will be the candidates for promotion, from a list of eligible candidates, appears fraught with issues. The most important issue is that the list of candidates passing the exam is published early before all required criteria for eligibility can be verified. Additionally, certain candidates who have a justified reason for not timely taking the written exam, because of military, medical, religious, or maternity leave, are then added to the list after completing the exam.

The TCA recommends that at the point in time a list is published, the same must have all the necessary warnings informing all the candidates that the numerical order appearing in the list may be subject to changes because of regulatory requirements, including the examples mentioned above. It is critical for the candidates and the public to understand that modifications to an eligibility list are permitted within the law and the applicable regulations.

The TCA also recommends increasing the staff in charge of promotions so the PRPD can properly update the vast amount of paperwork and data that come before the Board. There is limited technology (including computerized data) used by the Board, and the TCA believes the PRPD has been lax in addressing this deficiency. There should be dedicated staff and IT resources for this important process. Moreover, the TCA recommends that the PRPD portal/web-site should be the only mechanism used to officially announce the list of eligible personnel (or updates) to the public to avoid any confusion or dissemination or use of the information for other unintended purposes. Other internal means of communications are acceptable, but the following disclaimer should be clearly stated in the document: "For official use only, not final; as of date/time."

Under Law Number 53 of June 10, 1996, 25 Laws of Puerto Rico Annotated, 1001 and 1005(e), the Superintendent of the PRPD shall have the authority to promote personnel to the ranks of Inspector, Commander, Lieutenant Colonel, and Colonel. There are few limitations with regards to this power. However, this same statute requires that the process has to be "objective and scientific" and that the criteria to be employed must be part of the agency's rules and regulations (25 L.P.R.A. 1005). Specifically, the criteria must be based on the applicant's prior conduct, leadership skills, initiative, attitudes, academic qualifications, years of service and physical condition. That section ends with a mandatory legal disposition; that is, the Superintendent must take into consideration the above-recited requirements to give his recommendation to the Governor. The Superintendent must prepare a "concise report" about the candidate, containing all

information pertinent and necessary to demonstrate that the candidate meets the requirements.

During this reporting period, the TCA met with the Associate Superintendent, PRPD Office of Legal Affairs, members of the Board, members of the Reform Office and Human Resources, and the USDOJ. During the meeting with the Associate Superintendent he briefed the TCA that all matters related to the promotions from Inspector to Colonel followed the rules and regulations imposed by the Law, the process to include briefing the Governor on the promotions to get his approval. The TCA found later that this was not the case.

It was originally planned that, during the review, the TCA and the USDOJ would select various files at random, following the same process used in the first stage of the assessment of the promotional process for the ranks of Sergeant to Captain. However, we were told that the custodian of the records, a Sergeant, was absent, and therefore, the records were unavailable. Nevertheless, the TCA disclosed the evaluation criteria to be employed, which was drafted in accordance with the best police practices. The intended evaluations were postponed for a later date. The TCA and the USDOJ went to the office of the Superintendent's legal counsel on the scheduled date and upon arrival, the TCA noticed an assortment of portfolios and binders separated into three stacks, by rank. It was determined that the TCA was going to choose three files per rank.

A common trait was that none of the personnel files followed a uniform record keeping method. The paperwork was loosely contained; there was no criteria worksheet nor documentation reflecting any ranking among the competing candidates. Some files lacked supervisory evaluation documents while others lacked essential training information related to completion of Ethics, Use of Force, and Weapons qualification. None had physical fitness evaluations. None of the files had a letter addressed to the Governor containing the Superintendent's endorsement and, coincidentally, none of the files had the Governor's certification. Equally distressing, none had an original or even a copy of a verification of academic accomplishments.

It became apparent to the TCA that those files could not support promotions based on the criteria of the law requiring "an objective and scientific method" to determine the qualifications of each candidate for promotion. The bottom line is that it was clear to the TCA that no standard criteria for evaluation had been established for such an important process in the PRPD. Therefore, the TCA recommends adhering to the best police practices with regards to promotion procedures. This practice includes standardized packages, the creation of a table that satisfies all legal requirements regarding the skills identified and required by Law Number 53 of June 10, 1996, a concise glossary of terms of standard evaluation criteria, an interview process of candidates, peer evaluation, a

strict list of training requirements (particularly dealing with supervisory roles, such as ethics), a clearly established profile of the rank to be promoted (need to meet requirements of published job description), an exhaustive examination of past complaints, the use of a merit-based career track model, examination of past leadership roles and accomplishments in the organizations they led, and the establishment of clear physical fitness requirements. All the requirements above, which are consistent with Paragraphs 14-21, will assure and provide a process in which the PRPD will ultimately have officers that meet the demands of the position to which they are promoted. The implementation of these requirements needs to be consistent with best police practices, creating the desired effect of having a credible and accountable promotion system. Based on the issues above, the TCA urges the PRPD to fully examine its promotion criteria, specifically from the ranks of Inspector to Colonel, make changes to the process, and refrain from executing further promotions until a process strictly following the Law and the Agreement is in place.

Finally, the TCA commends those who approved their examinations for their forthcoming promotions within the exigencies of the law and the applicable regulations. Notwithstanding those above, the TCA will continue to bring attention to those challenges that are worth addressing in the next reporting period. The most significant are that, to date, the PRPD has not completed the staffing allocation and resource study required by Paragraph 13. The Agreement requires the PRPD to assess the appropriate number of sworn personnel to perform the different departmental functions, and the lack of a completed study provides uncertainty on the allocation and distribution of these new supervisors. The second challenge is the need to fully comply with mandatory documentation requirements to achieve accurate promotional decisions. Lastly, the PRPD intends to continue with promotions in the month of August, which in the TCA's view will continue to exacerbate the problem and will lead to more mismanagement of money and resources.

Paragraph 13: Staffing Allocation and Resource Study

Paragraph 13 of the Agreement reads as follows:

"Staffing and Community Policing

13. PRPD shall assess the appropriate number of sworn and civilian personnel to perform the different department functions necessary to fulfill its mission. To do so, PRPD

shall conduct a staffing allocation and resource study. The study shall form the basis for a staffing and resource allocation plan that is consistent with community-oriented policing principles and supports the systematic use of partnerships and problem-solving techniques. To foster community-oriented policing, the plan shall consider deployment practices that offer officers opportunities to serve the communities in which they reside."

As part of the Professionalization action plan, the PRPD is to establish a working group made up of representatives from the Office of the Superintendent and from each of the Auxiliary offices. The group is led by the Auxiliary Superintendent for General Services, who will be responsible for the development of the work plan for conducting an evaluation for the Staffing Allocation and Resource Study. It is fair to say that this working group has not made much progress.

From the group's inception, the TCA has held monthly meetings in order to follow up on the plan's progress and provide technical assistance. These meetings began in March of 2016. In his initial presentation, the TCA was able to provide guidance to the PRPD Working Group on the scope and features of this project. Additionally, he made a recommendation for obtaining federal funds to supplement the PRR's budget for this activity. Although the deadline is June 2016, the PRPD is likely to miss this deadline.

The TCA wants to stress here by the information provided by the study will be useful for the PRPD. Among other benefits, the study will do the following: (a) provide the public and governmental officials with informative data on crime and agency performance, (b) measure the effectiveness of preventive efforts including community-based and police-based programs, (c) uncover patterns and trends in performance that can serve as best practices and facilitate bench-marking exercises, (d) measure overall agency workload, efficiency, and effectiveness including the performance of specific divisions, (d) analyze the factors associated with success or failure of various police initiatives, (e) provide comparative norms of performance across divisions and other police agencies, (e) furnish baseline data for research, budget, and performance issues, (f) assess budget expenditures directly related to crime control and service delivery, (g) forecast future events for better police planning, and (h) assess what worked when, where, why, and how as the PRPD moves toward becoming a more effective and efficient organization, among others. This study is not an academic exercise; it is a cost-saving initiative that the PRPD must complete sooner rather than later.

Finally, it is the recommendation of the TCA to the Court and the Parties that no additional promotions – except when absolutely needed - are made until the study is completed and a complete overhaul of the merit system is in place.

Training and the PRPD Police Academy

The PRPD Police Academy's primary role is to provide the foundational piece of training at all levels. Therefore, the Academy must have a firmly built foundation with proper materials, i.e., policy, procedures and directives, standards, assessment tools, centralized training records, core curricula, appropriate equipment, use of technology, and quality instructors. All of these enhancements directly affect the structural integrity and success of the entire PRPD. The TCA has provided extensive resources for model samples of curricula, lesson plans, codes of conduct, performance forms, and course and instructor evaluations. The TCA has verified instructor credentials for the required training of the currently approved Action Plans. Additionally, some community stakeholders, such as GRUCORPO, the Civil Rights Commission, ACLU's Puerto Rico Chapter, and La Fondita de Jesus, have reviewed proposed curricula and offered suggestions, which resulted in some modifications.

The PRPD also benefitted from external instruction from the Puerto Rico Reserves and National Guard, who spent two weeks at the Police Academy in 2015 teaching, coaching, and mentoring selected members of the Police Academy.

The PRPD has also assisted in the resolution of a previous issue concerning the contracts of PRPD Academy instructors by approving year-long teaching contracts, which will ensure continuity of operations and reduce the administrative overhead of preparing contracts every semester.

A change in the intent of Paragraph 118 reflected that PRPD Academy graduates could no longer receive academic credit toward an Associate Degree for courses of instruction provided by the Academy. Under the new requirement, the Academy will focus on the practical instruction of policing. The TCA recommends the PRPD to encourage all colleges and universities to offer courses or programs awarding an Associate Degree, which is the new requirement for entry into the PRPD, and to inform students of career opportunities as law enforcement agents.

The TCA's responsibility under Paragraph 250 is to assess progress made in accomplishing the activities in the Action Plans. Concerning the Police Academy, the TCA has seen progress in the number of officers trained on impact weapons, use of force, ethics and administrative complaints, searches and seizures, and equal protection and non-discrimination, all of which are subjects of approved Action Plans. The TCA is also pleased to learn that PRPD purchased horses and equestrian equipment to enter into

Phase Two of the reorganization of the Mounted Police, with the relating General Oder currently in the review process.

To satisfy the need for range requirements for the PRPD, the Academy synchronized and integrated an execution plan for assigned weapons qualification that incorporated the four PPRD ranges (Isla de Cabra, Gurabo, Cabo Rojo, and Arecibo). Additionally, the PRPD executed a rental contract for two private ranges in Moca and Guayama to decrease the travel distance previously required of police officers to get to a PRPD range to qualify. The TCA further encourages the PRPD to secure "virtual integrated weapons training." This training is cost effective and is a very practical way to enhance the use of force training and escalation and de-escalation techniques consistent with Paragraphs 22 through 57.

During several TCA visits, the Core Team noticed there was no presence of any trained Emergency Management Personnel ("EMP"), an ambulance, or other emergency equipment for any mishap that could occur at the Police Academy. The closest hospital has a 30-minute-response time. As a result, the PRPD is planning on having all range instructors trained as Certified Life Support (CLS) personnel and, furthermore, is looking at other alternatives, such as the opening and closing of the firing ranges with a phone alert call to the nearest hospital. According to the Director, one of the major problems facing the PRPD is that most ambulance services are privatized in Puerto Rico and the cost of having an ambulance every day at six different police ranges for 10 hours will be financially prohibitive. Notwithstanding the aforesaid, the Director will continue to maintain open communications with local hospitals to resolve this problem and focus on internal training. The TCA recommends for the PRPD to consider using personnel from the Fire Department, whose certified paramedics may be available for off-duty services.

On a visit to the canine training center, the TCA realized that the PRPD trainers were unaware of a newly approved policy on canine training. Once this issue was brought to the attention of the supervisors, the new policy was distributed and is currently in use. It is strongly suggested that a process is in place to ensure that new policies are immediately distributed as they will directly influence training, especially those areas covering searches and seizures and use of force.

One of the most important fundamentals in Academy instruction is to have a process in place that delineates a General Order or directive into its teachable parts. An Academy in effect "brings life" to the written word because each policy or directive entails an implementation process. In conjunction with the Academy Director, the TCA has agreed on a training development model that ensures a seamless transition from policy to training, and eventually to implementation. This method is called the "training development process."

Some of the most important elements are:

- Receive policy to evaluate if there are internal subject-matter experts to design training materials.
- Forward training material for the approval and recommendations of the TCA and incorporate those approved in the training material.
- Train Instructors on the precise subject-matter.
- Inform Instructors of the delivery of the training material and schedule training sessions for instructors.
- Prepare a Training Plan to provide instructions about on how to conduct the training.
- Summon Training Coordinators of police areas and Offices of Assistant Superintendents to coordinate Training Calendars.
- Evaluate, approve and effectively manage Training Calendars of each police area and the Office of the Assistant Superintendent.

This process shall also incorporate a strict timeline on dates to undergo training and the percentages of personnel that the PRPD is required to train. Deviations from scheduled proceedings could affect implementation of Paragraph 237(c).

The Women's Advocate Office (OPM in Spanish)

The TCA's third semi-annual report reported that, at the request of Wanda Vazquez Garced, Director of the Women's Advocate Office (WAO), the TCA attended several Executive Hearings. During these hearings, the TCA learned of the nature and extent of discrimination faced by several female police officers of the PRPD. Additionally, the TCA had the opportunity to examine the complaint filing process and protocols regarding allegations of sexual harassment and discrimination, especially when women were the complainants. Subsequently, counsel Vazquez Garced testified at the Public Hearings held by Judge Gelpí in Fajardo on March 2016 and also conducted several meetings with the PRPD, the USDOJ, and the TCA's office.

The recurring theme in both hearings described in detail the acts of discrimination and sexual harassment encountered by female officers of the PRPD. The TCA recommended the PRPD to prioritize this issue, collaborate with the WAO, and develop protocols to address this recurring problem in a timely fashion. On May 25, 2016, the PRPD and the

WAO signed a "Memorandum of Understanding ("MOU") in an attempt to succeed in controlling problems of this nature.

In addition to establishing complaint procedures, the central substance of this MOU was to ensure that anyone subjected to harassment could bring their concerns and complaints directly to PRPD's Auxiliary Superintendence for Professional Responsibility ("SARP"). Paragraph 163 of the Agreement permits officers to report misconduct by another PRPD officer or employee, "to a supervisor or directly to SPR (SARP) for review and investigation." Hence, any female police officer can currently report sexual harassment, discrimination, or other workplace harassment directly to SARP. The TCA praises this joint effort and commends both, the WAO and the PRPD for responding to and revising a deficiency in PRPD's policy and protocols affecting the health, morale, welfare, and safety of members of the force.

The TCA will continue to pay close attention to the implementation of this meaningful and vital agreement between WAO and the PRPD

Domestic Violence and Mental Health Services

The empirical literature on acts of domestic violence reflects a higher prevalence among police officers when compared to the general population. Additionally, enlisted officers tend to respond to domestic violence more informally by failing to report such events even though they are legally, and by their police regulations, required to do so. Similarly, policing as a profession may subject officers to stress conditions, either directly or indirectly on account of their response to crime scenes and crime victims, where the nature of the situation experienced is well beyond the realistic expectations of their profession. Stress can manifest itself either in the form of domestic violence incidents or general incidents of violence committed by officers. Often, police refrain from seeking psychological intervention to ameliorate this stress for fear of occupational repercussion (loss of weapon) or because of an unwarranted belief that seeking such assistance will be a stigma to their career. Police departments have attempted to address these concerns by mandating dialog with police psychologists after a critical incident, or by protecting disclosure when seeking such help. Paragraphs 201 through 204 on officer assistance and support address these issues.

The PRPD has recently experienced an increase in incidents of police-perpetrated violence, either in cases of domestic abuse or "blue-on-blue" violence. Each year a

substantial number of cases of domestic violence are reported where police members are either victims or perpetrators. In a well-publicized incident, an officer recently shot and killed three other officers at one precinct. Often there are precursor behaviors that foretell such tragedies. The question always asked is, if this could have been prevented through some psychological intervention.

Law 53 of June 10, 1996, permits the Superintendent to establish agreements with mental health professionals to address specific needs of the police department. Paragraph 201 of the Agreement states that "PRPD shall provide officers and employees with a range of non-punitive supports and services to address and correct problem behavior, as part of PRPD's disciplinary and performance improvement systems. These supports and services shall include a comprehensive range of mental health services that include, but are not limited to: readily accessible confidential counseling services; critical incident debriefings and crisis counseling; mental health evaluations; and stress management training that comport with generally accepted practices", however, the TCA has learned that there are only sixteen (16) mental health professionals currently assigned to assist a police force close to 15,000 employees. This is clearly a challenging ratio for PRPD to execute proper mental health support to its work force. In the coming months, the TCA will assist the PRPD to explore all available alternatives to address the requirements of the Agreement. Finally, the TCA recommends and offers assistance in ensuring that existing policies and regulations reflect voluntary requests for psychological interventions that shall not adversely affect an officer's career.

Reorganization of the Drug, Vice, and Illegal Firearms Division

In prior TCA reports, the TCA has been critical of the operational readiness and protocols of the Drug, Vice, and Illegal Firearms Bureau, perceiving the unfortunate reality of very shocking public scandals. To decrease these occurrences, the TCA provided literature, written suggestions, and recommendations to enhance the reorganization of this Bureau. The TCA also attended meetings and discussions with the PRPD and other stakeholders to provide input.

The history of the narcotics, vice, and firearms investigations by the PRPD is replete with allegations of corruption, misconduct, and civil rights violations. It has been publicly reported on various occasions that members of the Drug, Narcotics, Vice & Illegal Firearms Bureau of the PRPD have been arrested and convicted by federal and local

authorities. This pattern of behavior has not changed significantly. As recently as September 29, 2015, the United States Attorney's Office for the District of Puerto Rico indicted ten (10) police officers for running a criminal enterprise whose crimes included robbery, extortion, narcotics, illegal firearms, and violations of civil and constitutional rights. In another instance currently under investigation, a pregnant female was assaulted, received physical injuries and was ultimately threatened by members of this Unit.

It should be noted, perhaps as a reminder that the USDOJ while conducting their investigation that led to the Agreement made findings to the effect that the Drugs, Narcotics, Vice and Illegal Weapons Bureau, "contributed to a pattern and practice of civil rights violations." More recently, the USDOJ expressed that they were "also concerned with the number of recent allegations of misconduct involving the Drug and Narcotics Unit and were also interested in following up on any corrective or preventive action that is being taken while the internal investigations are pending." The TCA has also learned of several similar violations, which were promptly reported to the PRPD and on, at least two occasions, to the FBI.

These immoderate occurrences prompted the Superintendent to determine the need for reorganization and requested the assistance and recommendations of the TCA. On May 2016, the PRPD created a new General Order to reorganize and restructure this Unit and to correct deficiencies that have plagued this Division, which it appears has nurtured an environment and sustained a culture where officers believe they are impervious to detection and punishment. The purpose of this General Order is to reorganize the Bureau of Drugs, Narcotics, Vice Control and Illegal Arms, redefine its organizational structure and procedures, set selection criteria of personnel, and improve training. New areas in the reorganization are guidelines for recruitment, transfer of personnel, increased supervision, polygraph examinations, training, specific duties, and responsibilities, and the internal restructuring of the unit for better quality control, evidence control, and data collection.

These specific areas for improvement perhaps will fall short as the TCA sees the need that these initiatives and restructuring must be sufficiently funded to fight internal corruption, reorganize internal controls and create a basic baseline from which to measure progress moving forward. The TCA provided a list of recommendations to the Superintendent to help address issues with the reorganization and to provide a clearer vision. Indications are that there is a desire to reorganize; however, results will not be visible for some time.

The TCA is astonished to learn the Commander of this particular Division, a Lieutenant Colonel, has received a third promotion in less than two years while in charge of a group

in an environment plagued with the arrest of many of his officers, personnel charged with serious violations of civil and human rights, general misconduct, and reprisals. This is totally inconsistent with the good order and discipline expected of law enforcement organization. The TCA strongly suggests the promotion above fails to satisfy the letter of the law (Law 53 of June 10, 1996), and clearly defeats the purpose of Paragraph 16 of the Agreement which mandates the following:

"16. PRPD shall ensure that its supervisor selection process is lawful, fair, and consistent with generally accepted policing practices and anti-discrimination laws. PRPD shall develop objective selection criteria to ensure promotions are based on knowledge, skills, and abilities that are required to perform supervisory and management duties successfully in core substantive areas. PRPD shall provide clear guidance on promotional criteria, and prioritize effective, ethical, and community-oriented policing as criteria for promotion. These criteria should account for experience, civil rights and discipline record, training, and skills."

Given the flagrant failure to comply with the above directive, it is evident that said promotion adversely indicates that the PRPD contravened the reform process and the TCA urges the Superintendent to reconsider this promotion.

Policies and the Community: GRUCORPO

GRUCORPO ("Grupo Comunitario de Trabajo de la Reforma de la Policía") is an amalgam of civic and community organizations created to represent the community throughout the Reform Process. By becoming a conduit between the community and the PRPD, GRUCORPO can effectively represent their members, voice their concerns, offer suggestions, and discuss policies and procedures from the perspective of the community. Ultimately, they seek to assist the PRPD by informing the agency and the Reform of the needs of the community they serve.

Initially, there was no working relationship between the PRPD and GRUCORPO. Some mediation efforts were conducted with fraught success. However, after the publication of an editorial piece entitled "¿Reforma policiaca genuina o de cartón?" ("Genuine or Cardboard Police Reform?") by the Project Manager of *Espacios Abiertos* (Open Spaces) an organization within GRUCORPO a door was opened for dialogue. Despite the content and context of the editorial, the opinion piece ended by expressing high hopes the PRPD could become a law enforcement agency that afforded citizens a high sense of security

and solidarity while at the same time respecting diversity and human rights. That month, the PRPD gave GRUCORPO the opportunity to review several Use of Force General Orders. Despite not being entirely satisfied with the length of the time given for their input, GRUCORPO provided significant contributions.

This relationship plateaued at a very high point between June and November 2015. GRUCORPO continued to receive PRPD's drafted policies, and in turn, they provided their comments, as well as reviewing the curriculum for future PRPD Police Academy instruction. GRUCORPO became an effective partner in the reform process and had a good relationship with the PRPD Reform Office, offering their "expertise," which helped the PRPD shape the policy regarding interaction with the community. The relationship between both organizations can be exemplified by the PRPD's comments on the TCA's Second Semiannual Report (June 2015): "PRPD recognizes that gaining and keeping the trust of the community (including GRUCORPO) is at the heart of the reform process and will continue to foster its relationship with community groups."

All efforts leading to a continued cooperation came to a halt by the month of December 2015. GRUCORPO reported that the PRPD stopped sharing the drafted policies for their input. PRPD's position was that they would resume sending the policies only if GRUCORPO agreed not to put the draft policies on the GRUCORPO website. The PRPD argued that placing these policies on the GRUCORPO website without PRPD's permission was a confidentiality violation that would cause confusion within the Police and the Community. In the dialogue with PRPD, GRUCORPO suggested that to enhance transparency and accountability the PRPD should make the proposed policies available for comment before these regulations are finalized and signed by the Superintendent.

The TCA strongly supports a durable partnership between the PRPD and the community in the process of drafting sustainable policies. This position is consistent with Paragraph 212 that requires the PRPD to work closely with Community Interaction Councils (CICs) to address crime and safety issues. Ideally, these groups can provide feedback concerning the effectiveness of the PRPD policy. (See 212 (a) through (e)). In fact, the Agreement requires CICs to prepare an annual report on their recommendations to PRPD, and the PRPD to place these recommendations on the PRPD website. It is the TCA's position that the reform is better served if the PRPD would be willing to take the initiative and place the drafted policies on the PRPD's website designating a specified period for public comment. The procedure recommended herein will address the concerns of GRUCORPO, CICs, and the public at large who clamor for transparency and accountability.

