

**UNITED STATES DISTRICT COURT FOR THE
DISTRICT OF PUERTO RICO**

UNITED STATES OF AMERICA, Plaintiff v. COMMONWEALTH OF PUERTO RICO, ET AL Defendants	No. 12-cv-2039 (GAG)
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**MOTION SUBMITTING SEVENTH SIX MONTH REPORT
OF THE TCA AND COMPLIANCE TABLES**

TO THE HONORABLE COURT,

Comes Now the Technical Compliance Advisor (TCA), Arnaldo Claudio, represented by the undersigned attorney and respectfully states and prays as follows:

1. Pursuant to Paragraph 250 of the Agreement for the Sustainable Reform of the Puerto Rico Police Bureau, hereinafter “the Agreement,” the Technical Compliance Advisor hereby submits the Seventh Six Month Report to the Honorable Court as an attachment to this motion along with the required compliance tables in a separate attachment.
2. In compliance with Paragraph 252 of the Agreement, the TCA submitted to the parties a copy of the current report and attachment, in draft form on April 2, 2018. The Agreement provides that the parties shall have fifteen calendar days upon receipt of the draft report to allow the parties to informally submit their comments to said report
3. On April 18, 2018, the TCA received comments from the parties which were afforded due consideration to complement the Seventh Six Month Report.

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

5. That prior to the filing of this motion, pursuant to the Order of this Court of July 21, 2017, Docket No. 517, a motion to restrict the contents of this motion has been filed.

Wherefore, in view of the above, it is respectfully requested from the Honorable Court that the filing of the Seventh Six Month Report and its attachment be allowed and this motion be granted as requested.

Certificate of Service: I hereby certify that copy of the foregoing motion and the Six Month Report with its corresponding tables attached in *pdf* form have been electronically notified to the parties through the Court's system.

San Juan, Puerto Rico, this 6th. day of June, 2018.

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SEVENTH SIX-MONTH REPORT OF THE TECHNICAL COMPLIANCE ADVISOR JUNE 10, 2017 – MARCH 31, 2018

***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

This is the Seventh Report (“Report”) of the Technical Compliance Advisor (“TCA”) in the Agreement for the Sustainable Reform of the Puerto Rico Police Bureau (“Agreement”).¹ It builds upon the Interim Seventh Six-Month Report (“Interim Report”) transmitted to the Parties on December 26, 2017 and submitted to the Court on January 26, 2018.² As required under the Agreement, this Report assesses whether the timeframes set forth by the Agreement and the Action Plans have been met, and whether the Commonwealth of Puerto Rico is making satisfactory progress toward implementation of the Agreement.³

In the June 10, 2017 through March 31, 2018 reporting period addressed here, the PRPB has continued to reach specific milestones in compliance with steps in the Action Plans under the steadfast guidance and leadership of the Reform Unit Director Colonel Clementina Vega, the Deputy Director Lieutenant Colonel Alba Diaz, and the newly incorporated Lieutenant Colonel Jazmin Perez Mauraz.⁴ Annual revisions of policies created or revised pursuant to the Agreement have provided pertinent updates based on the feedback received during their implementation.⁵ In-depth, scenario-based training for all relevant PRPB officers on selected use of force, search and seizure, equal protection, and ethics policies is well underway and in partial compliance with Paragraph 237.⁶ Crisis intervention training is scheduled to start this April after months of delays and domestic violence training has already begun. The significant collaboration between the Reform Unit and the Police Academy staff (which was

¹ Case 3-12-cv-02039-GAG. Docket No. 57 (Filed 07/07/2013)

² See: Docket No. 723. The Seventh Interim Six-Month Report assessed the progress made by the PRPB in the implementation of the Agreement from June 10, 2017 through December 9, 2017. The message from the TCA in the Interim Report is now Appendix 1 of this Report.

³ See Paragraph 250 for reports the TCA must file, their content and format, during the first four years from the Appointment Date [June 6, 2014].

⁴ The role of the Reform Unit is defined in Paragraphs 60, 215, 231, 232, 233, 234, and 253.

⁵ Paragraph 113. “PRPB shall review each policy or procedure created or revised pursuant to this Agreement on an annual basis for the first three years from the Appointment Date or upon notice of a policy deficiency, and biannually thereafter.

⁶ See Paragraph 237 for interim milestones during the first three years of the Agreement. This overall finding of partial compliance should not mask deficiencies and more nuanced findings regarding the status of trainings that the TCA has identified in the body of this Report.

established in the days that Colonel Michelle Fraley led the Police Academy and has continued under the supervision of Lieutenant Colonel Orlando Rivera) have resulted in dynamic, high-quality training in key compliance areas. At the same time, valuable outreach work (although not sufficient on their own account) has been conducted by the Reform Unit across Puerto Rico's communities on the first phase of constructing a new community and problem-oriented policing plan for Puerto Rico.⁷ In all these areas, the PRPB must be commended for their commitment to adopting new approaches consistent with the Agreement and best practices.

Once again, I want to commend the outstanding work of the women and men of the PRPB who provide safety and public order for all communities of Puerto Rico, particularly during the aftermath of hurricanes Irma and Maria. My team and I also want to take this opportunity to give our deepest condolences for those officers who lost their lives during the execution of their duties while trying to safeguard life and property. To them, their families, and friends our utmost respect for their sacrifices.

I strongly believe that the progress made in the last forty-six (46) months in terms of training and policy implementation has only been possible because of the dedication of PRPB officers and employees and their outstanding work under very difficult and extraordinary work conditions. For that reason, I see with great unease the gradual but relentless loss of officers leaving the PRPB each month for other positions in law enforcement, resigning, or opting for retirement; therefore, as I stated time and time again in all my previous public reports, investments in the PRPB's human capital should be the Commonwealth's top public safety priority under the guidance provided by the Agreement.⁸ I am particularly concerned about the fate of the 310 officers who graduated from the Police Academy in March 2015, class 223, the first and only PRPB class to graduate under the Agreement.

As in past reports and consistent with Paragraph 250(d), this Report also details ongoing, persistent challenges and recommendations regarding necessary steps to achieve compliance.⁹

⁷ See Paragraphs 215 and 231 for the role of the Reform Unit in community outreach and public information.

⁸ For the previous TCA six-month reports, see docket numbers 203, 245, 306, 382, 464, 609, and 723. Also, please visit the website (<https://www.policia.pr.gov/documentos-de-reforma-en-linea/>) of the PRPB for Police Reform and its documents ("Reforma Policiaca").

⁹ See Paragraph 250 (d): "[f]or 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."

As the Agreement is now headed towards its fifth year of existence and its fourth official year of capacity building, this Report is to assess whether the timeframes set forth by the Agreement and the Action Plans have been met.¹⁰ **To date, my assessment is that the PRPB will not meet the original four-year capacity-building timeframe (including the TCA-granted four-month extension) set forth in the Agreement and the Action Plans.**

To make this determination, I have reviewed and have assessed whether the PRPB has met the timeline for each detailed step specified in the Agreement and the Action Plans. Although the timeline has been met in certain detailed steps, particularly steps concerning the production of policies and training materials, there are important detailed steps - including policy drafting and training steps - for which the Commonwealth has requested additional time extensions because it has not been or will not be able to meet the agreed upon milestones. In reviewing the reasons for these delays, my assessment shows that Hurricanes Irma and Maria are neither the sole nor the main explanation for the Commonwealth not meeting the agreed upon timeframes. Other reasons account for these delays.

Consequently, let me put these failures to meet the agreed upon deadlines set forth by the Agreement and the Action Plans in its proper context. In September of 2011, under the tenure of Police Superintendent, Major General (ret) Emilio Diaz Colon, the United States Department of Justice ("USDOJ") found a pattern or practice of misconduct by the PRPB. On December 21, 2012, a year later, under the tenure of then-Police Superintendent and now current Secretary of the Department of Public Safety ("DPS") Mr. Hector Pesquera, the USDOJ filed a civil action under *the Violent Crime Control and Law Enforcement Act of 1994*.¹¹ That same day, the United States entered into a sweeping agreement with the Commonwealth of Puerto Rico and Governor Luis Fortuño to resolve its civil investigation of the PRPB.¹² The complaint and the Agreement were filed along with a joint motion requesting a temporary stay of the proceedings until April 15, 2013 to provide the incoming administration of Governor-elect Alejandro García Padilla sufficient time to review the Agreement. In July 2013, after additional negotiations among the Commonwealth and the United States, U.S.

¹⁰ Paragraph 240 requires that, for the first four years from the appointment date [June 6, 2014] of the TCA, the TCA evaluates "PRPB's compliance with this Agreement by assessing PRPB's progress against its Action Plans."

¹¹ Docket No. 1 (Filed 12/21/2012). <https://www.justice.gov/iso/opa/resources/647201212211524505748.pdf>.

¹² Docket No. 2.1 (Filed 12/21/2012).

District Court Judge Gelpí entered the final Agreement among the Parties as an order to remedy the USDOJ identified violations.¹³

On October 31, 2013, Superintendent Pesquera submitted his resignation a day after federal and local officials announced the designation of U.S. Marshal Juan Mattos as Technical Compliance Advisor (TCA) and the clock started counting on the PRPB's obligation to submit the first Action Plans for the first four years of the Agreement.¹⁴ In February 2014, TCA Mattos resigned and, two months later, Police Superintendent Tuller also resigned. On June 6, 2014, when Jose Caldero was the new Police Superintendent, the Parties recommended (and the Court approved) my appointment to serve as TCA, overseeing the implementation of sweeping organizational and civil rights reforms under the Agreement.¹⁵ With my appointment, the clock on the four-year capacity building started to run again. Although the Commonwealth had at least one year prior to my appointment to start meeting targets and make progress in the drafting of the Action Plans and implement meaningful reforms consistent with Paragraph 235, that competitive advantage quickly faded away mainly due to the profound disruptions and instability affecting the PRPB's top leadership detailed above.¹⁶ It was an erratic time for the PRPB that closely resembles today's upheaval within the Bureau.

For three years, from June 2014 through May 2017, the PRPB worked closely with my team of subject-matter experts and the USDOJ team drafted eleven (11) achievable and

¹³ On December 21, 2012, the agreement was announced, to settle this federal civil rights lawsuit. Its implementation was delayed giving the then-new governor, Alejandro García Padilla, time to review it. See original announcement: <https://www.justice.gov/opa/pr/justice-department-enters-agreement-reform-puerto-rico-police-department>

¹⁴ Docket No. 86. Paragraph 237 mandates that the "PRPD shall submit its Action Plans to the TCA and DOJ for review and approval on a rolling basis and shall cover, at a minimum, the four years of the Agreement from the Appointment Date [Appointment of the TCA]. PRPD shall submit the first set of Action Plans no later than 90 days from the Appointment Date or 60 days after the Commonwealth's FY2013-14 budget is enacted, whichever occurs later."

¹⁵ Under Paragraph 224, "[T]he Parties shall select a Technical Compliance Advisor ("TCA") to assess and report whether the provisions of this Agreement have been implemented, and whether this implementation is resulting in constitutional and effective policing, professional treatment of individuals, and increased community trust of PRPB." Under the Agreement, Paragraph 11, the "TCA" means "Technical Compliance Advisor," a person or team of people, including any employee, agent, or independent contractor of the TCA, who shall be selected to review, assess, and report on the Commonwealth of Puerto Rico's implementation of this Agreement."

¹⁶ This is the timeline for changes in PRPB leadership: Police Superintendent Hector Pesquera served from April 2012 to November 2013; Police Superintendent James Tuller served from December 2013 to April 2014; and, Police Superintendent Jose Caldero began to served April 2014 to December 2016. TCA Mattos served from October 2013 to February 2014.

strategic Action Plans for each of the eleven (11) compliance areas of the Agreement. As reported in prior six-month reports, there was overall notable progress in meeting the agreed upon timeframes. The PRPB drafted more than a hundred policies and developed a similar number of training materials. Alongside these achievements, the Action Plans were completed by May 2017 and submitted to the Court for approval in June 2017. However, in May 2017, coinciding with the implementation of Act 20-2017, the PRPB started to give signs of having hit a wall and submitted a request for an extension of four months to the capacity building period.

In June 2017, I granted the requested four-month extension based on the TCA's authority under Paragraph 239.¹⁷ After carefully reviewing the PRPB proposal, I agreed that the request was in good cause. However, I cautioned the Commonwealth that the implementation of Act 20-2017 was likely to create unintended disruption and additional delays which should be quickly identified to prevent further delays. I never received confirmation that the PRPB adopted my recommendation and that potential obstacles for compliance related to the implementation of Act 20-2017 were promptly acknowledged. If the Reform lost a year between July 2013 and June 2014, it is my assessment that the Reform has again lost very valuable time with the chaotic implementation of Act 20 from May 2017 to March 2018.

In the Interim Report of January 2018, I identified the most significant current PRPB failures in meeting the timelines set forth in the Information Systems and Technology, Supervision and Management, Community Engagement and Public Information, and the Professionalization Action Plans. With regards to the interruptions in the implementation of the Professionalization Action Plan, I emphasized delays affecting Paragraph 13 (the Staffing Allocation and Resource Study ["The Staffing Study"]). I also identified how the leadership crisis caused by the implementation of Act 20-2017 and leading to the January 2018 separation of Police Commissioner Dr. Michelle Fraley (the

¹⁷ Under Paragraph 239, "[S]hould PRPB need to modify any of the timeframes set forth in the Action Plans, PRPB shall explain to the TCA, in writing, why such modification is necessary. For good cause, which may include budgetary or funding limitations, the TCA may extend any timeframe by up to four months. However, the TCA shall not extend the initial timeframe by more than four months without the approval of DOJ. DOJ shall not unreasonably withhold approval. Any modification to an Action Plan, including extensions approved by the TCA and DOJ, shall be filed with the Court for approval. Extensions submitted to the court shall be effective, absent further action from the Court, 30 days after submission to the court. Disputes on approval for extensions may be submitted to the Court for resolution. The Parties agree that should PRPB need to extend the time for completing an Action Plan beyond the time frame originally contemplated in the approved Action Plan for operational or budgetary reasons, such an extension shall be permitted upon agreement of the Parties and the TCA or upon leave of Court."

first female Police Superintendent and a person completely committed to the Reform of the PRPB) along with the subsequent re-organization of the PRPB's top leadership, resulted in additional delays. The Interim Report also highlighted how the power struggle within the PRPB reached and impacted the Reform Unit with the subsequent impact on the timely implementation of the Agreement and the Action Plans.

It is my assessment that, except for the steps identified in the second paragraph of this message, there has been very limited progress in meeting required deadlines from the submission of the Interim Report (December 2017) to the end of this reporting period (March 2018). In March, the Court noted for the record the extension of the timeframe for twenty-five (25) detailed steps in the Action Plans agreed by the Parties and approved by the Court.¹⁸ On or before April 6, 2018, the Commonwealth is to submit additional requests for extension in the timeframes for a yet to be defined number of steps in the Action Plans. The Parties will have to negotiate this extra time as these additional time extensions "will be permitted upon agreement of the Parties and the TCA or upon leave of Court."¹⁹

Beyond meeting deadlines, the Report is to assess from a substantive point of view whether the Commonwealth of Puerto Rico is making satisfactory progress towards the implementation of the Agreement. **My overall assessment is one of partial compliance with unsatisfactory progress made in key compliance areas.** The PRPB is for the most part in full or partial compliance in meeting policy and procedure development as well training development steps in the Action Plans. However, it is in non-compliance in key data collecting and reporting objectives as well as implementation objectives defined in the Action Plans. Furthermore, there are areas such as Professionalization, Supervision and Management, Administrative Complaints, and Information Systems and Technology where the PRPB is non-compliant in key steps and is far from making satisfactory progress towards the implementation of the Agreement.

To make this determination, I have assessed whether the PRPB has made satisfactory progress in each detailed step specified in the Action Plans. While the PRPB has either fully complied or partly complied with many policy and training development steps that were crucial in the first three years of the Agreement, there are very important, significant detailed steps scheduled for the third and four years of the Agreement for

¹⁸ Docket No. 624.

¹⁹ Paragraph 239. Update: In May, the Parties agreed-upon new timelines.

which the Commonwealth has not made satisfactory progress and has been rated non-compliant.

Although a detailed analysis of each step is to be found on the body of the Report and the appendix with the specific tables, I would like to address in greater detail here my overall assessment of partial compliance with unsatisfactory progress made in certain key compliance areas. In the Interim Report, in response to an October court order, I identified specific areas where the PRPB's strategic and operational plans as drafted in the Action Plans needed to be seriously revamped because the PRPB was not making satisfactory progress in implementation and analytical reporting. This situation was less the result of the impact of Hurricanes Irene and Maria and more the effect of a spur-of-the-moment implementation of Act 20-2017 and other systemic deficiencies affecting PRPB's organizational performance.²⁰

In the Interim Report, I highlighted that the first challenge to the successful implementation of the Agreement was to undertake real, effective capacity-building in the compliance area of Information Systems and Technology and in the PRPB's analytical and reporting capacity. It is now quite apparent that the modest progress made in the last 46 months in terms of creating a reliable data gathering/reporting and IT infrastructure for the PRPB has affected the operational and tactical response of the PRPB to both the Hurricanes as well as the subsequent crime wave.

The second documented challenge was the modest progress in creating a robust and solid strategic staffing plan as required under Paragraph 13 of the Agreement.²¹ This is still the case today, even as there are solid signs of positive progress in the first three months of 2018 and evidence that the study will be completed in April 2018.²² During this reporting period from June 2017 through March 2018, as in the past, my assessment is that it is blatantly apparent that the lack of a consistent staffing approach for more than two years has continued to limit the PRPB operationally and

²⁰ See: Docket No. 624.

²¹ See Paragraph 13. "PRPB shall assess the appropriate number of sworn and civilian personnel to perform the different department functions necessary to fulfill its mission. To do so, PRPB 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."

²² The study was completed in April 2018. The findings of the study were presented before the Court during a public hearing scheduled for May 16, 2018.

strategically. These staffing limitations manifested fully in the rank-and-file frustration about overtime and other personnel issues contributing to the damaging police slowdown and/or absenteeism of December 2017 and January 2018. In addition, since my first six-month report, I warned the Parties and the Court that staffing matters not directly covered under the Agreement (e.g., compensation, overtime, increased sick leave, impermissible protest by officers) would ultimately end up impacting on the reform process if left unattended.²³

These days I have additional concerns about the implementation of Paragraph 13. Contrary to what it has been publicly reported, the Staffing Allocation and Resource Study is an agreed-upon requirement of the 2013 Agreement and the Professionalization Action Plan, not a recent request of the DPS or a particularly DPS administrator even if that administrator is the DPS Secretary.²⁴ The study is one of the key components of the Agreement and the public record is clear. First, the Request for Proposals (“RFP”) for the study was issued in October 2016 and the selection of a consulting firm was made in December 2016 with the approval of former Police Commissioner Fraley in January 2017 months before the appointment of Secretary Pesquera. Second, it is well documented that I have been publicly cautioning the Court and the Parties of the PRPB’s lack of compliance with this requirement since 2015 and my team and I have had a significant role in pushing the PRPB towards compliance with the three Paragraph 13 related steps outlined in the Action Plans since March 2016.²⁵

My main concern is that the study now appears to be an instrument to address an expedient public policy issue, not seen as one of the cornerstones of the Agreement and a sustainable reform agenda. In this sense, the current public statements of the DPS Secretary on the allocation staffing study seem to bring confusion to the path of the Commonwealth toward the implementation of Paragraph 13. First, it is important

²³ See: Docket No. 203. TCA, First Six-Month Report (June 6, 2014 – December 6, 2016. Submitted to the Court: February 9, 2015. Page 7).

²⁴ See: Miguel Rivera Puig, El Vocero, “En La Mira La Plantilla Policiaca.” Monday, March 26, 2018. pp. 1, 3-4. “Tras el marcado exodo de boricuas que decidieron probar fortuna en Estados Unidos, incluida una cantidad indeterminada de agentes, Pesquera encomendo un estudio para analizar si hay suficientes policias para velar por el bien public y espera tener el informe en sus manos en abril.”

²⁵ See Docket No. 306 (02/01/2016), Docket No. 382 (07/11/2016), and Docket No. 464 (01/13/2017). For instance, this is what the TCA wrote in his Fourth Report: “Paragraph 13 requires the PRPB to conduct a personnel-staffing study to assess human resource needs by the PRPB. This requirement is highlighted under the approved Action Plan on Professionalization. The set deadline is June 2016. However, the PRPB will not comply with this deadline. Upon the insistence of the TCA, the PRPB has assembled a working group to complete the staffing study. The PRPB has submitted an application for a federal grant to defray expenses.” (TCA, Fourth Six-Month Report: December 9, 2015 – June 9, 2016. Submitted to the Court: July 11, 2016. Pages 4-5)

not to confuse the staffing allocation study (Activity IV.1.2 of the Professionalization Plan, table 11) with the development of a community-oriented staffing plan (Activity IV.1.3 of the Plan, table 12). The plan is due in June 2018. The study is a tool, a means to an end; but, the ultimate goal is the development and implementation of a reliable community-oriented staffing plan. To be perfectly clear, there will be no compliance with the Agreement without a real staffing plan that is “consistent with community-oriented principles and supports the systematic use of partnerships and problem-solving techniques.”²⁶ Second, the Action Plan clearly outlines the responsibilities of the Police Commissioner and his/her working team (Activities IV.1.1 and IV 1.3) in developing the allocation study and staffing plan and of the Police Commissioner in making decisions on the basis of the Plan. However, the current public statements of the DPS Secretary appear to suggest that he is the one in charge, not the Commissioner, and these statements demand further clarification on issues of decision making as well as of command and control.²⁷

The Interim Report also identified that a third challenge towards making satisfactory progress at this stage of the capacity building period was the lack of a well-thought out Continuity of Operations (“COOP) and Recovery and Resilience plans. These two components must be key elements of the PRB’s capacity building strategy moving forward. I recommended to the Parties that they should add these items to the Action Plans and the Agreement when discussing extensions or modifications to the Agreement and the Plans.

There were also other challenges and recommendations, such as the need to reinvigorate community outreach or the demands for an immediate strengthening of civil

²⁶ The TCA must review, assess, and report on compliance with Paragraphs of the Agreement and the steps in the Action Plans. This is also the case for Paragraph 13 where the actions of the Commonwealth are subject to the compliance assessment and rating of the TCA. Consequently, for both the staffing study and the staffing plan, the TCA must determine whether the timeframe has been met and whether the Commonwealth of Puerto Rico has made satisfactory progress toward implementation of the Agreement by rating the study and the plan as being in full compliance, partial compliance, or non-compliance with the terms of the Agreement and the Action Plans. Furthermore, for any activities and detailed steps (study and/or plan) that were reviewed and found not to have been fully implemented in practice, the TCA must issue recommendations regarding necessary steps to achieve compliance. See also Paragraph 137.

²⁷ Puerto Rico Police Bureau’s Action Plans. “1.3. El Superintendente tomará decisiones sobre la reasignación de recursos humanos, apertura de nuevas convocatorias a ascensos y/o reclutamiento de personal que sea consistente con los Principios de Policía Comunitaria de equidad, anti-discrimen y conforme a las prácticas policíacas generalmente aceptadas según las necesidades del servicio para que la PPR pueda cumplir con su misión. Este Plan tendrá como base la evaluación realizada. (Tabla 12)” (page 21). <https://www.policia.pr.gov/planes-de-accion/>

rights and civil liberties protections when conducting police operations, that I also identified as areas for urgent action.

Since the Interim Report, my team and I have continued to conduct comprehensive, extensive field visits and assessments. I have identified other challenges that are limiting compliance with the Agreement and the terms set forth in the Actions Plans.