In the Commonwealth of Puerto Rico, any agency pressing to adopt, amend or approve rules and regulations, must abide by the Uniform Administrative Procedures Act of Puerto

Rico (3 L.P.R.A. Section 2101 et seq.). A specific requirement of this law (Section 2122) is to afford the public the opportunity to voice their views with regards to the proposed rule or regulation. To that effect, asking the police to make proposed policies available to the public, places the police in a position to receive comments and data (both anecdotal and empirical) that may help clear the threshold of public opinion in the approval procedure.

This hesitant attitude towards the community is not reassuring of a commitment directed to attain a Sustainable Reform. Lack of communication can only tarnish a potential partnership, something that will be proving detrimental to the efforts of attaining stable community relations. The PRPD should divest itself from any prior conflict and seize the opportunity by taking advantage of the willingness of organizations like GRUCORPO to meet with them, not only for policy discussions but also to discuss common challenges, share information, and learn about new ideas and tactics, to serve the community. Fostering communication and cooperation with the community is a centerpiece of the Reform because it is essential to strengthen the community's trust in the PRPD. Such strength can only come from timely and reliable information about PRPD's progress and accomplishments under the Reform.

Information Systems

TCA firmly advises that the gap from critical to successful implementation of the Agreement lies in the ability to plan and execute specific tasks and to muster the resources needed to implement them in the compliance area of Information Systems and Technology. A plan that details scope, tasks, resources and focuses on required outcomes is essential to monitor PRPD's Information Technology Operational and Transformational performance. The IT Action Plan is one of the most significant documents to lead, change and monitor performance. The IT Action Plan must be comprehensive and provide support to the other ten Action Plans that rely on IT support.

During the current six-month reporting period, the TCA's IT subject matter expert conducted on-site visits with PRPD's Chief Information Officer ("CIO"), and his team. These visits were conducted exclusively to review the capacity, approach, and ability of PRPD to plan, manage and execute IT initiatives that satisfy the requirements of the Agreement, the Action Plans and/or support other reforms that depend on IT.

The TCA conducted visits on December 2015, March 2016, and May 2016. Materials exchanged included drafts of the PRPD IT Action Plan, Strategic Plan, Buy Process, EIS Schedule, Policies and Procedures Timelines, Notional Architectural Drawings, List of Contractors and emails.

Observations regarding the IT Action Plan:

Several iterations of the IT Action Pan ("ITAP") were provided culminating in a draft version provided for analysis on 26 May 2016. In its current version, the "ITAP" is comprehensive concerning the Agreement in that it refers to collaborations needed to enable the other ten Action Plans. It also indicates current technologies needed by the PRPD to meet or satisfy the terms of the Agreement. Although comprehensive, it does not expressly identify specific institutional IT management practices or governance necessary to ensure that oversight rigor is in place to ensure alignment of IT initiatives with the Agreement. In in short, the ITAP does not make reference to or contain an IT governance board.

In view of the above observations, to be approved, the ITAP must be revised to include the below indicated institutional practices, policies or procedures, their incorporation and acquisition thereof.

Regarding infrastructure, the ITAP does identify that necessary IT infrastructure work needs to be performed to support enablement of the Agreement. In section 1.12, Table 1 and throughout the document, the essential need for infrastructure upgrades to execute projects is detailed. These notations are enlightening in that PRPD/CIO, and the Reform has documented this as a precursor to success. In short, without an infrastructure that is capable and updated, the probability of specified technology needs, as stated thus far throughout all of the Action Plans is to be considered a high risk. In addition to this risk is the proposition that the ITAP and its deliverables are the decisive paths to the success of the other Action Plans and that ITAP PRPD/CIO suggests that extensions of ITAP projects may be necessary. Given these conditions, the sequencing of the ITAP as an essential supporter to the establishment of the other Action Plans is tantamount to a reverse engineering process.

The TCA strongly requests the PRPD to make a genuine and exhaustive effort regarding the timing concerns identified within the ITAP and to prioritize the need to conduct a master sequencing exercise through which resources, timing and dependencies are identified as well as the associated risks due to the pacing of the ITAP.

Regarding IT human capital, the ITAP references in paragraph 1.12 on page 3 and Table 2 the staffing and resources needed. This means that the PRPD leadership must put

together the investment in human capital (organic to the PRPD or outsourced) necessary to accomplish the tasks required of the Action Plan and the Agreement. In light of the sheer volume of activity, the Office of the PRPD/CIO risks not having adequate numbers of subject matter experts to plan and manage the Action Plan, its dependencies, and overall coordination with other action plans nor to effectively acquire and oversee contractor services and their work product. An example of this dilemma can be seen in the assistance of Mr. Diaz from the Reform Office. His significant contributions notably extend to IT planning and strategy, something which would normally fall under the responsibilities of a Deputy CIO or the first level of management in PRPD. This currently is not the case. And so, the administrative burdens of orchestrating needed coordination with the Agreement's elements and expectations are being assumed by Mr. Diaz and CIO Rivera whose attention and activities might be better dedicated to managing strategy, expectations and satisfaction of deliverables.

A second example of the limitations in human capital is referred to in paragraph 2.2 and Table 3, whereby effort must also be given to interagency agreements with other organizations external to PRPD needing oversight. The observations above strongly suggest that the PRPD must hire or acquire IT subject matter experts and experienced management analysts or project managers either through PRPD staffing or contractor augmentation to perform oversight functions. Ultimately, the risk associated with being understaffed will increase with time as actions, issues and needed coordination or correction mounts. Access to staff and experts is the most critical need and highest risk area for meeting the IT expectations under the Agreement. It is the recommendation of the TCA that the PRPD should make a clear and stated commitment to increase resources through the hiring of certified IT experts and/or certified project leads to manage and oversee the workload required to satisfy the decree.

On the subject of planning, an Integrated Master Plan (IMP) is an essential element in planning and tracking to schedule. Currently, the schedule and plan artifacts are not yet mature enough for management tracking and critical decision making, setting aside the shortage of skilled support staff noted above. Although the intentions of current PRPD staff are the best of intentions, intuitive decision making, and oversight can carry the PRPD and CIO management only so far. Without established and transparent scheduling and goal setting, program review for adherence to program and project intentions, performance targets and metrics, to include the delegation of task management, is impossible. The recommendation of the TCA is that PRPD establishes as a foundational management artifact, an IMP (or Schedule) or individual projects in sufficient granularity to define satisfaction of the requirements of the Agreement about IT solutions. The key elements in this recommendation include the CIO's ability to track cost, performance and schedule of every activity required of IT to satisfy the Agreement. This stated, the IMS must also reconcile cost per project.

Regarding funding, the IT budget associated with the ITAP lacks clear details to substantiate what appears to be an extremely conservative estimate of the cost that should be associated with implementing the IT Action Plan irrespective of the source of funds. It is the recommendation of the TCA that a fully scrutinized, reviewed and detailed program budget, endorsed by leadership, be detailed for each line item identified above and be posted and formalized for transparency. Not doing so leaves a question of how resources will be applied and whether or not projects are within cost parameters. PRPD should consider with reverence the option of additional staff to monitor this fundamental management practice.

The following are general observations that apply throughout the draft upon which action should be taken:

1. The ITAP is responsive to the demands of the Agreement, but there is little evidence of the also needed, long-term systemic improvement required to sustain the transformation and prevent the reverting of technology.

2. The availability of a quantified and documented IT Technical Architecture is in question. This type of management tool is essential for planning and strategizing as it forms the basis for technology decision-making, prioritization, and investment. Not having a structured framework is tantamount to not tying technology to a stated vision.

3. The volume of documents, manuals, policies and training materials cannot be taken lightly. Communicating purpose is essential to effective deployment of all IT deliverables and their effective use. Staffing of this activity is essential to the agents who will use IT deliverables.

Observations regarding IT management practices:

1. To effectively execute IT projects there should be at least three elements available for a successful implementation: a) specificity of requirements and business process reengineering, b) project planning of cost and schedule, and c) governance and oversight needed to monitor execution.

2. Governance and the policy that invokes oversight is essential. It is therefore recommended that PRPD, Reform, and the CIO establish these practices, if not already in place, and publish their intent to ensure that all participants performing IT work understand the accountability that comes with the assignment and the compliance monitoring that will be enforced. Stewardship of people and resources cannot be underestimated.

3. Commensurate with the Integrated Master Schedule cited above, it is recommended that the CIO establish; a) a strategy and/or a plan for contracting technology expertise required for successful implementation of the Decree, b) a plan for Risk Mitigation (technical and resourcing), c) a plan and schedule for adding professional capacity organically with PRPD staff or through outsourcing to contractors, d) formalize a plan for current Accounting of Policies and Procedures for IT and e) enforce that the PRPD/CIO and Reform investigate business intelligence tools for the management and tracking of IT transformation activities.

Undoubtedly, PRPD/CIO and the Reform Unit are working diligently to meet the demands of the required transformation. Additionally, the CIO has stated that he feels that he has the full support of the Superintendent to comply with the Agreement. These are positive signs. However, the inability to fully apply rigor and discipline imperils achieving the intended goals. As stated previously, intuition and the best of intents alone will not guarantee IT success. Attention to detail, third party and peer review, independent validation and verification are well proven best practices that must be incorporated. Unfortunately, these values also require resources and investment in people and practices. Not having access to subject matter experts and experienced management talent is the highest hazard to PRPD/CIO's success.

With regard to factors of timing and sequencing, the ITAP delivery of the last of the Action Plans is actually a risk factor because of the fundamental dependency of the other ten Action Plans. In retrospect, ITAP should have been done first and the PRPD should evaluate and possibly bear the potential aftereffects of not doing so.

Collaborations for delivery of technology capabilities can be highly effective. It is recommended that PRPD Leadership and the CIO give dedicated consideration to leveraging of the Academy and private sector capacity to complete the transformation. The CIO currently depends on outsourcing and industry, and it has proved to be beneficial. Exploiting external opportunities may be the most effective and fastest way to expand the number of subject matter experts required for success.

Special dispensation or waivers on the subject of policy or statute may be required for the CIO to be successful. Legislation (Law No. 66-2014, of June 17, 2014) that restricts adding infrastructure or hiring people given the current fiscal situation in Puerto Rico limits response.

The CIO has stated that his budget is "need based." As long as this is so, the "on demand" nature of planning will make difficult the sustained transformation rendering it risky and improbable. Earmarked multi-year budgeting is essential to planning and scheduling.

Professional continuity is a highly stabilizing factor to an IT environment. With the impending elections and the potential impact that it will have on leadership, PRPD should give strong consideration to providing continuity to present IT leadership. They characterize the analogy of the "connective tissue" keeping the transformation together. The loss of any of those human assets will substantially set back the Office of the CIO. It is the position of the TCA that critical to successful implementation of the Agreement is the ability to plan and execute specific tasks and to scope the resources needed to implement it in the compliance area of information Systems and Technology. A plan that details scope, tasks, resources and required outcomes is essential to being able to monitor PRPD's Information Technology Operational and Transformational performance. The IT Action Plan is the one of the most significant documents to being able to lead, change and monitor performance. The IT Action Plan must be comprehensive and provide support to the other ten Action Plans that rely on IT support.

Third Public Hearing

During the present reporting period, the Hon. Gustavo A. Gelpí, United States District Judge, on the dates of March 17 thru 18, 2016, held the third Public Hearing about the Sustainable Agreement for the Reform of the Police of Puerto Rico. The Hearing was held at the Commonwealth's Courthouse in Fajardo, and focused on updating and informing the Court and the public of the advances achieved in complying with the stipulations in the Agreement. A permanent component of the Agreement is the inclusion of the community in this reform process. In view that the setting for the Hearing was the township of Fajardo, particular attention was placed on the Eastern side of the island, including the island municipalities of Vieques and Culebra. Just like in the other two previous hearings, participation came from a varied group of participants that included police officers, community groups, community leaders and influential personalities. The synopses of testimonies offered in this Report do not purport to be the official minutes of the hearing but rather a summary of those challenges and concerns that were perceived through the lens of the TCA and are deemed to have an impact in the reform process. It should further be noticed that the TCA has endeavored to withhold personal opinions in the summary of the aforesaid presentations.

On the first day of the Hearing, the Court heard presentations from diverse components of the community directly affected by the reform process that had not previously appeared

before the court nor had the opportunity to meet with the TCA to address any pertinent issue. The Honorable Rafael Martínez, Associate Justice of the Commonwealth's Supreme Court, opened the proceedings by reading a brief statement on behalf of the newly appointed Chief Justice, the Hon. Maite Oronoz, who was unable to attend. Representatives from the major townships in the Eastern part of the island, the municipalities of Fajardo and Humacao, also welcomed those present on behalf of their respective city mayors, the Hon. Anibal Meléndez from Fajardo and the Hon. Marcelo Trujillo from Humacao.

The Dean of the University of Puerto Law School, Mrs. Vivian Neptune, Esq. promoted the inclusion of the law schools of Puerto Rico into the Reform process, as an additional resource to achieve the sought after goals. Mr. Oscar Serrano, Mr. Miguel Rivera Puig, and Mr. Juan Hernández, spoke on behalf of the media in Puerto Rico and their past and present relationship with the Police Department. They all voiced a request for greater transparency on behalf of the Commonwealth. Mrs. Ineabelle Álvarez spoke on behalf of Ceiba's Proyecto Escudo, an office focused on assistance to victims of sexual crimes committed in the eastern part of the island and contributed valuable statistics on victims and police response. Counsel Wanda Vázquez, the Commonwealth's Women's Advocate, also briefly addressed the Court.

The Honorable Anabelle Rodríguez, Associate Justice of the Supreme Court of Puerto Rico, presented her statement to the Court, promoting collaboration between the federal and state judicial systems in attaining a sustainable Reform for the Police Department for the benefit of the Puerto Rican community. Mr. Carlos Iván Pérez, a community leader from the township of Naguabo, called for a broadening of the courts' monitoring duties and powers as the only efficient way to properly attain the reform of the Police Department. Mr. José A. Ruiz García, Esq., Executive Director of the Maritime Transport Authority, and Inspector Wilson Lebrón, Director of Security for the Ports Authority, also briefly addressed the Court. Dr. Keren Riquelme, Director of the Central Committee of Community Interaction, and Mrs. Elitzia de Jesús, Spokesperson for the Fajardo Community Interaction Council, closed out the first day's proceedings, followed by brief comments by Mr. José Caldero López, the Police Department's Superintendent.

On the second day of proceedings, Mr. Víctor Emeric Caterineau, mayor of the island of Vieques, addressed the Court regarding the island's relationship with the Puerto Rico Police Department. He was followed by Mr. José Vega, Esq. from the Fajardo Community Interaction Council, and Mrs. Sonia Rodríguez, Spokesperson of the Humacao Community Interaction Council. Antonio Maldonado, president of the Palmas del Mar Homeowners Association, gave a brief statement to the Court, followed by the presidents of the main private security companies in Puerto Rico: Mr. Luis Pagán, Mr. Juan Bravo III, Mr. Miguel Portilla, and Mr. Pedro Morales. Mr. Johanis Salcedo spoke on behalf of

the University of Puerto Rico Legal Assistance Clinic regarding the LGBTT community's rights, followed by Mr. Josué González on behalf of GRUCORPO, and Mrs. Georgina Candal, Esq., the Executive Director of the Civil Rights Commission.

Col. Luis Colón Ortiz, commander of the Puerto Rico Joint Forces of Rapid Action ("FURA"), gave a presentation on the current operations of FURA, followed by Mr. Jaime Vega, Security Director of Marina Puerto del Rey. Col. Clementina Vega, the Director of the Puerto Rico Police Department's Reform Office, addressed the Court regarding the current efforts by the Police Department in complying with the Reform, followed by closing statements by Police Superintendent.

The Court has scheduled the Fourth Public Hearing for the month of September 2016 in the city of Mayagüez, in the Western part of the island. As a follow-up measure regarding some issues addressed during the last Hearing, the Court expressed its desire to have the participation of the Director of the Tourism Company during the next public hearing. The Court also restated its belief that hearings, such as this one, are a unique and effective way of properly engaging the different sectors affected and responsible for the success of the reform process.

Overall, as evidenced by the different presentations throughout the course of the two days, the Hearing demonstrated how the sustainable reform of the Puerto Rico Police Department can only be achieved if the Puerto Rican community is fully included in the process. Protection of civil rights can only be attained if the voices of those who are meant to be protected can be heard. This past Hearing opened the doors, not only for full awareness and integration of the Reform within the community but also for members of the community to become valuable resources in the process. The goal is to achieve a Police Department that fully serves and defends the constitutional rights of the People of Puerto Rico. (Transcripts of the Hearing are available to the public)

Next, on behalf of GRUCORPO, Mr. Josué González of the American Civil Liberties Union (ACLU) addressed the Court. The Communitarian Work Group in Regards to the Police Reform (GRUCORPO) is a group whose workforce is composed of individuals and organizations based in the community that provide services to interested parties (stakeholders) and have become part of this effort to promote effective and independent community participation, transparency, and the rendering of accounts during the implementation stage of the Agreement. These particular groups of stakeholders are persons from the community that have directly suffered some abuse from police officers or endured their neglect or their negligence in conducting investigations or have provided services to victims of police abuse. From their point of view, and based on their experience in the field, they are capable of providing a unique perspective on important aspects of police practices at operative level.

Bearing in mind the culture of violence that is still prevalent among some individuals or groups within the PRPD, this workgroup firmly advocates that effective community participation is necessary to achieve positive and permanent transformations within the PRPD. As the Department of Justice of the United States recently stated, "[T] he stipulations in the Agreement aspire to establish solid relationships with the community and therefore to promote collaboration in the resolution of problems, police practices free from discrimination, and the effective prevention of crime." Those measures include: community integration and the adoption of police practices directed towards the resolution of problems in regards to supervision, procedures, recruitment, training, personnel evaluation, police tactics, and the distribution of resources; the development of programs that promote community involvement and programs to convey information to residents on the progress the PRPD has made in the Reform and to address community concerns and publicize precise and actualized crime statistics.

Counsel Gonzalez continued to say that each organization and individual that participates in this effort hopes that the PRPD is transformed into a Department that upholds law and order for the people, is institutionally founded on the principles of community police and works under strict principles of human and civil rights. This workgroup initially was organized through the American Civil Liberties Union (ACLU) of Puerto Rico, who on their own, involved stakeholders, individuals, leaders and different community organizations and invited them to collaborate independently in the Reform process.

Between the months of August and December of 2014, the ACLU of Puerto Rico organized various meetings with the community and various key functionaries of the Reform, including the TCA, attorneys from the United States Department of Justice, the Superintendent of the PRPD, the Director of the Police Academy, Dr. Michelle Hernández and the Office of the Police Reform, led by Colonel Clementina Vega Rosario. This effort, with the assistance of the TCA, led to long discussions with representatives of the Reform Unit and important channels of communication were established. Even though there still are profound disagreements about certain aspects of the Reform, the dialogue is still in place and has promoted an ambience of collaboration with the Office of the Reform and the Academy.

GRUCORPO has made suggestions and comments on general orders relating to arrest, searches and seizures, domestic violence, use of force, and other areas of concern in police operations. They have also participated in various meetings with the TCA, the U.S. Department of Justice, the Superintendent, and the Reform Unit. Mr. Gonzalez is most concerned with the issue of "use of force" and believes the PRPD has not yet achieved solid policies that could guide the discretion of the police officers in the use of force. He explained that they believed that any proposed protocol should strictly guide and limit the

discretion of the police officers. For example, he pointed out that the neck restraint technique used by PRPD was unnecessary and dangerous. He perceived that despite the fact this technique is mentioned in the Agreement, its adoption is not required. He added that the proposed "General Order" that regulates the Tactical Operations Unit should clearly establish that this division should not be activated to suppress protected activities under the First Amendment.

Mr. Gonzalez went on to establish that the only detentions that should be permitted under the laws of Puerto Rico should be those based on probable cause of for the commission of a crime. He asserted that "experience dictates that investigatory detentions in other jurisdictions have been used for racial discrimination and have provoked incidents of police abuse." Additionally, the use of appropriate terms should be adjusted to the advice of constitutional rights of a suspect. He argued that certain key definitions should be more clearly and articulately explained in the policies refer to clearly established constitutional principles.

The protocols in place for gender violence were also discussed. It was suggested that these policies should establish clear criteria to adequately classify the crimes of domestic violence and sexual aggression. It was also suggested that the collaboration and coordination of support groups for gender violence victims should be sought, and protocols should be adjusted to comply with the federal statutes and regulations, and special attention should be emphasized on incidents of gender violence committed by police officers.

Partnerships with National Organizations: The NACOLE-ACLU Regional Conference on Oversight of Law Enforcement

As part of the process for the Reform of the PRDP, the American Civil Liberties Union (ACLU-PR) is working to create awareness of the concept of citizen oversight of law enforcement. These oversight committees are officially recognized groups composed of community members, which may include non-sworn civilians, who review complaints filed against the police on behalf of the citizenry.

In connection with this effort, during the month of May ACLU coordinated the Regional Conference of the National Association Civilian Oversight of Law Enforcement (NACOLE) that took place in Puerto Rico. NACOLE is a non-profit organization that brings together individuals and agencies working to establish or to improve oversight of police officers in the United States. The TCA and members of his team participated in activities related to the visit to Puerto Rico of NACOLE's representatives and presenters.

The TCA participated in a meeting held at the ACLU-PR office on May 12, 2016. Among the participants were Liana Perez, Director of Operations of NACOLE; Susan Hutson, New Orleans Police Monitor; Cameron McEllhiney, NACOLE Director of Training and Education; Christina Beaumud, Civilian Investigative Panel, City of Miami; and Prof. Jodie Roure, John Jay College of Criminal Justice. The purpose of the meeting was to share experiences on the implementation of mechanisms of independent civil monitoring and discuss their relevance in the PRPD reform process and access to public information.

TCA representatives participated the next day in the Conference on "Independence, Transparency & Accountability in Policing" sponsored by NACOLE, which took place in the Amphitheatre of the Interamerican University School of Law. Topics discussed in the conference included building public confidence, mechanisms related to the implementation and functioning of civilian oversight committees, access to information and transparency in the state's processes, among others.

The TCA is available to continue the dialogue and exchange of information on this matter.

Projected Activities: The Next Six Months

Consistent with Paragraph 250 (e), the TCA will continue to work in the upcoming six months providing technical assistance and review for the policies that the PRPD will submit in subsequent months. The TCA will continue to provide support to the Police Academy while emphasizing on more comprehensive IT technical assistance. The TCA will also work with the PRPD in the review of the pending and outstanding Action Plans. Concerning the Action Plans in effect, the TCA has attached the compliance methodology to measure the progress made in the second group of Action Plans. (See Appendix 6) This methodology includes all relevant timeframes and steps to be taken in measuring the PRPD progress towards implementation.

Consistent with past practices, the TCA will continue to provide the PRPD and the USDOJ a monthly agenda of activities. The TCA acknowledges that more than two years have

elapsed since he and his Core Team have been in Puerto Rico assisting the PRPD in the transformation process. As with any such endeavor, there are challenges, learning curves, personality adjustments and competing visions that need to be addressed to create a seamless process toward reform. The TCA understands that significant strides have been achieved on how he and his team now collaborate with the Reform Unit, the PRPD, the command staff, and the community stakeholders. There is now a more open line of communication among all those who want to ensure the success of the Reform and the PRPD. The TCA realizes that acceptance of the Reform by the public and the police will increase as the image of reliability and transparency of the process sets in. As the PRPD can extricate a host of issues affecting policies, programs, and systems, and as the public is better informed about issues affecting the police, the TCA is confident that new important associations will be formed to assist the Parties, while at the same time existing, affiliations will be strengthened.