First, in the first three months of 2018, my team has evaluated compliance with both the equal protection Action Plan and the internal disciplinary process. The main finding is that a system for investigating and addressing administrative complaints, in particular complaints of equal protection and non-discrimination, continues to lag far behind where it must be. The PRPB's capture and use of officer performance data in order to build an effective Early Intervention System ("EIS") to guide it in the delivery of services, supervision and professional development of officers, and risk management also requires significant attention from the top leadership over the coming months. This involves compliance with Paragraphs 147 through 153 which are an essential part of the Supervision and Management Action Plan. Similarly, even as the PRPB made limited strides in implementing necessary technological platforms, the Agreement-required Information Technology and Systems Action Plan demands that the PRPB puts in place promptly systems and processes that ensure that the PRPB does not fall behind again in the future as it did during the Hurricanes. Similarly, much work remains on bringing about significant operational and technological changes to the performance evaluation systems as well as the investigative and disciplinary processes affecting the PRPB personnel. The PRPB must improve immediately their processes for investigating and reviewing use of force, investigating officer misconduct, supervising problem-prone officers, managing personnel resources, and imposing discipline if they want to have credibility both before the public and their employees. Finally, there is an increasing backlog of cases that raises concerns about the expediency of the progress made in past years.

In this area, there is a matter that is of great concern to the implementation and sustainability of the Reform. During this reporting period, the PRPB removed Colonel Clementina Vega of her role as head of the Reform Unit as she was the subject of an internal misconduct complaint. The matter was referred to the Bureau of Special Investigations (known as NIE) rather than being investigated by the PRPB's Superintendency of Professional Responsibility (known as SARP). This was important because NIE investigates criminal conduct and SARP investigates administrative complaints. This was not just a matter of the type of complaint and the nature of the

referral, but also an issue of jurisdiction and of who has the authority to adjudicate this matter. NIE was part of the Department of Public Safety and reported to Secretary Hector Pesquera while SARP was part of the PRPB and reported to the then-Police Commissioner Michelle Fraley.

Neither was I officially notified of this change in the leadership of the Reform Unit when it first occurred nor the original monthly reports that the PRPB submitted to the TCA on personnel transfers notified my office of the PRPB's action. Under Paragraph 233 of the Agreement, the obligations of the PRPB are crystal-clear: "PRPB shall inform the TCA and USDOJ of any changes to Reform Unit staff, including suspensions, reassignments, and dismissals of personnel."²⁸ This requirement is even more obvious when talking about the removal of the "one supervisor who reports directly" to the Police Commissioner (Paragraph 233). Furthermore, this notification is crucial because Paragraph 253 requires that the "TCA shall maintain regular contact with the Parties" and "shall conduct a monthly conference" with the Reform Unit and USDOJ and the lack of notification created considerable disruptions.

From the point of view of substance, this matter is also important in connection with the TCA's assessment of the complaint system, subsection XI of the Agreement ("Civilian Complaints, Internal Investigations, and Discipline."). Paragraph 173 states that, "[W]ithin five business days of the receipt of a misconduct complaint, SPR will determine whether the complaint will be assigned to a supervisor for a Supervisory Investigation, retained by SPR for investigation, or whether it will be investigated criminally by PRPB, PRDOJ, or both." Under my authority to review, assess and report on compliance with the Agreement and the Action Plans, I have an obligation to assess whether the PRPB was acting in compliance with Paragraph 173 and the simple fact was that the handling of a misconduct complaint as if it were a criminal complaint made the PRPB's compliance with the Agreement dubious.

Without entering to evaluate the merits of the complaint against and the removal of Colonel Vega, the TCA raised concerns to the Parties and the Court regarding the

²⁸ Paragraph 233. "The Reform Unit shall include at least one PRPB supervisor who reports directly to the Superintendent. PRPB shall inform the TCA and DOJ of any changes to Reform Unit staff, including suspensions, reassignments, and dismissals of personnel. The Superintendent may designate PRPB personnel, including members of the Reform Unit, and external resources, which are in his professional judgment critical to the successful implementation of this Agreement and the comprehensive reform of PRPB. The Commonwealth and PRPB shall make their best efforts to retain such personnel and resources to ensure continuity of effort and successful implementation." See also Docket No. 646.

apparent violation of the Agreement and the lack of transparency and information sharing stemming from the PRPB. After the Parties filed separate motions and the matter was addressed by the Court, I was informed that the Parties agreed that the misconduct complaint should be investigated by SARP. By mid-December, I was also informed that Colonel Vega was to be re-instated in her leadership role on December 22, 2017. However, upon her re-instatement, the PRPB took additional actions against Colonel Vega, including the physical transfer of Colonel Vega to the Police Academy and away from the Reform Unit, the disarming of Colonel Vega, and the assignment of guards monitoring her whereabouts within the PRPB. These actions added additional confusion to the PRPB handling of the complaint.

More recently, in the course of a routinely scheduled evaluation of equal protection and non-discrimination case files investigated by SARP and the Legal Bureau, the Deputy TCA identified significant irregularities in the handling and processing of this misconduct complaint resulting in apparent inconsistencies with the application of Paragraph 176 and applicable policies.²⁹ These issues will be identified in a separate report once the TCA has an opportunity to review all relevant materials pertaining to this investigation. It should be noted that the TCA filed a motion with the Court based on the fact that once the PRPB was alerted to the findings of the Deputy TCA, the PRPB denied him access to the case file in apparent violation of Paragraphs 262, 264, and 268 pertaining access to documents and data.³⁰ After the Court granted access to the United States and three court-appointed members of the TCA team, the United States and this appointed group had the opportunity to review the file in camera. The review of this file is still ongoing.

There is a second issue that has emerged in my assessment of the PRPB activities from December 2017 through March 2018. In recent months, I have conducted a thorough assessment of the infrastructure and budgetary needs required “to place the

²⁹ Paragraph 176: “PRPB’s centralized numbering and tracking system shall maintain accurate and reliable data regarding the number, nature, and status of all misconduct complaints, from initial intake to final disposition, including investigation timeliness and notification to the complainant of the interim status and final disposition of the investigation. This system shall be used for periodic assessment of compliance with PRPB policies and procedures and this Agreement.”

³⁰ Paragraph 264: “PRPB and UCCJ shall ensure that the TCA has full and direct access to all PRPB and UCCJ’s documents and data that the TCA reasonably deems necessary to carry out the duties assigned to the TCA by this Agreement, except any documents or data protected by the attorney-client privilege.”

Paragraph 262: “To facilitate its work, the TCA may conduct on-site visits and assessments without prior notice to PRPB and UCCJ. The TCA shall have access to all necessary individuals, facilities, and documents, which shall include access to Agreement-related meetings and reviews such as critical incident reviews, use of force review board meetings, and disciplinary hearings.”

PRPB in a position to implement” each of the Agreement’s provisions within four years from my appointment date and in accordance with the implementation schedules set forth in the Action Plans.³¹ These monthly evaluations have been shared with the Parties. The message of these reports is clear: after 46 months of capacity-building, there is much more that is needed from the PRPB to achieve real, effective capacity in terms of operational capacity, infrastructure, and budget.

Based on the information available, the PRPB has only used \$8 million of the \$20 million assigned to the Reform in this Fiscal Year. Taking into consideration that \$1.5 million is assigned to the Office of the TCA, the simple fact remains that the PRPB has only used \$6.5 million to advance the Agreement and the Action Plans. Furthermore, in February 2018, the USDOJ and the TCA were alerted that the PRPB had not used any of the approximate \$2.8 million available in federal asset forfeiture funds that were assigned for police reform purposes for fiscal year 2018.³² The situation was so dire that the federal administrators threatened to take these forfeiture funds away. After several meetings with the federal authorities administering the equitable sharing program, the Commonwealth seemed to have resolved some of the access problems but issues about the use of these funds and their prioritization persist. My assessment is straightforward on this issue: the administrative hurdles created by the implementation of Act 20-2017 have just accentuated structural deficiencies identified in the past regarding the budgetary autonomy of the PRPB. In my assessment, these budgetary obstacles are preventing the PRPB from making satisfactory progress toward implementation of the Agreement and the Action Plans.

Thirdly, I must unfortunately return to one of the themes that I have most persistently identified in my last two reports. The most importunate challenge to the Reform and the implementation of the Agreement and the Action Plans continues to be the crisis of leadership and management affecting the PRPB and the lack of direction in the implementation of Act 20 of 2017. This crisis has created tremendous uncertainty in all ranks of the PRPB and this lack of confidence has persisted in the aftermath of Irma and Maria. The problems associated with promotions, unexplained personnel transfers,

³¹ See Paragraph 237.

³² In December 2013, the United States Department of Justice reinstated the PRPB into the Equitable Sharing Program. The reinstatement was conditioned upon PRPB’s use of equitable sharing funds to implement and fulfill the Agreement. Since December 2013, the Commonwealth received \$16.7 million in equitable sharing funds. PRPB used most of these funds from FY 2014 to FY 2017. The United States made equitable sharing payments of cash and sale proceeds to the PRPB for an amount of \$5,496,710 in FY 2014, \$5,969,617 in FY 2015, \$1,206,941 in FY 2016, and \$987,032 in FY 2017. (see: <https://www.justice.gov/afp/reports-0>). In February 2018, there was a carry over of \$2.2 million plus \$652,092 at hand.

questionable overtime practices, and failure to take actions against officers with dubious disciplinary records have fueled the sense of crisis. That the current management structure is not working well has been clearly established during this reporting period when the progress made toward the implementation of the Action Plans came close to a standstill. The solution is for the Commonwealth to comply with an Agreement that clearly outlines the lines of leadership, management, and responsibility within the PRPB. If this cannot happen under the current circumstances, I will not hesitate to recommend to the Court actions that restore satisfactory progress toward implementation.

A good example of the current dysfunctionality is the very limited communication and information sharing that takes place between the Commonwealth and the TCA on the works of the Act 20 Implementation Task Force. At present, when the information is public, such as possible changes to the Police Academy, the follow up is non-existent. It is for that reason that I must address on the record issues such as the future of the Police Academy. If the Commonwealth's position is that the financial commitment to maintain the Academy open is not available at present, then the Commonwealth should develop a plan to ensure that the PRPB staff is effectively trained and the investments and gains made in past years are not lost. Similarly, in discussing ideas about the privatization of police training, the Commonwealth must bear in mind the requirements set forth in Paragraph 117 regarding "effective and comprehensive training" and the demands of other paragraphs of the Training subsection of the Agreement and the Training Action Plans.

Another example of the current confusion is that, almost a year after its creation, the DSP has failed to produce a manual providing uniformity to the operational structure of the PRPB and streamlining its administration and the use of their resources. In the past, Act No. 53 of June 10, 1996 (Law of the Puerto Rico Police of 1996) provided such guidance. This situation has created a vacuum of authority when it comes to transfers, police review, and other administration core structure and command and control. I am fully aware of the importance of Article 9.04 of Act 20-2017; however, when regulations adopted under previous laws are used for the daily administration of the PRPB, they create confusion. For example, I have received misinformation from PRPB officials when dealing with policies, transfers, or conducting investigations. As of today, investigations announced by the Commonwealth and led by the DSP regarding overpayment of police escorts, transfers, police absenteeism, or payments of accrued overtime have not yet been completed and when I ask for an update or status report nobody seems to have an adequate response. In each instance, I have provided independent studies to help the PRPB in its decision making and policy changes

(transfers, promotions, polygraphs, Traffic Bureau, absenteeism, and payment of overtime). All of studies have resulted in changes in policy; however, the implementation of real changes in each of these areas have been modest at best.

Finally, this Report returns to the tabular format when measuring compliance with the Agreement and Action Plans. The Report consists of tables that describe what the PRPB said they would accomplish and the TCA's reviews and observations assessing whether the PRPB achieved or failed to achieve what they claimed in the Action Plans. We have also introduced a short methodological note to define with precision findings, assessment, and ratings. After more than four and half years since the signing of the Agreement, it is certainly useful to present a paragraph-by-paragraph accounting of the general state of the PRPB's compliance with the specific requirements of the Agreement. Although this approach runs the risk of being an over-simplification, there is a solid qualitative assessment regarding compliance in the body of the Report.

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

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 PRPB 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 PRPB may file responses to the TCA’s final report within 30 days.”

Introduction

This is the Seventh Semi-Annual Report (“Report”) of the Technical Compliance Advisor (“TCA”) in the Agreement for the Sustainable Reform of the Puerto Rico Police Bureau (“Agreement”).³³ It builds upon the Interim Seventh Six-Month Report (“Interim Report”) transmitted to the Parties on December 26, 2017 and submitted to the Court on January 26, 2018.³⁴ This Report is issued during a period of national crisis stemming from the massive loss of life and destruction caused by Hurricanes Irma and Maria. The Report assesses the progress made toward implementing the Agreement by the Puerto Rico Police Bureau (“PRPB”) before these two storms devastated Puerto Rico. It also reports on the current challenges to the sustainability of the Reform, and summarizes the work conducted by the TCA for the nine-month period ending on March 31, 2018.³⁵

As Paragraph 226 sets forth, the TCA has the duties, responsibilities, and authority conferred by the Agreement under the supervision and order of the Court without replacing or assuming the role and duties of the PRPB and its leadership.³⁶ Pursuant to the terms of the Agreement, it is the responsibility of the TCA to provide technical assistance during the capacity building period.³⁷ The TCA also systematically reviews and approves Action Plans, policies, procedures, programs, protocols, training, and systems of the PRPB.³⁸ Furthermore, the TCA reports on PRPB’s implementation of this Agreement, their Action Plans, and their intended impact.³⁹

³³ Prior to the implementation of Act 20 of 2017 creating the umbrella agency known as the Department of Public Safety (“DPS”), the Puerto Rico Police Bureau (“PRPB”) was a separate government agency known as the Police Department of Puerto Rico (“PRPB”). The Agreement uses the term PRPB.

³⁴ See: Docket No. 723. The Seventh Interim Six-Month Report assessed the progress made by the PRPB in the implementation of the Agreement from June 10, 2017 through December 9, 2017. The message from the TCA in the Interim Report is now Appendix 1 of this Report.

³⁵ The Agreement refers to six-month reports. However, in the aftermath of Irma and Maria, the Parties and the TCA agreed to issue an interim six-month report and then a subsequent a ninth-month report. This Report covers the period from June 6, 2017 to March 31, 2018. The next report will be issued in October 2018 coinciding with the end of the four years since the appointment of the TCA plus the four-month extension granted by the TCA.

³⁶ See Paragraph 11, *jjj*: “TCA means ‘Technical Compliance Advisor,’ a person or team of people, including any employee, agent, or independent contractor of the TCA, who shall be selected to review, assess, and report on the Commonwealth of Puerto Rico’s implementation of this Agreement.” The TCA’s role and duties are defined in Paragraphs 15, 17, 60, 137, 220, 225-279, 288, 289, 293, 295, 296, 300.

³⁷ See Paragraphs 236, 255.

³⁸ See Paragraphs 229 (Review of Policies and Programs) and 235-240 (Development of Action Plans)

³⁹ See Paragraphs 250, 252

It is ultimately the task of the TCA to measure the nature and the extent of the PRPB's compliance with the terms set forth in the Agreement and the Action Plans (which were deemed incorporated into the Agreement upon submission to and approval by the Court). The findings and recommendations made on this Report are based on his authority to assess and report on the Agreement's implementation and whether this implementation is "resulting in constitutional and effective policing, professional treatment of individuals, and increased community trust of PRPB."⁴⁰

Prior to September 2017, the PRPB made satisfactory progress in building capacity, drafting and updating policies, conducting required trainings, and implementing the eleven Action Plans for the eleven compliance areas required by the Agreement. With diligence and hard work, the PRPB reached specific milestones in the areas of planning, policy making, training, and community engagement. In prior reports, we have enumerated the most significant achievements. In this matter, the PRPB and the TCA are in full agreement.⁴¹

During this reporting period, annual revisions of policies created or revised pursuant to the Agreement provided pertinent updates based on the feedback received during their implementation.⁴² In-depth, scenario-based training for all relevant PRPB officers on selected use of force, search and seizure, equal protection, and ethics policies were well underway and in partial compliance with Paragraph 237.⁴³ Crisis intervention training was scheduled to start this April after months of delay and domestic violence training had already begun. The significant collaboration between the Reform Unit and the Police Academy staff resulted in dynamic, high-quality training in key compliance areas. At the same time, valuable outreach work (although not sufficient on their own account) was conducted by the Reform Unit across Puerto Rico's communities on the first phase of constructing a new community and problem-oriented policing plan for

⁴⁰ Paragraph 225.

⁴¹ In discussing the request for extension of the capacity building period in its Seventh Status Report, the PRPB states the following: "Although the TCA maintains that the PRPB has made steady progress in the implementation of its action plans during the capacity building period, and that progress has been observed mainly in the areas of policy development and training, this extension is necessary to be able to adjust the timelines in the action plans in response to the challenges presented." We agree that this characterization of the TCA assessment is accurate.

⁴² Paragraph 113. "PRPB shall review each policy or procedure created or revised pursuant to this Agreement on an annual basis for the first three years from the Appointment Date or upon notice of a policy deficiency, and biannually thereafter.

⁴³ See Paragraph 237 for interim milestones during the first three years of the Agreement. This overall finding of partial compliance should not mask deficiencies and more nuanced findings regarding the status of training that the TCA identifies in the body of this Report.

Puerto Rico.⁴⁴ In all these areas, the PRPB satisfactorily met the agreed-upon requirements of the Agreement.

With very few policies remaining on the schedule to be developed, the most important being the policy on Early Intervention Systems (“EIS”), the fact is that for the last 46 months the PRPB has put in place both comprehensive and coherent policies and training modules consistent with nationally accepted best standards of policing. From this limited understanding of capacity building (capacity building as policy development and training development), the distance traveled by the PRPB in issuing policies and conducting well-structured trainings for the entire workforce has for the most part satisfactorily met the demands of the Agreement.

During this reporting period, there were nonetheless specific steps where progress was limited, partial, or non-existent such as the implementation of Paragraph 13 (staffing study), the implementation of the EIS, or the timely upgrading of much required IT infrastructure. The PRPB is for the most part non-compliant with a broader definition of the idea of capacity building, implementation in practice. Besides policy and training, capacity building includes key data collecting and reporting objectives as well as implementation objectives defined in the Action Plans. There are areas such as Professionalization, Supervision and Management, Administrative Complaints, and Information Systems and Technology where the PRPB is non-compliant in key steps and is far from making satisfactory progress towards the implementation of the Agreement.

Furthermore, the new challenges on the ground in the aftermath of Maria have redefined the very idea of capacity building under the Agreement.⁴⁵ The new reality has

⁴⁴ See Paragraphs 215 and 231 for the role of the Reform Unit in community outreach and public information.

⁴⁵ The term “capacity building” is not defined in the Agreement. However, it is a crucial mechanism with the Agreement. “Capacity building” refers to both (a) a period of time (four years after the appointment of the TCA) and (b) the concrete steps and actions to be taken by the PRPB in terms of resources, funding, staffing, technology to build capacity. During this period, these actions and steps should place the PRPB in a position of implementing each of the Agreement’s provision.

There is a third element in the idea of “capacity building.” Capacity building also refers to the first four years from the Appointment Date [of the TCA] during which “the TCA shall evaluate PRPB’s compliance with this Agreement by assessing PRPB’s progress against its Action Plans.” (Paragraph 240; see also 242). To evaluate compliance, the TCA must determine that the Action Plans “address resources, funding, staffing, technology, capacity, and other infrastructure and budgetary needs to place PRPB in a position to implement each of the Agreement’s provisions in Sections III through XIII within four years from the Appointment Date and in accordance with the implementation schedules set forth in the Action Plans.” (Paragraph 237)

unfortunately brought to light some of the deficiencies and concerns that the TCA highlighted in past reports, such as the need to build a strong and robust information systems and technology infrastructure or the urgency of developing a solid and coherent staffing plan. In addition, there are new and significant on the ground challenges that the Parties must attend to and prioritize. In accordance with Paragraphs 250 (b) and 250 (d), these challenges and the TCA recommendations are discussed at length in Section III of this Report.

Following the structure set forth in Paragraph 250, this Report consists of four major sections (and four appendixes). In the first section, the Report briefly discusses the PRPB's Status Report. Initially, the PRPB requested an extension. The extension request was justified on the operational and administrative delays stemming from the impact of Irma and Maria. With the submission of a Status Report ending in February 28, 2018, there is now a reliable manner to document the PRPB's self-reported accomplishments and progress made from May 2017 to February 2018.

Consistent with Paragraph 250(a), Section I also discusses the main highlights of the work conducted by the TCA in the last six months, from June 10, 2017 through March 31, 2018. This Report distinguishes between two periods: the work prior to the destruction of Hurricanes Irma and Maria (from June through September) and in the aftermath of Irma and Maria (from October through March). This section focuses on the work of the TCA in providing assessment and technical assistance to the PRPB, including the work of reviewing policies and trainings as well as the assessment reports in the aftermath of Hurricane Maria. This section has two corresponding appendixes: meetings of the TCA with the PRPB, the community, and public officials (Appendix 2) and the review and approval of policies (Appendix 3).

In its second section, Section II, the Report focuses on the work of the PRPB in implementing Action Plans for the eleven (11) substantive areas of the Agreement and in complying with Paragraphs 234 through 238 of the Agreement from June through March. This part of the Report complies with Paragraphs 250(b) and 250(c). For this Report, tables detailing activities and steps taken by the PRPB in accordance with the submitted Action Plans along with ratings on the progress made towards implementation are included in Appendix 4.

In the third section, Section III, as required by Paragraph 250(d), the TCA continues to assess and make recommendations regarding necessary steps to achieve compliance

for any detailed activities or steps that were preliminary reviewed and found not to have been fully or partly implemented in practice. The purpose of this section is to identify issues that require further attention and/or may have a negative impact on the implementation of the Agreement. The list of topics is detailed in the table of contents.

The final section, Section IV, as required by Paragraph 250(e), includes a projection of the work to be completed during the upcoming reporting period. This section reflects the TCA's vision of intended reviews of the PRPB operations, including steps and activities taken towards building capacity. These plans highlight the areas of the Agreement that the TCA and/or the Court has identified as current top priorities.

The purpose of this Report is to describe the progress made by the PRPB in the first 46 months of the implementation of the Agreement. It seeks to assess and report where the PRPB is in the capacity building phase and, under the framework of the Agreement, how the PRPB is set to achieve effective compliance with the Action Plans and their implementation.⁴⁶ To assess effective compliance, the TCA shall assess and report whether the PRPB has, for each Agreement requirement: (a) incorporated the requirement into an implemented policy; (b) trained all relevant personnel in the requirement and policy; and (c) fully implemented in practice. Pursuant to the Agreement, the PRPB had four years to build capacity through the mechanisms, steps, and timelines set forth in the Action Plans. To these four years, one must add the four-month extension that the TCA granted in 2017 upon the PRPB request. With less than six months left in terms of capacity building, the TCA is cognizant that the Parties are likely to request additional time extension for selected steps in the Action Plan. In addition, as mandated by the Court, the Parties should work together in consultation with the TCA to develop a "new framework" for the Agreement and the Action Plans consistent with the magnitude of the national crisis in the aftermath of the massive storms that hit Puerto Rico.

⁴⁶ See Paragraph 242.

Section I

The PRPB Status Report

In November 2017, the PRPB asked for an extension to submit its Status Report on or before March 1, 2018. The extension was justified in terms of the disruption created by Hurricanes Irma and Maria. The goal of the requested extension was for the PRPB to comply with the terms and deadlines set forth in Paragraph 261.⁴⁷ Under the Agreement, the PRPB will submit to the TCA and to the United States Department of Justice (“USDOJ”) a 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 should have originally documented the overall progress made by the PRPB for the period covering May 26, 2017 through November 26, 2017.

On March 1, 2018, in compliance with the terms and deadlines set forth in Paragraph 261 and the agreement between the Parties and the TCA, the PRPB submitted its Seventh Status Report (“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 documented the overall progress made by the PRPB for the period covering May 25, 2017 through February 28, 2018. Paragraph 261 requires for the Commonwealth to “file with the Court sealed and unsealed versions of the Status Report, with a copy to the TCA and USDOJ, no later than 15 days before the end of the period under review.”

The Status Report generally identifies both areas of progress and persistent obstacles. This Status Report also discusses the impact of Hurricanes Irma and Maria. The purpose of this review by the TCA is not to generate a particularized rebuttal of the PRPB of the Status Report on a concrete or specific area of compliance. The goal is to raise questions or concerns about the PRPB self-assessment of the progress made towards implementation of the Plans and the Agreement where appropriate.

⁴⁷ 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 USDOJ, no later than 15 days before the end of the period under review.”

In pages 5 through 8, the Status Report documents the very important work the Reform Unit of the PRPB conducts in terms of self-assessment through monitoring field visits. The Status Report highlights some of the most significant findings made during the evaluation of certain Police Areas, such as the deficiencies in record keeping by local training academies, lack of random inspections of the police officers' service weapons, deficiencies in the use of forms (from use of force reports to condition of persons entered in holding cells, failures to perform tests on electronic control weapons, deficiencies in the evidence rooms, signal problems in CAD, deficiencies in criminal investigation files, lack of representation in Citizen Interaction Committees, and low training numbers for certain policies.

In this sense, the PRPB has adopted the recommendation of the TCA in prior reports that the PRPB uses the Status Report to identify what are the lessons learned from those self-assessment visits. The list is very important. In this Report, the TCA further recommends that these visits are used to document findings as well as remedies: which initiatives are working, which ones are not working, what obstacles have been encountered towards implementation, and what are the solutions and lessons learned from those visits.

The TCA continues to recommend that the Status Report details how these self-assessment visits are bringing about changes in the areas visited. Specifically, the TCA recommends a follow-up report to be filed for the identified areas.

In the Status Report, there is also an extensive analysis of the progress made by the Reform Unit and the Police Academy in the drafting of policies and training modules. The Status Report continues to document a fact that the TCA has noted in prior reports: the evident progress made by the PRPB, led by the Reform Unit, in producing very detailed Plans and policies in accordance with agreed upon timeframes. This is consistent with the TCA assessment that the PRPB has made progress in the implementation of its Action Plans during the capacity building period, and that progress has been observed mainly in the areas of policy development and training. There is little or no doubt that the Reform Unit has become the center of policy development for the PRPB based on the Directive OS 1-1-378 of November 2016. The implementation of this directive has been a success.

Notwithstanding these positive developments, the TCA has expressed serious concerns about the actual implementation in practice of these policies and trainings, and how

expeditious this implementation can be in the field. For example, just recently, in March 2018, the PRPB requested an extension for more than 50 steps in the Action Plans. This extension to the capacity building period will be used to develop additional policies and training manuals which are falling behind schedule or are impacted by the implementation of the new Department of Public Security (“DPS”). In this sense, measuring overall implementation of these policies and trainings is difficult when there are relevant delays in terms of the adoption of certain key policies and measuring effect is so hard without relevant quantitative data.

The Status Report fully addresses the request for an extension of four months of the capacity building period by the PRPB. The TCA agrees that this issue was important and deserved a detailed explanation. Paragraph 239 of the Agreement requires the PRPB to explain in writing to the TCA if there is a need to modify any of the timeframes set forth in the Plans submitted to the Court. Pursuant to Paragraph 239, the PRPB considered that there was good cause for a modification to the timeframes set forth in the Action Plans and submitted its request for timeframe extension. The TCA expects the PRPB to provide a similar detailed extension for any additional extension request.

The Status Report also provides a detailed account of what changes are expected in the way the PRPB polices mass demonstrations. This issue is discussed further in the subsection of this Report entitled Building Capacity in Civil Rights.

Regardless of the areas of progress reported above, the Status Report fails to document in greater detail the steps taken by the PRPB in addressing resources, funding, staffing, technology, capacity, and other infrastructure needs which are required to place the PRPB in a position to implement each of the provisions and detailed steps of the Action Plans during the last six months. This analysis is sparse. The TCA is particularly concerned about the fact that the word “budget” is absent from the Status Report when we have identified serious obstacles in this area since the implementation of Act 20 of 2017.

The Status Report continues to publish basic statistical information. However, it neglects to provide an explanation of how these numbers document the progress made, enhance PRPB’s capacity, and how they assist to measure meeting objectives and outcomes. For example, on page 12 of the Status Report, the statistics on the implementation of training in the Zones of Excellence highlight the high level of compliance in terms of training across the five areas, but it does not explain situations

where compliance is out of the ordinary. For example, the Status Report provides no explanation for the low training rate (29%) in Utuado for Pepper Spray or the modest rate for Search and Seizure training (50%) in Caguas Norte.

Similarly, the Status Report does not address the fact that the numbers reported regarding the use of force cases in 2017 appear to be drastically lower than the data reported in 2016 and 2015. Further, it raises concerns that in the Sixth Status Report there was a comparison between years to which the TCA brought attention, and this comparison is no longer included here. More importantly, there is no comprehensive analysis or assessment of the key findings stemming from these statistics if the data can be verified. The main finding is that, when compared to 2015, Level I, III and IV Use of Force is down by 50% and Level II is down by 75%. These numbers are so remarkable that they need a more detailed analysis.

The TCA continues to recommend that the PRPB improves the production and reporting of statistics in the Status Report. The statistics reported continue to lack context and purpose. The PRPB continues to report on troubling statistics without offering a methodological response, an analytical framework, or an internal audit. There is no clear indication of what exactly the PRPB seeks to achieve by presenting these statistics. The TCA once again recommends that the PRPB should devote more attention to this issue. Similarly, in the Status Report, there is no substantial reference to the standards, yardsticks, timelines, or targets that are required under the Agreement. Without providing an analysis and a proper explanation for these figures in the Status Report, their production and reporting is totally de-contextualized and almost meaningless.

In page 44, the table on administrative complaints received and investigated contains incomplete information. This table lacks context and analysis neglecting to discuss the issue of how many complaints are investigated within the timeliness set forth in the Agreement and the Plans. For example, the Status Report highlights that about 50% of the complaints filed in 2017 have been investigated, but there is no reporting on the findings for these complaints. Similarly, it is noted that there are 51 complaints pending investigation from prior years but there is no reference to the age of these cases. This is important because, as this Report highlights, the backlog for SARP has increased significantly.

Furthermore, in page 47, the tables evaluating the disposition of complaints in 2017 reveal interesting statistics that are not analyzed here. For example, 43% of complaints filed by the Office of Legal Affairs (OLA) are sustained versus 31% of those filed by the Superintendence in Professional Responsibility (SARP). Their exoneration rates are also vastly different. There is no explanation of the reasons behind these vast differences, and their relevance (if any). The TCA does not suggest that the rates should be identical; rather than the PRPB should explain the reasons behind such different rates.

Another topic that the Status Report fails to document adequately is the problematic issue of transfer and promotions. There is not a single reference to this matter in the section addressing the Plan for Professionalization except for references to policies enacted during this reporting period pertaining these issues.

Finally, we appreciate the work of the PRPB in addressing the concerns of the TCA in past reports. The TCA recommended in prior reports that the tables reporting on the number of cases of domestic violence needed to include complete information about the resolution of these cases. The TCA had previously recommended that the PRPB provide both, information about complaints as well as information about outcomes of domestic violence investigations and disciplinary action taken. The issue of domestic violence is no longer neglected in this Status Report. However, the statistics present a finding that should have been discussed at length. While 14% of domestic violence complaints in the general population result in convictions, no single officer (of the 99 that received complaints) was convicted. Furthermore, the arrest rate (63% vs 53%) and the rate at which charges are filed by a prosecutor (37% vs 24%) also show significant differences. The TCA will not speculate on the reasons for these differences, but the PRPB should do a better job of analyzing and explaining the differences.

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

Work Prior to Hurricanes Irma and Maria

During the first months of this reporting period, the TCA continued to provide technical assistance, conducted site visits and observations on the field, and reviewed a considerable number of policies and training documents drafted and implemented by the PRPB. Continuing with a practice agreed upon during the previous reporting period, the PRPB, the USDOJ, and the TCA continued to have monthly meetings to closely follow-up the development of policies and training materials.

The process of reviewing policies and training materials followed the schedule agreed by the Parties and set forth by the Plans drafted and submitted by the PRPB in compliance with Paragraphs 234 and 237 of the Agreement. To comply with the Action Plans, the PRPB was scheduled to draft a total of 99 policies. To date, more than 90 policies have been completed or are in progress, with less than five policies in development. In addition, there are 75 policies not included in the Court-submitted Action Plans which must be drafted for operational reasons, of which more than 30 have been drafted or are in the process of development.

From June through September 2017, the Parties and the TCA successfully reviewed and revisited over 60 General Orders, Special Orders, Administrative Orders, regulations, and complementary forms. The TCA also reviewed more than 40 training documents. During this period, the TCA also approved 38 policies (plus one policy in October). Appendix 1 has a list of all policies reviewed and/or approved.

From June through August, the TCA visited several PRPB command areas to review the nature and extent of use of force incidents as well as the reporting procedures. The TCA visited the Area Commands of Bayamón, San Juan, Mayagüez, Carolina, Fajardo and the Police Academy. The TCA determined that in most of these areas and precincts the PRPB was complying with recording requirements in accordance with the Agreement and training procedures. The purpose of the visits was to observe the implementation of training requirements, obtaining information reference to the Force Review Board ("FRB") for each area and Use of Force reports. The TCA met with the

Area Commanders and other supervisors to discuss the Implementation of the Agreement, the Action Plans. The goal was to obtain their insights with respect to the aforementioned and the impact on their daily duties. To measure compliance with the Training Action Plan, it was important to interview training coordinators. They assisted in verifying training records and certifications. Also, the TCA had the opportunity to discuss with the Coronels and commanders in charge of each area and their staff the implementation of the Action Plans. The TCA also attended Domestic Violence Training that was being taught in these areas.

For example, the TCA conducted a site visit of the Fajardo Area Command. The purpose of the visit was to review progress and compliance of the Area Command relating to the PRPB's Use of Force Action Plan. During the visit the TCA Core team had the opportunity to meet with the president of the FRB for the area.

The TCA found that all designated members of the Board have received training related to Use of Force including training on weapons utilized by PRPB officers. Minutes of all meeting are kept by the Board and are available for review. As per the PRPB policy, all FRBs are required have a legal advisor assigned to the Board (non-voting member) who receives the same training as Board members and is certified as a member. The legal advisor is to be available to the Board for meeting, if necessary, as well as for providing guidance on legal matters arising during evaluation of use of force incidents. However, the Fajardo's FRB currently does not have legal advisor as required by the policy. The Area Command of Carolina has made their legal advisor available to Fajardo when needed.

The TCA also found that neither the Board or the Area Command maintained a detailed database on the use of force incidents occurring in their geographical area of responsibility. However, some information such as number, level, and type of force used was available via the data base. It was established that there was computerized data base, but the database has limited information. The conclusion is that, with incomplete information, is difficult for the Board and Area Commanders to make specific decisions to address concrete problems. More detailed information is vital.

The president of the FRB reported that the problem of incomplete or incorrect reports arriving at the Board for evaluation continue to be problematic. He stated that most of the reports had to be returned to the precinct/district for incomplete information. In an effort to reduce the number of cases returned, the President of the Board met with

commanders of precincts/districts. As a result, the Board now has a protocol in place that after use of force incidents are evaluated the commander of the precinct/district where the incident took place receives written notification of the decision.

Similarly, in July 2017, the TCA Core Team conducted a follow-up site visit to the Utuado Area Command and the Utuado Police Precinct. This is a Zone of Excellence. The purpose for the visit was to review the progress and compliance of the Area Command relating to the Use of Force Action Plan. In addition, the TCA was looking for an update on the CAD Mobile Pilot Project that was in place since April 2017. The pilot project entailed Utuado Zone of Excellence officers to digitally prepare and submit Incident Reports (PPR-468) in the CAD System via vehicle and precinct computers.

The TCA met with representatives of the precinct to discuss, among other things, if the proposed CAD training that was to be provided to ZOE personnel by PRPB CAD mobile vendor "Intellution" had in fact been supplied. This training was essential for the precinct to commence the pilot project described above. The discussion revolved around how the vehicle's computerized terminal access to the upgraded CAD System known as CAD Mobile is progressing.

The Area Command staff, as well as the precinct representative, provided little in the way of information. It was their belief that the orientation had taken place, however, they could not confirm. The lieutenant of the precinct, who is second in command, reported that officers are in fact digitally preparing and submitting Incident Reports (PPR-468) via the vehicle computer terminals, but could not say when the pilot project began, or if it is still ongoing. The concern here is that, although CAD has been gradually implemented throughout the commands since August, the materials providing CAD training have not been completed. The training materials were going to be ready in August, but there were substantial delays in its implementation. As a result, CAD training has not taken place and it is questionable how functional CAD is on the field without this training.

It was initially reported, by the PRPB's IT Bureau in March 2017, that upon completion of this project the results would be analyzed and a determination as to whether the program can be expanded to the other Zones of Excellence would be made. In the event technical and/or issues were uncovered the pilot program could be extended. If the pilot program was successful, it was expected that August would be the target date to expand the program to the other Zones of Excellence. During this visit. it was

evident that no determination regarding the pilot project has been made. In addition to preparing the reports digitally, officers of Utuado precinct were continuing to prepare written reports, so it may be concluded that the expansion to other zones of excellence was not imminent.

During the visit, the TCA Core Team had the opportunity to meet with president of the Force Review Board, as well as the Area Training Coordinator by the Commander of the Utuado Area Command. The TCA found that all designated members of the Force Review Board have received training related to Use of Force, including training on weapons utilized by PRPB officers. Minutes of all meeting are kept by the Board and are available for review.

During the visit, the TCA found that president of the FRB had developed a comprehensive use of force database that provides a plethora of information on the use of force incidents occurring in their geographical area of responsibility. This information allowed the Area Commanders to identify potential problem officers and possible training deficiencies. The TCA recommended to the PRPB's IT Bureau that this database be adopted by the other twelve Area Commands and serve as the departments database pending the implementation of "Early Warning System".

From June through August, the TCA visited several PRPB command areas to review the nature and extent of search and seizure policies are implemented and reporting procedures are in place. The TCA determined that, in most of these precincts, the PRPB was complying with most reporting and record-keeping requirements in accordance with the Agreement and training procedures. This is not to suggest that all reporting and record-keeping requirements of the Agreement have been satisfied in all these precincts.

For example, in July, the TCA Core Team visited Quebradillas Zone of Excellence and other commands in San Juan and Carolina to inquire about issues addressed by the Search and Seizures Action Plan, and GO's 600-612 Search and Seizure, and 600-615, Arrests and Summons. In Quebradillas, the TCA CT met with the District Director and other supervisors. There were 42 members of the PRPB assigned to his district: 9 supervisors and 33 Agents.

During the visit to Quebradillas, The TCA reviewed several PPR-880 and PPR-468 (Incident/Booking Sheets) during visits to Quebradillas and Arecibo Drug Unit and found them to be properly completed and signed by supervisors. A PPR-47 Citation was inspected at the Arecibo Drug Unit and it was properly completed.

The TCA inspected about fourteen arrest and incident reports (PPR-468 and PPR-880) at both site visits for proper usage and completion. Forms indicate that Supervisors responded to the scene in every case there was an arrest. Forms PPR-468 and PPR-880 were reviewed and signed by supervisors.

In Quebradillas, the TCA noted that radio communications were not stored digitally as required by the Agreement and the Action Plans. The PRPB stated that they only record all radio communications in the following areas: San Juan, Carolina, Bayamon, and Caguas. The PRPB is expecting a grant from U.S. to buy and implement a system (P-25) that will record all communications Island-wide by the end of 2017. The present recording equipment has the capability to store recordings for up to 3 years, after that it overwrites, erasing the oldest data one month at a time. PRPB GO 400-402 mandates that the Communication Technician back up the recording to another storage because it requires that recordings be kept for five years. To date, the TCA is not aware of alternative plans made by the PRPB if they do not receive the grant. The TCA will provide an update in April.

The TCA asked these Unit Directors if they had enough Mobile radios for their personnel. Quebradillas reported they have only seven radios of which only five are working properly and two of those are assigned to motorcycle officers. That leaves only enough radios to be assigned to supervisors. Most times patrol officers do not carry mobile radios and must rely on their car radios to communicate. In the coming months and reports, the TCA will update the Court on the PRPB's radio stock inventory. The TCA will ask the PRPB to conduct an inventory of its radio stock and demonstrate the accuracy of that inventory. The TCA will also extend the sampling of the total radio stock and number available at other precincts.

The TCA also interviewed the Directors at San Juan and Carolina Command Centers and Radio Control. Both Directors stated they receive no formal training on how to use the equipment when assigned to their posts, nor do their officers assigned to dispatch and 911 Operations. Usually, they all receive a brief orientation on the equipment and must learn mostly on their own. When they receive new equipment or an update to software, the directors stated that they received limited instructions on its use. They both reported a shortage of personnel with access to the David Plus System (M/V

Registry), RCI (Firearms Registry), and, to some extent, NCIC access. This was a great concern to them.

Through these visits, the TCA regularly conducts its compliance reviews to assess the PRPB's compliance with each of the Agreement provisions in Sections III through XIII. In these reports, the TCA assesses whether PRPB has, for each Agreement requirement: (a) incorporated the requirement into an implemented policy at the command and precinct level; (b) trained all relevant personnel in a command and precinct in the requirement and policy; and (c) fully implemented these policies in practice. These compliance reviews are - consistent with Paragraph 242 - based on both quantitative elements as necessary for reliability and comprehensiveness.

Work in the Aftermath of Hurricanes Irma and Maria

Immediately after Hurricane Irma and subsequently after Hurricane Maria, the TCA conducted a preliminary assessment of the situation on the ground. The TCA visited police installations; communicated with Area Commanders, police officers, staff personnel; inspected equipment and infrastructure; and conducted operational and administrative assessments to fully understand the gravity of the situation. The TCA visited several municipalities, including Fajardo, Naguabo, Gurabo, Las Piedras, Juncos, Humacao, Caguas, Ceiba, San Lorenzo, Cidra, Yabucoa, North Caguas, and other areas to assess the conditions of their police stations. The USDOJ joined the TCA in several of these visits. These visits included an evaluation to PRPB's Information Technology infrastructure. The TCA also convened meetings with the Police Superintendent and the Director of the Reform Office to coordinate the continuity of the work in the Reform Office.

After the TCA provided the Court with a preliminary assessment, the Court "ordered the Parties, with the assistance of the TCA, and ultimate court approval, to adopt a new framework" for the Agreement best fitting the new reality on the ground. The Court issued the order on October 4, 2017.

In October and November, the TCA fully reinitiated site visits and fieldwork conducting extensive assessments and baseline analyses of the PRPB's capacity in the aftermath of the storms. These work products were shared with the Parties. In these reports, it is clear the message that after three and half years of capacity-building, there is much

more that is needed from the PRPB to achieve real, effective capacity. For example, as documented in the prior section, the tactical radio communications system is at best mediocre with many officers still without a hand-held radio which could easily lead to unsafe police practices. This item was presented to PRPB more than two years ago.

During the October visit to Puerto Rico, the TCA and his team met with former Police Commissioner Michelle Hernandez de Fraley. The purpose of the meeting was to discuss the devastation of the island of Puerto Rico by Hurricane Maria, as well as its impact on the Puerto Rico Police Bureau, specifically on the department's ability to provide police services to the public.

The Commissioner noted that many police facilities suffered considerable damages all throughout Puerto Rico. However, only one facility was destroyed completely: Caguas North. Personnel from Caguas North was relocated to the Area Command that had ample space to accommodate precinct personnel. Twenty-one (21) police vehicles were lost due to the hurricane. The Commissioner noted that PRPB officers were assigned around the clock to all shelters throughout the Island.

Most Area Commands throughout the Island were operating on generators; however, there was a severe shortage of generators. The Commissioner looked for donations from the mainland. She indicated that emergency response and disaster recovery teams were assisting the PRPB in identifying locations in need of generators. FEMA engineers visited Area Commands to determine the conditions of the PRPB's buildings.

Former Police Commissioner Fraley reported that departments firearms had been secured, with the exception of the firearm of an officer killed during the hurricane which had not been recovered.

After the storm, people detained by the police were transferred to commands with generator power. The vast majority of arrests were related to violations of curfew law. Arrestees in federal cases were transferred to the US mainland. The PRPB reported there were no issues with prisoners. Those in custody were moved to a secure area. Booking was also expedited so that when possible prisoners had minimum time in police custody.

Central Command was functional (24/7) and continued to provide complaint numbers, as well as use of force numbers for all incidents occurring on the island. The Commissioner was notified of all use of force incidents.

The Commissioner reported that department headquarters had full internet access and Bureau's applications were fully functional.

As required by the PRPB's policy, all commands (precincts/districts) throughout the PRPB continued to prepare use of force reports (PPR-854) for incidents involving force. Supervisors were investigating all use of force incidents. However, the Area Command Force Review Boards as well as the SARP's Force Review Board were suspended temporarily.

One hundred to one hundred-fifty officers were displaced department-wide by the hurricane (loss of homes and vehicles) and were given "Exceptional Circumstances" status and provided the opportunity to work in locations near their current residence for up to six months.

Due to the personnel losses relating to uniforms, officers have been permitted to substitute some clothing for parts of uniform; however, officers while on duty were to be recognizable by the public as PRPB officers.

Due to the needs of the public relating to police services the Commissioner extended to June of 2018 the time allotted for officers to use 2017 sick and vacation time. The Commissioner indicated that the PRPB was to receive more than \$3 million from FEMA. The Commissioner intended to utilize \$500,00 for overtime and the remainder for comp time. However, recently, she was advised she could not spend any of this money for overtime. This has caused morale issues within the PRPB and significant problems for Commissioner Fraley.

Police from across the United States, including Boston, New York and Houston, have been assisting PRPB officers to patrol the island. The arriving officers were paired with PRPB officers. In the event the officers were required to take police action, the PRPB officer would be the officer of record relating to any arrest situation.

During this time, the TCA visited several precincts and Area Commands. Thus, for example, during the November visit, the TCA Core Team conducted a site visit of the Fajardo Area Command. The purpose of the visit was to evaluate the impact of Hurricane Maria on the precincts and districts of the Fajardo Area Command. The Team first met with several supervisors and offices.

- PRPB personnel mentioned that during and after Hurricane Maria the PRPB had lost telephone, cell phone, internet, and radio communications.
- In October, The Fajardo Area Command used generator power. The Municipality of Fajardo provided a generator for the Command Center use.
- In November, power was restored for more than two weeks but there were three blackouts during this time.
- The Fajardo Area Command did not use the air conditioning when generator power was being used.
- Communications were poor when using phones including dropped phone calls.
- The main antenna was damaged during Hurricane Maria and had affected communications.
- When the power went out, the Area Command continued to enter data by hand. Cards were being written and filed in lieu of calls for service.
- When communications and technology were restored, information and complaint numbers were assigned from Central Command.
- The Fajardo Area Command distributed food and water to members of the community, which has improved relations between the community and the PRPB. Police and community relations appear to be at an all-time high.
- During this period, the Fajardo Area Command met with members of the community three times a day.
- There were numerous meetings between the Municipal Police and the PRPB.