Appendixes

Appendix 1:

Review of Policies, December 2015 through June 2016

Policy	Submission Date	Status
Control on the Use, Distribution, Archiving and Final Disposition of the Crime Incident Report (NIBRS) in the Puerto Rico Police Department	DECEMBER 2015	1st Revision: September 2015 2nd Revision: October 2015 3rd Revision: November 2015 Approved by the TCA. Signed by Superintendent: December 10, 2015

		Effective Date: January 1st, 2016
General Order 600-624: Interactions with Transgender and Transsexual Persons	DECEMBER 2015	1st Revision: November 2015 2nd Revision: December 2015 Approved by the TCA. Signed by Superintendent: December 10, 2015 Effective Date: December 10, 2015
General Order 100-116: Reorganization of the Canine Division (K9)	DECEMBER 2015	1st Revision: October/2015 2nd Revision: December/2015

		3rd Revision: January/2016 Approved by the TCA. Signed by Superintendent: January 14, 2016 Effective Date: January 14, 2016
Rules and Procedures for the Implementation and Regulation of the Use of Patrol Dogs (K9) Supporting Document: A. PRPD FORM: Deployment of the K-9 Team	DECEMBER 2015	1st Revision: October/2015 2nd Revision: December 2015 3rd Revision: January 2016 Approved by the TCA.

		Signed by Superintendent: January 14, 2016 Effective Date: January 14, 2016
General Order 100-112: Reorganization of the Tactical Operations Division	DECEMBER 2015	1st Revision: September 2015 2nd Revision: October 2015 3rd Revision: November 2015 Approved by the TCA: November 2015 Resubmitted to the TCA: December 2015 Approved by the TCA: December 2015

		Signed by Superintendent: January 21, 2016 Effective Date: January 21, 2016
General Order 100-117: Reorganization of the Division of Special Weapons and Tactics Division (SWAT)	DECEMBER 2015	1st Revision: December/2015 2nd Revision: January/2016 Approved by the TCA. Signed by Superintendent: January 21, 2016 Effective Date: January 21, 2016

General Order 100-113: Division on Investigation of Use of Force Incidents (FIU)	DECEMBER 2015	1st Revision: August 2015 2nd Revision: September 2015 Approved by the TCA: September 2015 Signed by Superintendent: February 11, 2016 Effective Date: February 11, 2016
General Order 100-114: For the Reorganization of the Auxiliary Superintendence in Professional Responsibility (SARP)	DECEMBER 2015	1st Revision: June/2015 2nd Revision: September/2015 3rd Revision: December/2015

		Approved by the TCA. Signed by Superintendent: February 11, 2016 Effective Date: February 11, 2016
Internal Rules for the Prevention of Discrimination, Harassment, Sexual Misconduct and Retaliation in Puerto Rico Police	DECEMBER/2015	1st Revision: June/2015 2nd Revision: September/2015 3rd Revision: November/2015 4TH Revision: December/2015 Approved by the TCA.

		Signed by Superintendent: February 11, 2106 Effective Date: February 29, 2016 After becoming effective, USDOJ has raised objections. The TCA is addressing in accordance with Paragraph 230.
PRPD Regulation No. 8728 for the Establishment of Police Practices Free of Sexual Misconduct, Discrimination, and Retaliation	DECEMBER/2015	1st Revision: June/2015 2nd Revision: September/2015 3rd Revision: December/2015 Approved by the TCA. Effective Date:

		April 13, 2016
General Order 100-118: Functions and Responsibilities Special Domestic Violence Division Supporting Documents: PRPD's Form: 790-1, 790-2, 790-3, 790-A, 790-B, 790-C, 790-D, 790-E	DECEMBER/2015	1st Revision: August/2015 2nd Revision: September/2015 3rd Revision: November/2015 4th Revision: December/2015 5th Revision: February/2016 Approved by the TCA. Signed by Superintendent: April 21, 2016 Effective Date:

		April 21, 2016
Administrative Order 2016-4: Investigation on Incident of Domestic Violence Involving Puerto Rico Police Employees	DECEMBER/2015	1st Revision: August/2015 2nd Revision: September/2015 3rd Revision: November/2015 4th Revision: December/2015 5th Revision: February/2016 6th Revision: March 2016 Approved by the TCA. Signed by Superintendent:

		April 21, 2016 Effective Date: April 21, 2016
General Order 600-627: Investigation of Domestic Violence Incidents	DECEMBER/2015	1st Revision: August/2015 2nd Revision: September/2015 3rd Revision: November/2015 4th Revision: December/2015 5th Revision: March/2016 Approved by the TCA. Signed by Superintendent:

		April 21, 2016 Effective Date: April 21, 2016
General Order 100-115: Reorganization and Functional Structure of the Sexual Offenses and Child Abuse	DECEMBER/2015	1st Revision: June/2015 2nd Revision: September/2015 3rd Revision: November/2015 4th Revision: December/2015 Approved by the TCA. Signed by Superintendent: April 21, 2016 Effective Date:

		April 21, 2016
General Order 600-622: Investigation of Sexual Offenses Incidents Supporting Document: A. Form: PRP-937, Nov/2015: Form to Attend the Orientation Phone Line for Sexual Offence Victims	DECEMBER/2015	1st Revision: June/2015 2nd Revision: September/2015 3rd Revision: November/2015 4th Revision: December/2015 Approved by the TCA. Signed by Superintendent: April 21, 2016 Effective Date: April 21, 2016

Administrative Order 2015-3: Investigation of Incidents of Sexual Violence Committed by PRPD Employees	DECEMBER/2015	1st Revision: June/2015 2nd Revision: September/2015 3rd Revision: November/2015 4th Revision: December/2015 5th Revision: January/2016 Approved by the TCA. Signed by Superintendent: April 21, 2016 Effective Date: April 21, 2016

General Order 600-620 Rules and Procedures for the Use of Specialized Weapons by Members of the Division of Specialized Tactics	DECEMBER/2015	1st Revision: November/2015 2nd Revision: December/2015 3rd Revision: January/2016 Approved by the TCA Signed by Superintendent: February 11, 2016 Effective Date: February 11, 2016
General Order 600-625: Management and Crowd Control Supporting Document: A. Form PRP174: Report on Constitutional Activities or Civil Disturbances	DECEMBER/2015	1st Revision: November/2015 2nd Revision: December/2015

		3rd Revision: January/2016 4th Revision: February/2016 Approved by the TCA. Signed by Superintendent: April 19, 2016 Effective Date: April 19, 2016
General Order 600- 623: Rules for the Handling of Police Pursuit	DECEMBER/2015	1st Revision: December/2016 2nd Revision: February/2016 3rd Revision: March 17, 2016

		Approved by the TCA. Signed by Superintendent: March 17, 2016 Effective Date: April 19, 2016
General Order 600-612: Authority of the Puerto Rico Police to Perform Searches and Seizures	JANUARY 2016	Annual Revision
General Order 600-615: Authority of the Puerto Rico Police to carry out Arrest and Citations	JANUARY 2016	Annual Revision
General Order 600-626: Intervention of Foreign Persons Supporting Documents: A. Steps to follow when a foreign person is detained or arrested	JANUARY 2016	1st Revision: January/2016 2nd Revision: March/2016

B. List of countries of compulsory notification C. Notification to Consulate by reason of arrest or detention D. Translations of Notification to Consulate and Access Languages E. Sheet of facsimile notification to Consulate F. List of Consulates in Puerto Rico		Approved by the TCA. Signed by Superintendent: May 15, 2016 Effective Date: May 26, 2016
General Order Crisis Intervention Team	JANUARY 2016	1st Revision: January/2016 2nd Revision: February/2016
Investigation Manual for the Auxiliary Superintendence in Professional Responsibility Supporting Documents: A. Complaint assignment sheet B. Notification to Complainant C. Notification to Defendant	JANUARY 2016	1st Revision: January/2016 2nd Revision: February/2016 3rd Revision: March/2016

		4th Revision: May/2016 Approved by the TCA: May 23, 2016
Regulation of Receipt, Processing, Investigation and Adjudication of Administrative Complaints Against PRPD Employees	JANUARY 2016	1st Revision: November/2015 2nd Revision: December/2015 3rd Revision: January/2015 4th Revision: March/2016 5th Revision: May/2016 Approved by the TCA:

		May 23, 2016
Regulation for the Amendments on Art. 14 of the PRPD Personnel Regulation Supportive Documents: A. Guide for Imposition of Corrective Measurements B. Written Reprimands C. Verbal Warnings D. Correctives Measures	FEBRUARY 2016	1st Revision: February/2016 2nd Revision: March/2016 3rd Revision: April/2014 4th Revision: June/2016
General Order 600-603: Use and Management of Impact Weapons	APRIL 2016	Annual Revision
General Order 600-604: Use and Management of Chemical Weapons	APRIL 2016	Annual Revision
	APRIL 2016	Annual Revision

General Order 700-701: Creation of Field Training Officer Program		
Operational Manual for the Field Training Officer Program	APRIL 2016	Annual Revision
Administrative Order-2015-1-IV: Vehicular Interventions	APRIL 2016	Annual Revision
Administrative Order for Non-Punitive Correctives Actions Applicable to the Puerto Rico Police Members Supporting Documents: A. List of minor infractions and their remedial measures B. Form of verbal reprimand C. Form of Corrective Measures D. Form of Written Reprimand	APRIL 2016	1st Revision: April 2016 2nd Revision: June 2016
General Order of Open Meetings Supporting Documents: A. RA-1: Guide for coordination of open meetings	APRIL 2016	New Policy

B. RA-2: Evaluation Sheet		
General Order: Community Policing Support Documents: A. PRPD Form for Implementation of Problem-Solving Model (SARA) B. Model of Agreement with Community Alliance C. PRPD Form for the Formal Community Partnerships Report D. PRPD Form Referral of a matter of Quality of Life Program E. PRPD Form Monthly Registration of Referrals Received on Issues of Quality of Life F. PRPD Form Monthly Registration of Referred Resolved on Matters Quality of Life	April 2016	1st Revision: April/2016 2nd Revision: May/2016 3rd Revision: June/2016
General Order: Drugs, Narcotics, Vice Control and Illegal Firearms Bureau	MAY 2016	New Policy
PRPD Form's Manual for the Drugs, Narcotics, Vice Control and Illegal Firearms Bureau	MAY 2016	New Policy

Supporting Documents: PRPD's Forms		
General Order of Ethic's Code for the PRPD Members	MAY 2016	Annual Revision
General Order: Hate Crimes Investigations	MAY 2016	New Policy
General Order 600-601: Rules for the Use of Force for Members of the Puerto Rico Police Department	MAY 2016	Annual Revision
General Order 600-602: Use and Management of Electronic Control Device (Taser)	MAY 2016	Annual Revision
General Order 600-605: Report and Investigation of Incidents of Use of Force by Members of the Puerto Rico Police Department	MAY 2016	Annual Revision

Glossary of Definitions: Basic Concepts of the Policies of Use of Force	May 2016	New Policy
Protocol for the Recording of Communication between Supervisors and Members of the Puerto Rico Police Department	JUNE 2016	New Policy
Protocol to Receive Comments from the Public Prosecutors, Judges and Public Defenders with Respect to the Performance of Members of the Puerto Rico Police Department	JUNE 2016	New Policy
General Order: Standards and Procedures of Transfers' Transactions of the Rank System's Staff Supporting Documents: A. Communication from the Superintendent by assigning new functions B. Form PPRD-144: Request of Transfers and/or Exchange C. Form PPRD-693: Request for Transfers or Temporary Relocation by His Own Request	JUNE 2016	New Policy

Appendix 2:

Review of PRPD Academy Curriculum/Syllabus

December 2015 through June 2016

During this period, the TCA received, reviewed, and submitted recommendations for the PRPD Academy's Syllabus, as required in Paragraph 227. They are as follows:

Course Name	Submission Date	Status
REA 618R: Familiarization with Long Rifle Gun Sig Saucer	December 2016	In accordance with the Agreement.
REA 618N: Qualification for Regulatory Firearm in Shot of Low Lighting	December 2016	In accordance with the Agreement.
PTF-100: Physical Aptitude Test Annex: Table for the Standards of Push-Ups, Sit-Ups and One Mile Run	February 2016	In accordance with the Agreement.
PFT-102: Canine Physical Fitness	March 2016	

		In accordance with the Agreement.
POL-1002: Fundamental Elements in the Communication and Writing of Reports of Forms	April 2016	In accordance with the Agreement.
POL-1003: Police Ethical Principles	April 2016	In accordance with the Agreement.
POL-1010: Introduction to Human and Civil Rights	April 2016	In accordance with the Agreement.
POL-2008: Basic techniques in the Management and Use of Force	April 2016	In accordance with the Agreement.
POL-2016: Use and Basic Handling of the Firearm	April 2016	In accordance with the Agreement.
POL-2028: Criminology	April 2016	In accordance with the Agreement.

POL-105: Psychological Fundamentals and Human Relations	April 2016	In accordance with the Agreement.
POL-302/303/304: Physical Efficiency (For three semesters)	April 2016	In accordance with the Agreement.
REA-618 D: Qualification of regulatory firearm	April 2016	In accordance with the Agreement.
REA-618 E: Familiarization with Long Weapon, Manual Load Shotgun, 12 mm Caliber	April 2016	In accordance with the Agreement.
REA-618 X: Acquainted with Shot in Stress	April 2016	In accordance with the Agreement.
POL-1005: Criminal Law	April 2016	In accordance with the Agreement.

POL-2011: Intermediate Techniques in the Use and Management of Force	April 2016	In accordance with the Agreement.
POL-2019: Domestic Violence, Sexual Harassment and LGBTT's Communities	April 2016	In accordance with the Agreement.
POL-2032: Equal Protection and Non-Discrimination	April 2016	In accordance with the Agreement.
POL-2018: Intermediate Use and Management of the Firearm	April 2016	In accordance with the Agreement.
POL-1003: Police Managing in the Management of Conflict	April 2016	In accordance with the Agreement.
POL-1004: Search and Seizure	April 2016	In accordance with the Agreement.
POL-2020: Specials Laws	April 2016	In accordance with the Agreement.

POL-2040: Certification in the Use and Management of Chemical Agent (Pepper Spray)	April 2016	In accordance with the Agreement.
RIPHHR: Prevention of discrimination, harassment and retaliation by the PPR	April 2016	In accordance with the Agreement.
REA-624: Interaction with Transgender and Transsexuals Persons	April 2016	In accordance with the Agreement.
REA-116: Police Dog Handler (K9)	April 2016	In accordance with the Agreement.
PTF-112: Tactical Operations Division Physical Agility Test (DOT)	April 2016	In accordance with the Agreement.
SWATCONF: Confidence Test SWAT Team	April 2016	In accordance with the Agreement.

SWATPAF: SWAT Team Physical Agility Test	April 2016	In accordance with the Agreement.
SWATIROX: Gun Of Service Qualification Stress Test (SWAT)	April 2016	In accordance with the Agreement.
SWATDD: Distraction Devices (SWAT)	April 2016	In accordance with the Agreement.
REA 612: Search and Seizure	April 2016	In accordance with the Agreement.
EIC-100: Legal, Scientific and Investigative Elements in the Process of Criminal Investigation	April 2016	In accordance with the Agreement.
REA-623: Rules and Procedure for the Management of Police Pursuits	April 2016	In accordance with the Agreement.
DOT-604: Use and Management of Tear Gas	May 2016	In accordance with the Agreement.

DOT-603: Use and Management of Rigid Baton	May 2016	In accordance with the Agreement.
DOT-112: Basic Course of Formations	May 2016	In accordance with the Agreement.
POL 2021: Criminal Procedure	May 2016	In accordance with the Agreement.
REA-604R: Operators Recertification in the Use and Management of Chemical Agent (Pepper Spray)	May 2016	In accordance with the Agreement.
REA-618HK: Pistol Operator HK USP Tactical 45 mm Caliber	May 2016	In accordance with the Agreement.

Appendix 3:

Committees of Citizen Interaction Training

During this period, the TCA received and reviewed the multi-thematic seminar for the members of the Committees of Citizen Interaction as established in the Community Interaction and Public Information Action Plan (Part II: Objectives for Training Development, Activity 1.1).

Policy	Submission Date	Status
1.1.1 Agreement for the Sustainable Reform of the Puerto Rico of Police Department	May 2016	In accordance with the Agreement.
1.1.2 Functions and Duties of the Committees of Citizen Interaction, according to General Order 800-801	May 2016	In accordance with the Agreement.
1.1.3 Parliamentary Rules	May 2016	In accordance with the Agreement.

1.1.4 Principles of Community Policing	May 2016	In accordance with the Agreement.
1.1.5 Problem-Solving: S.A.R.A Model	May 2016	In accordance with the Agreement.
1.1.6 Creation and Preservation of Community Partnerships	May 2016	In accordance with the Agreement.
1.1.7 Functioning of the Police Ranks System	May 2016	In accordance with the Agreement.
1.1.8 PRPD Organization Chart	May 2016	In accordance with the Agreement.
1.1.9 Functions and Duties of the Investigative Units, Specialized Units, Precincts, and Districts	May 2016	In accordance with the Agreement.
1.1.10 Functions and Duties of the PRPD Reform Office, TCA and DOJ	May 2016	In accordance with the Agreement.

1.1.11 Process of Filing of Administrative Complaints	May 2016	In accordance with the Agreement.
1.1.12 Use of Force	May 2016	In accordance with the Agreement.
1.1.13 Right of Persons in a Search and Seizure	May 2016	In accordance with the Agreement.
1.1.14 Civil Rights	May 2016	In accordance with the Agreement.
1.1.15 Services to the Victims of Crimes	May 2016	In accordance with the Agreement.
1.1.16 PRPD Recruitment Process	May 2016	In accordance with the Agreement.

1.1.17 Functions and Duties of the Community Security Councils	May 2016	In accordance with the Agreement.
1.1.18 General Plan to Implement of Community Outreach Program and Public Information	May 2016	In accordance with the Agreement.
1.1.19 National Incident-Based Reporting System Manual (NIBRS)	May 2016	In accordance with the Agreement.

Appendix 4:

TCA Review of PRPD Action Plans for the Period Corresponding to 2015

Refer to "Section II: PRPD's Action Plans: Paragraph 250(b) through 250(d)" of the Third TCA Report.

ACTION PLAN ON USE OF FORCE

I. Policies and Procedures Development Objectives

Requirement	Revise General Order Chapter 600, Section 603, Use and Management of Impact Weapons
Due Date	January 2015
Progress	Approved by the Superintendent on January 31, 2015.
Finding	Full Compliance

Requirement	Revise General Order Chapter 600, Section 604, Use and Management of Chemical Agents.
Due Date	March 2015
Progress	Approved by the Superintendent on March 27, 2015.
Finding	Full Compliance

Requirement	Revise General Order 2004-3 Policies and Procedures for Use, Possession, Maintenance, Change, Occupation, Re-Assignment and disposal of Police Regulation Weapons. General Order to be identified as Use and Management of Regulation Firearm.

Due Date	June 2015
Progress	Approved by the Superintendent on June 1, 2015.
Finding	Full Compliance

Requirement	Revise General Order Chapter 600, Section 602 Use and Management of Electronic Control Device.
Due Date	April 2015
Progress	Approved by the Superintendent on April 10, 2015.
Finding	Full Compliance

Requirement	Revise General Order Chapter 600, Section 601, Rules for the Use of Force by Members of PRPD to Incorporate Recommendations by DOJ and TCA.
Due Date	June 2015
Progress	Approved by the Superintendent June 2015.

Finding	Full Compliance

Requirement	Revise General Order Chapter 600, Section 605: Reporting and Investigating Use of Force incidents by PRPD Members.
Due Date	June 2015
Progress	Approved by the Superintendent on June 1, 2015.
Finding	Full Compliance
Requirement	Revise General Order 73-4 Mobilization of Tactical Operations Unit. This order will include eligibility requirements to remain in the specialized units, as well as the recruitment and selection process. It also includes the requirement to document the activities concerning mobilization and or activation, as well as after action reporting.
Due Date	July 2015
Progress	Approved by the Superintendent in December 2015.
Finding	Full Compliance

Requirement	Develop a General Order Chapter 100, Section 11, The Reorganization of the Division of Special Weapons and Tactics This order will include eligibility requirements to remain in the specialized units, as well as the recruitment and selection process. It also includes the requirement to document the activities concerning mobilization and or activation, as well as after action reporting.
Due Date	August 2015
Progress	Approved by the Superintendent in November 2015.
Finding	Full Compliance

Requirement	Develop General Order Chapter 600, Section 620: Procedure for the Use of Intermediate and Specialized Weapons (less than lethal).
Due Date	August 2015
Progress	Approved by the Superintendent December 2015.
Finding	Full Compliance

II. Training Development Objectives

Requirement	Revise the training module for impact weapons.
Due Date	September 2015
Progress	Approved training November 2015.
Finding	Full Compliance

Requirement	Develop a training module for chemical agents.
Due Date	November 2015
Progress	Approved training module.
Finding	Full Compliance

Requirement	Develop a module for Training of Force Review Board and Superintendent Force Review Board members.
Due Date	December 2015
Progress	Approved training module

Finding	Full compliance

Requirement	Revise training in the Use and Management of Regulation of Firearms.
Due Date	November 2015
Progress	Training module approved.
Finding	Full Compliance

Requirement	Revise a training module for ECWS (Tasers).
Due Date	September 2015
Progress	Training module approved.
Finding	Full Compliance

Requirement	Revise a Training Module for Use of Force Rules and Investigations.

Due Date	November 2015
Progress	Approved training module.
Finding	Full Compliance

Requirement	Design Training module for Impact Weapons.
Due Date	June 2015
Progress	Approved training module.
Finding	Full Compliance

Requirement	Design Training module for Chemical Agents.
Due Date	August 2015
Progress	Approved training module.
Finding	Full Compliance

Requirement	Design Training for FRB and SFRB Board members.
Due Date	November 2015
Progress	Approved training module.
Finding	Full Compliance

Requirement	Design Training for the Use and Management of Regulation Firearm.
Due Date	November 2015
Progress	Approved training module.
Finding	Full Compliance

Requirement	Design Training for ECWS (Taser).
Due Date	September 2015

Progress	Approved training module.
Finding	Full Compliance

Requirement	Design Training for Use of Force rules.
Due Date	November 2015
Progress	Approved training module.
Finding	Full Compliance

Requirement	Design Training for Reporting and Investigating Use of Force Incident by members of PRPD.
Due Date	November 2015
Progress	Approved training module.
Finding	Full Compliance

ACTION PLAN ON SEARCH AND SEIZURE

I. Policies and Procedures Development Objectives

Requirement	Revise General Order 600-612: Searches and Seizure.
Due Date	August 2015
Progress	Approved by Superintendent November 2015.
Finding	Full Compliance

II. Training Development Objectives

Requirement	Review the training on GO 600-615, Arrests and Summons
Due Date	September 26, 2015
Progress	Training module was approved.
Finding	Full Compliance

ACTION PLAN ON EQUAL PROTECTION

I. Policies and Procedures Development Objectives

Requirement	Creation of a General Order
Due Date	March 31, 2015
Progress	Approved by Superintendent September 2015
Findings	Full Compliance

Requirement	General Order 2007-1 On Investigating Sexual Assault and abuse of minors.
Due Date	September 2015
Progress	Approved by Superintendent
Findings	Full Compliance

Requirement	Develop Administrative Order on Interaction with Transgender and Transexual persons
Due Date	September 2015
Progress	Approved by Superintendent December 2015
Findings	Full Compliance

ACTION PLAN ON ADMINISTRATIVE COMPLAINTS

I. Policies and Procedures Development Objectives

Requirement	Create an administrative order informing the public the process to file misconduct complaints against PRPD to include the creation of brochures and posters.
Due Date	June 2015
Progress	An administrative order was approved by the Superintendent on October 14, 2015.
Finding	Full Compliance

Requirement	Revise a memorandum of understanding between PRPD and PRDOJ concerning responsibilities for criminal and administrative investigations.
Due Date	August 2015
Progress	Communication with the Reform Unit reflected a Memorandum of Understanding (MOU) was forwarded to PRDOJ and PRPD is awaiting a response. PRPD has met its obligation.

Finding	Full Compliance

Requirement	Develop a procedure outlining an employee's responsibility to testify in a criminal proceeding.
Due Date	September 2015
Progress	A memorandum was sent to PRDOJ outlining a protocol for employees. PRPD has met its obligation.
Finding	Full Compliance

Requirement	Revise Public Regulation, Rule 6506 concerning the processing of administrative complaints and adopt a new regulation outlining new mechanisms for receiving, processing, and providing final dispositions for all administrative complaints.
Due Date	October 2015
Progress	Communication with the Reform Unit reflected that the regulation is pending approval in accordance with the uniform code of administrative procedures. PRPD has met its obligation.

Finding	Full Compliance

Requirement	Develop the Administrative Complaint Investigations Manual
Due Date	December 2015
Progress	The TCA reviewed and provided comments
Finding	Full Compliance

Appendix 5:

TCA Activities and Community Engagements

Monthly meetings with the Parties

- In accordance with Paragraph 253 of the Agreement, the TCA has conducted monthly meetings with all Parties during this period, for the considerations of the pending matters. Also, continuous written and telephone communications have been made on a regular basis to ensure the effectiveness and timely response to the situations regarding the status of implementation of the Agreement.

- Assistance and participation in Third Public Hearing (Case No. 12-20139) held on March 17-18, 2016.

- During the past six months, the TCA has maintained constant communication with the Hon. Gustavo Gelpí, Judge for the United States District Court of Puerto Rico, for issues or situations that have required his intervention.

- Throughout this period, the TCA has conducted more than 20 meetings with different police agents *of the Puerto Rico Police Department* for the attention of specific claims and/or complaints that have against the agency because of alleged violations of their administrative due process.

Meetings and activities in accordance with Paragraph 254 of the Agreement

Meetings with Puerto Rico Government's Office

- Esq. Mari Tere Rivera Governor's Representative in the Agreement for the Sustainable Reform of the Puerto Rico Police Department. (March 2016)
- Hon. Cesar Miranda Secretary of Justice of Puerto Rico. (April 2016)

Meetings with Federal Government Officers:

- TCA meet with Douglas Leff of Federal Bureau of Investigation (FBI) Agency (May 2016)
- TCA meet with Antonio Cordova of Housing Urban Development (HUD) (January, & March 2016)

Meetings with Representatives of Executive Agencies:

- Esq. Wanda Vázquez, Office of the Women Rights' Advocate (March 2016)
- Esq.Grace Santana, Director of Infrastructure Financing Authority (known for its initials in Spanish as AFI) (January 2016)
- Iris Miriam Ruiz. Office of the Ombudsman, (April & May 2016)
- Esq. Georgina Candal, Puerto Rico Civil Right Commissions. (February & March 2016)

Meetings with Mayors and/or Municipal Security Commissioners:

- Ángel Martínez, Bayamón Municipality Security Commissioner (March 2016)
- Hon. Javier Carrasquillo, Mayor of Cidra, (February 2016)
- Hon. Victor M Ortiz Díaz, Mayor of Gurabo, (January 2016)

Meetings with Puerto Rico Police Reform Unit:

- Frequently meetings with Police Superintendent (February through May 2016)
- Frequently meetings and communications with Colonel Clementina Vega, Director of the Puerto Rico Police Reform Office, and other personnel of the PRPD.
- Monthly meetings with the Police Reform Unit designated personnel for the review, analysis and comments on the Action Plans presented by the PRPD.
- Numerous meetings, conference calls and documents' presentation with review of the politics of the PRPD with the Reform Unit's professionals and/or with the USDOJ and PRDOJ for the analysis, discussions and technical support to the final drafts of following Generals Orders, Policies, Actions Plans and PRPD Forms. (Please see Appendix 1)
- TCA Core Team meeting with Police Reform Unit and other divisions (January through May 2016)

Meetings with Puerto Rico Police Department representatives:

- Meeting with Colonel Héctor Agosto Rodríguez, Ponce Area Headquarters (January 2016)
- Several visits to the Police Academy, and meetings with Col. Hernández de Fraley and her staff.
- Meeting with Superintendence of Professional Responsibility, known by its Spanish initials as SARP (February 2016)
- TCA and TCA Constitutional Lawyer active participation during this period with PRPD's Board of Examinations for Promotion, (January through May 2016)
- Meeting with Col. Ramirez, Caguas Area Headquarters. (February 2016)
- Meeting with Col. Rosado, Mayaguez Area Headquarters (May 2016)

Visits and meetings to Police Regional Headquarters and Police Stations:

- TCA and Core Team visit to Bayamón Oeste Zone of Excellence (January 2016)
- TCA and Core Team visit to Canine Unit in Bayamón (January 2016)
- TCA and Core Team visit to Las Piedras Zone of Excellence (February 2016)
- Visit to police Fire Range at Gurabo, (April 2016)
- Visits and meetings to Police Regional Headquarters and Police Stations:
- TCA and Core Team visit to Fajardo Police Station (April 2016)
- TCA and Core Team visit to Arecibo Police Station (April 2016)
- TCA and Core Team visit Arecibo Drug Unit located in Camuy (April 2016)
- TCA and Core Team visit San Juan Drug Unit. (April 2016)
- TCA and Core Team Guayama Police Station (February 2016)

Meetings and communications with representatives of the following Puerto Rico Police's associations and others workers' union:

- Ismael Rivera, Police Association (January 2016)
- Gregorio Matías ,Polices Organize Association (March 2016)
- Diego Figueroa, Federación Unida Policías Organizados (April 2016)

Meetings and activities of the Community Interaction Council ("*Consejo de Interacción Ciudadana*")

- Open Meeting for San Juan Area "Agreement for the Sustainable Reform of the PRPD presentation in San Juan. (April 2016)
- Open Meeting for Caguas Area "Agreement for the Sustainable Reform of the PRPD" presentation in Caguas. (April 2016)
- Open Meeting for Mayaguez Area "Agreement for the Sustainable Reform of the PRPD" presentation in Yauco.

Meetings and activities of the Community Safety Council ("*Consejos Comunitarios de Seguridad*"):

- Meeting with Naranjito Cedro Arriba Community Safety Council (March 2016)
- TCA and Staff attend to the Annual Assembly of the Neighborhood Safety Committee (April 2016)

Meetings with Community Leaders and other interaction community's activities:

- Meeting with Tati Escobar Office of Advocate for Individuals with Disabilities (March & April 2016)
- Meeting with Cecilia La Luz from "*Centro Comunitario LGBTT*", Transgender Group (January 2016)

Others Groups of Interest Meetings (Stakeholders):

- Esq. William Ramírez, ACLU (January, April, & May 2016)
- Dr. Richard Blanco Peck, University of Puerto Rico Public Administration Graduate School for the discussion and analysis of Paragraph 241 of the Agreement. (January through May 2016)
- Meeting with Group Corp. (Comite Comunitario) (January 2016)
- Mari Mari Narvaez Espacios Abiertos (January 2016)
- Jose Rodríguez, Dominican Community Leader (January & April 2016)
- Roberto "Papo" Christian Community Leader (May 2016)
- Esq. Ana Rivera Lassen LGBTT. (February 2016)

- Fondita de Jesus Board of Director. (January 2016)
- Carlos Perez Martinez Community Leader. (February & March 2016)
- Attend to Forum 10-4 "Nueva Cobertura Policíaca Desde la Perspectiva de su Relación con los Derechos Humanos" (February 2016)
- TCA and Core Team attend to Plaza las Americas for the PRPD presentation of "The Agreement for the Sustainable Reform of the PRPD. (February 2016)

Appendix 6:

Methodology to Review Action Plans

Cover Letter to the Methodology to Review Action Plans on Professionalization; Supervision and Management; Recruitment, Selection, and Hiring; and Community Engagement and Public Information

Arnaldo Claudio
Technical Compliance Advisor
TCAPR Corp.
268 Muñoz Rivera, World Plaza, Suite 1001
San Juan, P.R. 00918

VIA ELECTRONIC MAIL

March 27, 2016

Lt. Col. Clementina Vega Rosario
Reform Unit Director
Puerto Rico Police Department
P.O. Box 70166
San Juan, PR 00936

Re: USA v. Commonwealth of Puerto Rico, et al., No. 3:12-cv-2039 (GAG)
Methodology to Review Action Plans on Professionalization; Supervision and Management; Recruitment, Selection, and Hiring; and Community Engagement and Public Information

Lt. Col. Vega:

Thank you for presenting the Action Plans on Professionalization, Supervision, Recruitment, and Community Engagement completed by the Puerto Rico Police Department (PRPD) as part of the Agreement for the Sustainable Reform of the Puerto Rico Police Department (Agreement). The four submitted Action Plans outlined steps that the PRPD has committed to undertake during the Capacity-Building Period to facilitate implementation of the Agreement in these areas. We congratulate PRPD on this significant effort. I now submit the final monitoring methodology for the above mentioned four Action Plans. The methodology reflects the Agreement's requirements during the Capacity-Building Period. The Capacity Building Period began with my appointment as TCA in June 2014 and runs until June 2018.

The purpose of the Capacity-Building Period is best described by the Parties in their "Joint Response to the Six-Month Report of the Technical Compliance Advisor, December 7, 2014 – June 7, 2015," filed on August 17, 2015 (Dkt. #252). In their response, the Parties stated that "[t]he Parties agreed to incorporate a unique capacity-building period during the first four years of the Agreement to permit PRPD to improve and update its management and operating systems and structures." The Parties also agreed to "Action Plans that would be developed by the Commonwealth for each of the eleven substantive sections of the Agreement and would serve as blueprints for PRPD's activities during the capacity-building period."

As I did with the Action Plans for Use of Force, Search and Seizure, Equal Protection, and Civilian Complaints, I have addressed the concerns previously raised by the Parties regarding the foundations of the methodology, so they reflect the applicable provisions of the Agreement. I have also incorporated the goals and objectives of the Capacity-Building Period. The methodology emphasizes collaborative problem-solving among the Parties and stakeholders without neglecting compliance-oriented monitoring and auditing.

The TCA has tailored the methodology for the Capacity-Building Period to achieve the following two objectives: (a) continue to assist the Commonwealth and PRPD in building operational and management systems and structures that will facilitate compliance with the Agreement following the Capacity-Building Period (see Agreement ¶ 236 concerning feedback and technical assistance to develop and implement Action Plans); and (b) to evaluate PRPD's progress by assessing the implementation of its Action Plans (see Agreement ¶ 240). These steps will permit the TCA to meet its reporting obligations under Paragraph 250.

With respect to the first objective under paragraph 236, the TCA incorporates the following steps into the methodological plan to provide further feedback and technical assistance. It is important to note that this technical assistance and feedback is already

provided to the PRPD and that the PRPD conducts its own self-assessment based on similar methodological principles and using similar tools. In general terms, the basic methodological steps to be taken to provide technical assistance and feedback are as follows:

1) The TCA will continue to develop onsite tour schedules jointly with the PRPD while informing the Parties;

2) The TCA will continue to meet with the Superintendent and/or the PRPD leadership at the beginning of monitoring visits to review goals and monitoring activities;

3) The TCA will conduct exit briefings following monitoring visits;

4) The TCA will continue to share recommendations and soliciting feedback on implementation priorities;

5) The TCA will continue to prepare written memoranda describing recommendations and areas of concern following specific audits or assessments to be shared with the Parties;

6) The TCA will continue to identify sources and provide materials on best practices; and

7) The TCA will continue to facilitate engagement with community groups and other stakeholders to promote collaborative partnerships and broad participation in the reform process.

In addition, you will find four requirements in the Action Plan for Professionalization that the TCA will request more consideration towards because they are either currently missing or insufficiently developed in the Action Plan:

(a) Paragraph 13 Staffing;

(b) Promotion practices based on merit and comply with equal opportunity employment practices;

(c) Developmental of a career path for officers and its consistency with Paragraph 21 of the Agreement; and

(d) The self-evaluation activities of PRPD to determine that the Reform Office has the expertise to address all of the self-evaluation activities enumerated in this Action Plan.

With respect to the second objective under paragraphs 240 and 250, the TCA will continue to assess and measure the PRPD's progress against its action plains. The TCA will continue to develop specific measurements of progress for each initiative to report the level of compliance achieved. The TCA will review progress in prior plans and propose corrective actions, as needed. In conducting his organizational assessment of PRPD's action plans and capacity building initiatives, the TCA will use a combination of qualitative and quantitative data collection methods. The emphasis will be on qualitative data collection methods because, as noted in several reports and communications, the PRPD is still in the early process of building robust quantitative data gathering and data reporting capabilities.

The methodology continues to describe the TCA's steps and plans to assist the PRPD in building robust quantitative data gathering and data reporting capabilities. The TCA is closely working with PRPD in the development of the IT Action Plan. These data systems will be essential to the PRPD in order to manage its operations, demonstrate compliance, and share information with the public. The TCA continues to offer the expertise of members of the Core Team with expertise in advanced quantitative methods and one Chief Information Officer in building this quantitative capacity. Other steps are detailed in the specific methodologies.

The TCA's evaluation of the Action Plans will consider the capabilities that PRPD is trying to develop and strengthen through the activities listed in the action plans. Generally, these capabilities should include:

1. Developing adequate policies
2. Managing policy changes and effectively distributing updates to the field
3. Developing adequate training
4. Maintaining current and accurate training records
5. Scheduling training to meet requirements
6. Delivering training effectively and efficiently
7. Collecting and analyzing reliable data
8. Conducting adequate investigations and reaching defensible resolutions
9. Allocating equipment and resources effectively and efficiently.
10. Providing effective supervision in the field
11. Developing and maintaining community partnerships
12. Using IT effectively to advance the agency's mission and compliance.
13. Identifying systemic deficiencies and taking corrective action.

When determining the scale and scope of a report on organizational assessment, decisions must be made about the capacities, core issues, and points of entry to be included in the assessment. What also needs to be established is how these capacities will actually be assessed. The TCA's assessment is to be conducted through a variety of qualitative and quantitative data gathering methods.

Qualitative data gathering methods:

1. Documentary Research and Desk Review.

The TCA will review documentary evidence. This documentation will include internal and external institutional reports, correspondence, organizational and staffing charts, personnel records, administrative reports, MOUs and other agreements, planning documents, needs assessments, monitoring and evaluation reports, and financial records as needed. Access to privileged and confidential documents will be determined on a case-by-case basis.

2. Organizational self-assessment or internal questionnaire.

The TCA will provide, if needed, a structured questionnaire for the PRPD self-assessment in the areas identified in the process. The TCA will also review PRPD's self-assessment reports.

3. Interviewing Key Personnel.

The TCA will interview key individuals who will be able to provide information about the PRPD's programs and initiatives. The best method to collect primary source data is the interviewing of key decision-makers. Unlike an organizational self-assessment report or questionnaire, organizational capacity assessment generates its basic assumptions based on face-to-face, one-on-one targeted interviews. Instead of using a structured questionnaire framework, where interviewers read the questions exactly as they appear on the survey questionnaire and the choice of answers to the questions is often fixed in advance, the TCA will put special emphasis on semi-structured questions.

This method offers flexibility to probe for details, allowing new questions to be brought up during the interview as a result of what the interviewee says. It is a conversation with a purpose. To obtain a balanced view, different perspectives should be gathered. This may imply collecting input from people at various levels of an organization, e.g., managerial, supervisory, and technical personnel at central level and field, persons in charge of personnel planning, recruitment, and training. It may also imply collecting

information from an organization's partners. The ability to identify and gain access to key people with access to information and to extract accurate information from them is an intuitive process that requires skills and sensitivity.

4. Focus Group Discussions.

Aside from in-depth interviews other qualitative methods that the TCA will use as needed are focus group discussions. Focus group process can take advantage of interactions within the group to stimulate participants to exchange information and generate new material. Talking to staff or other stakeholders of an institution in group provides an opportunity to elicit information or check impressions gained by face-to-face interviews

5. Site visits and observation.

The TCA will use site visits and observation to gain additional information. Observations can expose information not otherwise obtained or validate information gained by other means. Observation of physical assets of an institution is a way to assess an institution's stock (for example, inventory, equipment, facilities, and so forth). Observation of the behavior of staff is much more difficult, especially if the time available is short, but can provide important insight.

Quantitative data collection methods:

The TCA will use the expertise of the members of the Core Team familiar with statistical techniques and data analysis to develop complex analysis where statistical significance is emphasized. Although simple descriptive analysis procedures are usually sufficient, results must be generalizable. The TCA will focus on measures or central tendency, variability, comparison of groups, and relationships between variables.

In past communications, the PRPD asked for clarification on the evaluation methodology. In particular, the PRPD asked for additional information on data collection, selection of focus groups, structured interviews, and organizational assessment. The TCA will prepare detailed handouts for the PRPD on how data will be collected, focus groups selected, and questionnaires are prepared. In this process, the TCA continues to use two main references: Stephen Isaac and William B. Michael, Handbook in Research and Evaluation (EDITS: 1995) and Paul Brewerton and Lynne Millward, Organizational Research Methods (SAGE: 2001).

Finally, the TCA will use a separate and specific Methodology and Performance Evaluation Plans for each Action Plan; which will support the TCA in providing Paragraph

250 (b) review for the 6 Months Report during the Capacity Building Period. I also included the specific comments of the USDOJ regarding Professionalization and Recruitment. The USDOJ submitted these comments on January 30, 2016.

I look forward to working with your and the Parties in the implementation of the Action Plans. If you have any questions or concerns regarding my comments, please do not hesitate to contact me.

Sincerely,

Arnaldo Claudio
Technical Compliance Advisor

C: Luis E. Saucedo
Special Litigation Section, USDOJ

Flor Velez Diaz
Special Assistant to the Secretary, PRDOJ

Methodology to Review Action Plan on Professionalization

Arnaldo Claudio
Technical Compliance Advisor
TCAPR Corp.
268 Muñoz Rivera
World Plaza, Suite 1001
San Juan, PR 00918

March 27, 2016

VIA ELECTRONIC MAIL

Lt. Col. Clementina Vega Rosario
Reform Unit Director
Puerto Rico Police Department
P.O. Box 70166
San Juan, PR 00936

Re: USA v. Commonwealth of Puerto Rico, No. 3:12-cv-2039 (GAG)
Methodology to Review Action Plan on Professionalization

Lt. Col. Vega Rosario:

Please find enclosed the TCA's proposed methodology to review the Action Plan on Professionalization.

During the capacity building period, the TCA will take the following methodological actions to provide feedback and technical assistance while assessing PRPD's progress in the implementation of the Action Plan on Professionalization and the progress made in relation to the requirements of Paragraph 13:

(e) In the first year of implementation of the Action Plan, the TCA will conduct random visits to the four Zones of Excellence in order to assess whether officers are being trained according to the syllabi, instructor guides, presentation and evaluation methodology approved by the TCA. The TCA will also conduct random visits to the specialized units. After the first year, the TCA will also visit all thirteen police areas and/or commands assigned to superintendents ("superintendencias") using SAEA training calendar as the reference for progress being made;

(f) On a quarterly basis, the PRPD and the TCA will jointly review staffing allocations and resource utilizations segregated by police areas, including districts, precincts and units;

(g) The TCA will conduct random visits to districts, precincts and units to determine that records relating to staffing and resource allocations are in accordance the requirements of the Agreement. The TCA will interview officers;

(h) The TCA will conduct onsite tour schedules and random visits to districts, precincts and units to determine whether the supervisors of the PPR have conducted reviews and investigations on staffing and resources needed. The TCA will interview supervisors;

(i) The TCA will randomly compare data stored PRPD databases to the records with regards to staffing and career development. The TCA will determine the number of records requested using a sample size table. The sample confidence level will be 97% and the selected margin of error will be 3%; and,

(j) Using the training plan issued by the SAEA for each of the courses, the TCA will review attendance records and officer evaluations to professionalization trainings.

In addition, the TCA will monitor four key requirements that are currently missing or insufficiently developed in the Action Plan on Professionalization:

(k) The PRPD has indicated that it does not have the current capability to meet the demands of Paragraph 13 and conduct a staffing study. To address this, the PRPD will regularly update and provide information to the TCA in order to ensure that the PRPD is acquiring the resources needed to complete an objective and thorough staff allocation and resource study meeting the demands of Paragraph 13. The PRPD and the TCA will work together to make sure that the PRPD had sufficient data to properly evaluate workloads, internal and external demands, and resource utilization. The TCA and the PRPD will also work together to make sure that the staffing study addresses the principles of community policing. The TCA will monitor that the working group assigned to develop the working plan meets regularly. USDOJ recommends that the TCA and the PRPD develop a framework in which the TCA provides the PRPD with technical assistance. Finally, in terms of timetable, the TCA and the PRPD will work together to make sure that the staffing study and the staffing plan meet the deadlines set in the Agreement and can inform one another.;

(l) The PRPD will regularly provide information to the TCA in order to assess how promotion practices will be based on merit and comply with equal opportunity employment practices. In particular, the PRPD and the TCA will work together in establishing tools and protocols to assess how the PRPD can implement mechanisms to evaluate (and self-evaluate) the quality of its own promotion practices. Although there are connections, this process of assessment must be separate from the handling of employment discrimination, harassment, and retaliation complaints. The TCA will provide feedback on methods to test discrimination in the workplace from a quantitative perspective;

(m) The PRPD will regularly provide information to the TCA in order to make sure that a developmental career path for officers is developed and is consistent with Paragraph 21 of the Agreement. The TCA will provide technical assistance in the development of the plan. The TCA and the PRPD will review together the IACP's model policy and other model policies on career development and will work together in defining together how to provide the PRPD with a pool of qualified candidates for high-level positions within the PRPD and to provide transparency; and

(n) The PRPD's Reform Office and the TCA will review together the self-evaluation activities to determine that the Reform Office has the expertise to address all of the self-evaluation activities enumerated in this section of the Action Plan.

Policies

Activities:

1.1 Review of *Reglamento de Personal de la Policía de Puerto Rico* (Núm. 4216). The focus will be on promotions, transfers, and job specifications.

Methodology: This is part of the Action Plan on **Policies and Procedures**. *The TCA will ensure that this Regulation is included in the Action Plan on Policies.*

1.2 Review of *Acuerdo Interagencial de Colaboración de la PPR con la Oficina de Ética Gubernamental de PR*

Table 1

Requerimiento(s)	12, 21, 113 y 143
Responsables	OR (Mientras se crea la División de Políticas y Procedimientos) y la OS
Colaboradores	OEG, SAEA
Recursos	Servicios Profesionales (Abogados); Recursos Internos
Fecha Entrega	Marzo de 2016
Obstáculos	No se anticipan obstáculos
Soluciones	N/A

Methodology: The TCA will review previous inter-agency agreements, the new 2016 inter-agency agreement and all documents (minutes of meetings, data collected, policy drafts, opinions, and any other relevant documents as needed) used by the PRPD to review the new inter-agency agreement. The review process will take place no later than April 2016.