- Members of the Fajardo Area Command indicated there was no contamination, destruction or loss of evidence, no loss of firearms and ammunition.
- Police officers told the TCA Core Team that the Area Command had received on-site assistance from police departments across the United States. These officers have been assigned to traffic posts that provides relief for the PRPB officers who have been working 12-hour shifts.
- Supervisors mentioned that after Hurricane Maria passed, Patrol could not resume its efforts because of downed electrical poles and trees that obstructed the streets.
- Supervisors told the TCA that 50 members of his staff were affected by the hurricane and were given time off to deal with their family problems.
- Supervisors mentioned that the officers were on 12-hour shifts, which has been challenging for the officers, the supervisors, and their families.
- Supervisors mentioned that the islands of Culebra and Vieques had sufficient staffing. The police boat sunk during Hurricane Maria.
- There is no indication that the Fajardo Area Command had a written Contingency Plan to deal with disasters. This problem needs to be addressed as soon as possible. Many police departments in the States have a book available that states what protocols and procedures are to be followed in the event of disasters such as earthquakes, plane crashes, and hurricanes. It is recommended that a manual be created for these kinds of emergencies. The TCA and his team can assist the PRPB with this project.

During the November visit, the TCA also conducted a site visit of the Carolina Area Command. The purpose of the visit was to evaluate the impact of Hurricane Maria on the Precincts and Districts of the Carolina Area Command. The team met with supervisors and officers. The Colonel in charge was on vacation. The following is a synopsis of the meeting.

- FEMA was providing a generator and paid for gas and repairs of the generator.
- There was currently no air conditioning in the building.

- The lights in the building have been affected by power surges.
- There have been leaks from the roof in the building.
- The radios had not been working so agents have been forced to use mobile phones.
- 30 to 40 officers were affected by the hurricane and were given time off to deal with their family problems.
- Supervisors mentioned that their officers were on 12-hour shifts but since November 11th they have returned to an 8-hour shift.
- Several vehicles were damaged but were repairable.
- Members of the Carolina Area Command indicated there was no contamination, destruction or loss of evidence, and no loss of firearms and ammunition.
- Members of the Carolina Area Command indicated that traffic accidents were a recurrent problem during and after Hurricane Maria.
- Members of the Carolina Area Command have been part of monthly meetings with the community and the Municipal Police. They stated that there was a very positive relationship with both and cooperation is at an all-time high.

Section II

PRPB's Action Plans ("Plans"): Paragraph 250(b) and 250(c)

During this reporting period, the Parties submitted these Plans to the Court as addenda to the Agreement. All eleven Plans were in full effect since June 2017. With the submission to the Court, the Parties now treat the Plans as fully incorporated, enforceable terms of this Agreement. The final step is for the PRPB to make these Plans publicly available, which has not occurred yet.

As set forth in the Agreement, since June 2014, the Parties and the TCA have worked together and identified appropriate activities and steps to be taken to build capacity and enhance each of the following substantive areas of compliance: (1) Professionalization; (2) Use of Force; (3) Searches and Seizures; (4) Equal Protection and Non-Discrimination; (5) Recruitment, Selection, and Hiring; (6) Policies and Procedures; (7) Training; (8) Supervision and Management; (9) Civilian Complaints, Internal Investigations, and Discipline; (10) Community Engagement and Public Information; and (11) Information Systems and Technology.

To carry out these capacity building reforms, the PRPB began to develop specific, tailored made Action Plans for each of these substantive areas. These Plans contained temporal benchmarks and set forth in detail the steps agreed upon to execute and implement the reforms and achieve the desired outcomes in each area within generally accepted professional standards. These steps and reforms required the implementation of policies, practices, training, documentation, internal review, technological improvements, and oversight. The Plans described temporal benchmarks and detailed activities and steps agreed upon to execute and implement the required reforms and to achieve the desired outcomes in each substantive area. Paragraphs 231 through 240 discussed in detail their development, implementation, and assessment. The Plans were 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.

Consistent with Paragraph 234, the PRPB, with assistance from the Reform Unit, drafted the Plans that set forth the detailed steps the PRPB is to take to implement and achieve compliance with each of the Agreement's provisions in Sections III through XIII of the Agreement. Under Paragraph 236, the TCA and USDOJ reviewed these Plans to ensure that they specified actions necessary to comply with all applicable substantive provisions of the Agreement and that timelines, implementation strategies, budgetary allocations and funding sources are reasonable, achievable, and prioritized to promote efficiency. In November 2016, the TCA and the USDOJ staff completed their review of all these Plans. The eleven Plans were approved as drafted. They were drafted in Spanish.

Pursuant to Paragraph 238, the Plans were translated into English and were submitted to the Court. After months of additional review by the Parties and the TCA, the PRPB completed the translation of the Action Plans on May 31, 2017.

In the last six-month report, the TCA recommended that the Parties renegotiate an extension of the capacity building period of, at least, one additional year. This recommendation was rooted on the fact that it took more than three years of cooperative work between the Parties and the TCA to complete the eleven Action Plans for all compliance areas and that there were unanticipated delays in some areas of the Agreement. In May 2017, the PRPB submitted a request for an extension of four months of the capacity building period based on Paragraph 239 of the Agreement. Pursuant to his authority the TCA extended the capacity-building period by four months. The TCA still recommends to the Parties, in light of the current circumstances in the aftermath of Irma and Maria, that the PRPB applies for one additional year.

Generally, the report must describe the work conducted by the TCA during the period covered by the report and outline which requirements from the Agreement and Action Plans have been incorporated into policy, trained for, and carried out in actual practice.

In the first two years since the TCA's appointment date, my team and I avoided the use of tables, report cards, ratings, and similar devices to measure compliance. It was the opinion of the team and their lengthy professional experience that the over-simplification of measuring progress or compliance through a table sidetracked the discussion about the substance of the PRPB's compliance. The tables limited the TCA from his ability to openly discuss the work that the PRPB engaged in to achieve compliance.

However, the TCA and his team agree with the position of the USDOJ that, almost five years into the Agreement and approximately four years into the capacity building period, it is useful to present a paragraph-by-paragraph accounting of the state of the PRPB's compliance with the specific requirements of the Agreement and the steps of the Action Plans. Although the risk over-simplification persists, the Team and I conclude that this approach of measuring compliance through tables is beneficial to the Parties and the Court.

Consequently, each of the following sections of this appendix displays with a table – activity by activity, step by step – the state of the PRPB's compliance with the requirements of the Action Plans.

The Report use the following rating structure and color code:

Non-Compliance. **[RED]** The PRPB has not yet complied with the relevant provision of the Action Plan. This includes instances in which the PRPB's work or efforts have begun but cannot yet be certified by the TCA Team as compliant with a material component of the Action Plan requirement.

Partial Compliance. **[YELLOW]** The PRPB has made sufficient initial strides or sufficient partial progress toward compliance toward a material number of key components of the step of the Action Plan – but has not achieved real, effective operational compliance. This includes instances where policies, processes, protocols, trainings, systems, or the like exist on paper but do not exist or function in day to-day practice. It may capture a wide range of compliance states or performance, from the PRPB having taken only very limited steps toward operational compliance to being nearly in full compliance. It also includes situations where the PRPB has made notable progress to technically comply with the requirement and/or policy, process, procedure, protocol, training, system, or other mechanism of the Action Plan such that it is in existence or practice operationally – but has not yet demonstrated, or not yet been able to demonstrate, meaningful adherence to or effective implementation, including across time, cases, and/or incidents.

Full Compliance. **[GREEN]** The PRPB has complied fully with the requirement and the requirement has been demonstrated to be meaningfully adhered to and/or effectively implemented across time, cases, and/or incidents. This includes instances where it can

be shown that the PRPB has effectively complied with a requirement fully and systemically.

Evaluation Deferred. [BLUE] This category reflects those limited instances where work in a given area has been intentionally and affirmatively deferred in order to work on other, necessary prerequisites. In these areas, the PRPB could have made more progress in a given area but, for project management, budgetary, or operational reasons, have appropriately focused attention on other areas.

In considering this classification scheme, readers of this report should keep some important things in mind. First, a designation of “Partial Compliance” does not necessarily or in itself mean that the lack of progress is something that the TCA finds problematic under the circumstances. In some instances, it does. But, there are many instances where partial compliance includes situations where the PRPB has made notable progress to technically comply with the requirement of the Action Plan such that it is in existence or practice operationally – but has not yet demonstrated, or not yet been able to demonstrate, meaningful adherence to or effective implementation, including across time, cases, and/or incidents.

Second, the Monitoring Team’s conception of “partial compliance” requires more than the PRPB simply taking some limited or initial steps toward adhering to a specific step of an Action Plan or an Agreement requirement. That is, a “partial compliance” determination is not used simply because some small amount of work has been conducted. Instead, “non-compliance” becomes “partial compliance” when the PRPB has made sufficient, material progress toward compliance – suggesting that the PRPB has graduated from the stages of initial work to more well-developed and advanced refinement or various reforms.

Third, the compliance that this report discusses is with respect to compliance with the various, specific provisions of the Action Plans – and not with respect to the “Full and Effective Compliance” with the whole of the Agreement which is defined in Paragraphs 10 (bb), 294 and 301.⁴⁸ Such “Full and Effective Compliance” will be reached when the PRPB has reached “sustained compliance with all requirements of this Agreement, or

⁴⁸ Paragraph 11, bb, defines Full and Effective Compliance. “Full and Effective Compliance means sustained compliance with all substantive provisions of this Agreement and sustained and continuing improvement in PRPB policing. The substantive provisions of this Agreement are all provisions contained in Sections III through XIII.”

sustained and continuing improvement in constitutional policing, as demonstrated pursuant to the Agreement's outcome measure."

During this period of capacity building, the PRPB still has a substantial distance to travel to either comply with all of the Action Plans' steps and Agreement's requirements and/or to demonstrate "sustained and continuing improvement" across outcome measures. There is no way for the PRPB to meet the preponderance of the evidence standard to reach Full and Effective compliance with the Agreement until we enter the phase of compliance.

Next, the various tables in Appendix 4 involve intentionally condensed summaries of the requirements in each paragraph. For the sake of space and clarity, we do not reprint the entire Action Plans and/or Agreement in the document. Any imprecision detected by these condensed or summarized requirements is unintended and, in any event, can be cured with reference to the original Agreement and Action Plans language themselves. This is the reason why we have added the Paragraphs and activities in the tables.

Further, the TCA Team bases its assessments on its current understandings, knowledge, and information gained through ongoing field work document reviewing, data gathering, and discussing with PRPB, the Parties, and other stakeholders. During this capacity building phase, the assessments are often less formal to the extent that not all of them are necessarily informed by the type of exhaustive quantitative compliance and outcome measurements that are a critical component of the Agreement under Paragraphs 242 and 243. In this sense, it is important to understand that the summary determinations here do not take the place of these more structured, systemic analyses. Ongoing, rigorous quantitative assessments will provide a more comprehensive picture during the compliance phase as work under the Agreement proceeds. However, this task is just impossible at present given the data gathering limitations of the PRPB.

The terms adopted here – including Non-Compliance, Partial, and Full Compliance – are terms that appear in the Agreement. Categorizing the state of compliance with the steps of the Action Plans and the Agreement requirements by using these terms is a method that the TCA has internalized to explain and discuss the substantive work and progress that the PRPB has made in a systematic, straightforward way. This is not unique. The rating approach is similar to the methodological approach used by police

monitors in Cleveland, Albuquerque, Cincinnati, Detroit, East Haven, Los Angeles, New Orleans, and others, as well as consent decrees in non-police contexts.

In the next report, the Report will also include additional differentiation between six crucial categories of compliance: policy compliance, staffing compliance, resource compliance, training compliance, documentation compliance, and outcome compliance. For example, policy compliance means (a) that there are sufficient written policies and procedures in place so that, if they were implemented, compliance would be achieved; and (b) that there are no policies and procedures in place that are inconsistent with the requirement.

Section III

Current and Anticipated Challenges in the Implementation of the Agreement and the Plans: Paragraph 205(d)

In this part of the Report, the TCA examines all relevant detailed issues involving capacity building that were reviewed and found not to have been, fully or, partially implemented in practice. It also discusses the TCA's recommendations regarding necessary steps to achieve compliance with the timelines and steps in the Plans.

After Hurricane Maria devastated Puerto Rico, the TCA conducted a preliminary assessment of the situation on the ground by visiting many police installations, convening meeting with PRPB personnel, inspecting equipment and infrastructure, and conducting operational and administrative assessments. In the first week of October, the TCA provided his report to the Court.

Considering the TCA report, on October 4, 2017, the Court “ordered the Parties, with the assistance of the TCA, and ultimate court approval, to adopt a new framework” for

the Agreement best fitting the new reality on the ground.⁴⁹ After 48 months of capacity-building, a new framework is needed because there is much more that is needed from the PRPB to achieve real, effective capacity.

During these post-storm visits, my team and I identified three specific areas where the PRPB's strategic and operational plans as drafted in the Action Plans must quickly adapt to the new prevailing conditions. They are the pillars of the new framework ordered by the Court. The first challenge is to undertake real, effective capacity-building in the compliance area of Information Systems and Technology. The second strategic and operational challenge is to complete a robust and solid strategic staffing plan as required under Paragraph 13 of the Agreement. The third challenge for real and effective capacity building is to develop a well-thought out Continuity of Operations ("COOP) and Recovery and Resilience plans intertwined with the current Actions Plans.

Since the Interim Report, the TCA has continued to conduct comprehensive, extensive field visits and assessments. The TCA has identified other challenges that are limiting compliance with the Agreement and the terms set forth in the Actions Plans.

First, in the first three months of 2018, The TCA has evaluated compliance with both the equal protection Action Plan and the internal disciplinary process. The main finding is that a system for investigating and addressing administrative complaints, in particular complaints of equal protection and non-discrimination, continues to lag far behind where it must be. The PRPB's capture and use of officer performance data in order to build an effective Early Intervention System ("EIS") to guide it in the delivery of services, supervision and professional development of officers, and risk management also requires significant attention from the top leadership over the coming months.⁵⁰ This involves compliance with Paragraphs 147 through 153 which are an essential part of the Supervision and Management Action Plan. Similarly, even as the PRPB made limited strides in implementing necessary technological platforms, the Agreement-required Information Technology and Systems Action Plan requires that the PRPB puts in place promptly systems and processes that ensure that the PRPB does not fall behind again in the future as it did during the Hurricanes. Similarly, much work remains on bringing about significant operational and technological changes to the performance evaluation

⁴⁹ See: Docket 624.

⁵⁰ An Early Intervention System is not the same and should not be confused with an electronic database or record management system for administrative complaints. They are two distinct, although related systems.

systems as well as the investigative and disciplinary processes affecting the PRPB personnel. The PRPB must improve immediately their processes for investigating and reviewing use of force, investigating officer misconduct, supervising problem-prone officers, managing personnel resources, and imposing discipline if they want to have credibility both before the public and their employees. Finally, there is an increasing backlog of cases that raises concerns about the expediency of the progress made in past years.

There is a second issue that has emerged in my assessment of the PRPB activities from December 2017 through March 2018. In recent months, I have conducted a thorough assessment of the infrastructure and budgetary needs required “to place the PRPB in a position to implement” each of the Agreement’s provisions within four years from my appointment date and in accordance with the implementation schedules set forth in the Action Plans.⁵¹ These monthly evaluations have been shared with the Parties. The message of these reports is clear: after 46 months of capacity-building, there is much more that is needed from the PRPB to achieve real, effective capacity in terms of operational capacity, infrastructure, and budget.

Based on the information available, the PRPB has only used \$8 million of the \$20 million assigned to the Reform in this Fiscal Year. Taking into consideration that \$1.5 million is assigned to the Office of the TCA, the simple fact remains that the PRPB has only used \$6.5 million to advance the Agreement and the Action Plans. Furthermore, in February 2018, the USDOJ and the TCA were alerted that the PRPB had not used any of the approximate \$2.8 million available in federal asset forfeiture funds that were assigned for police reform purposes for fiscal year 2018.⁵² The situation was so dire that the federal administrators threatened to take these forfeiture funds away. After several meetings with the federal authorities administering the equitable sharing program, the Commonwealth seemed to have resolved some of the access problems but issues about the use of these funds and their prioritization persist. My assessment is straightforward on this issue: the administrative hurdles created by the implementation of Act 20-2017 have just accentuated structural deficiencies identified in the past regarding the budgetary autonomy of the PRPB. In my assessment, these budgetary obstacles are preventing the PRPB from making satisfactory progress toward implementation of the Agreement and the Action Plans.

⁵¹ See Paragraph 237.

⁵² See Page 15 of this Report.

Thirdly, there is a challenge that precedes the Hurricanes that devastated Puerto Rico, but the Hurricanes have accentuated its most pervasive effects. It is a recurring challenge in the PRPB. The most persistent challenge to the Reform and the implementation of the Agreement today is the current crisis of leadership and management affecting the PRPB and the lack of direction in the implementation of Act 20 of 2017. This crisis has created tremendous uncertainty in all ranks of the PRPB. The problems associated with promotions, unexplained personnel transfers, questionable overtime practices, and failure to take actions against officers with dubious disciplinary records have fueled the sense of crisis. That the current management structure is not working well has been clearly established during this reporting period when the progress made toward the implementation of the Action Plans came close to a standstill. The solution is for the Commonwealth to comply with an Agreement that clearly outlines the lines of leadership, management, and responsibility within the PRPB. If this cannot happen under the current circumstances, I will not hesitate to recommend to the Court actions that restore satisfactory progress toward implementation.

In keeping with the responsibility of the TCA consistent with Paragraph 241, the TCA submitted to the Court his second survey of the community. This survey provides a more detailed understanding of the police through the lenses of the community. This survey is based on in-depth discussions with diverse community “focus” groups. The methodology was a typical focus group study. The picture that emerges is still highly problematic: there is a persistent gap between the community and the PRPB.

There is one final area of concern. The TCA submitted to the Parties and the Court his preliminary assessment of how the PRPB policed the mass demonstrations of April and May. The overall assessment is that the PRPB managed these incidents in a more professional manner than in the days prior to the Reform. However, there are at least two concerns which are worth discussing. The first finding is the disruption of the chain of command which amplifies the crisis of leadership. The second finding is that there are still significant challenges in the ability of the PRPB to document police-civilian interactions and police-involved incidents. It is also worth mentioning that the lack of cooperation of the PRPB with certain requests for information from the TCA reveals that the PRPB has not adopted fully the principles of trust and transparency. In the Status Report, from pages 8-10 and 51-60, the PRPB has responded in great detail to the TCA’s preliminary assessment of the 2017 demonstrations.

Building Information Systems and Technology (“IT”) Capacity in the aftermath of Irma and Maria

In the aftermath of Irma and Maria, one of the most significant capacity-building challenges for the PRPB is to undertake real, effective capacity-building in the compliance area of Information Systems and Technology. These days it is apparent that the modest progress made in the last 48 months years in terms of creating a reliable IT infrastructure for the PRPB has affected the operational and tactical response of the PRPB during and in the aftermath of these natural disasters. From a strategic vantage point, however, the PRPB should consider situation as an opportunity for a major “step function” modernization of the entire IT infrastructure.

During this reporting period, several on-site visits were conducted: two in July and August before the hurricanes and five after the Hurricanes. Of note, leading into July and August, PRPB’s Bureau of Technology (BT) continued to make progress, albeit limited, in accordance with the Agreement. However, with the hurricanes and the ensuing devastation to Puerto Rico, progress against the IT Action Plan slowed considerably as BT attempted to restore the capacity lost from the storms.

From June through September, procedurally speaking, the BT achieved an important management stage by finalizing the Action Plans in combination with the IT Tables thereby enabling a more stabilized ongoing assessment of BT actions and progress. In policy terms, general orders, policies and manuals continued to be developed. However, resources remained insufficient to fully impact efforts beyond basic maintenance and development. As such, at this stage, innovative and strategic re-architecting and solutioning is essentially limited if not non-existent. In this regard the BT still has much to do to not only support the other ten compliance areas of the Agreement but also implement necessary long-term IT and infrastructure improvements.

Additional observations for this period included:

- Given the shortage of resources, it was not adequately clear that BT was able to adequately implement oversight and management mechanisms such as Life Cycle program reviews and cataloging of systems and infrastructure

requirements, both of which are fundamental to effective technology stewardship.⁵³

- Beyond capacity building, the CIO and his BT team must not only maintain focus on completing this phase but also identifying ways to leverage partnerships to share its workload with credible partners through collaborations or outsourcing. BT should consider the possibility of outsourcing selected BT functions. By doing so, they will be able to focus internally on critical functions and innovative options.
- Training was not yet complete and lagging on CAD Mobile as of July and August.
- The Reform Unit and BT acknowledged that oversight could be better enabled through four key documents that form a baseline for managing and monitoring. They are; 1) The Agreement, 2) the Action Plans, 3) Task Tables, 4) Policy Chronology.

From the perspective of staffing and resources:

- The staffing study implementation is critical to the probability of success and the delay in implementation is affecting IT;
- BT organizational structure must be staffed and implemented in accordance with the General Order;
- The PMO (Project Management Office) contract needs to be approved and implemented;
- It is essential that management and supervisory personnel have the skills to manage internal IT operations and to execute oversight methods. especially if DSP outsources or consolidates PRPB IT services under DSP.

⁵³ The systems development **life cycle** (SDLC), also referred to as the application development **life-cycle**, is a term used in systems engineering, information systems and software engineering to describe a process for planning, creating, testing, and deploying an information system

From September through March, following the hurricanes, the TCA conducted five on-site assessments. They revealed the magnitude of damage. Clearly, the damage sustained by the PRPB required that their fullest energy be focused on restoration of capabilities and away from the tasks at hand prior to the Hurricane. As examples, the following was observed:

- Radio Communications (Johnson Radio Sets) were functioning in degraded mode because microwave tower transceivers/repeaters (18 of 30 nodes) were damaged and so communications back to Headquarters were down.
- PRPB HQ's computer room was functioning near full operational capability. However, because the Early Intervention System ("EIS") and CIW ("Crime Information Warehouse") sustained a hard stop due to battery expiration during the storm, CIW files were at risk of being corrupted.
- The Fusion Center, which is the information sharing center, sustained substantial water damage with no repair scheduled more than 8 weeks after hurricane Maria.⁵⁴

In addition, first-hand inspection in October showed that Caguas Norte was uninhabitable. Fajardo, Mayaguez, Utuado, Carolina and Ponce were on battery power and were inconsistently being returned to commercial power.

"Shot Spotter" was functioning because it is a web service with a reach back solution to the application provider. This is a powerful "lesson learned" of significance that points to the potential benefits that can be achieved by leveraging a cloud service provider.

EIS was reviewed noting that the credibility of its data is essential and that information from CAD field operations needs to be applicable, credible, reliable and searchable. It was also observed and shared with the Reform unit that the TCA analysis of the Data dictionary, Entity Relationship Diagram and functional requirements documents is necessary in order to assess analytical utility of the field data. An example of this can be demonstrated with hierarchical capture of data against the most serious crimes that

⁵⁴ The ultimate goal of a **fusion center** is to provide a mechanism where law enforcement, public safety, and private partners can come together with a common purpose and improve the ability to safeguard our homeland and prevent criminal activity. Fusion centers operate as state and major urban area focal points for the receipt, analysis, gathering, and sharing of threat-related information between federal; state, local, tribal, territorial (SLTT); and private sector partners. See: <https://www.dhs.gov/state-and-major-urban-area-fusion-centers>

could also unintentionally exclude other important data elements important to analysis and research.

After December, the primary objectives of the IT site visits were to:

- Demonstrate EIS, CIW, Kronos, CAD, Reform Unit Project Management Tool (AKA; “MAPA”)
- Review the status of the IT recovery following the hurricanes
- Refine the Punch List as an action tracking tool and commit to the method
- Review IT Tables
- Coordinate program management and administrative follow through

Emphasized during these visits was the criticality of conducting a unified demonstration of EIS, CIW, CAD, Kronos, and the Reforma Project & Policy Tracking Tool (AKA; Policy Mapa) to a combined audience of TCA and USDOJ personnel. And that it be completed at the next possible opportunity, optimally in April 2018. There is consistent agreement that at this time in capacity building the compliance advisors and the USDOJ must hear and see the same explanations of the functionality of systems being built. Only then can effective and collaborative judgment be passed that the systems being delivered has adequate functionality. Experience is showing that not doing so will lead to inconsistencies in the understanding of system status, training and functionality thereby increasing risk to the success of these topics.