1.3 Review of General Order 600 Section 617, which is entitled "*Código de Ética de los Miembros de la Policía de Puerto Rico.*"

Table 2

Requerimiento(s)	12, 87, 109, 113 y 205
Responsables	OR (Mientras se crea la División de Políticas y Procedimientos) y OS
Colaboradores	SASG (NRH) y SARP
Recursos	Servicios Profesionales (Abogados); Recursos Internos
Fecha Entrega	Esta política fue aprobada el 24 de abril de 2015. Corresponde su revisión anual en Abril de 2016.
Obstáculos	No se anticipan obstáculos
Soluciones	N/A

Methodology: The TCA will review General Order 600, Section 617. The TCA will review all documents (minutes of meetings, data collected, policy drafts, opinions, and any other relevant documents as needed) used by the PRPD to review General Order 600, 617. The full review process will take place no later than May 2016.

1.4 Review of General Order 2010-12: "*Normas y Procedimientos de Transacciones de Traslado del Personal del Sistema de Rango.*"

Table 3

Requerimiento(s)	13, 14,16,17, 18, 19, 20, 113, 136 y 137
Responsables	OS y OR (Mientras se crea la División de Políticas y Procedimientos)
Colaboradores	SASG (NRH), SAOC, SAIC, SARP, SAEA
Recursos	Servicios Profesionales (Abogados); Recursos Internos
Fecha Entrega	Mayo de 2016
Obstáculos	No se anticipan obstáculos
Soluciones	N/A

Methodology: The TCA will review General Order 200-12. The TCA will review all documents (minutes of meetings, data collected, policy drafts, opinions, and any other relevant documents as needed) used by the PRPD to review General Order 600-12. The full review process will be completed no later than June 2016.

1.5 The PRPD will repeal Regulation Núm. 6644, "Reglamento de Ascensos por Mérito y/o Heroísmo hasta el Rango de Capitán" and of the "Reglamento para la Administración de Exámenes de Ascenso". Develop a new Regulation for promotions to the Rank of Captain.

Table 4

Requerimiento(s)	14,16-20, 84, 113, 136, 137
Responsables	OR y OS (Mientras se crea la División de Políticas y Procedimientos)
Colaboradores	SASG (NRH), SAIC, SAOC y Junta de Exámenes de Ascenso
Recursos	Servicios Profesionales –Abogados y Recursos Internos (colaboradores)
Fecha Entrega	Abril de 2016

Obstáculos	1. Se requiere enmendar la Ley 53-1996, según enmendada, para que los ascensos desde el Rango de Sargento hasta Capitán sean exclusivamente mediante examen. Se dificulta la aprobación de nuevas enmiendas a la Ley durante el año 2016 debido a que es un año eleccionario y habrá una sola Sesión Legislativa. 2. Por disposición de ley 1702, se requiere que el Reglamento sea sometido al escrutinio público mediante su publicación y/o vistas públicas por lo que éste no será final hasta que haya culminado el proceso correspondiente. 3. El proceso de contratación requiere la aprobación de agencias gubernamentales y podría tardarse de 60 a 90 días.
Soluciones	1. La PPR estará preparando un Anteproyecto cuyo contenido será sometido al TCA y el DJEU para su evaluación. 2. Será necesario que una vez el Reglamento sea evaluado por el DJEU y el TCA, y aprobado por el TCA, se conceda tiempo adicional para cumplir con las disposiciones de la LPAU. 3. Lograr la aprobación de un proceso expedito entre las Agencias para la evaluación de los contratos.

Methodology: The TCA will track and review the draft or Anteproyecto. The TCA will monitor the publication and/or public hearings. The TCA will review all documents (minutes of meetings, data collected, policy drafts, opinions, and any other relevant documents as needed) used by the PRPD to review Law 53-1996 and Regulation 6644. The full review process will be completed no later than May 2016 with the possibility of time extensions.

1.6 Development of General Order for the PRPD Rank system.

Table 5:

Requerimiento(s)	15, 113 y 135
Responsables	OS y OR (Mientras se crea la División de Políticas y Procedimientos)
Colaboradores	SASG (NRH-División Clasificación y Retribución), SAIC, SAOC Y SARP
Recursos	Servicios Profesionales (Abogados); Recursos Internos
Fecha Entrega	Septiembre de 2016
Obstáculos	Actualmente, la PPR no tiene descripciones detalladas de las labores que realizan los MPPR para cada uno de los rangos, por lo que no hay uniformidad en las labores que realizan los MPPR en las unidades de trabajo.
Soluciones	Como resultado del estudio de personal que la PPR realizará se identificarán las funciones, responsabilidades y deberes para cada rango, así como las cualificaciones mínimas que deberán tener aquellos MPPR que aspiren a ocupar los mismos.

Methodology: The TCA will review PRPD proposed job specifications and job descriptions and will compare them to description of other jurisdictions and best practices. The TCA will review all documents (minutes of meetings, data collected, policy drafts, opinions, and any other relevant documents as needed) used by the PRPD to create these descriptions. The TCA will monitor monthly progress of the staffing report. The full review process will be completed no later than October 2016 with the possibility of time extensions.

II. Objetivos de Desarrollo de Adiestramientos:

Activities:

1.1 PRPD will develop ethical and professional training with a particular focus on:

1.1 Orden General 617 – Código de Ética de los MPPR;
1.2 Ética Policial e Integridad;
1.3 Liderazgo Ético;
1.4 Actitudes Éticas en los Lugares de Trabajo;
1.5 Principios de Ética en la administración y supervisión. [This is part of the Action Plan on **Supervision and Management**]
1.6 Manejo de Emociones para una Convivencia Ética;
1.7 Principios de Policía Comunitaria. [This is part of the Action Plan on **Community Engagement**];
1.8 Técnicas para guiar y dirigir efectivamente a los MPPR y promover prácticas policiacas efectivas y éticas; (supervisión efectiva). [This is part of the **Action Plan on Supervision**];
1.9 Políticas de la PPR y las leyes anti discrimen federales y del ELA. [This is part of the **Action Plan on Equal Protection**];

Table 6:

Requerimiento(s)	12, 21 y el 143
Responsables	SAEA
Colaboradores	OEG, Comité de Ética de la PPR
Recursos	Asesoría Externa Diseño de Prontuario de Adiestramientos (OEG); Recursos Internos; Instructores Certificados
Fecha Entrega	La creación de los adiestramientos correspondientes a las políticas deberá realizarse según la fecha indicada en el **Anejo D.**
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: The training materials are to be submitted to the TCA and USDOJ for review as listed in attachment D. The TCA will monitor

compliance with action plan deadlines. USDOJ noted that training materials are not being provided to DOJ.
The TCA will conduct documentary evidence and review all training materials. The TCA will provide technical assistance as required. The TCA will monitor that training materials are used during training of new recruits. Before the training starts the TCA will receive a roster with all employees that received training. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

2.

2.1 PRPD will develop professional training for the promotional board with a particular focus on:

2.1 Agreement;
2.2 Test measuring cognitive abilities;
2.3 Questions measuring knowledge and expertise; y
2.4 Design of a permanent database of questions.

Table 7:

Requerimiento(s)	12, 21 y el 143
Responsables	SAEA
Colaboradores	OS Junta de Exámenes de Ascenso
Recursos	Recursos Internos; Instructores Certificados
Fecha Entrega	Esta Actividad fue realizada en junio 2015. Las próximas fechas serán una vez Superintendente constituya la Junta de Exámenes.
Obstáculos	1. Limitaciones en contratación de recursos humanos establecidas en la Ley 66-2014, conocida como la "Ley Especial de Sostenibilidad Fiscal y Operacional del Gobierno

	del Estado Libre Asociado de Puerto Rico". 2. La Junta de Exámenes de Ascenso es constituida por el Superintendente mientras haya programados exámenes de ascenso, una vez se realicen los mismos la Junta queda disuelta.
Soluciones	1. Separar el presupuesto de los fondos para la Reforma una vez sean asignados. Lograr la aprobación de un proceso expedito en mutuo acuerdo entre agencias para la contratación de recursos humanos. 2. Esta actividad debe ser realizada una vez se constituya la Junta previo a la administración de nuevos exámenes de ascenso. En cuyo caso la fecha de realización deberá ser no más tarde del primer mes de constituida la misma.

3. PRPD will develop professional training for supervisory staff [This is part of the Action Plan on **Supervision**] with a particular focus on:

3.1 The SAEA will develop a multi-thematic training program for those who have passed the promotional tests. These trainings are included in the Action Plan on **Supervision**.

III. Implementation:

1. PRPD will assign adequate number of personnel and resources.

Activities:

1.1 PRPD will develop a working group to develop a working plan on staffing. The group will meet monthly.

Table 9:

Requerimiento(s)	13, 80, 87, 135, 136 y 137
Responsables	SASG
Colaboradores	SAOC, SAIC, SAEA, OAL y OR
Recursos	Recursos Humanos Internos
Fecha Entrega	Diciembre de 2016.
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: The PRPD will regularly provide information to the TCA about the working group, the working plan, and how the group is meeting the timetable deadlines. The PRPD will regularly inform the PRPD of the progress being made in order for the TCA to assess that the PRPD has the resources needed to complete an objective and thorough staff allocation and resource study meeting the demands of Paragraph 13. The PRPD must meet the December 2016 deadline. The deliverable is not to create a working group but rather to develop a coherent working plan on staffing.

1.2 Conduct a Staffing and Resource Allocation Study.

Table 10:

Requerimiento(s)	13, 80, 87, 135, 136 y 137
Responsables	SASG
Colaboradores	SAOC, SAIC, SAEA, OAL y OR
Recursos	Recursos humanos internos
Fecha Entrega	Junio de 2016
Obstáculos	El Grupo de Trabajo podría requerir de ayuda externa para completar la evaluación, lo cual requerirá de contratación externa.
Soluciones	Separar el presupuesto de los fondos para la Reforma una vez sea notificada la necesidad de contratación. Lograr la aprobación de un proceso rápido entre agencias involucradas en el proceso de contratación de los recursos

Methodology: The PRPD should complete the study on or before June 2016. The TCA will review that the PRPD meets the deadline and the study meets the demands of Paragraph 13. If PRPD does not meet the deadline, the TCA will report on the barriers to meet this requirement.

1.3 The Superintendent will adopt HR Plan.

Requerimiento(s)	13, 80, 87, 135, 136 y 137
Responsables	SASG (NRH, NT)
Colaboradores	SAOC, SAIC, SASG (NT) y OR
Recursos	Asesoría Externa; recursos humanos internos (colaboradores)
Fecha Entrega	Diciembre de 2016
Obstáculos	La totalidad de los obstáculos serán identificados como parte de la evaluación realizada. No obstante, se considera que la situación fiscal del gobierno de Puerto Rico podría afectar significativamente algunas de las transacciones de personal sea necesario realizar.
Soluciones	Efectuar las transacciones de personal por etapas, identificando las necesidades prioritarias y los recursos

Methodology: The PRPD will monitor that PRPD meets the December 2016 deadline.

[The Action Plan jumps from 1 to 3]

3. The PRPD will develop promotional exams in consultation with the TCA.

3.1 Select and appoint members of the Promotional Board, Junta de Exámenes de Ascenso.

Table 12:

Requerimiento(s)	14, 16,17,19 y 20
Responsables	OS
Colaboradores	OR, SAOC, SAEA,SARP,SAIC, OAL y SASG (NR)
Recursos	Recursos Humanos Internos
Fecha Entrega	6 -12 meses antes de la fecha de Convocatoria a Exámenes de Ascenso una vez sea determinada por el Superintendente, luego de considerar las necesidades y la asignación de recursos fiscales para tales fines.

Obstáculos	La Junta de Exámenes de Ascenso es constituida por el Superintendente mientras haya programados exámenes de ascenso, una vez se realicen los mismos la Junta queda disuelta.
Soluciones	Esta actividad debe ser realizada una vez se constituya la Junta previo a la administración de nuevos exámenes de ascenso.

Methodology: The PRPD will monitor that the PRPD meets the required deadline.

3.2 La SAEA will provide assistance in the development of the promotional tests.

3.3

Table 13:

Requerimiento(s)	14, 16,17,19 y 20
Responsables	SAEA
Colaboradores	OR, SASG (NRH), OS
Recursos	Recursos Humanos Internos; Asesoría Externa para el
Fecha Entrega	En **Marzo de 2015** se adiestró a primera Junta de Exámenes luego del Acuerdo. Las próximas fechas serán de 60-90 días luego que el Superintendente constituya una nueva Junta de Exámenes de Ascenso.
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: The TCA will monitor that the PRPD meets the required deadline.

3.4 The Promotional Board will draft the tests and rules for the administration of such tests.

Table 14:

Requerimiento(s)	14, 16,17,19 y 20
Responsables	OS y Junta de Exámenes de Ascenso
Colaboradores	OR, SAOC, SAEA,SARP,SAIC y SASG (NR)
Recursos	Recursos Humanos Internos

Fecha Entrega	**Sesión I Sargentos**: 29 de agosto de 2015 **Sección II: Capitán y Teniente I**: Octubre 24 de 2015 **Sección III: Teniente II**: Diciembre 2015 La fecha de Convocatoria a Exámenes de Ascenso dependerá de las necesidades identificadas y de los recursos fiscales asignados para tales fines. Los exámenes se completarán en la fecha en que sea determinado por la Junta de Exámenes de Ascensos.
Obstáculos	1. Podría afectarse debido a factores operacionales tales como: conflictos huelgarios, primarias electorales, elecciones generales y desastres naturales entre otros. 2. Posibles limitaciones al presupuesto anual de la Reforma ante la situación fiscal que atraviesa Puerto Rico.
Soluciones	1. Se posponga la fecha de examen hasta tanto se mitigue la situación extraordinaria

Methodology: The PRPD will ensure that the PRPD meets the required deadlines. In addition, the TCA will review the rules and the number of officers promoted during the review period. The TCA will review whether the new rules describe testing and selection process through rank of Captain and whether they were enacted in accordance with Agreement and PRPD policy. As suggested by USDOJ, the TCA will review the effect of these rules in promotions and non-promotions. The TCA may review cases where individuals were not promoted.

V. Self-Assessment:

The PRPD's Reform Office and the TCA will review together the self-evaluation activities to determine that the Reform Office has the expertise to address all of the self-evaluation activities enumerated in this section of the Action Plan.
The PRPD will gather the data described in activities (1) through (4) of this section. PRPD will submit to the TCA all documents (minutes of meetings, notes from field visits, random tests, quantitative data collected, policy drafts, etc.) used in PRPD's self-evaluation.

VI. Budget:

Methodology: On a yearly basis, the PRPD will submit to the TCA a

budgetary update detailing how the implementation of programs is affected by budgetary constraints. The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, legal opinions, internal emails, etc.) used to review the Action Plan on Professionalization no later than one year from the date of approval of the Action Plan

VII. Action Plan Annual Review:

Methodology: The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, etc.) used to review the Action Plan on Professionalization no later than one year from the date of approval of the Action Plan

C: Luis E. Saucedo
Special Litigation Section, USDOJ

Flor Velez Diaz
Special Assistant to the Secretary, PRDOJ

Methodology to Review Action Plan on Recruitment, Selection, and Hiring

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TCAPR Corp.
268 Muñoz Rivera
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San Juan, PR 00918

March 27, 2016

VIA ELECTRONIC MAIL

Lt. Col. Clementina Vega Rosario
Reform Unit Director
Puerto Rico Police Department
P.O. Box 70166

San Juan, PR 00936

Re: USA v. Commonwealth of Puerto Rico, No. 3:12-cv-2039 (GAG)
Methodology to Review Action Plan on Recruitment, Selection, and Hiring

Lt. Col. Vega:

Please find enclosed the TCA's proposed methodology to review the Action Plan on Recruitment, Selection, and Hiring.

During the capacity building period, the TCA will take the following methodological actions to provide feedback and technical assistance while assessing PRPD's progress in the implementation of the Action Plan on Recruitment, Selection, and Hiring:

(a) In the first year of implementation of the Action Plan, the TCA will conduct random visits to the four Zones of Excellence in order to assess whether officers are being trained according to the syllabi, instructor guides, presentation and evaluation methodology approved by the TCA. The TCA will also conduct random visits to the other units. After the first year, the TCA will also visit all thirteen police areas and/or commands assigned to superintendents ("superintendencias") using SAEA training calendar.

(b) On a quarterly basis, the TCA will review availability of recruitment materials by police areas, including districts, precincts and units. The TCA will take into account the PRPD schedule for recruitment.

(c) The TCA will conduct random visits to the Office of Recruitment to determine that records relating to recruitment, selection, and hiring have been prepared and completed in accordance with the new General Order. The TCA will interview officers and personnel assigned to this Office. Start dates are documented in the detailed actions

(o) Using the training plan and calendar issued by the SAEA for each of the courses, the TCA will review attendance records and officer evaluations.

(p) Finally, the TCA will ensure that the PRPD complies with Paragraph 106 of the Agreement, which requires that candidates for sworn personnel undergo physical, medical, and polygraph examinations. The TCA will review records of such examinations.

More specifically, the TCA will also take the following specific methodological actions to assess PRPD's compliance with the Action Plan on Recruitment:

I. Policies

Activities:

1.1 Collaborate in the General Order for an officer's tasks and standards. **This is included in the Action Plan on Professionalization**.
Methodology: This is part of the Action Plan on Professionalization. The TCA will ensure that this Regulation is developed in such Action Plan.

1.2 Collaborate in the revisión of Law 53-1996, Ley de la Policía de Puerto Rico**. This activity must be complemented with Law 112 of 2014.**

Methodology: The TCA will review Law 53-1996, Law 112-2014, and all documents (minutes of meetings, data collected, policy drafts, opinions, and any other relevant documents as needed) used by the PRPD to review these laws. There is no reference to timing regarding this review process but the TCA recommends that this revision takes place no later than October 2016.

1.3 Develop a Draft Law to amend Law 53-1996, **Ley de la Policía de Puerto Rico**, regarding Cadets and the required 800 hours of training.

Table 1:

Requerimiento(s)	105, 107 y 108
Responsables	OS y OR (Mientras se crea la División de Políticas y Procedimientos de la PPR)
Colaboradores	Negociado de Recursos Humanos (NRH), División Reclutamiento (DR), SAEA, Oficina de Asuntos Legales (OAL)
Recursos	Servicios Profesionales (Abogados); Recursos Internos (Colaboradores)
Fecha Entrega	Marzo de 2017

Obstáculos	1. En el proceso de enmendar leyes, la PPR y el DJPR solamente remiten recomendaciones, ya que este un proceso es realizado por el Poder Legislativo del ELA. No podemos determinar si serán aprobadas ni estipular el tiempo que tomen en ser aprobadas. 2. El proceso de contratación de recursos externos requiere la aprobación de agencias gubernamentales. Este podría tardarse entre 60 a 90 días
Soluciones	1. Establecer reuniones con la Legislatura para explicar la importancia de los requerimientos del Acuerdo y sus diferencias con la Ley Orgánica de la PPR en el reclutamiento.

Methodology: The TCA will review Law 53-1996 and all documents (minutes of meetings, data collected, policy drafts, opinions, and any other relevant documents as needed) used by the PRPD to review these laws. TCA will review timing of PRPD meetings with the Legislature so this revision takes place no later than March 2017.

14 Collaborate in the revisión of Regulation 6403, **Reglamento del Programa para la Detección de Sustancias Controladas en Funcionarios y Empleados de la Policía de Puerto Rico**. This activity is part of the **Action Plan on Civilian Complaints.**

Methodology: The Regulation is to be submitted to the TCA and USDOJ for review on or before December 2016. Paragraphs 229 and 230 of the Agreement are applicable. The TCA will monitor compliance with action plan deadlines. The TCA will also request updates from the PRPD on amendments to Law 78-1997. Training will be completed in 2019.

15 PRPD will review policies to recruit undercover agents (**Políticas de Reclutamiento de sus Agentes Encubiertos**). This is a confidential policy.

Table 2:

Requerimiento(s)	102, 104, 106 y 107
Responsables	Oficina del Superintendente

Colaboradores	OR, SAIC y OAL
Recursos	Abogados Internos: Recursos Internos (colaboradores).
Fecha Entrega	Septiembre de 2016.
Obstáculos	No se visualiza ningún obstáculo.

Methodology: The policies are to be submitted to the TCA and USDOJ for review on or before September 2016. The TCA will monitor compliance with action plan deadlines. The TCA will review that the policy reflects the examination requirements of Paragraph 106. Issues of confidentiality are critical here.

16 Draft a General Order on Recruitment (**Orden General sobre el Programa de Reclutamiento para Miembros de la PPR**). PRPD will establish the Office of Recruitment.

Table 3:

Requerimiento(s)	101,102, 103
Responsables	OS y OR (Mientras se crea la División de Políticas y Procedimientos de la PPR)
Colaboradores	Negociado de Recursos Humanos (NRH), División Reclutamiento (DR), SAEA, Oficina de Asuntos Legales (OAL)
Recursos	Servicios Profesionales (Abogados); Recursos Internos (Colaboradores)
Fecha Entrega	Mayo de 2017
Obstáculos	1. Durante el próximo año fiscal no se ha presupuestado el reclutamiento de MPPR, el Superintendente es quien determina iniciar el reclutamiento una vez se identifiquen plazas vacantes y presupuesto para estos puestos. 2. El proceso de contratación de recursos externos requiere la aprobación de agencias gubernamentales. Este podría tardarse entre 60 a 90 días.

Soluciones	1. Establecer los procedimientos administrados mediante orden general para cuando se inicie el proceso de reclutamiento en la Agencia las guías estén establecidas.

Methodology: The Regulation is to be submitted to the TCA and USDOJ for review on or before May 2017. The TCA will review the General Order and all documents (minutes of meetings, data collected, policy drafts, opinions, and any other relevant documents as needed) used by the PRPD to draft the General Order. Although there is no current plan for recruitment, the General Order and the plan for recruitment are closely linked. If a plan is drafted, the TCA will review the plan for recruitment and its close aligned to requirements 101-103 of the Agreement. The TCA will monitor compliance with action plan deadlines.

II. Training:

Activities:

1.1 PRPD's SAEA will develop a comprehensive training for personnel involved in hiring.
Training will include:
1.1.1 General Order on Recruitment
1.1.2 Phases of the Recruitment Process;
1.1.3 Guidance on effective recruitment interview techniques;
1.1.4 Applicable laws on non-discrimination and equal protection of the laws and police practices generally accepted;
1.1.5 Candidate profile;
1.1.6 Information handbook on recruitment procedures;
1.1.7 Techniques for interviewing members of community organizations

Table 4:

Requerimiento(s)	101, 102, 104, 105 al 108
Responsables	SAEA
Colaboradores	SAOC (Comandantes de Áreas), SASG (NRH) y (DR), SAIC, SARP

Recursos	Servicios Profesionales; (asesoría externa para el diseño y presentación del Taller); Recursos Internos (colaboradores).
Fecha Entrega	Noviembre 2017.
Obstáculos	1. Se requiere de asignación de presupuesto para el reclutamiento de los MPPR, el Superintendente es quien determina iniciar el reclutamiento una vez se identifiquen plazas vacantes y presupuesto para estos puestos. 2. El proceso de contratación de recursos externos requiere la aprobación de agencias gubernamentales. Este podría tardarse entre 60 a 90 días. 3. Se requiere la colaboración de expertos internos asignados a las Superintendencias Auxiliares Investigaciones Criminales por lo cual los trabajos operacionales de este personal se verán afectados.
Soluciones	1. Establecer el diseño de los adiestramientos para cuando se inicie el proceso de reclutamiento en la Agencia estén consonó con el Acuerdo y haya sido aprobado el mismo. 2. Lograr entre las agencias la aprobación de un proceso expedito en común acuerdo para evaluación de los contratos. 3. Los expertos identificados para ofrecer el programa de readiestramiento deberán ser asignados por un término ininterrumpido no menor de un mes ni mayor de dos meses a realizar dicha tarea.