For planning purposes, this engagement should be conducted for a period of at least 6 hours preferably on a single day to achieve a high level of awareness amongst non-IT personnel regarding how well the IT systems will support policing. This format is critical to ensure that each person of the monitoring teams is able to see firsthand the utility of these systems and also jointly ask questions and receive single answers.

The TCA shared with PRPB a Punch List details and status of the IT topics addressed during this visit. This list is chronologically sequenced by on-site visit and if logical prior tasks have been migrated forward to the most recent visit. Doing so condenses the information and minimizes redundant entries. Regarding format, because this is a “living” document and the methodology has now been employed, details have been tracked back to May of 2017. The TCA IT expert is confident that topics have been revisited or updated sufficiently since May 2018 that reaching back further is not necessary.

Significant observations during these visits:

- Agreement reached that the Decree, Action Plans & Tables, Project Management Tool and Punch List are fundamental to overseeing the Decree.
- USDOJ emphasized that data attributing of EIS is critical. During an attempt to demonstrate EIS to USDOJ it was evident that USDOJ has noticeable reservations that PRPB is developing EIS correctly. (The TCA shares those reservations) This concern highlights the need for a comprehensive and joint review. There is risk to functional success in this area
- All IT SME's agreed that demonstrations need to be done for the CT members so that they can link policing practices with the tools as they are currently designed.
- Reforma agreed to commit to a PMR schedule and will submit a recommendation in April 2018
- The CIO noted that he has received \$6.9M for recovery efforts but a detailed plan for its use was not provided.
- CIO provided copies of CAD/Mobile status in Mayaguez and Arecibo and will continue collecting post Maria inventory of all installed computers followed with a projected completion date.
- CIO provided a copy of a partial radio inventory for Aguadilla and Bayamon, this effort needs to continue island wide.
- Noted that BT backup power is provided by the same generator that supplies HQ. CIO recommends that BT have a redundant stand-alone backup generator in the event that the primary generator fails.

The main finding is that the PRPB IT personnel continues to work towards satisfying the Agreement. However, the shortage of staff and budget allocation hampers necessary progress and increases risk. To understand the ultimate risk to IT system delivery, Program Reviews must commence. Finally, the PRPB's CIO remarked that he did not receive approval to hire project management staff. This adds significant risk to efforts under the Bureau of Technology.

Clearly there is much more work to be done with regards to the architecture of data in order to ensure usefulness of the data collected beyond strictly crime statistics. It is strongly recommended that the PRPB recognize the importance of academic and scientific analysis of data (such as use of force data) to transformation of behavioral characteristics and the subject matter expertise needed to perform the analysis and change.

In these very difficult times, the resiliency of Puerto Rico is commendable. And although much of the IT work on the Agreement's compliance has been suspended, BT has had reasonable success restoring and maintaining IT service capacity. IT systems hosted at Headquarters are in functioning condition as is the computer center and radio equipment center.

At this juncture, the PRPB should remain vigilant in their efforts to respond to the hurricanes and, also, be comfortable knowing that the work towards the implementation of the Agreement in the area of technology should begin in earnest as soon as possible.

As PRPB nears the end of capacity building, the risks to successful completion of IT systems delivery needed to support the Agreement goes up. PRPB, USDOJ and TCA scrutiny of the dependent nature of IT and policing workflows and practices must be highly focused on the integration of remaining efforts/actions. It is clear that resources have been expended to develop technology solutions. At this point although systems are being developed, the lack of available institutional training in a repeatable way is hindering effective deployment of systems such as CAD.

Therefore, it is a best practice at this point for the Parties to jointly review transformed policing practices and how they are to be represented by the IT systems built. Management and leadership measurement of progress to date versus the intended outcomes and schedule is the best method for estimating the probability of success. The IT monitor strongly advocates for dedicated joint reviews of CAD, RMS, EIS and Kronos systems. They should occur at a rate of two reviews per month recurrently.

From a strategic vantage point, the PRPB should consider the potential opportunity of a major "step function" or phased modernization of the IT infrastructure. The potential success of wholesale change and re-architecting may never be more opportune than at the present when much of the infrastructure is a candidate for replacement rather than repair.

Building HR/Staffing Capacity: The Staffing Allocation and Resource Study (Paragraph 13)

The second area where the PRPB faces a significant strategic and operational challenge in terms of capacity building is the lack of development and progress in creating a robust and solid strategic staffing plan as required under Paragraph 13 of the Agreement. In the aftermath of Irma and Maria, it is apparent that the lack of a consistent staffing approach has limited the PRPB operationally and strategically. The effects of an inconsistent staffing approach can be seen on the post-storm developments involving police overtime and the ongoing police slowdown and/or absenteeism.

Under the Agreement, the substantive area of Professionalization has three key objectives and three main interrelated activities: the development of a staffing plan (Paragraph 13), the adoption of merit-based promotions (Paragraphs 14 through 20), and the implementation of a developmental career path (Paragraph 21). The goal of these three interconnected activities is for the PRPB to develop processes and mechanisms that promote professional, ethical, and respectful policing services to effectively address Puerto Rico's public safety challenges. To attain these goals in Professionalization, the PRPB were take reasonable measures to achieve performance expectations in this area of the Agreement. However, delays have dominated the PRPB's response.

Paragraph 13 requires the PRPB to conduct a staffing allocation and resource study to assess human resource needs for the entire organization. The study is the cornerstone of the professionalization reforms and the basis for a staffing and resource allocation master plan rooted in community-oriented policing principles. This requirement is part of the approved Plan on Professionalization, which detailed steps and timelines are now fully incorporated, enforceable terms of this Agreement.

Paragraph 13 of the Agreement, entitled "Staffing and Community Policing," reads as follows:

"PRPB shall assess the appropriate number of sworn and civilian personnel to perform the different department functions necessary to fulfill its mission. To do so, PRPB 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.” (The underline is mine)

Upon the insistence of the TCA, in March 2016, the PRPB began to assemble a working group to complete the staffing study. In October 2016, the PRPB informed the TCA that the Bureau had issued a Request for Proposals (“RFP”). The deadline for submission of proposals was November 4th, 2016. In 2017, the PRPB selected a firm, V2A, and the project gradually started.

During this reporting period, the TCA received several updates on the progress made to date towards the implementation of Paragraph 13:

- From October through March 2018, V2A submitted to the TCA and USDOJ relevant status reports;
- In these reports, the consultant updated the Parties and the TCA on the work plan to carry out the study, the analysis of operational and staffing resources, the analysis of the areas where the study will focus on, and the findings obtained to date;
- The TCA was very satisfied with the results delivered to date by the consultants as well as of the quality of the data and information gathered through this activity;
- The TCA understands that this study is to provide valuable information that will lead the PRPB to make informed decisions based on scientific evidence;
- The TCA urges the PPR to continue working hand in hand with V2A, as has been done so far.

Even as there are signs of positive progress in recent months and the expectation is that the study will be completed in April 2018, the TCA still have concerns about the implementation of Paragraph 13. The first concern is that the damage is done and will take months if not years to fix it. During this reporting period from June 2017 through March 2018, as in the past, my assessment was that it was blatantly apparent that the

lack of a consistent staffing approach continued to limit the PRPB operationally and strategically. These staffing limitations manifested fully in the rank-and-file frustration about overtime and other personnel issues contributing to the damaging police slowdown and/or absenteeism of December 2017 and January 2018.

I have another concern about the implementation of Paragraph 13. Contrary to what it has been publicly reported, the Staffing Allocation and Resource Study is an agreed-upon requirement of the 2013 Agreement and the Professionalization Action Plan, not a recent request of the DPS or a particularly DPS administrator even if that administrator is the DPS Secretary.⁵⁵ The study is one of the key components of the Agreement and the public record is clear. First, the Request for Proposals (“RFP”) for the study was issued in October 2016 and the selection of a consulting firm was made in December 2016 with the approval of former Police Commissioner Fraley in January 2017 months before the appointment of Secretary Pesquera. Second, it is well documented that I have been publicly cautioning the Court and the Parties of the PRPB’s lack of compliance with this requirement since 2015 and my team and I have had a significant role in pushing the PRPB towards compliance with the three Paragraph 13 related steps outlined in the Action Plans since March 2016.⁵⁶

My main concern is that the study now appears to be an instrument to address an expedient public policy issue, not seen as one of the cornerstones of the Agreement and a sustainable reform agenda. In this sense, the current public statements of the DPS Secretary on the allocation staffing study seem to bring confusion to the path of the Commonwealth toward the implementation of Paragraph 13. First, it is important not to confuse the staffing allocation study (Activity IV.1.2 of the Professionalization Plan, table 11) with the development of a community-oriented staffing plan (Activity IV.1.3 of the Plan, table 12). The study is a tool, a means to an end; but, the ultimate goal is the development and implementation of a reliable community-oriented staffing

⁵⁵ See: Miguel Rivera Puig, El Vocero, “En La Mira La Plantilla Policiaca.” Monday, March 26, 2018. pp. 1, 3-4. “Tras el marcado exodo de boricuas que decidieron probar fortuna en Estados Unidos, incluida una cantidad indeterminada de agentes, Pesquera encomendo un estudio para analizar si hay suficientes policias para velar por el bien public y espera tener el informe en sus manos en abril.”

⁵⁶ See Docket No. 306 (02/01/2016), Docket No. 382 (07/11/2016), and Docket No. 464 (01/13/2017). For instance, this is what the TCA wrote in his Fourth Report: “Paragraph 13 requires the PRPB to conduct a personnel-staffing study to assess human resource needs by the PRPB. This requirement is highlighted under the approved Action Plan on Professionalization. The set deadline is June 2016. However, the PRPB will not comply with this deadline. Upon the insistence of the TCA, the PRPB has assembled a working group to complete the staffing study. The PRPB has submitted an application for a federal grant to defray expenses.” (TCA, Fourth Six-Month Report: December 9, 2015 – June 9, 2016. Submitted to the Court: July 11, 2016. Pages 4-5)

plan. To be perfectly clear, there will be no compliance with the Agreement without a real staffing plan that is “consistent with community-oriented principles and supports the systematic use of partnerships and problem-solving techniques.”⁵⁷ Second, the Action Plan clearly outlines the responsibilities of the Police Commissioner and his/her working team (Activities IV.1.1 and IV 1.3) in developing the allocation study and staffing plan and of the Police Commissioner in making decisions on the basis of the Plan. However, the current public statements of the DPS Secretary appear to suggest that he is the one in charge, not the Commissioner, and these statements demand further clarification on issues of decision making as well as of command and control.⁵⁸

The statements from the Secretary appear to overlook the obvious: this work requires the cooperation of the Parties and the TCA. Under the Agreement, the TCA must review, assess, and report on compliance with Paragraphs of the Agreement and the steps in the Action Plans. This is also the case for Paragraph 13 where the actions of the Commonwealth are subject to the compliance assessment and rating of the TCA. Consequently, for both the staffing study and the staffing plan, the TCA must determine whether the timeframe has been met and whether the Commonwealth of Puerto Rico has made satisfactory progress toward implementation of the Agreement by rating the study and the plan as being in full compliance, partial compliance, or non-compliance with the terms of the Agreement and the Action Plans. Furthermore, for any activities and detailed steps (study and/or plan) that were reviewed and found not to have been fully implemented in practice, the TCA must issue recommendations regarding necessary steps to achieve compliance. Paragraph 137 is clear regarding the cooperative nature of this enterprise. As it reads:

“After considering the results of the staffing study required by Paragraph 13 and whether the first-line supervisors are meeting all of the supervisory requirements of this Agreement at the current officer to supervisor ratios, the TCA and the Parties shall determine whether to lower the number of officers supervised by each first-line field supervisor.”

⁵⁷ Paragraph 13.

⁵⁸ Puerto Rico Police Bureau’s Action Plans. “1.3. El Superintendente tomará decisiones sobre la reasignación de recursos humanos, apertura de nuevas convocatorias a ascensos y/o reclutamiento de personal que sea consistente con los Principios de Policía Comunitaria de equidad, anti-discrimen y conforme a las prácticas policíacas generalmente aceptadas según las necesidades del servicio para que la PPR pueda cumplir con su misión. Este Plan tendrá como base la evaluación realizada. (Tabla 12)” (page 21). <https://www.policia.pr.gov/planes-de-accion/>

The fact that the PRPB is 46 months into the capacity building period and there is no objective way to measure and assess its staffing and resource capacities is nothing short of an inexcusable failure of management and leadership. PRPB leadership is responsible for this failure. As the TCA has documented time and time again, the cost of this failure has been extraordinarily high in terms of public safety and the trust in the commitment of the PRPB to sustainable reform and Hurricanes Irma and Maria have further accentuated the administrative and operational failures of the PRPB in the area of staffing. The damage is done and cannot be undone easily if left unattended. From a strategic vantage point, the PRPB should consider the potential opportunity of a major modernization of the staffing structure. The potential success of wholesale change and re-architecting may never be more opportune than at the present when much of the staffing issues are dominating the debate about policing in Puerto Rico.

Building Capacity by Incorporating Recovery and Continuity of Operations Plans into the Agreement and Actions Plans

The third challenge for real and effective capacity building is the lack of well-thought out Recovery and Resilience and Continuity of Operations (“COOP”) plans. These are components of a capacity building strategy that the TCA has recommended the Parties must add to the Action Plans and the Agreement. To date, The TCA has diligently worked with the Parties to recommend concrete steps towards the prompt implementation of these initiatives.

The PRPB can learn from many communities of the United States that have gone to “great lengths to develop disaster response plans and routinely conduct drills to prepare for natural or man-made calamities.”⁵⁹ The goal is to prepare first responders and other government entities to know with precision what they need to do in those critical hours, days, and weeks that immediately follow a devastating event. In this regard, first responders have two missions: lead and protect the communities they serve.

⁵⁹ See; Deloitte, Rebuilding after disaster: the first steps on the road to recovery (October 2015).

Based on an analysis by Deloitte of critical long-term recovery issues encountered by communities that recently undertook a disaster recovery program, typical challenges that government leaders are likely to face include: (1) Insufficient specific long-term recovery experience; (2) Capacity constraints; (3) Governance, monitoring, and ongoing oversight; (4) Fraud, waste, and misuse.

There is no question that the PRPB faces significant challenges in all these areas, but the one challenge which is the most problematic is the current limited capacity. Deploying infrastructure, resources, funding, and staffing in a coordinated and strategic way requires expertise and knowledge on many levels, starting with strong leadership and a solid cadre of management staff. All of this demands a comprehensive planning procedure where risk management policies and procedures as well as controls are developed. It also requires strong project management oversight, data management, technology implementation, and persistent communication and training between the leadership, the first responders, and the communities they serve. The PRPB must confront these constraints head on.

Similarly, it is important to understand that the development of a Recovery and Resilience Plan requires understating the proper implementation of the recovery timeline efforts. Recovery is really the combination of three intertwined moments: the period of restoration of the critical infrastructure, the stage of organization and controls, and the phase of assessment and rebuilding.

In October, the TCA recommended the PRPB to examine the experience of the City of New York as an example for the development of the PRPB's own Recovery and Resilience Plan. There are many reasons for the PRPB to look into the New York example, including the fact that, in late October 2012, Hurricane Sandy roared into the New York Harbor with unprecedented force, causing record-breaking water levels over much of the city. There are, of course, other jurisdictions that have experienced similar situations, but New York is a great reference due to the size of the police department and the coastal nature of New York's geography.

After the storm had passed and the water had receded, a new reality emerged: New Yorkers and their government officials had to think differently about our relationship with a changing climate in a city so much defined by water. Sandy also laid bare many pre-existing challenges in NYC communities and vividly highlighted the physical and social vulnerabilities to coastal storms and rising seas.

As the City infrastructure and housing stock suffered significant damage, it was clear that the City of New York could not just plan to "recover" from Sandy. The City needed to find a way to emerge from Sandy a stronger and more resilient city - one that did not just plan for 'the next Sandy,' but one that invested with an eye toward future risks and guided in its decision making by the best available science. This is the "new approach" that the TCA submits should define the work of the PRPB in coming months.

Hurricane Sandy brought a realization that the City of New York needed a new approach to engaging with its 520 miles of waterfront, and that the City needed to look beyond Sandy to build its physical, economic, and social resiliency against a range of risks, enhancing the city's capacity to withstand and emerge stronger from the impacts of climate change in all of its neighborhoods and public facilities.

In response, the City proposed a \$20 billion resiliency program to address not only the risks of 'another Sandy', but to broaden the City's approach to the risks of climate change and other threats. In April 2015, Mayor de Blasio released the ground-breaking "OneNYC" plan which expanded this multilayered resiliency program and accelerated its implementation. The TCA proposes that the PRPB adopts this strategy: one that embraces the reality of a Caribbean island but plans for new risks through a multilayered strategy of coastal protection, upgrades to buildings, protections for infrastructure, and investments to make police facilities and the neighborhoods they patrol safer and more vibrant - tailored to local risks and solutions.

In addition to the development of a Recovery and Resiliency Plan, the TCA has also recommended to the Parties the development of a solid Continuity of Operations ("COOP") Plan. Many states and cities in the United States have adopted this approach. The plans are grounded on the fact that unexpected disruptions of normal operations are plausible and that these disruptions are to dramatically alter the ability of a law enforcement agency to effectively deliver its services to the community.

Before delving into this issue, it is important to distinguish continuity plans from standard Emergency Operations Plans (EOPs). While the two necessarily can link to one another, the purposes are distinct. EOPs provide guiding principles for an agency's response to a disaster, crisis, or emergency situation. On the other hand, a COOP should focus on what a police department should do if that disaster or emergency were to render the agency unable to accomplish its own mission. For a COOP plan to be effective, these plans must be implemented, exercised in practice, and maintained up to date.

Again, the TCA recommended for the PRPB to look after the experience of New York City. In 2006, the New York City Office of Emergency Management (“OEM”) established the first-ever formalized City of New York Continuity of Operations Program (COOP). In this area, New York leads the nation. The mission of this initiative was to enhance the ability of City agencies to provide vital services to the public during emergencies, while maintaining internal resiliency.

With the success of a pilot program consisting of three agencies, Mayor Bloomberg signed Executive Order 107 in 2007 requiring City agencies to develop standardized COOP plans by December 2009. OEM, in partnership with the Department of Information Technology & Telecommunications (DOITT) worked with the participating City agencies in achieving this goal.

The NYC COOP Program has grown over time to include 40 additional agencies, the establishment of agency COOP planning teams, customization of continuity software for agencies to design plans, and an intranet portal for agency COOP administrators to gather resources, ask questions, and download planning materials. As the managers of the NYC COOP Program, OEM continues to provide guidance to agencies in developing continuity planning strategies and exercising plans. While each agency team has its own plan to maintain essential services, COOP standards, formatting, and language is uniform. The development of the NYC COOP program involved key five elements that should serve as guide for the work of the PRPB:

- The pilot program assessed the critical functions and operational requirements of selected agencies. OEM and DOITT studied three agencies and collaboratively developed COOP plans for each agency.
- OEM and its COOP partners used knowledge of industry practices and City specifications to develop a COOP planning methodology to address City agencies' needs.
- OEM and partner organizations configured commercial software for the City's intranet. The software provides electronic tools for creating COOP plans. To accompany the software, COOP planners at OEM generated a guide to lead City agencies through the COOP methodology and the commercial software.
- Software administrators continue to run a series of training programs to demonstrate how to use the software to tailor the methodology to each agency's specific needs.

- Agencies maintain their own continuity plans, but OEM continues to provide support for continuity planning strategies, trainings, and exercises.

Dr. Owen and Burke further recommend that there are specific Law Enforcement related concerns in drafting a COOP plan. The TCA highlights these concerns because they are extraordinarily important in the case of the PRPB based on some of the recommendations for immediate departmental change that the TCA made in past reports.⁶⁰

Following are some specific considerations which, according to Owen and Burke's guidelines, should be discussed in the PRPB's continuity planning sessions:

- Weapons: How will the arsenal be protected or transported? While arsenals are generally highly secured and protected areas within a facility, a disaster could lead to a breach or the requirement of abandoning the facility as a whole. Is there a protocol for determining when to relocate the arsenal, to what space, and how? Within the alternate facility, is there a suitable area for weaponry?
- Evidence: Similar concerns emerge for evidence in pending cases. When does it need to be moved and what priority should it receive? Following Hurricane Katrina, some evidence was lost and cleanup was continuing as recently as 2011. Certainly, questions about chain of custody could also emerge if the security of evidence storage was breached.
- Laboratories: Related to evidence, agencies and those who depend upon them (e.g., prosecutors' offices) should be prepared to handle temporary inaccessibility of crime laboratories. COOPs should take into account how the work of the crime lab relates to mission essential functions, the impact of disrupted crime lab operations on ongoing analyses, and any concerns related to hazardous materials which might stem from damage to, or movement of, lab equipment and supplies

⁶⁰ Stephen Own, and Tod Burk, "Continuity of Operations Planning," Blue Sheepdog August 1, 2013. <http://www.bluesheepdog.com/2013/08/01/continuity-of-operations-planning/>

- **K-9 Partners:** How will a department's K-9 partners be cared for in a continuity situation? What if a K-9 officer's home kennel is rendered unavailable or if supply chains for dog food are interrupted?
- **Inmates:** Planning for the evacuation of a detention facility, even one with few inmates, is no small task. Likewise, problems related to long-term power outages or lack of availability of supplies or running water in an otherwise structurally sound facility are challenging issues. If continuity needs include responding to a personnel shortage, how will appropriate supervision of inmates be ensured? One consideration may be relocation of inmates in advance, if there are indications of a pending emergency. Of course, any relocation presumes that space is available and that the alternate detention facility is not similarly impacted by the crisis situation.
- **Transportation:** Even if the facility is intact and officers are available for duty, plan for scenarios in which transportation lines are unavailable. If roads are closed or vehicles are unavailable, officers may not be able to get to work. Likewise, consider the possibility of gasoline
- **Shortages,** or an unavailability of fuel, which would be detrimental to patrol and other operations. While this could stem from a variety of circumstances, the unavailability of necessities due to slowdowns in production and transportation is a common theme of discussion in pandemic preparedness.
- **Communication:** Depending on the type of disaster, communication lines may be partially or completely inaccessible. Likewise, communication operations (e.g., 911 center and dispatch) may have to be relocated. NIMS standards specify that communications should be interoperable and portable, a key lesson learned from past events.
- **Cross-Training:** Delegation of authority is a key component of COOPs. But, in planning delegation of authority, particularly when focusing on mission essential functions, it is important to consider cross-training – both in the context of who currently has it and who should get it, particularly when necessary to ensure continuity of specialized operations. For instance, there may be only a small number of persons in an agency prepared to assume the role of emergency response team commander, crime lab supervisor, digital forensics examiner, budget director, etc. As a result, COOPs should be informed by a realistic, rather than idealized, assessment of the feasibility of delegating authority in mission essential areas and how to proceed if personnel are unavailable or unable to come to work.

- **Families:** Evidence suggests that role abandonment, in which public service employees abandon their assigned posts in crisis situations, is rare. When it does occur, caretaking for family members is a significant reason and, even without role abandonment, it is natural for first responders to be concerned about their families. Advanced planning can help to address these concerns. For instance, the Fraternal Order of Police has developed the Law Enforcement Families Readiness Initiative, including recommendations for officer family readiness and a model policy.
- **Stress:** Any emergency situation has the potential to induce stress, but this can certainly be magnified if agency personnel have to deal with two crises at the same time – one as the precipitating event for which an emergency response is required and the other as a disruption of normal operations, services, facilities, and so on, requiring implementation of the continuity plan. While COOP training and exercising can increase familiarity with procedures and reduce uncertainty, it remains important to be aware of the impacts of stress. Particularly in the aftermath of the incident, it is important to be aware of the possibility of critical incident or post-traumatic stress and to have resources available for personnel experiencing stress-related symptoms.

Building Leadership Capacity: The Current Crisis of Leadership, Overtime, Promotions, and Police Absenteeism

The most persistent challenge to the Reform and the implementation of the Agreement today is the current crisis of leadership and management affecting the PRPB and the lack of direction in the implementation of Act 20 of 2017. This crisis has created tremendous uncertainty in all ranks of the PRPB. News coverage and social media debates continue to document the inner struggles of a police department in crisis and how this mayhem at the top is affecting the rank-and-file and the public safety of Puerto Rico in very concrete ways such as the lack of enough available police officers during the holiday season. This crisis is further accentuated when the TCA is regularly excluded from any discussion pertaining to the implementation of Act 20 in relation to

the PRPB. In past reports, the TCA has documented the inherent problems with the implementation of Act 20.

The old themes associated with this leadership in turmoil are still recurrent in the aftermath of this national crisis. The TCA continues to see problems associated with promotions, unexplained personnel transfers, questionable overtime practices, and failure to take actions against officers with dubious disciplinary records.

When the TCA refers to an old theme, a pervasive crisis that does not go away, the facts are there. This is what the TCA wrote in his first six-month report of December 2014 regarding these matters:

“Notwithstanding this overall level of commitment [of the PRBP to the Reform], the TCA has identified an important area of concern that could be considered a particularly local one, and separate from the Reform, which could assume a much larger role in the reform process. The TCA feels compelled to address matters pertaining to the compensation of police officers, including overtime and sick leave which have been fraught with delays, and have created a mood of cynicism among the police rank and file, whose acceptance and effective cooperation with the Agreement is crucial to the success of the Reform, even though the above important matters are not expressly addressed in the Agreement. The above situation is having a negative effect on morale, and the TCA has at times observed work slowdowns and increased sick leave to call out the predicament in a form of possibly impermissible protest. PRPB is well aware of these challenges and is working with the Office of Management and Budget (OMB) attempting to solve said issues. The TCA is of the opinion that if the above salary related matters are not resolved in the near future, the addressed situation in all likelihood will have an adverse effect on the Reform.⁶¹

In subsequent reports, the TCA noted that, although he was cognizant these important matters were not explicitly addressed in the Agreement, they deserved attention for their broader implications. Thus, for example, the lack of proper overtime compensation was having a negative effect on morale. The TCA observed first-hand and received reports of work slowdowns and increased sick leave in the past, although they did not reach the levels that we have seen during the recent holiday season where there were precincts

⁶¹ SIX-MONTH REPORT OF THE TECHNICAL COMPLIANCE ADVISOR, JUNE 6 – DECEMBER 6, 2014, p.7

that were not in operation. The TCA has also observed the inability of the leadership in all its ranks, from the Secretary of the Department of Public Safety to the Area Commanders, to address this crisis. In his capacity also as monitor of the federal consent decree on overtime disputes, the TCA has concluded that, although these controversies were for a while being partly addressed by the PRPB, the situation has reached a breaking point that is hurting the implementation of the reforms associated with the Agreement.

In the past, these matters reached the courts. The case regarding the unpaid overtime compensation of PRPB members was before the consideration of the United States District Court (Thomas E. Perez v. Puerto Rico Police Department and Commonwealth of Puerto Rico, et al., USDC-PR, Case No. 16-2849 (GAG)). These days these matters have also reached the public opinion, the streets of Puerto Rico, and the empty halls of the police precincts.

When the Police Commissioner informs the TCA in his dual capacity as TCA and federal monitor of the overtime consent decree that the PRPB was to receive more than \$3 million from FEMA, the question is what happened to that money. During the meeting with the Commissioner, she communicated to the TCA that she intended to utilize \$500,00 for overtime and the remainder for compensatory time until she was instructed that she could not spend any of this money for overtime. Therefore, the relevant question remains of who told the Police Commissioner that she could not spend that money that she has received from FEMA for that purpose.

There is no question that issues of compensation and overtime have caused morale issues within the PRPB and are the drivers of the current police slowdown and police absenteeism. This has also created significant problems for former Commissioner Fraley that did not have the tools to both address personnel issues and the fight against crime. She could not pay her police officers and without police officers performing their work she cannot prevent and fight crime. This is happening while the records show that police officers providing protection to the Secretary of the Department of Public Safety are receiving significant overtime payments. This is a fact that is well known to police officers and the public because it has received extensive media coverage.

Another example of a broken chain of command was during the demonstrations of May 1st, 2017. The evidence here is based on extensive testimony the TCA received from the Police Commissioner, Colonel Salva, and other high-ranking officials coordinating

the police response to the demonstrations. On May 1st, 2017, Mr. Hector Pesquera - at present, Secretary of the Department of Public Safety ("DPS") but then a civilian - was not part of the Chain of Command in charge of handling the PRPB activities related to the Workers' Day event. By May 1st, 2017, Mr. Hector Pesquera had been appointed by the Governor as the Public Safety Secretary, but had not been confirmed by the Senate. However, the evidence shows Mr. Pesquera was in police headquarters giving orders to personnel under the supervision of the Police Commissioner, including Colonel Salva and others, in the presence of the Police Commissioner.

One of the officers who received instructions from Secretary Pesquera and questioned his authority was Colonel Roberto Salvá. Colonel Salva was promoted by the current Police Commissioner and his appointment was signed by the Governor. However, the Governor has since voided and nullified that appointment. The matter is now being litigated in court.

The TCA submits that it is no longer open to discussion that the Police Commissioner does not have the direct authority and total command and control of the PRPB operations which is required under the Agreement. Consequently, there are no longer doubts that this crisis on the top of command chain is clearly affecting the implementation of the Agreement by creating an environment of uncertainty, mistrust, and polarization of the ranks. That the current management structure is not working well has been clearly established during this reporting period, the result must be an intervention that restores clear lines of leadership and management within the PRPB.

Building Community Trust Capacity: Findings from the Second Community Survey (Paragraph 241)

In keeping with the responsibility of the TCA consistent with Paragraph 241, the TCA submitted to the Court and the Parties his second survey of the community during this reporting period. This survey provides a better understanding of the police through the lenses of the community. This survey is based on in-depth discussions with diverse community groups. The methodology was a typical focus group study. These groups included representatives of traditionally underserved and underrepresented

communities in Puerto Rico, such as blacks, LGBT, Dominican, Homeless, and public housing residents among others.

Paragraph 241 of the Agreement establishes that in assessing the PRPB's overall compliance with and the effectiveness of this Agreement, the TCA shall conduct a reliable, comprehensive survey of members of the Puerto Rico community regarding their experiences with and perceptions of PRPB once during the first three years of this Agreement and annually thereafter. The community survey should be statistically valid, based on a sound methodology, and conducted by an independent entity. This community survey shall include measures to ensure input from individuals of each demographic category. The survey shall also assess the number and variety of community partnerships with PRPB and the depth and effectiveness of those partnerships. Specifically, the survey shall:

- a) include interviews with a random sample of residents of Puerto Rico, PRPB officers, and detainees arrested by PRPB within the past week;
- b) ensure the anonymity of all interview participants; and
- c) survey participants regarding community-police relations; PRPB's integrity, effectiveness, and service; and how it treats members of different demographic groups.

The Agreement required that the TCA conduct a survey of these three populations by an independent entity measuring and reporting on the experiences and perceptions of these groups on police-community relations. The persons and groups surveyed consisted of residents, detainees, and PRPB members. The first survey began on Aug 14, 2015 (resident survey), and the last survey was completed on April 12, 2016 (detainees).

The TCA expanded the survey to all sectors of the community by using focus groups. This methodology provides an in-depth analysis of people's concerns, fosters continued dialogue with the PRPB, and facilitates the design and implementation of remedies to address concerns. Specifically, the survey and focus group experts will speak with members of the LGBTQ, Dominican, Chinese, and homeless communities, and CIC representatives to aid the PRPB to use all survey findings to increase their interaction with all communities, consistent with Paragraph 205 of the Agreement. The TCA will incorporate new groups into the dialogue as they are identified.

These surveys provide the baseline that the TCA will use to determine PRPB's ability to effectively engage with the community and increase the public's trust on the work of the police. These surveys are used to determine strengths and weakness in the area of fairness and legitimacy that structure the Agreement.

The survey undertook a study based on the collection of qualitative data of eight (8) communities in Puerto Rico from homogeneous focus groups. Through the study, the focus groups were involved in a qualitative research designed to study the opinions or attitudes of the eight groups. They met in small groups of 6 to 12 people assisted by a moderator and researcher or analyst. The moderator will provide questions and lead the discussion on the Agreement and the intended reform of the PRPB. These activities related to the focus groups gave continuity to the first surveys in accordance with Paragraph 205, as well as measuring progress as defined in the Action Plans.

Dr. Richard Blanco Peck, the consultant of the TCA, was responsible for the activities related to the focus groups which includes the writing of the final report. The focus groups had the opportunity to review and make recommendations to the moderator about the questionnaires used to survey the community and other relevant matters. In these focus groups, the participants were asked about the following areas of the Agreement: use of force, searches and seizures, equal protection and non-discrimination, interaction with the community and public information, administrative complaints, internal affairs, and discipline. The survey will soon be made available to the public.

The International Consortium of Political and Social Research of the University of Michigan has ranked the summary and findings report about the three surveys. Of 548 studies, the report is ranked number 10 for Puerto Rican issues. Of 1,640 studies on policing, the report is ranked number 64. Finally, of 3,744 surveys, the report is ranked number 103.

Building Civil Rights' Protection Capacity (I): Report on the Police Response to the Mass Demonstrations of April and May 2017

Under Paragraph 227, the TCA “shall conduct the reviews specified in this Agreement; shall review PRPB policies, training material, protocols, and programs developed and implemented pursuant to this Agreement; and conduct such additional audits, reviews, and assessments as the TCA or the Parties deem appropriate, or the Court, consistent with this Agreement and the dismissal order.”

Pursuant to instructions of the Court, Docket 511; **“ORDER CLARIFYING MAY 22, 2017 SECOND PUBLIC HEARING AGENDA AND SCOPE OF HEARING ON APRIL 19, 2017,”** the Court issued an order setting the agenda for the May 22, 2017, public hearing, to be held in Ponce, Puerto Rico. (See Docket No. 509) During the public hearing, the Court took judicial notice that, since this order, several incidents had occurred during mass demonstrations and protests involving the police and protesters. They included the April 18, 2017 events at the capitol building, as well as the April 25, 2017 events at the foundation of former Governor Sila M. Calderón. The Court also noted that the TCA had indeed observed and received information regarding said incidents.

At the public hearing, the Court ordered the TCA to conduct an assessment of the demonstrations and incidents that occurred at the Capitol building on April 18, 2017, and April 27, 2017, the incident that occurred in “Centro Para Puerto Rico” on April 25, 2017, and the events and incidents that took place throughout May 1, 2017 (Worker’s Day). In the report to the Court, the Court instructed, the TCA were to submit the corresponding assessment and the necessary recommendations to the Court and the Parties.

As per Court instructions, the focus of the assessment should be on the PRPB’s compliance with the Agreement and the laws protecting the citizens of Puerto Rico and their civil rights and liberties pursuant to the Constitutions of the United States and the Commonwealth of Puerto Rico. This assessment was to pay special attention to the PRPB’s policies and trainings on policing of mass demonstrations, command and control, as well as communications and the use of Information Technology (“IT”).

In December of 2017, following Court's instructions, the TCA submitted to the Court and the Parties a draft assessment report on the demonstrations and incidents in April and May of 2017. Given that the assessment draft report is under review by the Parties, this Report identifies the methodology used, the timeline, the main themes of the draft report, and an issue – the cooperation of the PRPB with the requests for information made by the TCA - which is separate from the assessment report.

The Methodology used in this assessment report consists of the following:

- Interviewing members of the Puerto Rico Police Bureau (PRPB), members of organizations that participated during some of the events as observers, and individuals having pertinent information in relation with the previously mentioned events.
- Reviewing and analyzing all available video recordings and photographs to verify the accuracy of the information provided by the interviewed individuals.
- Reviewing and analyzing all available documents, reports and forms prepared by the PRPB.
- Reviewing and analyzing the PRPB Self-Assessment reports.
- Reviewing best practices and standard at National level.

The TCA instructed Investigations Consultant (IC) Jose L. Pujol to conduct the Court ordered assessment and to report on his findings. IC Pujol based his work on:

- His law enforcement training and experience as a federal Special Agent for approximately twenty-one (21) years.
- His knowledge as Federal Defensive Tactics Instructor (certified in 1997 by the Federal Law Enforcement Training Center located in Glynco, Brunswick, Georgia).
- The Agreement for the Sustainable Reform of the Puerto Rico Police Department (See Enclosure # 73)
- The Puerto Rico Police Bureau's General Orders (See Enclosures #10 through 19).

The assessment was conducted from May 15, 2017 through December 2017. As of the time of filing of this Interim Report, the Parties have completed their review of the draft assessment. The Report will be filed on January 31, 2018, with the Court.

During the Assessment:

- More than 300 hours of work were dedicated to the investigation and report-writing
- Large numbers of interviews were conducted involving members of the PRPB, members of Organizations that participated during some of the events as observers, and individuals having pertinent knowledge related to the four events covered by the Assessment.
- A significant number of video-recordings were reviewed and analyzed. These video recordings were obtained from the internet from the internet and publicly aired local TV stations. IC Pujol also reviewed edited videos received from the PRPB. Finally, IC Pujol reviewed video recordings made by a local TV station, who allowed IC Pujol to review and analyze their video recordings.
- Hundreds of PR Police Bureau's reports were reviewed and analyzed.

To the extent possible, the draft report and its assessment on findings has not reflected the opinion of the TCA, the TCA's Office, or IC Jose L Pujol. It has reflected the evidence obtained (whether oral, by video, or by accessing documents) by IC Pujol, and the results of the analysis made of the totality of the evidence.

In terms of main themes, the draft assessment report focused on the use of force and its reporting (in particular, use of chemical agents), arrests, the use of operational plans, coordination with the event's organizers, and issues regarding the chain of command. The draft report also documented inconsistencies in reporting and the PRPB's failure to comply with the TCA's requests during this assessment.

In this Report, it is appropriate to discuss PRPB's lack of cooperation with the TCA and the PRPB's failure to comply with the TCA requests for documents and information. Matters of access to records and personnel by the TCA are regulated by the Agreement.⁶² Two Paragraphs are particularly poignant. First, Paragraph 263 states that "PRPB shall ensure that the TCA shall have full and direct access to all PRPB and UCCJ staff, employees, and facilities that the TCA reasonably deems necessary to carry out the duties assigned to the TCA by this Agreement." Similarly, under

⁶² See Paragraphs 262 to 270: Access and Confidentiality.

Paragraph 264, “PRPB and UCCJ shall ensure that the TCA has full and direct access to all PRPB and UCCJ’s documents and data that the TCA reasonably deems necessary to carry out the duties assigned to the TCA by this Agreement, except any documents or data protected by the attorney-client privilege.”

Here this Report highlights four examples of the PRPB’s failure to comply with the TCA requests:

1. On June 1, 2017 and August 19, 2017, IC Jose Pujol requested in writing to the PRPB for copies of the PPR-854 (Use of Force) forms related to the four events covered by the Assessment (April 18, 25 and 27, 2017 and May 1st, 2017). The PRPB refused to provide copies of these forms but allowed the forms to be reviewed by IC Pujol.
2. The TCA submitted a written request to the PRPB on July 17, 2017, requesting copies of all the video recordings in possession of the PRPB in relation to the four events covered by this Report. A PRPB officer acknowledged receipt by signing the request. When IC Pujol delivered the request, the PRPB officer verbally informed that the PRPB had “lots of videos” (“montones de videos”). In several occasions after such day, the TCA office spoke to the same police officer and reminded him of the request for the video recordings, and his responses were always evasive. IC Pujol was so persistent with this request, that on 08/16/2017, the police officer provided to IC Pujol a computer disk (DVD) containing several video recordings. The officer stated that they were the video recordings pursuant to the TCA’s request.

When IC Pujol reviewed the video recordings, it was rapidly noticed that all the TCA was provided with were video recordings made by reporters of local TV stations, and video recordings downloaded from the internet (Pulso Estudiantil, Dialogo UPR). The PRPB officer did not deliver videos recorded by CRADIC or the PRPB.

The TCA finds this fact as a deceitful response to the official request. The TCA submits that having been provided in a timely fashion with all videos recorded by the PRPB would have helped to present a more complete and accurate draft report.

On 12/01/2017 the PRPB provided copies of nine DVDs to the TCA, all related to the mentioned above events. These recordings show and corroborate most of the information already provided in other recordings. However, one of the DVDs, appears to have been edited. This DVD contains one single file that has recordings made from multiple different locations, and it contains several clearly visible transitions, and in other instances has images' even overlapping each other. All these facts clearly suggest that this file may have been created with a video editor software. Additionally, two of the other remaining eight DVDs provide multiple video segments which are identified with the sequence number that the video recorder device has assigned to each of them. These two DVDs are missing several video segments according to the sequence number that the video recorder device assigned to all the segments.

These facts cast doubts on the video recordings that the TCA received, and it could be questioned if they represent only part of the incidents recorded that day by CRADIC.

On December 7, 2017, pursuant to a request of the TCA, the PRPB agreed to offer for interview agents assigned to the CRADIC unit that had been working on the May 1st events providing crowd control at the "Milla de Oro" location. The TCA interviewed an agent and his supervisor, both assigned to CRADIC. Present at the time of the interviews for the TCA office were TCA Arnaldo Claudio (via telephone line), IC Pujol, as well as Counsels Federico Hernandez Denton and Antonio R. Bazan. Representing PRPB was Counsel Joel Torres of the Commonwealth Department of Justice and a police supervisor of the Reform Unit.

During the two interviews, the TCA encountered discomfoting contradictions and discrepancies between both interviewees on issues of utmost importance to the credibility of this visual evidence. This presents a very serious concern about the possible inability of CRADIC to present their recordings as evidence during any legal process related to these events. These interviews continue to cast a doubt on the video recordings that were received by the TCA office, and it could be questioned if they represent only part of the total video footage recorded that day by CRADIC.

3. IC Pujol took a small, but a relevant, sample of five (5) Police agents who participated in the events covered by this Assessment. These five Police agents were reported as having made Use of Force during the April 25, 2017 event.

On July 17, 2017, a written request was made to the PRPB requesting all trainings in which these five agents participated during the last three years.

Despite numerous communications and reminders, this information has not been provided to the TCA as of the writing of this Report.

4. On June 1, 2017, July 17, 2017, and September 5, 2017, IC Pujol requested to the PRPB for copies of the complaints submitted against PRPB agents in relation to the four events covered by the assessment draft report. The PRPB informed that they only received one civilian complaint which is related to the April 18, 2017 but that at this time, the same still is under investigation. At present, the review of these complaint has not been allowed by the PRPB. This fact was made known on November 14, 2017, to personnel of the USDOJ, the Puerto Rico Justice Department, the PRPB, and to the TCA and his Constitutional Attorneys.

On November 17, 2017, the PRPB e-mailed a report titled “INVESTIGACION ADMINISTRATIVA, RE: QUERELLA N.I.A. 2017-01-03-00087” in which they informed that a person complained that, during the April 18, 2017 event, a police officer use force. According to a PRPB internal document, the complaint is still under investigation pending photographic and video evidence. On 11/28/2017, IC Pujol e-mailed to the PRPB a copy of a photograph which very likely depicts the police agent just before he used force.

In the draft assessment report, the evidence gathered to date identifies significant gaps and inconsistencies between the statements and the documents provided by the PRPB. For example, there are inconsistencies in the number of police officers injured, the number of use of force incidents reported, and the weapons used by officers. In addition, the evidence shows, after reviewing PRPB's own reporting of the incidents, that the uses of force incidents by members of the PRPB were allegedly underreported.

In response to the TCA report and their own self-assessment, the PRPB concluded – and the TCA agrees - that four changes must be implemented immediately:

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- a. Need to design a comprehensive work plan that complies with the provisions of General Order 625, that allows to anticipate possible events that may occur to develop specific strategies to take the necessary and effective actions.
- b. Need to train high ranking officers in strategies, tactics, negotiations and distribution of resources for the handling of incidents, crowd control and constitutional activities, knowledge needed to be able to act as an Incident Commander.
- c. Need to train all police officers in the updates of the General Order Chapter 600, Section 625, titled "Crow Control" and perform practical exercises in simulated scenarios that allow them to apply the knowledge acquired and clarify doubts.
- d. Review General Order 625, to re-evaluate several aspects necessary to achieve greater effectiveness in the handling of critical incidents and establish uniformity in the documents that must be completed to demonstrate and justify the procedures used in each event.

Building Civil Rights' Protection Capacity (II): Findings on SARP Evaluation

The TCA interviewed the SARP (Superintendency for Professional Responsibility) leadership on January 23, 2018 in order to gain a better understanding of the effects of Hurricanes Irma and Maria on the operations, organizational management, and the process related to the investigations and assessment of complaints filed on police personnel. The following document illustrates some of the highlights and findings related to this assessment.

Preparing for Hurricane IRMA:

When Hurricane Irma formed and Puerto Rico was placed on notice that it would likely make landfall or affect the Island, the PRPB and in particular SARP, were activated following the emergency plan. They were given approximately 2 or 3-day notice. This affected the manner in which SARP operated as most of the personnel was deployed to

support patrol and related functions. That is, SARP investigators were asked to conduct patrol and engage in the preparation effort. It should be noted that the administrative component of SARP continued to function during the emergency deployment as critical and essential management personnel remained in place.

SARP reports that during the days leading to Hurricane Irma, the intake process of all complaints continued. That is, regional offices where SARP personnel is deployed continued to receive complaints from the public on police personnel. The Puerto Rico Police Department SARP headquarters in San Juan was no exception. That is, they also continued to receive complaints. Notwithstanding, the actual “processing” or “investigation” of these complaints was paralyzed as the designated personnel usually assigned to these tasks were supporting patrol and emergency preparedness.

During the interview, SARP acknowledged that the 5-day deadline to process complaints was in fact negatively affected by the lack of personnel in place in order to process cases. Although the TCA found it encouraging that SARP leadership communicated with all SARP personnel during this stage of the emergency preparedness process, it is unfortunate (and perhaps a lesson to be learned and implement in future events), that SARP failed to draft and implement a “readiness policy” which would allow for all SARP personnel throughout the island to have in place (and follow) a particular protocol as to what to do with regards to the intake, investigation, and filing of cases before, during and after a hurricane or related natural event. This would likely provide SARP personnel throughout the island, in the event of failure of communication devices, to follow a protocol in an effort that such behavior becomes an institutional “muscle reflex” type of response to natural disasters.

The SARP leadership reported that it has no knowledge of any complaints or files lost before, during or after Hurricane Irma among all SARP personnel deployed throughout the island.

It should be noted that SARP reports as having 173 employees with 29 assigned to internal affairs type investigations, 19 to discriminatory claims, 8 inspectors, 15 to administrative tasks, 88 to administrative investigations and 23 to FIU. Some of these individuals have multiple assignments; hence, the reason why the total of assigned personnel may constitute beyond the number of total employees.