Methodology: The training materials are to be submitted to the TCA and USDOJ for review on or before November 2017. The TCA will monitor compliance with action plan deadlines. The training will include references to items (1.1.1) through (1.1.7) referenced in the Action Plan. The TCA will conduct documentary evidence and review all training materials. The TCA will provide technical assistance as required. The TCA will ensure training topics 1.1.1 through 1.1.7 are included.

1.2 PRPD's SAEA will develop a training on field investigations for new recruits.

Table 5:

Requerimiento(s)	102, 103, 106 y 107

Responsables	SAEA
Colaboradores	OSP
Recursos	Recursos Interno; (colaboradores)
Fecha Entrega	30 de marzo de 2016
Obstáculos	1. Se requiere de asignación de presupuesto para el reclutamiento de los MPPR, el Superintendente es quien determina iniciar el reclutamiento una vez se identifiquen plazas vacantes y presupuesto para estos puestos. 2. Se requiere la colaboración de expertos internos asignados a las Superintendencias Auxiliares por lo cual los trabajos operacionales de este personal se verán afectados.
Soluciones	1. Establecer el diseño de los adiestramientos para cuando se inicie el proceso de reclutamiento en la Agencia estén consonó con el Acuerdo y haya sido aprobado el mismo. 2. Los Superintendentes Auxiliar deben realizar un plan de trabajo para mitigar este impacto.

Methodology: The training materials are to be submitted to the TCA and USDOJ for review on or before March 2016. The TCA will monitor compliance with action plan deadlines. The TCA will conduct documentary evidence and review all training materials. The TCA will provide technical assistance as required. The TCA will monitor that training materials are used during training of new recruits. Before the training starts the TCA will receive a roster with all employees that received training. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

III. Implementation:

Activities:

1.1 The Superintendent will create the Office of Recruitment and will appoint a

Director.

Table 6:

Requerimiento(s)	102 y 103
Responsables	Oficial de Reclutamiento
Colaboradores	SASG (NRH), Oficina Médica, DP, SAOC (Negociado de Relaciones con la Comunidad), SAIC,SARP, SAEA y la Oficina de Seguridad y Protección
Recursos	Recursos Internos (Directores de las Oficinas que componen el Proceso de Reclutamiento)
Fecha Entrega	30 de Abril de 2017.
Obstáculos	1. Se requiere de asignación de presupuesto para el reclutamiento de los MPPR, el Superintendente es quien determina iniciar el reclutamiento una vez se identifiquen plazas vacantes y presupuesto para estos puestos.
Solución	1. Establecer los procesos de reclutamiento en la Agencia estén consonó con el Acuerdo y haya sido aprobado el mismo.

Methodology: The Office of Recruitment must be created and a Director must be appointed no later than April of 2017. The TCA will review the posting for the position and the application process. The TCA will also review all documents (minutes of meetings, quantitative data collected, budget documents, policy drafts, opinions, etc.) used in PRPD's creation of the Office.

1.2 PRPD will develop a flowchart of the recruitment process.

Table 7:

Requerimiento(s)	103
Responsables	División de Reclutamiento

Colaboradores	SARP, SAIC, SAEA, OSP, SASG, (Oficina Médica [OM]), (División Psicología Trabajo Social [DPTS]) y (División de Nombramientos y Cambios (DNC])
Recursos	Recursos Internos; (colaboradores)
Fecha Entrega	20 de Febrero de 2016
Obstáculos	Se requiere de asignación de presupuesto para el reclutamiento de los MPPR, el Superintendente es quien determina iniciar el reclutamiento una vez se identifiquen plazas vacantes y presupuesto para estos puestos.
Solución	Establecer los procesos de reclutamiento en la Agencia estén consonó con el Acuerdo y haya sido aprobado el mismo.

Methodology: The TCA will review all documents used by the PRPD in the creation of the workflow chart. In particular, the TCA will review documents that document how the PRPD understand the complete recruitment process, how the PRPD identify the critical stages of the process, how the PRPD locate problem areas, and how the PRPD show relationships between different steps in the process. The TCA will look at five parts of the workflow chart: initiation, planning, executing, monitoring, and closing or final implementation. The TCA will monitor compliance with the deadline as the task must be completed on or before February 2016.

1.3 Develop an informational guide and brochure for potential new recruits.

Table 8:

Requerimiento(s)	105,106 y 107
Responsables	División de Reclutamiento
Colaboradores	Negociado de Recursos Humanos; División de Artes Gráficas
Recursos	Recursos internos
Fecha Entrega	Febrero 2017

Obstáculos	Se requiere de asignación de presupuesto para el reclutamiento de los MPPR, el Superintendente es quien determina iniciar el reclutamiento una vez se identifiquen plazas vacantes y presupuesto para estos puestos.
Solución	Establecer los procesos de reclutamiento en la Agencia estén consonó con el Acuerdo y haya sido aprobado el mismo.

Methodology: The TCA will review the guide and brochure. TCA will monitor compliance with the deadline as the task must be completed on or before February 2017. The TCA will review that the guide and brochure reflect the examination requirements of Paragraph 106.

1.4 Develop an advertising campaign for recruitment.

Table 12:

Requerimiento(s)	103,104, 105
Responsables	División de Reclutamiento
Colaboradores	Oficina de Prensa (OP); NRH; NT, NRC, Representantes de la Comunidad, (Comités de Interacción Ciudadana), (Consejos de Seguridad Vecinal) (Líderes Comunitarios y de Organizaciones de Base de Fe)
Recursos	Recursos Internos; Espacios de servicios públicos y colaboradores con la PPR (televisión, radio y prensa) Redes Sociales.
Fecha Entrega	Una vez sea determinado por el Superintendente, se hayan identificado las plazas vacantes y el presupuesto.
Obstáculos	En el año 2016 no se presupuestó reclutamiento.
Solución	Se establezcan los procesos para cuando haya el presupuesto estén los mismo establecido.

Methodology: Once the campaign is in effect, the TCA will review the advertising campaign. The TCA will evaluate documentation of publication in the website of PRPD, the Commonwealth, and newspapers. The TCA will evaluate brochures used in recruitment fairs, academic institutions, and community events. To test the effectiveness of these campaigns, the PRPD will collect information from applicants about how and where they learned about the vacancies. The TCA recommends the adoption of effective online micro-advertising campaign tools.

1.5 The PRPD will set a protocol to conduct background investigations of prospective candidates.

Methodology: The TCA will review the protocol and the scoring system set by PRPD.

1.6 The PRPD's Oficina de Seguridad y Protección will set a Quality Control Committee.

Table 13:

Requerimiento(s)	107
Responsables	OSP
Colaboradores	Directores de Oficinas de Áreas de Seguridad y Protección
Recursos	Recursos Internos; (colaboradores)
Fecha Entrega	Cuando se inicie el proceso de reclutamiento.
Obstáculos	1. Los Recursos Humanos que cuenta la OSP no sean los adecuados para cumplir con estas tareas. 2. Una vez sea determinado por el Superintendente, se hayan identificado las plazas vacantes y el presupuesto.
Solución	1. Evaluar la cantidad de personal y establecer personal de apoyo mientras dure esta tarea. 2. Se establezcan los procesos para cuando haya el presupuesto estén los mismo establecido.

Methodology: Based on individualized identifiable information, the TCA will request a report from the PRPD on all candidates, their scores on each component of the evaluation, and the ultimate decision. The report will include demographic information about the candidates. The TCA will review these reports, will conduct

his own quantitative assessment, and will submit recommendations, if any. The TCA will look at any possible disparate impact that the adopted scoring system may have in the recruitment practices of the PRPD. This analysis will be consistent with privacy and HIPPA protections.

1.7 Evaluation of Cadets and their training.

Table 14:

Requerimiento(s)	108
Responsables	SAEA
Colaboradores	SASG, (NT), (OAL), NRH)
Recursos	Recursos Internos y Consultores Externos.
Fecha Entrega	N/A
Obstáculos	1. Se requiere de asignación de presupuesto para el reclutamiento de los MPPR, el Superintendente es quien determina iniciar el reclutamiento una vez se identifiquen plazas vacantes y presupuesto para estos puestos. 2. El proceso de contratación requiere la aprobación de agencias gubernamentales, este podría tardarse entre 60 a 90 días. 3. Las enmiendas a la Ley 53 de la PPR deben ser sometidas a la Legislatura para su aprobación, no podemos determinar si serán aprobadas por lo que no podemos estipular el tiempo que tomen en el proceso. 4. La Ley 66 de Sostenibilidad Fiscal limita la contratación de servicios.

Soluciones	1. Establecer los procesos de reclutamiento en la Agencia estén consonó con el Acuerdo y haya sido aprobado el mismo. Lograr entre las Agencias la aprobación de un proceso expedito en común acuerdo para la evaluación de los contratos. 2. Lograr acuerdo con la Legislatura para que las enmiendas a la Ley 53 de la PPR se presenten y se aprueben dentro del tiempo establecido en el Acuerdo para la Reforma Sostenible. 3. Aprobar los fondos requeridos para la contratación de los consultores externos.

Methodology: Before the training of Cadets takes place, the TCA will receive a roster with all identified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a random number of cadets who attended the training. The TCA will also interview instructors.

2. PRPD's SAEA will train qualified personnel on the General Order, **Orden General del programa de Reclutamiento para Miembros de la PPR**.

Activities

2.1 Training

Table 15:

Requerimiento(s)	101 al 108
Responsables	Oficial de Reclutamiento
Colaboradores	SA, Coordinadores de Adiestramiento e Instructores
Recursos	Recursos Internos (Instructores)
Fecha Entrega	30 de Junio de 2018

Obstáculos	1. Para el diseño de los adiestramientos se requiere la colaboración de expertos internos asignados a las Superintendencias Auxiliares por lo cual los trabajos operacionales de este personal se verán afectados. 2. Factores operacionales en el año 2016, sobre los procesos eleccionarios de primarias y elecciones generales le van a requerir tiempo operacional policiaco adicional a todos los MPPR, lo cual se estima pueden afectarse el periodo de adiestramiento y las
Soluciones	1. Los expertos identificados para colaborar con el diseño de los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un (1) mes ni mayor de dos (2) meses a la SAEA. Los Superintendentes Auxiliares deberán establecer un Plan de Trabajo para mitigar el impacto de este adiestramiento y poder cumplir con las responsabilidades contraídas con la SAEA. 2. De persistir los obstáculos se otorgado el tiempo requerido para poder cumplir con las labores operacionales de la PPR y requeridas para la seguridad del país.

Methodology: PRPD will draft the training module for qualified personnel. During the twelve (12) months following the final approval of the training material of the recruitment and the recruitment process multi-thematic workshop Manual, the SAEA will train simultaneously fifty percent (50%) of the employees of PPR through this-certified instructors. The remaining fifty percent (50%) of the personnel will be trained in the following twelve (12) months, once completed the training of the first group.
Before the training starts the TCA will receive a roster with all identified qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a random number of qualified employees who attended the training. The TCA will also interview instructors. The task is to be completed by June 2018.

IV. Self-Assessment

Activities: 1.1 through 1.4

Table 18:

Requerimiento(s)	232 y 233
Responsables	OR
Colaboradores	SASG, (NRH), (DR)
Recursos	Recursos Internos
Fecha Entrega	6 de junio 2016. Revisión anual en junio del 2017.
Obstáculos	No se anticipan obstáculos.

Methodology: By June 2016, the PRPD will gather the data described in activities (1) through (4) of this section. PRPD will submit to the TCA all documents (minutes of meetings, notes from field visits, random tests, quantitative data collected, policy drafts, etc.) used in PRPD's self-evaluation.

V. Budget:

Methodology: On a yearly basis, the PRPD will submit to the TCA a budgetary update detailing how the implementation of programs is affected by budgetary constraints. The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, legal opinions, internal emails, etc.) used to review the Action Plan on Recruitment, Selection, and Hiring no later than one year from the date of approval of the Action Plan

VI. Annual Review:

Methodology: The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, etc.) used to review the Action Plan on Recruitment, Selection, and Hiring no later than one year from the date of approval of the Action Plan

Cc: Luis E. Saucedo
Special Litigation Section, USDOJ

Flor Velez Diaz
Special Assistant to the Secretary, PRDOJ

Methodology to Review Action Plan on Supervision and Management

Arnaldo Claudio
Technical Compliance Advisor
TCAPR Corp.

268 Muñoz Rivera
World Plaza, Suite 1001
San Juan, PR 00918

March 27, 2016

VIA ELECTRONIC MAIL

Lt. Col. Clementina Vega Rosario
Reform Unit Director
Puerto Rico Police Department
P.O. Box 70166
San Juan, PR 00936

Re: USA v. Commonwealth of Puerto Rico, No. 3:12-cv-2039 (GAG)
Methodology to Review Action Plan on Supervision and Management

Lt. Col. Vega:

Please find enclosed the TCA's proposed methodology to review the Action Plan on Supervision and Management.

During the capacity building period, the TCA will take the following methodological actions to provide feedback and technical assistance while assessing PRPD's progress in the implementation of the Action Plan on Supervision and Management:

(q) In the first year of implementation of the Action Plan, the TCA will conduct random visits to the four Zones of Excellence in order to assess whether supervisors are being trained according to the syllabi, instructor guides, presentation and evaluation methodology approved by the TCA. The TCA will also conduct random visits to the other units. After the first year, the TCA will also visit all thirteen police areas and/or commands assigned to superintendents ("superintendencias") using SAEA training calendar.

(r) On an annual basis, the TCA will review all policies and training affecting supervisors.

(s) The TCA will conduct random visits to the to determine that records relating to the selection, promotion, and training of supervisors have been prepared and completed in accordance with the new policies.

(t) Using the training plan issued by the SAEA for each of the courses, the TCA will review training attendance records as well as evaluations of both new and senior supervisors.

More specifically, the TCA will also take the following specific methodological actions to assess PRPD's compliance with the Action Plan on Supervision and Management:

II. Policies

Activities:

1.1 Develop a General Order on tasks and standards for each rank position, **Orden General sobre la descripción detallada de labores por cada rango**. This General Order is part of the **Action Plan on Professionalization.**

Methodology: The TCA will ensure that this Regulation is evaluated through the Action Plan on Professionalization.

1.2 Develop a General Order for supervisors, **Orden General sobre las Facultades, Deberes y Responsabilidades de los Supervisores**.

Table 1:

Requerimiento(s)	13, 81, 113, 135, 136, 137, 138, 139, 140, 141, 142, 143 y 144
Responsables	OS, OR (Mientras se crea la División de Políticas y
Colaboradores	SASG (NRH), SAOC, SAIC, SARP
Recursos	Servicios Profesionales -Abogados; Recursos Internos
Fecha Entrega	30 de Octubre de 2016.
Obstáculos	1. La Ley 66 de Sostenibilidad Fiscal de P.R. congela los puestos vacantes y limita la contratación de personal. 2. El proceso de contratación requiere la aprobación de agencias gubernamentales, este podría tardarse entre 60 a
Soluciones	1. Separar el presupuesto de los fondos para el cumplimiento de la Reforma. 2. Lograr la aprobación de un proceso expedito en mutuo

Methodology: The order was to be submitted to the TCA and USDOJ for review on October 30, 2016. The TCA will monitor compliance with action plan deadlines.

2. Objective Staff Evaluations

Activities:

2.1 Collaborate on Revision of Regulation 4216, "Reglamento de Personal de la Policía de Puerto Rico" Artículo 13, Sección 14.2. This is policy which is part of the **Action Plan on Policies.**

Table 2:

Requerimiento(s)	145 y 146
Responsables	OS, OR (Mientras se crea la División de Políticas y
Colaboradores	SASG (NRH, NT) SAOC SAEA, SARP
Recursos	Servicios Profesionales -Abogados; Recursos Internos
Fecha Entrega	30 de Noviembre de 2016.
Obstáculos	1. La Ley 66 de Sostenibilidad Fiscal de P.R. congela los puestos vacantes y limita la contratación de personal. 2. El proceso de contratación requiere la aprobación de agencias gubernamentales, este podría tardarse entre 60 a
Soluciones	1. Separar el presupuesto de los fondos para el cumplimiento de la Reforma. 2. Lograr la aprobación de un proceso expedito en mutuo acuerdo entre agencias para la contratación de recursos.

Methodology: This is part of the Action Plan on Policies and Procedures. *The TCA will ensure that this Regulation is included in the Action Plan on Policies.*

2.2 Revise General Order 2008-3, "Normas y Procedimientos para la Evaluación de Miembros de la Policía y Personal Clasificado."

Table 3:

Requerimient	145 y 146
Responsables	OS, OR (Mientras se crea la División de Políticas y
Colaboradore	SASG (NRH- División de Evaluación, NT), SAOC, SAEA, SARP
Recursos	Servicios Profesionales -Abogados; Recursos Internos
Fecha Entrega	30 de Diciembre de 2016.

Obstáculos	1. La Ley 66 de Sostenibilidad Fiscal de P.R. congela los puestos vacantes y limita la contratación de personal. 2. El proceso de contratación requiere la aprobación de agencias gubernamentales, este podría tardarse entre 60 a 90 días.
Soluciones	1. Separar el presupuesto de los fondos para el cumplimiento de la Reforma. 2. Lograr la aprobación de un proceso expedito en mutuo

Methodology: The General Order is to submitted to the TCA and USDOJ for review on December 30, 2016. The TCA will monitor compliance with action plan deadlines.

3. Supervisory support.

Activities:

3.1 Develop General Order on Early Identification System, **Orden General para la Creación del Sistema de Identificación Temprana**.

Table 4:

Requerimiento(	147, 148, 149, 150, 151, 152, 153 y 218
Responsables	OS, OR (mientras se crea la Oficina de Políticas y
Colaboradores	OR, SASG (NT y NRH), SAEA, SARP, OAL
Recursos	Servicios profesionales – Abogados; Recursos Internos
Fecha Entrega	30 de Octubre de 2017.
Obstáculos	El sistema de identificación temprana está en proceso de desarrollo y se espera este implementado en los próximos 18
Soluciones	Se otorgue el tiempo para la implementación.

Methodology: The General Order is to submitted to the TCA and USDOJ for review on October 30, 2017. The TCA will monitor compliance with action plan deadlines.

3.2 Develop Handbook for the Use of Early Identification System, **Manual de Procedimientos para el uso del Sistema de Identificación Temprana.**

Table 5:

Requerimiento(s)	147, 148, 149, 150, 151, 152, 153 y 218
Responsables	OS, OR (Mientras se crea la División de Políticas y
Colaboradores	SARP, SASG (NT, NRH), SAEA, OAL

Recursos	Servicios Profesionales -Abogados; Recursos Internos
Fecha Entrega	Noviembre 2017.
Obstáculos	1. La Ley 66 de Sostenibilidad Fiscal de P.R. congela los puestos vacantes y limita la contratación de personal. 2. El proceso de contratación requiere la aprobación de agencias gubernamentales, este podría tardarse entre 60 a
Soluciones	1. Separar el presupuesto de los fondos para el cumplimiento de la Reforma.

Methodology: The Handbook is to submitted to the TCA and USDOJ for review on November 30, 2017. The TCA will monitor compliance with action plan deadlines.

4. Develop General Order on Auditing, **Orden General para realizar Inspecciones Operacionales, Administrativa y Auditorías de Integridad.**

Activities:

4.1 Review General Order 2010-1, "Reorganización de la Oficina de Auditoría Interna."

Table 6:

Requerimiento(	154 -156
Responsables	OS, OR (Mientras se crea la División de Políticas y
Colaboradores	SARP, OAI
Recursos	Servicios Profesionales –Abogados; Recursos Internos
Fecha Entrega	Julio 2016.
Obstáculos	1. La Ley 66 de Sostenibilidad Fiscal de P.R. congela los puestos vacantes y limita la contratación de personal. 2. El proceso de contratación requiere la aprobación de
Soluciones	1. Separar el presupuesto de los fondos para el cumplimiento de la Reforma.

Methodology: The General Order is to submitted to the TCA and USDOJ for review on July 2016. The TCA will monitor compliance with action plan deadlines.

4.2 Develop Handbook on Auditing, **las Guías para Realizar Inspecciones**

Operacionales, Administrativas y Auditorías de Integridad.

Table 7:

Requerimiento(	154 -156
Responsables	OS y OR (Mientras se crea la División de Políticas y
Colaboradores	SARP, SASG, OAL
Recursos	Servicios Profesionales –Abogados; Recursos Internos
Fecha Entrega	30 de Agosto de 2016.
Obstáculos	1. La Ley 66 de Sostenibilidad Fiscal de P.R. congela los puestos vacantes y limita la contratación de personal. 2. El proceso de contratación requiere la aprobación de agencias gubernamentales, este podría tardarse entre 60 a 90
Soluciones	1. Que se separe el presupuesto de los fondos para la Reforma. 2. Lograr la aprobación de un proceso expedito en mutuo acuerdo entre agencias para la contratación de recursos

Methodology: The Handbook is to be submitted to the TCA and USDOJ for review on August 2016. The TCA will monitor compliance with action plan deadlines.

5. Creation of the **Comité de Coordinación Ejecutiva.**

5.1 Develop a MOU.

Table 8:

Requerimient	158
Responsable	OS y OR (Mientras se crea la División de Políticas y
Colaboradore	SAOC, SARP, SAIC, SASG, SAEA, OAT, DJPR, DJEU y Policías
Recursos	Servicios Profesionales – Abogados Existentes; Recursos Internos
Fecha	30 de Julio 2016.
Obstáculos	El Acuerdo no obliga a las agencias federales, ni a los departamentos de Policías Municipales y la Administración de Tribunales a ofrecer retroalimentación ni a formar parte del Comité.
Soluciones	Realizar acuerdos de colaboración con las entidades que formaran parte del Comité en virtud del Acuerdo para la Reforma Sostenible.

Methodology: The MOU is to be submitted to the TCA and USDOJ for review on July 2016. The TCA will monitor compliance with action plan deadlines.

II. Training:

Activities:

1.1 SAEA will develop training on equal protection for supervisors. This is part of the **Action Plan on Equal Protection.**

1.2 SAEA will develop multi-thematic training of not less than 40 hours for those who have been promoted to the ranks of Sargent, Lieutenant, and Captain. The training will include:

1.1.1 management
1.1.2 supervision
1.1.3 leadership
1.1.4 chain of command
1.1.5 equal protection or EEO. This training is part of the **Action Plan on Equal Protection**.

Table 9:

Requerimiento(	22-24, 36-39 y 141
Responsables	SAEA
Colaboradores	SARP, SAOC, SAIC, SASG, OR, OS (Junta Exámenes Ascenso)
Recursos	Asesoría Externa para el Diseño de Prontuario de Adiestramiento; Recursos Humanos Internos – Instructores Adiestramientos
Fecha Entrega	**Sesión I Sargentos**: Octubre 2015 **Sección II: Capitán y Teniente I**: Diciembre 2015 **Sección III: Teniente II**: Enero 2016
Obstáculos	1. Para el diseño de estos adiestramientos se requiere la colaboración de expertos internos asignados a la SARP, SAOC y a la SAIC, por lo que debido a factores operacionales tales como: conflictos huelgarios, elecciones generales, desastres naturales, investigaciones en curso y por licencias que el empleado tiene derecho (disfrute de tiempo), podría dificultarse la asignación temporera de dichos recursos para colaborar en el diseño de este adiestramiento. 2. Los Instructores no puedan cumplir con la responsabilidad dual que tienen con la SAEA y la SARP, SAOC o SAIC.