Hurricane IRMA:

During the hurricane period, SARP indicates the filing of complaints continued. In fact, they estimate that approximately 20 to 25 percent of all complaints were filed during the period leading up to and during Hurricane Irma. The SARP leadership explained in terms of an investigator who left on his/her desk 10 complaint files on the days leading up to the Hurricane, and when they returned a few days later, this individual found an additional 10 to 15 complaint files; totaling 20 to 25 files to investigate. The reason why the complaint filing process continued despite hurricane preparedness and its effect on SARP personnel, is that the complaints, when filed regionally, do not require for an initial sit down or interview of the complainant by a SARP investigator. That is, the complaint can be filed by anyone through the completion of an initial form readily available. In addition, most regional SARP personnel was still able to submit these forms electronically to the SARP headquarters office, within 2 or 3 days from the original day of submission. This process was largely not interrupted by Hurricane Irma.

Post-Hurricane Irma and Pre-Hurricane Maria:

The period ending the threat and effects of Hurricane Irma was short lived in light of the fact that Hurricane Maria was announced to likely impact Puerto Rico only a few days after Hurricane Irma's threat had diminished. Given this, similar protocols to the ones leading up to Hurricane Irma, were followed by SARP personnel. That is, administrative personnel remained at headquarters, and all SARP investigators and remaining personnel were deployed to support the hurricane preparedness efforts, following the directives of the police commissioner.

Hurricane Maria:

On September 20, 2017, Hurricane Maria's impact was felt throughout the island. The devastation and impact on the island was of epic proportions. Although historians will likely one day designate Hurricane Maria as a historical event that changed the lives of all Puerto Ricans living inside and outside the island, it is clear that the hurricane had a dramatic impact on the daily operations of the Puerto Rico Police Department and SARP specifically.

Post-Hurricane Maria:

Although all SARP personnel were asked to support the general police efforts during the hurricane, the key administrative SARP personnel returned soon after the hurricane winds ceased, to the police headquarters to assess the damage and determine their ability to function. The local SARP personnel were given instructions by SARP administration (prior to the hurricane) to report to their local town's police commanders and districts in order to support local police efforts. The SARP commander engaged in the task of identifying the location of his regional personnel as well as assess the health and damage affecting regional and local SARP personnel. Following the commissioner's directives, SARP began to provide assistance, where needed, to those members of SARP who were financially or physically affected by the Hurricane.

It should be noted that all communication devices were not functioning. Satellite phone services were not working as well as internet, electricity or running water in local and regional buildings. In the words of a SARP administrator, *"it was as if an atomic bomb had landed in the middle of the island"*.

In terms of the ability that SARP had to function, it was simply very limited. However, following the commissioner's directives, the SARP administration began to prioritize investigations that were deemed as "critical". That is, those investigations that involved high ranking members of the police force and those whose claims were deemed as "very serious". Given the shortage of personnel, some of the regional SARP investigators were asked to report to headquarters in San Juan in order to provide assistance on the processing of these "critical" cases. That is, a total of 20 regional SARP investigators reported to headquarters to follow up on approximately 5 to 10 "critical" cases.

When asked if the "nature" of the complaints filed during and after Hurricane Maria, changed, the SARP administration holds that the nature of the cases filed did not seem to be affected by the Hurricane. However, there seems to be an apparent increase of cases filed by police officers, after the hurricane, on fellow officers or supervisors. The type of complaints filed after the hurricane on police officers by fellow officers included abandonment of service, insubordination, and similar behaviors. Although one can speculate as to why this is the case, the SARP administration seems to adhere to the theory that it must be due to the "stressors" caused by the hurricane on police officers, who were asked to ignore their personal sufferings for the sake of providing security and rendering aid to their fellow citizens.

When asked, SARP indicated that it did not deploy its personnel in conjunction with outside police agencies that came to the island in order to render assistance. When questioned on whether or not any complaints had been filed on a police officer or agency that came from the United States to provide assistance, the SARP administration indicated that it was aware of only one complaint filed against a state trooper from police agency outside of Puerto Rico (not specified) and the Puerto police officer that accompanied him. The nature of the complaint had to do with the state trooper's alleged rude behavior towards a citizen. Due to jurisdictional issues, SARP submitted the complaint and its investigation to the commissioner who in turn, contacted the police agency administration and reported the incident. SARP also made it clear that the accusation made against the PRPB officer was based on the fact that he was next to the state trooper; therefore, no disciplinary action was taken against him.

As a matter of protocol, all SARP regional personnel were given instructions that given the communication challenges in the island, post Hurricane Maria, if a complaint was filed at a regional police station, and if SARP personnel was not in place, such complaint should be sent immediately to the closest regional police station that had a SARP investigator in place. Once the SARP investigator receives the complaint, it is sent to headquarters. However, given the absence of internet, the electronic submission was not possible. However, the files submitted regionally, were reported as having made their way to headquarters eventually.

Current Status of SARP Operations:

Currently, SARP reports to being in working almost at its full capacity. The regional officers of Fajardo, Aguadilla, and Humacao are still affected in terms of electricity and the ability of its SARP personnel from being able to electronically submit the complaints to headquarters. Absent those three regional offices, SARP is operating at its capacity. However, during the interview, it became clear that the SARP administration is very concerned about its ability to continue to operate in an effective manner (i.e., observing the reform related timelines on investigations), considering the additional cases that were filed during the time of the hurricanes, which simply accumulated at a time when SARP personnel were assisting general recovery efforts. This has the tendency of placing SARP personnel in direct contact with people that may have a dispute against them or simply may file a complaint against a member of SARP; therefore, presenting the possibility of being forced to remove such personnel from SARP while the investigation is being conducted. In short, this practice unnecessarily exposes SARP personnel while potentially affecting the ability for them to continue their duties.

There have been efforts to assist the workload such as the issuance of a memorandum by the SARP commander, where he indicated to SARP personnel suspending deadlines and timelines in place prior to the hurricane, until January 8, 2018. However, currently there seems to not be a relief in sight as SARP personnel continue to be asked to provide assistance in crime prevention and related efforts. Therefore, causing for cases involving complaints to continue to add volume to an existing strained workload. This will likely have an impact on the quality of investigations being conducted in the near future.

The TCA recommends that the current practice of assigning SARP personnel to assist in any police related effort that falls outside of its scope of duties ends immediately. If the current practice continues, it will likely affect the attrition rate of SARP personnel. In fact, SARP reports that currently, there are:

- a) Eight (8) transfer requests in place
- b) Two (2) SARP personnel who have left to other units within PRPB
- c) Five (5) SARP investigators in the process of retiring + one that recently resigned

This, according to the SARP commander, is an unusual trend for this particular unit. Thus, he expects that the effect of the current situation is that the workload will increase, and that additional strain will be placed on its personnel; causing for this trend to continue, if relief is not in place immediately. Restated, the current transfers or departures noted earlier constitute 9% of the total number of employees currently assigned to SARP.

The current inventory and trend of cases filed and investigated by SARP is as follows:

Cases Filed:

- a) Total number of cases filed from January 2017 to September 2017 is: 1,592
- b) Total number of cases filed from January 2017 to December 2017 is: 1,987
- c) Total number of cases filed AFTER Hurricane Maria (from September 20, 2017 to December 31, 2017) is: 395

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This constitutes an average of 132 cases filed per month since Hurricane Maria; when compared to an average of 177 cases filed per month before Hurricane Maria

Cases Investigated:

- a) Total number of cases investigated from January 2017 to September 2017 is: 869
- b) Total number of cases investigated from January 2017 to December 2017 is: 1,088
- c) Total number of cases investigated AFTER Hurricane Maria (from October 2017 to December 2017) is: 219. Of these, 28 cases did not exist until after Maria.
- d) Of the cases investigated since Hurricane Maria, 8 of them relate to discrimination and domestic violence.

Current Inventory of Cases:

- a) Total number of cases assigned (January 2017 to September 2017) that are pending investigations: 648
 - b) Total number of cases assigned (January 2017 to December 2017) that are pending investigations: 899
- *There was an apparent increase on the number of cases pending investigation (251 cases) from October to December 2017 (post Hurricane Maria)

Training:

On training, SARP reports that it had to make significant adjustments to the training schedule of all of its personnel throughout the island. Deadlines were extended and priority on the training schedule is being given to personnel who are pass their training deadlines. The administration of SARP affirm that the training on all of its personnel started in early January and is expected to be continued throughout the year. This includes shooting training at night, whose deadline was also extended given the personnel shortage caused by Hurricane Maria. The TCA requested the training schedule and confirmation was given that this document would be given to the TCA at a later date, once completed.

Policies:

With regards to policies, SARP stated that general order 114 was already reviewed by SARP personnel and comments were provided to the Reform division of the PRPB. Further, SARP is pending final approval of the investigations manual in order to move forward with their training and directives, which will stem from this document. In addition, SARP indicated that Reglamento 9001 (article 14 of the Police Manual), was ratified on August 29, 2017. The SARP administration also confirmed that all of SARP personnel have been made aware of the new rules and regulations as soon as these are being confirmed and ratified.

Summary:

The TCA characterizes the meeting with SARP as being generally positive and is grateful for their continued cooperation. The highlights of this report relate to the notion that SARP is currently under a great deal of strain as it relates to the investigation and processing of cases given personnel shortage, personnel assignment to duties outside of SARP, and an increase of cases being filed which have accumulated during the months after Hurricanes Irma and Maria. The TCA acknowledges that SARP is experiencing challenges at this time and encourages for relief to be provided to this unit immediately in the form of no longer assigning SARP personnel to activities that fall outside of its duty; thus, giving them time to devote to catching up on the current case load. The TCA also encourages SARP to develop a policy which relates to the form of operation of all field SARP personnel in the event of future natural disasters. This should involve the manner in which they will operate, communicate and file cases in case of power failure. Finally, the TCA encourages SARP to develop a quantitative approach to keep record on the "typology" of cases filed. That is, keep record on the nature of cases specifically noting who filed the case (civilian vs. police), what offenses were claimed to have been violated, and how case was classified and assigned to a particular investigator.

Section IV

Projected Activities: Paragraph 205(e)

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 PRPB 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 PRPB in the review of the pending and outstanding training modules.

Some areas of attention during the next six months are as follows:

1. 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 PRPB will submit in subsequent months.
2. Will assess and report on the effect the police slowdown and police absenteeism has on compliance with the Agreement
3. Will work with the Parties on the implementation of a new framework for the Agreement in the aftermath of Hurricanes Irma and Maria, including technical assistance in the development of a recovery and resiliency plan as well as a Continuity of Operations (“COOP”) plan
4. Will continue to provide support to the Police Academy while emphasizing more comprehensive IT technical assistance.
5. Will continue to conduct random visits to districts, precincts and units to determine that records relating to incidents of use-of-force have been prepared and completed.
6. Will conduct random visits to districts, precincts and units to determine whether the Supervisors of the PPR have conducted reviews and investigations on use-of force.

7. Will continue to monitor the implementation of the NIBRS policy. The TCA will review the production schedule and will interview IT staff to monitor it.
8. Will continue to support the implementation of Paragraph 13.
9. Provide support to the Court in the implementation and execution of Public Hearings.
10. Continue to provide technical assistance related to evidence rooms inspections.
11. Continue to implement next steps in the implementation of Paragraph 241
12. Continue to meet with stakeholders to ensure Reform information is properly disseminated and relations are developed.
13. Continue with the visits to the Zones of Excellence to assess progress.
14. Conduct ride-alongs to verify compliance with new established policies.
15. Continue to monitor the progress of the PRPB Information Technology Infrastructure development.
16. Continue to assess the progress of the Drug, Vice, and Illegal Firearms Division.

Appendix 1

A Message from the TCA

[Interim Seventh Report: Docket No. 723 (01/26/2018)]

This is the Seventh Semi-Annual Report (“Report”) of the Technical Compliance Advisor (“TCA”) in the Agreement for the Sustainable Reform of the Puerto Rico Police Bureau (“Agreement”). It is an interim report during this period of national crisis in Puerto Rico, the unfortunate loss of life and the devastating destruction left behind by Hurricanes Irma and Maria. The Report preliminary assesses the progress made toward implementing the Agreement by the Puerto Rico Police Bureau (“PRPB”) prior to Hurricanes Irma and Maria. It also reports on the current challenges to the sustainability of the Reform, and summarizes the work conducted by the TCA for the six-month period ending on December 9, 2017.

First and foremost, I want to acknowledge the outstanding work of the women and men of the PRPB who have provided safety, public order, assistance, and strength to Puerto Rico when it was most needed after the brutal devastations of the Hurricanes. I want to recognize specifically the sacrifice of the two officers who died responding to Hurricane-related incidents and the bravery of the more than 150 police officers who lost their homes and continued to work while they were forced to relocate themselves and their families. It is worth praising the sense of determination, sacrifice and duty of the members of the PRPB. The progress made in the last three and half years has only been possible because of their outstanding work and dedication under very difficult and extraordinary circumstances.

Prior to September 2017, the PRPB continued to make progress - with some deficiencies which I discuss below - in building capacity, drafting and updating policies, conducting required trainings, and implementing the eleven Action Plans for the eleven compliance areas required by the Agreement. However, the devastation left by these natural disasters has redefined the very idea of “capacity building” under the Agreement. There are new and significant challenges that the Parties must attend to and prioritize. In this endeavor, the TCA (with his Core Team and Constitutional Lawyers) is ready to support the Parties’ efforts regardless of how significant and daunting a task it may be.

Immediately after the passing of Hurricane Irma and subsequently after the landing of Hurricane Maria, my office conducted a preliminary assessment of the situation on the ground. Members of my team and I visited many police installations; convened with and conferred with Area Commanders, police officers, staff personnel; inspected equipment and infrastructure; and conducted operational and administrative assessments to fully understand the gravity of the situation. The USDOJ joined us in several field visits. These visits included a thorough evaluation of the PRPB's Information Technology ("IT") infrastructure and operational capabilities.

In the first week of October, I provided the Court with a preliminary assessment. On October 4, 2017, the Court "ordered the Parties, with the assistance of the TCA, and ultimate court approval, to adopt a new framework" for the Agreement best fitting the new reality on the ground.⁶³ During the months of October and November, my team and I reinitiated our regular monthly site visits and fieldwork conducting extensive assessments and baseline analyses of the PRPB's operational capacity after the Hurricanes. These evaluations have been shared with the Parties. The message of these reports is clear: after three and half years of capacity-building, there is much more that is needed from the PRPB to achieve real, effective capacity. For example, the tactical radio communications system is at best mediocre with many officers still without a hand-held radio which could easily lead to unsafe police practices. This item was presented to the PRPB more than two years ago. As described in sections of this Report, issues remain about the standardization and interoperability of radio systems and their operability under situations where there is no electric power.

During these post-storm visits, my team and I identified three specific areas where the PRPB's strategic and operational plans as drafted in the Action Plans must quickly adapt to the new prevailing conditions. In prior communications with the Parties and six-month reports, I highlighted the lack of significant progress in two of these three areas.

In the aftermath of Irma and Maria, the first challenge is to undertake real, effective capacity-building in the compliance area of Information Systems and Technology. It is apparent that the modest progress made in the last three and half years in terms of creating a reliable IT infrastructure for the PRPB has affected the operational and tactical response of the PRPB during and in the aftermath of these natural

⁶³ See: Docket No. 624.

disasters. From a strategic vantage point, however, the PRPB should consider situation as an opportunity for a major “step function” modernization of the entire IT infrastructure.

The second area where the PRPB faces a significant strategic and operational challenge is the lack of development and progress in creating a robust and solid strategic staffing plan as required under Paragraph 13 of the Agreement. During the aftermath of Irma and Maria, it is also apparent that the lack of a consistent staffing approach has limited the PRPB operationally and strategically. These staffing limitations can be seen on post-storm developments involving police overtime and the ongoing police slowdown and/or absenteeism. They are sadly developments that are likely to have a substantial effect on the PRPB’s overall ability to deter crime. Since the first six-month report, I have raised concerns that these matters (e.g., compensation, overtime, increased sick leave, impermissible protest by officers) will ultimately end up impacting on the reform process if left unattended.⁶⁴

The third challenge for real and effective capacity building is the lack of well-thought out Continuity of Operations (“COOP”) and Recovery and Resilience plans. These are components of a capacity building strategy that I have recommended the Parties must add to the Action Plans and the Agreement. Members of my staff have diligently worked with the Parties to recommend concrete steps towards the prompt implementation of these initiatives.

In the middle of this national disaster, I must unfortunately return to one of the themes that I mentioned in my prior reports. The most persistent challenge to the Reform and the implementation of the Agreement today is the current crisis of leadership and management affecting the PRPB and the lack of direction in the implementation of Act 20 of 2017. This crisis has created tremendous uncertainty in all ranks of the PRPB. News coverage and social media debates continue to document the inner struggles of a Police Department in crisis and how this mayhem at the top is affecting the rank-and-file and the public safety of Puerto Rico in very concrete ways such as the lack of enough available police officers during the holiday season. This crisis is further accentuated when the TCA is regularly excluded from any discussion pertaining to the implementation of Act 20 in relation to the PRPB.

⁶⁴ See: TCA Six Month Report (December 2014), 7.

The old themes associated with this leadership in turmoil are still recurrent in the aftermath of this national crisis. The TCA continues to see problems associated with promotions, unexplained personnel transfers, questionable overtime practices, and failure to take actions against officers with dubious disciplinary records. Similarly, it is no longer open to discussion that the Police Commissioner does not have the direct authority and total command and control of the PRPB operations which is required under the Agreement. Consequently, there are no longer doubts that this crisis on the top of command chain is clearly affecting the Reform by creating an environment of uncertainty, mistrust, and polarization of the ranks. That the current management structure is not working well has been clearly established during this reporting period, the result must be an intervention that restores clear lines of leadership and management within the PRPB.

In February 2017, with my team of legal advisors and law enforcement experts, I prepared a thorough and detailed report which was shared with the Parties and the Court on how Act 20-2017 (creating the Department of Public Safety) could impact and delay the implementation of the Agreement. In the referenced document, drafted after a meticulous study of the law, the TCA found obstacles and challenges that could affect the Reform and its implementation. Those concerns have been further accentuated by the events on the field. To date, the TCA is yet to be invited to a meeting of the Act 20 Implementation Task Force and the information that is often reported publicly, such as the changes to the Police Academy, just emphasize the concerns raised in prior documents and during public hearings.

In keeping with the responsibility of the TCA consistent with Paragraph 241, the TCA submitted to the Court his second survey of the community. This survey provides a better understanding of the police through the lenses of the community. This survey is based on in-depth discussions with diverse community “focus” groups. The methodology was a typical focus group study. These groups included representatives of traditionally underserved and underrepresented communities in Puerto Rico, such as blacks, LGBT, Dominican, Homeless, and public housing residents among others.

The TCA also submitted to the Parties and the Court his preliminary assessment of how the PRPB policed the mass demonstrations of April and May. The overall assessment is that the PRPB managed these incidents in a more professional manner than in the days prior to the Reform. Although the specific findings will be made public soon, there are two concerns which are worth discussing. The first finding is the disruption of the chain of command which exemplifies the concerns I mentioned earlier regarding the

implementation of Act 20. The second finding is that there are still significant challenges in the ability of the PRPB to document police-civilian interactions and police-involved incidents. It is also worth mentioning that the lack of cooperation of the PRPB with certain requests for information from the TCA reveals that the PRPB has not adopted fully the principles of trust and transparency.

Once again, the TCA must address the situation and infrastructure of the Police Academy. If the Commonwealth's position is that the financial commitment needed is beyond their control, then the financial bureaucracy of the Commonwealth should step in and ensure the PRPB is sufficiently funded to meet this challenge. Until the TCA sees meaningful effort to correct the Academy's situation, the Police Academy will remain outdated in its infrastructure to support meaningful reform.

There is a matter that is of great concern to the TCA. Although I have previously reported that the political transition that occurred in January 2017 did not affect the collaborative efforts of the Reform Unit and the TCA and that there were no significant personnel changes in the Reform Unit, this has been no longer the case during this reporting period. During this time, the PRPB removed Colonel Clementina Vega of her role as head of the Reform Unit. The TCA was never officially notified of this change. Neither the original monthly reports that the PRPB submits to the TCA of personnel transfers within the PRPB notified the TCA of this action. Under Paragraph 233 of the Agreement, the obligations of the PRPB are crystal-clear: "PRPB shall inform the TCA and USDOJ of any changes to Reform Unit staff, including suspensions, reassignments, and dismissals of personnel." Without entering to evaluate the merits of the transfer, the TCA is highly concerned with the apparent violation of the Agreement and the lack of transparency and information sharing stemming from the PRPB. To date, the PRPB has not provided the TCA with any justifiable explanation as to why the reports contained incorrect information and the TCA was not properly provided with a justification for the transfer. (Although the TCA was informed that Colonel Vega has been re-instated in her leadership role on December 22, 2017, the fact remains that the opacity of the PRPB and the alleged violation of the Agreement are disconcerting).

Given the preliminary nature of this Report and the absence of the PRPB's Status Report, the TCA has changed the format of the report when measuring compliance with the Action Plans. This Report will not contain tables that describe what the PRPB said they would accomplish and the TCA's reviews and observations assessing whether the PRPB achieved what they claimed. The TCA will return to this tabular design in subsequent reports as mandated by the Agreement.

Finally, the TCA continues its open-door policy and raises with the PRPB community concerns that are often brought to the TCA's attention, while ensuring that the PRPB addresses those issues and concerns timely and appropriately.

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Appendix 2

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.
- 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 25 meetings with different police agents *of the Puerto Rico Police Department (PRPB)*, for the attention of specific claims and/or complaints that have against the agency because of alleged violations to their administrative due process.