Soluciones	1. Los expertos identificados para colaborar con el diseño de los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un (1) mes ni mayor de dos (2) meses a la SAEA. 2. Los Superintendentes Auxiliares deberán establecer un Plan de Trabajo para mitigar el impacto de este adiestramiento y poder cumplir con las responsabilidades contraídas con la

Methodology: PRPD will draft the training modules from October 2015 through January 2016.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

1.3 SAEA will develop multi-thematic training of all supervisors according to their Rank. The training will include:

1.3.1 Effective supervision
1.3.2 Conflict resolution
1.3.3 Reports and Forms
1.3.4 Risk Assessment;
1.3.5 Evaluations;
1.3.6 Award selection;
1.3.7 Discipline and non-punitive discipline. This is part of the Action Plan on Civilian Complaints.
1.3.8 Use of the EIS – upon its implementation.
1.3.9 Dissemination of public information. This is part of the Action Plan on Community Engagement.
1.3.10 Supervisory Handbook
1.3.11 Equal Protection or EEO, which is part of the Action Plan on Equal Protection.
1.3.12 MOU among agencies

Table 10:

Requerimiento(	22-24, 36-39, 143,144,145
Responsables	SAEA
Colaboradores	SARP, SAOC, SAIC, SASG,OR

Recursos	Asesoría Externa para el Diseño de Prontuario de Adiestramiento; Recursos Internos – Instructores
Fecha Entrega	30 de Junio de 2016.
Obstáculos	1. La Ley 239 de 2014, conocida como la Reforma Electoral, establece que las primarias electorales se celebren el primer domingo de junio 2016, y las elecciones generales se realicen 6 noviembre de 2016 y durante este tiempo los MPPR estarán asignados a dar vigilancia y seguridad durante todas las etapas que conllevan esta celebración siendo la activación de los MPPR en este proceso 72 horas antes de llevarse a cabo. 2. Para el diseño de estos adiestramientos se requiere la colaboración de expertos internos asignados a la SARP, SAOC y a la SAIC, por lo que debido a factores operacionales tales como: conflictos huelgarios, elecciones generales, desastres naturales, investigaciones en curso y por licencias que el empleado tiene derecho (disfrute de tiempo), podría dificultarse la asignación temporera de dichos recursos para colaborar en el diseño de este adiestramiento. 3. Los Instructores no puedan cumplir con la responsabilidad dual
Soluciones	1. Durante la celebración de eventos relacionados al proceso electoral los adiestramientos deben ser pospuestos y reanudados una vez concluyan los mismos, se debe otorgar el tiempo adicional requerido. 2. Los expertos identificados para colaborar con el diseño de los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un (1) mes ni mayor de dos (2) meses a la SAEA. 3. Los Superintendentes Auxiliares deberán establecer un Plan de Trabajo para mitigar el impacto de este adiestramiento y

Methodology: PRPD will draft the training modules on or before June 2016.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

The TCA will ensure that all topics mentioned are included in the training module.

The TCA will review pre- and post-test scores, on-the-job assessments before and after the training, and supervisory reports. The TCA will also conduct on on-the-job observations.

1.4 Subsequent annual training for supervisors of not less than 40 hours.

Table 11:

Requerimient	22-24, 36-39, 131,141, 142, 143
Responsables	SAEA
Colaboradore	SAOC, SAIC, SARP, SASG (NRH), OS, OR
Recursos	Asesoría Externa para el Diseño de Prontuario de Adiestramiento; Recursos Internos: SAOC (Coordinadores Adiestramiento)
Fecha	Junio 2017
Obstáculos	1. Para el diseño de estos adiestramientos se requiere la colaboración de expertos internos asignados a la SARP, SAOC y a la SAIC, por lo que debido a factores operacionales tales como: conflictos huelgarios, elecciones generales, desastres naturales, investigaciones en curso y por licencias que el empleado tiene derecho (disfrute de tiempo), podría dificultarse la asignación temporera de dichos recursos para colaborar en el diseño de este adiestramiento. 2. Los Instructores no puedan cumplir con la responsabilidad dual
Soluciones	1. Los expertos identificados para colaborar con el diseño de los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un (1) mes ni mayor de dos (2) meses a la SAEA. 2. Los Superintendentes Auxiliares deberán establecer un Plan de Trabajo para mitigar el impacto de este adiestramiento y poder cumplir con las responsabilidades contraídas con la SAEA.

Methodology: PRPD will draft the training modules on or before June 2017.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training

evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

2. Training regarding General Order and Handbook on Early Identification Systems.

2.1 PRPD's SAEA will develop training regarding General Order and Handbook on Early Identification Systems.

Table 12:

Requerimient	147-153,22-24, 36-39, 131,141, 142, 143
Responsables	SAEA
Colaboradore	SAOC, SAIC, SARP, SASG (NRH), OS, OR
Recursos	Asesoría Externa para el Diseño de Prontuario de Adiestramiento; Recursos Internos; SAOC (Coordinadores Adiestramiento)
Fecha Entrega	30 de Mayo de 2018.
Obstáculos	1. Para el diseño de estos adiestramientos se requiere la colaboración de expertos internos asignados a la SARP, SAOC y a la SAIC, por lo que debido a factores operacionales tales como: conflictos huelgarios, elecciones generales, desastres naturales, investigaciones en curso y por licencias que el empleado tiene derecho (disfrute de tiempo), podría dificultarse la asignación temporera de dichos recursos para colaborar en el diseño de este adiestramiento. 2. Los Instructores no puedan cumplir con la responsabilidad dual

Methodology: PRPD will draft the training modules on or before May 2018.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

3. PRPD will train his members to conduct integrity audits (**Inspecciones Operacionales, Administrativas y Auditorías de Integridad**).

3.1 PRPD's SAEA will create a training course to train personnel assigned to the División de Inspecciones of the Superintendencia Auxiliar en Responsabilidad Profesional on the General Order on audits, Orden General de Procedimientos

de Inspecciones, Operacionales, Administrativas y Auditorías Internas.

Table 13:

Requerimiento	154 -156
Responsables	SAEA
Colaboradore	SARP (NAI), SASG, SAIC, SAOC, OS, OR, OAL
Recursos	Asesoría Externa para el Diseño de Prontuario de Adiestramiento; Recursos Internos; SARP (Coordinadores Adiestramiento)
Fecha Entrega	28 de Febrero de 2017.
Obstáculos	1. La Ley 66 de Sostenibilidad Fiscal de P.R. congela los puestos vacantes y limita la contratación de personal. 2. El proceso de contratación requiere la aprobación de agencias gubernamentales, este podría tardarse entre 60 a 90 días.
Soluciones	1. Que se separe el presupuesto de los fondos para la Reforma. 2. Lograr la aprobación de un proceso expedito en mutuo acuerdo entre agencias para la contratación de recursos.

Methodology: PRPD will draft the training modules on or before February 2017.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

The TCA will ensure that all topics are included in the training module.

III. Implementation:

1.

Activities:

1.1 Training all promoted supervisors.

Table 14:

Requerimiento(s	117, 141, 142 y 143

Responsables	SAEA, OS (Junta Examen Ascenso)
Colaboradores	SARP, OR, DJPR, SAOC, SAIC, SARP, DJPR
Recursos	Recursos Internos, Recursos Externos colaboración del DJPR.
Fecha Entrega	**Sesión I Sargentos**: Octubre 2015; **Sección II: Capitán y Teniente I**: Diciembre 2015 **Sección III: Teniente II**: Enero 2016
Obstáculos	No se anticipan obstáculos
Soluciones	No aplica

Methodology: PRPD will implement the training modules from October 2015 through January 2016. During the twelve (12) months following the final approval of the training material and incorporated changes recommended by the TCA, the SAEA will train simultaneously one hundred percent (100%) of the MPPR who have passed exams for promotion, prior to assuming the responsibilities of his new rank, through this-certified instructors.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

1.2 Training all supervisors.

Table 15:

Requerimiento	22-24, 36-39, 143,144,145
Responsables	SAEA
Colaboradores	SARP, SAOC, SAIC, SASG,OR
Recursos	Recursos Internos (Instructores Adiestramientos)
Fecha Entrega	30 de Junio de 2017.

Obstáculos	1. La Ley 239 de 2014, conocida como la Reforma Electoral, establece que las primarias electorales se celebren el primer domingo de junio 2016, y las elecciones generales se realicen 6 noviembre de 2016 y durante este tiempo los MPPR estarán asignados a dar vigilancia y seguridad durante todas las etapas que conllevan esta celebración siendo la activación de los MPPR en este proceso 72 horas antes de llevarse a cabo. 2. Para el diseño de estos adiestramientos se requiere la colaboración de expertos internos asignados a la SARP, SAOC y a la SAIC, por lo que debido a factores operacionales tales como: conflictos huelgarios, elecciones generales, desastres naturales, investigaciones en curso y por licencias que el empleado tiene derecho (disfrute de tiempo), podría dificultarse la asignación temporera de dichos recursos para colaborar en el diseño de este adiestramiento. 3. Los Instructores no puedan cumplir con la responsabilidad dual
Soluciones	1. Durante la celebración de eventos relacionados al proceso electoral los adiestramientos deben ser pospuestos y reanudados una vez concluyan los mismos, se debe otorgar el tiempo adicional requerido. 2. Los expertos identificados para colaborar con el diseño de los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un (1) mes ni mayor de dos (2) meses a la SAEA

Methodology: PRPD will implement the training modules on or before June 2017. During the twelve (12) months following the final approval of the training material and incorporated changes recommended by the TCA, the SAEA will train simultaneously fifty percent (50%) of the MPPR in supervision roles. The remaining fifty percent (50%) of the supervisory personnel shall be trained in the following twelve (12) months, once completed the training of the first group.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

1.3 Training all PRPD employees who are first respondents in the order mentioned in the Action Plan:

Methodology: Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors. The TCA will ensure that the priority order is followed.

1.4 Training all PRPD employees who are first respondents and belong to specialized units in the order mentioned in the Action Plan:

Methodology: Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors. The TCA will ensure that the priority order is followed.

1.5 Training all PRPD employees who are in charge of the evaluation system:

Table 16:

Requerimient	117, 141 al 149, 151, 154, 155 y 157
Responsables	SAEA
Colaboradore	SAIC, SAOC, SARP, SASG (NT)
Recursos	Recursos Internos: Instructores Certificados, Coordinadores
Fecha	Agosto 2016
Obstáculos	1. La Ley 239 de 2014, conocida como la Reforma Electoral, establece que las primarias electorales se celebren el primer domingo de junio 2016 y las elecciones generales se realicen 6 noviembre de 2016; durante este tiempo los MPPR estarán asignados a dar vigilancia y seguridad durante todas las etapas que conlleva esta celebración siendo la activación de los MPPR en este proceso 72 horas antes de llevarse a cabo. 2. Estos adiestramientos se requiere la colaboración de expertos internos asignados a la SARP, SAOC y a la SAIC, por lo que debido a factores operacionales tales como: conflictos huelgarios, elecciones generales, desastres naturales, investigaciones en curso y por licencias que el empleado tiene derecho (disfrute de tiempo), podría dificultarse la asignación temporera de dichos recursos para colaborar en el diseño de este adiestramiento.

Soluciones	1. Durante las celebración de eventos relacionados al proceso electoral los adiestramientos deben ser pospuestos y reanudados una vez concluyan los mismos, se debe otorgar el tiempo adicional requerido. 2. Los expertos identificados para colaborar con el diseño de los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un (1) mes ni mayor de dos (2) meses a la SAEA. 3. Los Superintendentes Auxiliares deberán establecer un Plan de Trabajo para mitigar el impacto de este adiestramiento y poder

Methodology: PRPD will implement the training modules in August 2016. During the twelve (12) months following the final approval of the training material and incorporated changes recommended by the TCA, the SAEA will train simultaneously fifty percent (50%) of the MPPR in supervision roles. The remaining fifty percent (50%) of the supervisory personnel shall be trained in the following twelve (12) months, once completed the training of the first group.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors. The TCA will ensure that the priority order is followed.

1.6 Training all PRPD employees who are first responders to the community in the order mentioned in the Action Plan:

Methodology: Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors. The TCA will ensure that the priority order is followed.

1.7 Training all PRPD employees who are first respondents to the community and belong to specialized units in the order mentioned in the Action Plan:

Methodology: Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly.

The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors. The TCA will ensure that the priority order is followed.

1.8 Training all PRPD employees who are involved in the Early Identification System in the order mentioned in the Action Plan:

Methodology: Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors. The TCA will ensure that the priority order is followed.

1.9 Training all PRPD employees who are first respondents to the community in the order assigned in the Action Plan.

Table 17:

Requerimient	117, 141, 142, 143, 144, 145, 146, 147, 148, 149, 151, 154, 155 y
Responsables	SAEA
Colaboradore	SAIC, SAOC, SARP, SASG (NT)
Recursos	Recursos Internos; Instructores Certificados, Coordinadores
Fecha	Agosto 2017
Obstáculos	1. Para estos adiestramientos se requiere la colaboración de expertos internos asignados a la SARP, SAOC y a la SAIC, por lo que debido a factores operacionales tales como: conflictos huelgarios, elecciones generales, desastres naturales, investigaciones en curso y por licencias que el empleado tiene derecho (disfrute de tiempo), podría dificultarse la asignación temporera de dichos recursos para colaborar en el diseño de este adiestramiento. 2. Los Instructores no puedan cumplir con la responsabilidad dual que tienen con la SAEA y la SARP, SAOC o SAIC

Soluciones	1. Los expertos identificados para colaborar en los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un (1) mes ni mayor de dos (2) meses a la SAEA. 2. Los Superintendentes Auxiliares deberán establecer un Plan de Trabajo para mitigar el impacto de este adiestramiento y poder cumplir con las responsabilidades contraídas con la SAEA.

Methodology: PRPD will implement the training modules on or before August 2016. During the twelve (12) months following the final approval of the training material and incorporated changes recommended by the TCA, the SAEA will train simultaneously fifty percent (50%) of the MPPR in the identified roles. The remaining fifty percent (50%) of the identified personnel shall be trained in the following twelve (12) months, once completed the training of the first group.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors. The TCA will ensure that the priority order is followed.

1.10 Training of all personnel in SARP.

Table 18:

Requerimiento(s)	154-157
Responsables	SAEA, SARP
Colaboradores	OS, OR, SAOC, SAIC, SAPF, SASG
Recursos	Recursos Internos; SARP (Coordinadores Adiestramiento)
Fecha Entrega	30 de Agosto 2018.

Obstáculos	1. Para estos adiestramientos se requiere la colaboración de expertos internos asignados a la SARP, SAOC y a la SAIC, por lo que debido a factores operacionales tales como: conflictos huelgarios, elecciones generales, desastres naturales, investigaciones en curso y por licencias que el empleado tiene derecho (disfrute de tiempo), podría dificultarse la asignación temporera de dichos recursos para colaborar en el diseño de este adiestramiento. 2. Los Instructores no puedan cumplir con la responsabilidad dual que tienen con la SAEA y la SARP, SAOC o SAIC.
Soluciones	1. Los expertos identificados para colaborar en los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un (1) mes ni mayor de dos (2) meses a la SAEA. 2. Los Superintendentes Auxiliares deberán establecer un Plan de Trabajo para mitigar el impacto de este adiestramiento y poder cumplir con las responsabilidades contraídas con la

Methodology: PRPD will implement the training modules on or before August 2018.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors. The TCA will ensure that the priority order is followed.

2. Implementation of Evaluation Systems, **Sistema de Evaluación de Desempeño.**

Activities:

2.1 PRPD will develop an automated evaluation system.

Table 20:

Requerimiento(s	145, 146 y 218
Responsables	SASG (NT), (NRH)
Colaboradores	SARP, OAL, OR
Recursos	Recurso Externos; Servicios Profesionales;(contemplado en la Petición Presupuestaria AF 2015-2016) – Recursos Internos

Fecha Entrega	Agosto 2016
Obstáculos	No se anticipant
Soluciones	No aplica

Methodology: PRPD will develop the evaluation system by August 2016. The TCA will monitor compliance with action plan deadlines.

The TCA will review the automated evaluation system by looking at how the system enhances and automates PRPD's performance feedback and performance review processes.

The TCA's review will focus on the following criteria:

First, the system must enhance ongoing communications within the PRPD. This is because an automated performance management system provides the requisite tools that allow supervisors to more efficiently and effectively document performance and conduct regular performance reviews.

Second, the automated system must incorporate performance management best practices.

Third, all employees must be encouraged and trained to share in overall accountability for success. Having an automated system in place brings each level of the organization into alignment with one another and places emphasis on everyone moving in a common direction.

Fourth, an automated performance management system must be able to capture data over time and provide invaluable information about performance related to goals and competencies in a manner that is difficult and nearly impossible to achieve with manual systems.

Fifth, the new system must allow the PRPD to reduce or eliminate paperwork and go almost paperless. The inherent "hassle factor" associated with handling, passing and storing paper makes the entire performance management process less appealing to deal with.

Sixth, automation of performance management must help make managers more effective in managing their employees. Performance reviews need to be relevant and appropriate to the job being performed and to the goals of the employee and the organization. Feedback is enriched and is done in a

timelier manner by making sure that all forms and information are centrally located within the system. Employee feedback and documentation are handled by selecting the employee to be reviewed and all functionality related to the performance management process is located in one area.

Finally, performance reviews must mean more to the employee. Employees are often confused and frustrated by the discretionary performance review process. They often are kept waiting for their reviews to be completed or the feedback is incomplete, irrelevant or inappropriate in some manner. Because the process is easier for managers to follow and because there are tools to assist in documenting ongoing performance, writing comments to support ratings and recommending awards, for example, the quality of the reviews increases dramatically.

3. PRPD's SARP will implement an integrity system, **un Sistema de Inspecciones, Operacionales, Administrativas y de Integridad**.

Activities:

3.1 Develop audits' plan (See table 21).

3.2 Implement Plan for random, regular audits

Table 21:

Requerimient	154, 155 y 156
Responsables	OS, SARP
Colaboradore	OR, SAOC, SAIC, OAT, DJPR, OAL, OAT y DJEU
Recursos	Recursos Internos; SARP (Coordinadores Adiestramiento)
Fecha	Marzo - 2017
Obstáculos	1. Limitación de Recursos Humanos para ocupar estas posiciones y cualificaciones que deben tener para ocupar la misma puede atrasar el proceso de implementación. 2. Esta Sección de Trabajo no existe al momento en el Negociado de Asuntos Internos de la SARP.
Soluciones	1. Convocatorias para reclutar personal que cumpla con los requisitos para permanecer a esta unidad de trabajo y se otorgue el tiempo necesario para cumplir con este requerimiento. 2. Crear la Sección en el Negociado de Asuntos Internos de SARP.

Methodology: The PRPD will develop the plan by March 2017.

The TCA will review the integrity plan and will develop methodology in response to the work plan. The TCA will consider the following factors in

the staffing and structuring of an internal audit function: First, internal audit leaders and the strength of those in position of leadership. Strong auditors must not be afraid to bring potential problems to light. Second, the TCA will evaluate the reporting relationships. Regardless of its defined reporting relationship to PRPD management, internal auditors should have frequent, open and direct lines of communication with the Superintendent, and the freedom to address meaningful organizational risks. Third, the TCA will evaluate the need for the plan to include specialists who can deal with complex or difficult transactions. The TCA will also address objectivity and "independence." Departmental auditors should be familiar with the Department, but should not be so closely tied to the departmental structure that their neutrality is impaired.

4. PRPD will establish a **Comité de Coordinación Ejecutiva** that will meet regularly. Activities:

4.1 Appoint members of the Committee.

Table 22:

Requerimient	158
Responsables	OS, OR
Colaboradore	SAOC, SARP, SAIC, OAT, DJPR, DJEU, PM
Recursos	Servicios Profesionales – Abogados; Recursos Internos
Fecha	Julio 2016 (fecha aproximada)
Obstáculos	El Acuerdo no obliga a las Agencias Federales, ni a los Departamentos de la Policías Municipales a formar parte del
Soluciones	Realizar acuerdos de colaboración con las entidades que formaran parte del sistema de justicia criminal y de no proceder

Methodology: PRPD will develop the plan by July 2016. The TCA will monitor compliance with action plan deadlines.

5. PRPD will have a ratio of one supervisor per ten members of the PRPD in the first five years since the implementation of this Action Plan.

Methodology: The TCA will receive quarterly reports documenting supervisory ratios and needs. The TCA will conduct a quantitative analysis based on the workplan and the documented needs.

5.1 PRPD will develop a workplan for human resources.
5.2 PRPD will evaluate supervisory needs.

5.3 PRPD will assign promoted officers to supervisory roles.

Table 23:

Requerimient	13, 15, 17, 136-139
Responsables	SASG
Colaboradore	SAOC, SAEA, OS
Recursos	Recursos Humanos Internos
Fecha	Una vez el Superintendente Determine convocar los Ascensos.
Obstáculos	1. La Ley 66 de Sostenibilidad Fiscal de P.R. congela los puestos vacantes, limita el nombramiento de personal, así como los ascensos.
Soluciones	1. La PPR debe someter una solicitud de autorización para realizar los ascensos y la asignación presupuestaria necesaria para llevarlos a cabo. 2. Identificar y justificar las plazas vacantes para el cumplimiento del Acuerdo y solicitar reconsideración a la Oficina de Gerencia y Presupuesto.

IV. Data Gathering:

1. PRPD will develop a technological system capable of gathering required information. This is part of the Action Plan **on Information Systems**.
   Methodology: The TCA will ensure that these system is included in the Action Plan on IT.

Actividades:

1.1. Design of the EIS. This is part of the Action Plan **on Information Systems**. The *TCA will ensure that these systems are included in the Action Plan on IT.*

12. PRPD will maintain an automated evaluation system, **Sistema de Evaluación de Desempeño.**

13. PRPD will begin to document improper conduct into the EIS.

Table 24:

Requerimient	147, 148, 149, 150, 151, 152, 153, 218, 219 y 220
Responsables	SASG (NT, NRH)

Colaboradore	SARP, OAL, OR
Recursos	Recursos Internos; Servicios Profesionales – Asesor de los Sistemas de Información de los Procesos de la Reforma
Fecha	Agosto 2017
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: PRPD will develop the evaluation system on or before August 2017. The TCA will monitor compliance with action plan deadlines. The TCA will also conduct quantitative review of the data gathered by the PRPD. The TCA will review the protocols for data collection and data evaluation.

2. PRPD will implement protocol internal audits.

Activities:

2.1 The Superintendencia Auxiliar en Servicios Gerenciales will work with SARP y la OAL in the process of gathering data.

Table 25:

Requerimient	154, 155, 156, 157, 218 y 219
Responsables	SARP
Colaboradore	SAGS, (NRH) (NT), OAL
Recursos	Recursos Internos; (colaboradores) Servicios Profesionales – Asesor de los Sistemas de Información de los Procesos de la
Fecha	Diciembre de 2017
Obstáculos	No se anticipan obstáculos.

Methodology: PRPD will develop the evaluation system by December 2017. *The TCA will monitor compliance with action plan deadlines.* The TCA will also conduct quantitative review of the data gathered by the PRPD. The TCA will review the protocols for data collection and data evaluation.

V. Self-Assessment:

1.1.

Activities:

1.1 PRPD will conduct regular self-assessment including the following items:

1.1.1 Utilization of the training plan
1.1.2 Random field visits

1.2 PRPD will evaluate the Comité de Coordinación Ejecutiva.
1.3 PRPD will measure the progress in internal audits.

1.4 PRPD will monitor the supervisory to staff ratio.

Methodology: By June 2016, the PRPD will gather the data described in activities (1.1) through (1.4) of this section. PRPD will submit to the TCA all documents (minutes of meetings, notes from field visits, random tests, quantitative data collected, policy drafts, etc.) used in PRPD's self-evaluation.

VI. Budget:

Methodology: On a yearly basis, the PRPD will submit to the TCA a budgetary update detailing how the implementation of programs is affected by budgetary constraints. The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, etc.) used to review the budget for the Action Plan on Supervision no later than one year from the date of approval of the Action Plan

VII. Annual Review:

Methodology: The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, etc.) used to review the Action Plan on Supervision no later than one year from the date of approval of the Action Plan

Cc: Luis E. Saucedo
Special Litigation Section, USDOJ

Flor Velez Diaz
Special Assistant to the Secretary, PRDOJ

Methodology to Review Action Plan on Community Engagement and Public Information

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March 27, 2016

VIA ELECTRONIC MAIL

Lt. Col. Clementina Vega Rosario
Reform Unit Director
Puerto Rico Police Department
P.O. Box 70166
San Juan, PR 00936

Re: USA v. Commonwealth of Puerto Rico, No. 3:12-cv-2039 (GAG)
Methodology to Review Action Plan on Community Engagement and Public Information

Lt. Col. Vega:

Please find enclosed the TCA's proposed methodology to review the Action Plan on Community Engagement and Public Information.

Consistent with PRPD's own self-assessment initiatives, during the capacity building period the TCA will take the following methodological actions to provide feedback and technical assistance while assessing PRPD's progress in the implementation of the Action Plan on Community Engagement and Public Information:

(u) In the first year of implementation of the Action Plan, the TCA will conduct random visits to the four Zones of Excellence in order to assess whether officers are being trained according to the syllabi, instructor guides, presentation and evaluation methodology approved by the TCA. The TCA will also conduct random visits to the specialized units. After the first year, the TCA will also visit all thirteen police areas and/or commands assigned to superintendents ("superintendencias") using SAEA training calendar;

(v) The TCA will continue to meet with members of the community and of the CICs to gather feedback on the PRPD's community engagement and public information initiatives;

(w) The TCA will conduct random visits to districts, precincts and units to determine that public requests for public information have been addressed in accordance with the requirements of the Agreement and the Action Plan. The TCA will interview managers, press officers and those who have a role in community engagement and public information.

(x) The TCA will conduct onsite tour schedules and random visits to districts, precincts and units to determine whether the supervisors of the PRPD have received appropriate training on community engagement and public information. The TCA will interview supervisors.

(y) The TCA will randomly compare automated data and physical records on community engagement and requests for public information. The TCA will determine the number of records requested using a sample size table. The sample confidence level will be 97% and the selected margin of error will be 3%.

(z) Using the training plan issued by the SAEA for each of the courses, the TCA will review attendance records, topics for instruction, and officer evaluations.

More specifically, the TCA will also take the following specific methodological actions to assess PRPD's compliance with the Action Plan on Community Engagement:

Policies

1. Community Assistance.

Activities:

1.1 Review of General Order 800, 801, "Funcionamiento del Comité Central y de los Comités Áreas de Interacción Ciudadana con la Policía de Puerto Rico"

Table 1:

Requerimiento(s)	21, 113, 209, 210, 211, 212, 213
Responsables	OS, OR (Mientras se crea la División de Políticas y Procedimientos)
Colaboradores	SAOC, Representantes de la Comunidad, Comité de Interacción Ciudadana

Recursos	Servicios Profesionales – Abogados; Recursos Internos; (colaboradores)
Fecha Entrega	Aprobada el 8 de junio de 2015, firmada por el Superintendente el 15 de junio de 2015; próxima revisión el 15 de junio del 2016.
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: The General Order is to submitted to the TCA and USDOJ for review on June 15, 2016. The TCA will monitor compliance with action plan deadlines. The qualitative review is performed when the TCA and USDOJ have the opportunity to review the policy.

2. Community Problem-Solving.

Activities:

2.1 Collaborate on policies for crisis response. This is included in Action Plan on **Use of Force.**
2.2 Develop General Order on Community Policing.

Table 2:

Requerimiento(s)	21, 103, 113, 145, 205, 206, 207, 208
Responsables	OS, OR (Mientras se crea la División de Políticas y Procedimientos)
Colaboradores	SA, (NRH) Representantes de la Comunidad, Comité de Interacción Ciudadana
Recursos	Servicios Profesionales – Abogados; Recursos Internos; (Colaboradores)
Fecha Entrega	30 de Marzo de 2016.
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: The order is to submitted to the TCA and USDOJ for review on March 30, 2016. The TCA will monitor compliance with action plan deadlines.

3. Develop a Program for Community Engagement.

3.1 Review Handbook for Community Engagement.

Table 3:

Requerimiento(s)	24, 88, 113, 214, 215, 216, 217
Responsables	OS, OR (Mientras se crea la División de Políticas y Procedimientos)
Colaboradores	OP, SAOC, SAIC, SARP, Representantes de la Comunidad, Comité de Interacción Ciudadana
Recursos	Recursos Internos; Servicios Profesionales
Fecha Entrega	Aprobada y firmada el 24 de febrero de 2015; próxima revisión 24 de Marzo de 2016
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: The Handbook is to submitted to the TCA and USDOJ for review in March, 2016. The TCA will monitor compliance with action plan deadlines.

3.2 Review of General Order 2005-7, "Reorganización y Renominación de la Oficina de Información Pública como la Oficina de Prensa."

Table 4:

Requerimiento(s)	24, 103, 113, 205, 214, 217
Responsables	OS, OR (Mientras se crea la División de Políticas y Procedimientos)
Colaboradores	OP, SAIC, SARP, Representantes de la Comunidad, Comité de Interacción Ciudadana
Recursos	Servicios Profesionales – Abogados; Recursos Internos;
Fecha Entrega	30 de junio de 2016.
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: The General Order is to be submitted to the TCA and USDOJ for review on June 30, 2016. The TCA will monitor compliance with action plan deadlines.

II. Training:

1. Training for the Community Interaction Councils (Comité de Interacción Ciudadana).

Activities:

1.1 SAEA will develop multi-thematic training for CICs.

Table 5:

Requerimiento(s)	205, 209, 210, 211, 212, 213
Responsables	SAEA, SAOC
Colaboradores	OR, SAIC, SARP, SASG, Representantes de la Comunidad, Consejos Comunitarios de Seguridad
Recursos	Servicios Profesionales; Recursos Internos; (colaboradores)
Fecha Entrega	Entregado el April 2016.
Obstáculos	1. El proceso de contratación requiere la aprobación de agencias gubernamentales, este podría tardarse entre 60 a 90 días. 2. Se requiere la colaboración de expertos internos asignados a las Superintendencias Auxiliares por lo cual los trabajos operacionales de este personal se verán afectados.
Soluciones	1. Lograr entre las Agencias la aprobación de un proceso expedito en común acuerdo para la evaluación de los contratos. 2. Los expertos identificados para ofrecer el programa de readiestramiento deberán ser asignados por un término

Methodology: PRPD submitted the training modules on or before April 30, 2015. In its review, TCA is to ensure that all required training topics are included in the training modules.
Before the training is implemented, the TCA will receive a roster with all qualified members. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

2. Training on community-based policing.

Activities:

2.1 Collaborate in the development of training on community policing and non-discrimination, "Perspectiva Comunitaria sobre la Conducta Policiaca Discriminatoria". This is the Action Plan on **Equal Protection.**

Methodology: The TCA will ensure that this training is evaluated through the Action Plan on Equal Protection.

2.2 Collaborate in the field training on Community Policing. This is part of the Action Plan on **Training.**

Methodology: The TCA will ensure that this training is evaluated through the Action Plan on Training.

2.3 SAEA will develop training on Principles of Community Policing.

Table 6:

Requerimiento(s)	117, 205, 206, 207, 208.
Responsables	SAEA
Colaboradores	OP, Instructores Certificados de SAOC, SAIC, SARP
Recursos	Servicios Profesionales; Recursos Internos; (colaboradores)
Fecha Entrega	30 de Septiembre de 2016.
Obstáculos	1. El proceso de contratación requiere la aprobación de agencias gubernamentales, este podría tardarse entre 60 a 90 días. 2. Se requiere la colaboración de expertos internos asignados a las Superintendencias Auxiliares por lo cual los trabajos operacionales de este personal se verán afectados. 3. Factores operacionales en el año 2016, sobre los procesos eleccionarios de primarias y elecciones generales le van a requerir tiempo operacional policiaco adicional a todos los MPPR, lo cual se estima pueden afectarse el periodo de adiestramiento y las investigaciones.

Soluciones	1. Lograr entre las Agencias la aprobación de un proceso expedito en común acuerdo para la evaluación de los contratos. 2. Los expertos identificados para ofrecer el programa de readiestramiento deberán ser asignados por un término ininterrumpido no menor de un mes ni mayor de dos meses a realizar dicha tarea. Los Superintendentes Auxiliares deben realizar un plan de trabajo para mitigar este impacto. 3. De persistir el obstáculo será peticionado el tiempo requerido para poder cumplir con las labores operacionales de la PPR y requeridas para la seguridad del país.

Methodology: PRPD will submit the training modules on or before September 30, 2016. TCA will ensure that all required training topics are included in the training modules.
Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors. TCA will ensure that all proposed training topics are included.

3. Training on Public Information.

Activities:

3.1 SAEA will develop a training program in communications for press officers and high ranking officials.

Table 7:

Requerimiento(s)	205, 214, 217, 219(c)
Responsables	SAEA
Colaboradores	OS, SAOC (OP Áreas)
Recursos	Servicios Profesionales; especialistas en comunicaciones; Recursos Internos
Fecha Entrega	30 de diciembre 2016

Obstáculos	1. El proceso de contratación de profesionales de las comunicaciones requiere la aprobación de agencias gubernamentales. 2. Para el diseño de los adiestramientos se requiere la colaboración de expertos internos, asignados a las Superintendencias Auxiliares por lo cual los trabajos operacionales de este personal se verán afectados. 3. Factores operacionales en el año 2016, sobre los procesos eleccionarios de primarias y elecciones generales le van a requerir tiempo operacional policiaco adicional a todos los MPPR, lo cual se estima pueden afectarse el periodo de adiestramiento y las investigaciones.
Soluciones	1. Lograr entre las Agencias la aprobación de un proceso expedito en común acuerdo para evaluación de los contratos. 2. Los expertos identificados para colaborar con el diseño de los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un mes ni mayor de dos meses a la SAEA.

Methodology: PRPD will submit the training modules on or before December 30, 2016. TCA will ensure that all required training topics are included in the training modules.

3.2 SAEA will develop training on dissemination of public information for management and supervisory members of the PRPD.

Table 8:

Requerimiento(s)	205, 214, 217, 219(c)
Responsables	SAEA
Colaboradores	OP, SA, CA
Recursos	Asesoría Externa para diseño de prontuarios de
Fecha Entrega	30 de diciembre de 2016

Obstáculos	1. El proceso de contratación de profesionales de las comunicaciones requiere la aprobación de agencias gubernamentales. 2. Para el diseño de los adiestramientos se requiere la colaboración de expertos internos asignados a las Superintendencias Auxiliares por lo cual los trabajos operacionales de este personal se verán afectados. 3. Factores operacionales en el año 2016, sobre los procesos eleccionarios de primarias y elecciones generales requieren tiempo operacional policiaco adicional a todos los MPPR, lo cual se estima pueden afectarse el periodo de adiestramiento y las investigaciones.
Soluciones	1. Lograr entre las Agencias la aprobación de un proceso expedito en común acuerdo para evaluación de los contratos. 2. Los expertos identificados para colaborar con el diseño de los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un mes ni mayor de dos meses a la SAEA. Los Superintendentes Auxiliares deberán establecer un Plan de Trabajo para mitigar el impacto de este adiestramiento y poder cumplir con las responsabilidades contraídas con la SAEA. 3. De persistir los obstáculos se otorgado el tiempo requerido para poder cumplir con las labores operacionales de la PPR y requeridas para la seguridad del país.

Methodology: PRPD will submit the training modules on or before December 30, 2016. TCA will ensure that all required training topics are included in the training modules.

III. Implementation:

1. To receive assistance from the community.

Activities:

1.1 Collaborate on staffing analysis report. This is part of the Action Plan on **Professionalization.**

Methodology: The TCA will ensure that this Report is evaluated through the Action Plan on Professionalization.

1.2 Collaborate on the Recruitment Plan. This is part of the Action Plan **Recruitment.**

Methodology: The TCA will ensure that this Regulation is evaluated through the Action Plan on Recruitment.

1.3 Collaborate on the field training on community policing. This is part of the Action Plan on **Training.**

1.4 Collaborate on the review of General Order 2008-3, "Normas y Procedimientos para la Evaluación de los Miembros de la Policía y Personal Clasificado." This is part of the Action Plan on **Supervision.**

1.5 Collaborate on the review of General Order 300, Section 304, "Normas y Procedimientos para la Nominación, Selección y Premiación Anual de Empleados Sobresalientes en la Policía de Puerto Rico." This is part of the Action Plan on **Supervision.**

1.6 Post public call for positions in the Community Interaction Councils.

Table 9:

Requerimiento(s)	205, 209,210, 211, 212, 213
Responsables	OS, OR (Mientras se crea la División de Políticas y
Colaboradores	SAOC (CA), OP, SAIC, Representantes de la Comunidad; Comité de Interacción Ciudadana
Recursos	Servicios Profesionales; Abogado – Recursos Internos; (colaboradores)
Fecha Entrega	Convocatoria del 1 al 30 de julio de 2015, luego cada dos (2) años se volverá a convocar.
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: The TCA was informed of the July 2015 public call. The TCA will continue to ensure that future postings are public and posted in a manner which is consistent with the Agreement. The TCA reviews the selection process. USDOJ has recommended that, because it appears that

there is still a perception among some stakeholders that the CICs are controlled by the PRPD and that the CICs are not providing objective recommendations to PRPD, the TCA conducts additional review of the selection process in order to resolve these concerns.

1.7 Appoint Selection Board for Candidates to the CIC's.

Table 10:

Requerimiento	205, 209,210, 211, 212, 213
Responsables	OS, OR (Mientras se crea la División de Políticas y Procedimientos)
Colaboradores	OS, SAOC, OP, SAIC, OSP, SARP, Representantes de la Comunidad (Procuraduría de las Mujeres, Comisión de Derechos Civiles)
Recursos	Servicios Profesionales; Abogado– Recursos Internos; (colaboradores)
Fecha Entrega	30 de octubre de 2015. La convocatoria es luego de cada dos (2) años. Próxima convocatoria octubre de 2017.
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: The TCA was informed of the appointments of October 2015. The TCA will continue to ensure that future appointments are public and posted in a manner which is consistent with the Agreement. USDOJ recommended that the TCA reviews the actual selection process to determine whether it was open, fair, and according to Policy and the Agreement.

1.8 Select and appoint new members of the CIC's.

Table 11:

Requerimiento(s)	205, 209, 210, 211, 212, 213
Responsables	OS, OR (Mientras se crea la División de Políticas y Procedimientos)
Colaboradores	SAOC, OP, Representantes de la Comunidad, (Procuraduría de las Mujeres, Comisión de Derechos Civiles)
Recursos	Servicios Profesionales; Abogado– Recursos Internos

Fecha Entrega	30 de octubre de 2015. Las convocatorias son luego de cada dos (2) años. Próxima convocatoria octubre de 2017.
Obstáculos	Ausencias de candidatos para ocupar algunos de los sectores representativos según la Orden General Capítulo 800, sección 801.
Soluciones	Realizar una campaña enfocada a los sectores representativos que se identifiquen de difícil reclutamiento.

Methodology: The TCA was informed of the appointments of October 2015. The TCA will continue to ensure that future appointments are public and posted in a manner which is consistent with the Agreement.

1.9 SAEA will develop materials and protocols to train all of the members of the CIC's.

Table 12:

Requerimiento(s)	205, 209, 210, 211, 212, 213
Responsables	SAEA, SAOC
Colaboradores	SA, Coordinadores de Adiestramiento, Instructores Certificados
Recursos	Servicios Profesionales – Recursos Internos
Fecha Entrega	30 de Julio de 2016
Obstáculos	Los Instructores identificados no puedan cumplir con la responsabilidad dual que tienen con la SAEA y sus respectivas Superintendencias.
Soluciones	El personal que identifique como Instructor Certificados deberá realizar solamente las tareas relacionadas con los adiestramientos durante este período. Los Superintendentes Auxiliares realizarán un Plan de Trabajo para mitigar la falta de Recursos, para cumplir con los adiestramientos a los CIC en SAEA.

Methodology: PRPD developed the training modules on or before July 30, 2015. TCA is to ensure that all required training topics are included in the training modules.

1.10 SAEA will train members of the CIC's:

Methodology: Before the training is implemented, the TCA will receive a roster with all CIC members. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs. The TCA will interview a number of members who attended the training. The TCA will interview instructors.

1.11 PRPD will provide resources to the operations of CIC's.

Table 13:

Requerimiento(s)	205, 209, 210, 211, 212, 213
Responsables	OS, OR (Mientras se crea la División de Políticas y
Colaboradores	SAOC, CICs
Recursos	Compra de equipo, materiales y suministros; Recursos Internos
Fecha Entrega	30 de Septiembre de 2016, luego se revisará anualmente
Obstáculos	Ley 66, otros obstáculos de carácter fiscal y proceso interno de compra
Soluciones	Se hará un estudio de necesidades particularidades de cada comité.

Methodology: The TCA will review PRPD's analysis of needs on or before September 30, 2016. The TCA review will focus on: Do CICs have resources currently? What are they and are they sufficient? Are these resources also being used to further the Agreement and the CIC's mission? How do CIC account for the use of public funds?

2. To advance community policing and problem-solving policing.

Activities:

2.1 Train officers on community and problem-solving policing.

Table 14:

Requerimiento(s)	125, 205, 206, 207, 208
Responsables	Superintendencias Auxiliares
Colaboradores	SA, Coordinadores de Adiestramiento e Instructores Certificados
Recursos	Recursos Externos - Instructores; Recursos Internos

Fecha Entrega	30 de Septiembre de 2017.
Obstáculos	1. Para el diseño de los adiestramientos se requiere la colaboración de expertos internos asignados a las Superintendencias Auxiliares por lo cual los trabajos operacionales de este personal se verán afectados. 2. Factores operacionales en el año 2016, sobre los procesos eleccionarios de primarias y elecciones generales le van a requerir tiempo operacional policiaco adicional a todos los MPPR, lo cual se estima pueden afectarse el periodo de adiestramiento y las investigaciones.
Soluciones	1. Los expertos identificados para colaborar con el diseño de los adiestramientos deberán ser asignados por un término ininterrumpido no menor de un mes ni mayor de dos meses a la SAEA. Los Superintendentes Auxiliares deberán establecer un Plan de Trabajo para mitigar el impacto de este adiestramiento y poder cumplir con las responsabilidades contraídas con la SAEA.

Methodology: PRPD will implement the training modules on or before September 30, 2017. The TCA will ensure that all required training topics are included in the training modules.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

The TCA will ensure that training follows the scheduled in sections 2.2 and 2.3

2.2 First Responders:
2.3 Special Units:

For 2.2. and 2.3, the TCA will ensure that all required training topics are included in the training modules from (a) through (m).

3. To inform the public:

Activities:

3.1 Implementation of training of press officers and high ranking officials.

Table 15:

Requerimiento(s)	205, 214, 217 y 237 (B)
Responsables	Superintendencias Auxiliares
Colaboradores	SA, Coordinadores de Adiestramiento e Instructores Certificados
Recursos	Recursos Externos - Instructores; Recursos Internos
Fecha Entrega	30 de diciembre de 2017.
Obstáculos	Ley 66 y factores operacionales tales como: conflictos huelgarios, elecciones generales, desastres naturales, investigaciones en curso y por la licencia de enfermedad, podría dificultarse la asignación temporera de dichos recursos para colaborar en el diseño de este adiestramiento.
Soluciones	Los Superintendentes Auxiliares deberán establecer un Plan de Trabajo para mitigar el impacto de este adiestramiento y poder cumplir con las responsabilidades contraídas con la SAEA.

Methodology: PRPD will implement the training modules on or before December 30, 2017. The TCA will ensure that all required training topics are included in the training modules.

Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.

The TCA will ensure that training follows the scheduled in section 3.1.

3.2 Implementation of training of press officers and high ranking officials (themes).
The TCA will ensure that all required training topics are included in the training modules from (a) through (m).

3.3 PRPD will train management and supervisory personnel based on the themes and schedule set in this section of the Action Plan.

Methodology: Before the training is implemented, the TCA will receive a roster with all qualified employees. The roster will be updated quarterly. The PRPD will submit to the TCA quarterly training attendance logs and training evaluations. The TCA will interview a number of employees who attended the training. The TCA will interview instructors.
The TCA will ensure that all required training topics are included in the training modules from (a) through (k).

IV. Data Gathering

1. PRPD will gather data to advance the initiatives mentioned in this Action Plan.
   1.1 PRPD will automate data collection. This is part of the Action Plan on **Informational Systems.**

   Methodology: The TCA will ensure that this activity is included in the Action Plan on Informational Systems.

1.2 PRPD will submit an annual report.

Table 16:

Requerimiento(s)	205, 206, 207, 208, 218, 219, 221
Responsables	SAOC (Negociado de Relaciones con la Comunidad)
Colaboradores	OR, SA, SASG (NT)
Recursos	Recursos Internos y Externos
Fecha Entrega	Mes de enero de cada año (enero 2017)
Obstáculos	No se anticipan obstáculos
Soluciones	No aplica.

Methodology: In the first month of each calendar year, the PRPD will submit an annual report. The TCA will review both the timely submission of the report and the content of the report.

V. Self-Assessment:

1. To assess progress in community engagement, PRPD will do the following.

Activities:
1.1 PRPD will randomly collect data, such as:

1.1.1 Review the training plan, calendars, etc,
1.1.2 Conduct random field visits.

1.1.3 The Office of the Reform will monitor compliance with plans for community engagement and public information, including:

1.1.3.1 Visits to police areas.
1.1.3.2 Review the website of PRPD.
1.1.3.3 Review of all relevant reports.

1.1.4 The Office of the Reform will monitor all agreements with the community.

Table 17:

Requerimiento(s)	232 y 233
Responsables	OR
Colaboradores	SA, SASG (División de Estadísticas de la Criminalidad)
Recursos	Recursos Internos
Fecha Entrega	Dieciocho (18) meses después de aprobado el Plan de Acción.
Obstáculos	No se anticipan obstáculos.
Soluciones	No aplica.

Methodology: The PRPD will gather the data as described in activities (1.1.1) through (1.1.4) of this section. PRPD will submit to the TCA all documents (minutes of meetings, notes from field visits, random tests, quantitative data collected, website reviews, review of relevant reports, agreements with the community that were subject to review, policy drafts, etc.) used in PRPD's self-evaluation.

VI. Budget:

Methodology: On a yearly basis, the PRPD will submit to the TCA a budgetary update detailing how the implementation of programs is affected by budgetary constraints. The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, emails, etc.) used to review the budget of the Action Plan on the Community Engagement no later than one year from the date of approval of the Action Plan

VII. Annual Review:

Methodology: The PRPD will submit to the TCA all documents (minutes of meetings, data collected, policy drafts, etc.) used to review the Action Plan on Community Engagement no later than one year from the date of approval of the Action Plan.

C: Luis E. Saucedo
Special Litigation Section, USDOJ

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