Meetings and activities in accordance with Paragraph 254 of the Agreement

Meetings with Puerto Rico Police Reform Unit:

- Meetings with Police Department Commissioner (August, September, October & November 2017)
- Meetings and communications with Col. Clementina Vega, Director of the Puerto Rico Police Reform Office, and other personnel of the PRPB.
- Monthly meetings with the Police Reform Unit designated personnel for the review, analysis and comments on the Action Plans presented by the PRPB.
- Meetings, conference calls and documents' presentation with review of the politics of the PRPB with the Reform Unit's professionals and/or with the USDOJ and PRDOJ for the analysis, discussions and technical support to the final drafts

OFFICE OF THE TECHNICAL COMPLIANCE ADVISOR

of following Generals Orders, Policies, Actions Plans and PRPB Forms. Please see Table

- TCA Core Team meetings with Police Reform Unit and other PRPB units (August, October and November 2017)

Meetings with Puerto Rico Police Bureau representatives:

- Several visits to the Police Academy, and meeting with Col. Orlando Rivera and his staff (July, August, October and November 2017).
- Meetings with the head of SARP (August 2017)

Visits and meetings to Police Regional Headquarters and Police Stations and Specialized Units:

- TCA and Core Team visit to Aguadilla Police Headquarters (August 2017).
- TCA and Core Team visit to Mayagüez Headquarters (August 2017).
- TCA and Core Team visit to Aibonito Headquarters (July 2017).
- TCA and Core Team visit to Ponce Headquarters (August 2017).
- Visit to police Fire Range at Gurabo (August, October & November 2017).
- Core Team visit to Zone of Excellence Quebradillas (October 2017)
- Core Team visit to Zone of Excellence Utuado (July 2017)
- Core Team visit to Zone of Excellence Bayamón (July 2017)

Visits and Meetings to Police Specialized Units:

- CIC, Drugs and Narcotics Arecibo, Aibonito, Mayaguez and Aguadilla Units (July and August 2017)
- San Juan SARP Unit (July 2017)
- TCA Core Team Visit Command and Radio Control Center of Carolina and San Juan (July 2017)

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

- Ismael Rivera, Police Association (July 2017).
- Gregorio Matías, Police Organize Associations (July 2017).
- Diego Figueroa, Federación Unida Policías Organizados, (July and October 2017)
- Jaime Morales COPS (July 2017)

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

- Meeting with Tati Escobar Office of Advocate for Individuals with Disabilities (July 2017)
- Meeting with Cecilia La Luz from "*Centro Comunitario LGBTT*", Transgender Group (August, September & October 2017)
- Meeting with Modesta Irizarry, Loiza community leader. (Julu 2017)
- Meeting with Carmen Villanueva Community Leader (July 2017)

Meetings with Reform Stakeholders:

- Esq. William Ramírez, ACLU (August and September 2017)
- Dr. Richard Blanco Peck, University of Puerto Rico Public Administration Graduate School for the discussion and analysis and presentation of Paragraph 241 of the Agreement. (July 2017)
- Mari Mari Narvaez Espacios Abiertos (July 2017)
- Jose Rodríguez, Dominican Community Leader (July and August 2017)
- Roberto "Papo" Christian Community Leader (July 2017)
- Pedro Julio Serrano, LGBTT. (July 2017)
- TCA meeting with Honorable Judge Sigfredo Steidel Figueroa (July 2017)

Appendix 3

List of Revised Policies

June/2017

Orden General 600-612: Autoridad para Llevar a Cabo Registros y Allanamientos
General Order 600-612: PRPB Policy on Searches and Seizures

Orden General 600-620: Armas Especializadas de las Divisiones de Tácticas Especializadas (DTE)
General Order 600-620: Specialized Weapons of the Division of Specialized Tactics (DTE)

Orden General 600-623: Persecuciones Policiacas
General Order 600-623: Police Pursuits

Orden General 600-625: Manejo y Control de Multitudes
General Order 600-625: Management and Crowds Control

Manual Administración Sistemas Computadorizados
Manual for the Administration of Computerized Systems

Manual Uso y Manejo Sistemas Computadorizados
Manual for the Use and Management of Computerized Systems

Manual Operacional del Cuerpo de Investigaciones Criminales (CIC)
Operational Manual of the CIC

Orden General 500-503: Junta de Evaluación de las Divisiones Especializadas
General Order 500-503: Specialized Divisions Evaluation Board

OA-2015-IV: Orden Administrativa de Intervenciones Vehiculares
OA-2015-IV: Administrative Order on Motor Vehicle Interventions

Orden General 600-618: Uso y Manejo de Armas de Reglamento
General Order 600-618: Use and Management of Regulation Firearm

- Receipt for Regulation Firearm, Magazine, and Ammunition (PPR-121)
- Registration Checking In/Out of Rifles (PPR-924)

- Evidence of Payment for Depreciation of Firearm Lost or Stolen of a Member of the PRPB (PPR-925)
- Request for Service of Firearm (PPR-846)
- Receipt for Regulation Firearm (PPR-279)
- Additional Firearms Assigned to Members of the PRPB (PPR-444)
- Quarterly Inventory of Long Guns, Magazines and Ammunition (PPR-119)
- Repercussion for Non-Approval with Regulation Firearm (PPR-990)
- Certifications of Receipt of Firearm and/or Ammunition (PPR-384)
- Certification of Proof of Functioning Chemical Gas (pepper spray) (PPR-1009)

Orden General: Evaluación de Desempeño de los Miembros de la Policía de Puerto Rico

General Order: Performance Evaluation of Members of the Puerto Rico Police Department

- PRPB Form: Performance Evaluation
- PRPB Form: Performance Self-Assessment

Orden General 600-615: Autoridad para Llevar a Cabo Arrestos y Citaciones

General Order 600-615: Authority to Conduct Arrests and Issue Summons

Manual de Procedimientos Operacionales Estandarizados para las Divisiones de Drogas, Narcóticos, Control del Vicio y Armas Ilegales

Manual of Standardized Operational Procedures for the Divisions of Drugs, Narcotics, Addiction Control and Illegal Weapons

Orden General 600-626: Intervención con Personas Extranjeras

General Order 600-626: Intervention with Foreign Persons

Orden General: Cámara Corporal

General Order: Body Cameras

Glosario de Definiciones: Conceptos Básicos Legales de la Policía de Puerto Rico

Glossary of Definitions: Basic Legal Concepts of the Puerto Rico Police

July/2017

Orden General: Creación de la Unidad Motorizada en la Policía de Puerto Rico

General Order: Creation of the Motorized Unit in the Puerto Rico Police

Orden General 600-623: Persecuciones Policiacas

General Order 600-623: Police Pursuits

Orden General 600-625: Manejo y Control de Multitudes

General Order 600-625: Management and Crowds Control

Orden General 600-627: Investigación de Incidentes de Violencia Doméstica

General Order 600-627: Investigation of Incidents of Domestic Violence

Orden General 100-118: Funciones y Responsabilidades de la División de Violencia Doméstica

General Order 100-118: Functions and Responsibilities of the Division of Domestic Violence

OA-2016-4: Orden Administrativa Investigación de Incidentes de Violencia Doméstica Empleados de la PPR

OA-2016-4: Administrative Order for the Investigation of Incidents of Domestic Violence Employees of the PRPB

Orden General 100-113: División de Investigación de Incidentes de Uso de Fuerza (FIU)

General Order 100-113: Division of Incident Investigation of Use of Force (FIU)

Orden General 100-115: División de Delitos Sexuales y Maltrato de Menores

General Order 100-115: Division of Sexual Offenses and Child Mistreatment

Orden General 600-622: Investigación de Incidentes de Delitos Sexuales

General Order 600-622: Investigation of Incidents of Sexual Offenses

OA-2016-3: Orden Administrativa de Delitos Sexuales Cometidos por Empleados de la PPR

OA-2016-3: Administrative Order of Sexual Offenses Committed by Employees of the PPR

- PRPB Forms-849 (849.1 to 849.7): Report of Incidents of Investigation of Sex Crimes
- Brochure for the Confidential Line 343-0000: Rights of Victims of Sex Crimes

Orden General 500-503: Junta de Evaluación de las Unidades Especializadas

General Order 500-503: Evaluation Board of Specialized Units

Orden General 600-612: Autoridad para Llevar a Cabo Registros y Allanamientos

General Order 600-612: PRPB Policy on Searches and Seizures

Orden General 600-620: Armas Especializadas de las Divisiones de Tácticas Especiales

General Order 600-620: Specialized Weapons of the Special Tactical Divisions

Orden General 600-618: Uso y Manejo de Armas de Reglamento

General Order 600-618: Use and Management of Regulation Firearm

August/2017Orden General 600-615: Autoridad para llevar a cabo Arrestos y Citaciones

General Order 600-615: Authority to carry on Arrests and Citations

Orden General 600-627: Investigación de Incidentes de Violencia Doméstica

General Order 600-627: Investigation of Incidents of Domestic Violence

Orden General 100-118: Funciones y Responsabilidades de la División Especializada de Violencia Doméstica de la Policía de Puerto Rico

General Order 100-118: Functions and Responsibilities of the Puerto Rico Police Domestic Violence Specialized Division

Orden Administrativa OA-2016-4: Investigación de Incidentes de Violencia Doméstica Involucrando Empleados de la Policía de Puerto Rico

Administrative Order 2016-4: Investigation of Domestic Violence Incidents Involving Puerto Rico Police Employees

Manual SAIC: Capitulo 7 - División de Investigaciones de Robos y Fraudes a Instituciones Financieras y Cooperativas

SAIC Manual: Chapter 7 - Investigation Division of Robberies and Frauds to Financial Institutions and Cooperatives

Reglamento de Estudiantes de la Superintendencia Auxiliar en Educación y Adiestramiento

Student Regulations of the Auxiliary Superintendence in Education and Training

Orden General: División Asuntos Confidenciales

General Order: Confidential Affairs Division

Orden General: Acceso y Manejo de los Sistemas de Justicia Criminal

General Order: Access and Management of Criminal Justice Systems

Orden General: División de Crímenes Cibernéticos y Normas para Solicitar, Intervenir y Procesar las Actividades y Equipos Electrónicos Relacionados con la Comisión de Delitos

General Order: Division of Cybercrime and Standards to Request, Intervene and Process Electronic Activities and Equipment Related to the Crime Commission

September/2017

Orden General: Comparecencia a los Foros Judiciales y/o Administrativos

General Order: Appearance to the Judicial and / or Administrative Forums

Orden General: Centro de Recopilación, Administración y Disseminación de Inteligencia Criminal

General Order: Center for Collection, Administration and Dissemination of Criminal Intelligence

Orden General 600-610: Grabación de Eventos Públicos

General Order 600-610: Public Events Recording

Acuerdo Colaborativo entre el Departamento de Justicia y la Policía de Puerto Rico en cuanto a las Advertencias Garrity

Collaborative agreement between the Department of Justice and the Police of Puerto Rico regarding the Garrity Warnings

Orden General: Normas y Procedimientos para la Implantación de Adiestramientos y Readiestramientos

General Order: Norms and Procedures for the Implementation of Training and Re-Training

- PRPB Form: Corrective Action Plan

Protocolo: Evaluación Sobre el Cumplimiento de las Mejores Prácticas de Programas Operacionales

Protocol: Evaluation of Compliance with Best Practices of Operational Programs

Orden General 600-601: Reglas de Uso de Fuerza

General Order 600-601: Rules of Use of Force

Orden General 600-602: Uso y Manejo del Dispositivo de Control Eléctrico

General Order 600-602: Use and Operation of the Electric Control Device

Orden General 600-603: Uso y Manejo de las Armas de Impacto

General Order 600-603: Use and Management of Impact Weapons

Orden General 600-604: Uso y Manejo de Agentes Químicos

General Order 600-604: Use and Management of Chemical Agents

Orden General 600-605: Informe e Investigación de Incidente de Uso de Fuerza

General Order 600-605: Report and Investigation of Use of Force Incident

Orden General Código de Ética

General Order Code of Ethics

Glosario de Términos de Uso de Fuerza

Glossary of Terms of Use of Force

October/2017

Orden General de Comparecencias a los Tribunales y Foros Administrativos

General Order of Court Appearances and Administrative Forums

Orden General de CRADIC

General Order of CRADIC

Orden General de Grabación de Eventos Públicos

General Order for the Recording of Public Events

Acuerdo Colaborativo con el Departamento de Justicia de Puerto Rico en cuanto a las Advertencias Garrity

Collaborative Agreement with the Department of Justice of Puerto Rico regarding the Garrity Warnings

Orden General 600-601: Reglas de Uso de Fuerza

General Order 600-601: Rules of Use of Force

Orden General 600-602: Dispositivo de Control Eléctrico

General Order 600-602: Electric Control Device

Orden General 600-603: Uso y Manejo de las Armas de Impacto

General Order 600-603: Use and Management of Impact Weapons

Orden General 600-604: Uso y Manejo de Agentes Químicos

General Order 600-604: Use and Management of Chemical Agents

Orden General 600-605: Informe e Investigación de Incidente de Uso de Fuerza
 General Order 600-605: Report and Investigation of Use of Force Incident

- PRPB Form 854: Use of Force Incident Report
- PRPB Form 204: Use of Force Report
- PRPB Form 892: Daily Use Electrical Control Device.
- PRPB Form 900: Receipt Occupation Less Lethal Weapons
- PRPB Form 928: Daily Report of Incidents of Use of Force

Orden General 600-605: Informe e Investigación de Incidentes de Uso de Fuerza
 General Order 600- 605: Report and Investigation of Use of Force Incident

Orden General Código de Ética
 General Order Code of Ethics

Glosario de Términos de Uso de Fuerza
 Glossary of Terms of Use of Force

Orden General: Evaluación de Desempeño de los Miembros de la Policía de Puerto Rico

General Order: Performance Evaluation of Members of the Puerto Rico Police Department

- PRPB Form: Evaluation Instrument

Orden General: Armas Especializadas de las Unidades Tácticas Especializadas.
 General Order: Specialized Weapons of the Specialized Tactical Units.

November/2017

Orden General 600-617: Código de Ética de los Miembros del Negociado de la Policía de Puerto Rico

General Order 600-617: Code of Ethics of the Members of the Bureau of the Puerto Rico Police

Manual Operacional del Cuerpo de Investigaciones Criminales
 Operational Manual of the Criminal Investigation Unit

Orden General: Citaciones y Comparecencias y Citaciones a los Foros Judiciales y/o Administrativos

General Order: Citations and Appearances and Citations to the Judicial and / or Administrative Forums

Reglamento Estudiantes de la Comisión Auxiliar de Educación y Adiestramiento
Students Regulation of the Auxiliary Commission of Education and Training

Orden General: Evaluaciones de Desempeño de los Miembros del Negociado de la Policía de la Policía de Puerto Rico

General Order: Performance Evaluation of Members of the Bureau of the Police of the Puerto Rico Police

Orden General 600-626: Intervención con Personas Extranjeras

General Order 600-626: Intervention with Foreign Persons

Orden General: Comisaria Auxiliar de Responsabilidad Profesional (CARP)

Order General: Assistant Commissioner for Professional Responsibility (CARP)

Orden General: Reorganización de Asuntos Confidenciales

General Order: Reorganization of Confidential Affairs

Manual del Investigador de la Comisaría Auxiliar en Responsabilidad Profesional

Investigator's Manual of the Auxiliary Commissariat in Professional Responsibility

Orden General 100-118: Funciones y Responsabilidades de la División de Violencia Doméstica

General Order 100-118: Functions and Responsibilities of the Division of Domestic Violence

OA-2016: Investigación de Incidentes de Violencia Doméstica Involucrando Empleados

OA-2016: Investigation of Incidents of Domestic Violence Involving Employees

Manual de Procedimientos Estándar (SOP) Violencia Doméstica

Standard Procedures Manual (SOP) Domestic Violence

Orden General 600-627: Investigación de Incidentes de Violencia Doméstica

General Order 600-627: Investigation of Incidents of Domestic Violence

Reglamento para el Recibo, Trámite, Investigación y Adjudicación de Querellas Administrativas Contra Empleados del Negociado de la Policía de Puerto Rico

Regulation for the Receipt, Processing, Investigation and Adjudication of Administrative Complaints Against Employees of the Bureau of the Police of Puerto

Orden General 100-122: Negociado de Drogas, Narcóticos, Control del Vicio y Armas Ilegales

General Order 100-122: Bureau of Drugs, Narcotics, Control of Vice and Illegal Weapons

Orden General 400-402: Procedimiento para el Manejo y Divulgación de las Grabaciones del Sistema de Radio Comunicación del Negociado de la Policía de Puerto Rico

General Order 400-402: Procedure for the Handling and Dissemination of Recordings of the Radio Communication System of the Bureau of the Police of Puerto Rico

Orden General 100-113: Organización de la División de Incidentes de Uso de Fuerza (FIU)

General Order 100-113: Organization of the Force Use Incident Division (FIU)

Orden General: Uso y Manejo de la Aplicación del Mapa de Incidentes Criminales

General Order: Use and Management of the Application of the Criminal Incidents Map (Crime Mapping)

Orden General del Sistema de Intervención Temprana (EIS)

General Order of the Early Intervention System (EIS)

Manual de Procedimientos para el Uso del Sistema de Intervención Temprana (EIS)

Manual of Procedures for the Use of the Early Intervention System (EIS)

December/2017Revision Orden General SAEA

General Order SAEA Annual Review

Orden General SARP

General Order SARP

Manual de Investigacion SARP

Handbook SARP

Orden General Crime MappingRevision Orden General 403 Uso de Sistemas Computarizados

General Order Computer Use Annual Review

January/2018

Revision de Orden General Policía Comunitaria
General Order Community Policing Annual Review

Revision Orden General Encuentros Comunitarios
General Order Meetings with the Community Annual Review

Revision Orden General Superintendencia Auxiliar de Servicios Gerenciales
General Order Management Division Annual Review

Orden General Medidas Correctivas No Punitivas
General Order non-Punitive Actions

SOP de Violencia Doméstica
Domestic Violence SOP

Reglamento para el Recibo , Trámite, Investigación y Adjudicación de Querellas Administrativas
Regulation for Processing of Administrative Complaints

Orden General Programa de Información Pública y Querellas Administrativas
General Order for Public Outreach on Administrative Complaints

Orden General de CRADIC
CRADIC General Order

Orden General de Comparecencias a los Foros Judiciales y Administrativos
General Order for Participation in Judicial Hearings

Orden General de Crímenes Cibernéticos
General Order Cyber Crimes

February/2018

Revision Orden Administrativa Programa de Ayuda al Empleado
Review Administrative Order for Employee Assistance Program

Orden General 601 Reglas para el Uso de Fuerza

General Order 601 Use of Force

Orden General 605 Informe e Investigación Uso de Fuerza
General order 605 Use of Force Investigation

Informe de Uso de Fuerza PPR 854
PPR 854 Use of Force Report

Informe de Notificación de Incidentes de Usos de Fuerza
Use of Force Notification Report

Informe de Notificación Diaria de Incidentes de Usos de Fuerza
Use of Force Notification Report (Daily)

Notificación de Incidentes Críticos
Reporting of Critical Incidents

List of Approved Policies

June/2017⁶⁵

Orden General 100-117: Reorganización de la División de Armas y Tácticas Especiales
General Order 100-117: Reorganization of the Division of Special Weapons and Tactics

Orden General 600-621: NIBRS
General Order 600-621: NIBRS

Orden General 600-624: Interacción con Personas Transgénero y Transexuales
General Order 600-624: Interaction with Transgender and Transsexual Persons

Reglamento para el Establecimiento de Prácticas Policiacas Libres de Discrimen,
Hostigamiento, Conducta Sexual Impropia y Represalias de la PPR

⁶⁵ The list of policies of June/2017, belongs to the previous TCA Six Month Report (were approved on June 1, 2017). They are part of this report given that, they were not included in the past report.

Regulations for the Establishment of Police Practices Free of Discrimination, Harassment, Sexual Misconduct and Retaliation of the PRPB

Orden General: Reclutamiento Aspirantes a Cadetes

General Order: Recruitment Aspirants to Cadets

Orden General 100-126: Reorganización del Centro de Operaciones de Radio Control y Centro de Mando

General Order 100-126: Reorganization of the Command Center Operational Center for Radio Control and Command Center

Orden General: Reorganización de la Superintendencia Auxiliar en Investigaciones Criminales

General Order: Reorganization of the Auxiliary Superintendent in Criminal Investigations

Orden General: Repositorio Central para la Captura de Datos Relacionada al Crimen

General Order: Central Repository for Data Capture Related to Crime

Orden General: Reorganización de la Superintendencia Auxiliar en Cuerpo de Investigaciones Criminales

General Order: Reorganization of the Auxiliary Superintendent in Criminal Investigations Corps

Manual Operacional de Violencia Doméstica

Operational Manual of Domestic Violence

Manual NIBRS

NIBRS Manual

Manual de Explosivos

Explosive Manuals

July/2017

Manual de Procedimientos Operaciones Estandarizadas para las Divisiones de Drogas, Narcóticos, Control del Vicio y Armas Ilegales

Manual of Procedures Standardized Operations for Divisions of Drugs, Narcotics, Vice Control and Illegal Weapons

Orden General 600-620: Armas Especializadas de las Divisiones Tácticas Especializadas

General Order 600-620: Specialized Weapons of Specialized Tactical Divisions

Orden General 500-503: Junta de Evaluación de las Unidades Especializadas

General Order 500-503: Evaluation Board of Specialized Units General

Orden General 600-612: Autoridad para Llevar a Cabo Registros y Allanamientos

Order 600-612: Authorization to Carry Out Search & Seizures

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Glosario de Definiciones: Conceptos Básicos Legales de la Policía de Puerto Rico
Glossary of Definitions: Basic Legal Concepts of the Puerto Rico Police Department

Manual para el Uso de los Sistemas Computadorizados
Manual for the Use of Computerized Systems

Orden General 100-115: División de Delitos Sexuales y Maltrato de Menores
General Order 100-115: Division of Sexual Crimes and Child Abuse

Orden General 600-622: Investigación de Incidentes de Delitos Sexuales
General Order 600-622: Investigation of Incidents of Sexual Offenses

OA-2016-3: Orden Administrativa de Delitos Sexuales Cometidos por Empleados de la PPR
AO-2016-3: Administrative Order of Sexual Crimes Committed by Puerto Rico Police Employees

Orden General 100-113: División de Investigación de Incidentes de Uso de Fuerza
General Order 100-113: Use of Force Investigation Division

OA-2015-IV: Orden Administrativa de Intervenciones Vehiculares
AO-2015-IV: Administrative Order of Vehicular Interventions

OA-2017-2: Reuniones Mensuales
AO-2017-2: Administrative Order Monthly Meetings

August/2017

Orden General 600-615: Autoridad para llevar a cabo Arrestos y Citaciones General Order 600-615: Authority to carry on Arrests and Citations

Orden General 600-627 Investigación de Incidentes de Violencia Doméstica General Order 600-627: Investigation of Domestic Violence Incidents

Orden General 100-118: Funciones y Responsabilidades de la División Especializada de Violencia Domestica de la Policía de puerto Rico
General Order 100-118: Functions and Responsibilities of the Puerto Rico Police Domestic Violence Specialized Division

Orden Administrativa 2016-4: Investigación de Incidentes de Violencia Domestica Involucrando Empleados de la Policía de Puerto Rico
Administrative Order 2016-4: Investigation of Domestic Violence Incidents Involving Puerto Rico Police Employees

Orden General 100-115: Estructura Organizacional y Funcional de la Oficina de Prensa
General Order 100-115: Organizational and functional Structure of the Press Office

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Orden General Centro de Mando y Radio Control
General Order Command Center and Radio Control

Orden General Crímenes Cibernéticos
General Order Cyber Crimes

September/2017

Orden General 600-612: Autoridad para llevar a cabo Registros y Allanamientos
General Order 600-612: Authority to conduct Search and Seizures

Orden General 600-615: Autoridad para llevar a cabo Arrestos y Citaciones
General Order 600-615: Authority to carry on Arrests and Citations

Manual Operacional de la Oficina de Explosivos y Seguridad Publica
Operational Manual of the Office of Explosives and Public Safety

October/2017

Orden General 600-618: Uso y Manejo de Armas de Reglamento
General Order 600-618: Use and Management of Regulation Weapons

Appendix 4

Paragraph 250(b-d): Compliance Tables

SIX-MONTH REPORT OF THE TECHNICAL COMPLIANCE ADVISOR JUNE 9, 2017 – MARCH 31, 2018

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

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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.”

Methodological notes for the reader:¹

In accordance with Paragraphs 240 and 250, the TCA must file with the Court, every six months, written, public reports during the first four years from the Appointment Date [June 6, 2014]. The purpose of these reports is for the TCA to determine whether PRPB is “making satisfactory progress toward implementation of the Agreement” (Paragraph 250) and “evaluate PRPB’s compliance with this Agreement by assessing PRPB’s progress against its Action Plans.” (Paragraph 240) To determine compliance, among other things, the TCA must perform two distinct tasks:

“The TCA shall assess whether PRPB has met the timeline for each detailed step specified in the Action Plans, and whether PRPB is in full, partial, or noncompliance with the detailed steps.” (Paragraph 240)²

Generally, the report must describe the work conducted by the TCA during the period covered by the report and outline which requirements from the Agreement and Action Plans have been incorporated into policy, trained for, and carried out in actual practice. This is the TCA’s seventh report in satisfaction of his ongoing obligation to review, assess, and report.

¹ Here we follow closely the structure of the reports of the Cleveland Police Monitoring Team and the Seattle Police Monitoring Team. There are other reports from other jurisdictions that have also framed the content and format of this Report.

² Paragraph 240. See 250 (b).

In the first two years since the TCA's appointment date, my team and I avoided the use of tables, report cards, ratings, and similar devices to measure compliance. It was the opinion of the team and their lengthy professional experience that the over-simplification of measuring progress or compliance through a table sidetracked the discussion about the substance of the PRPB's compliance. The tables limited the TCA from his ability to openly discuss the work that the PRPB engaged in to achieve compliance.

However, the TCA and his team agree with the position of the USDOJ that, almost five years into the Agreement and approximately four years into the capacity building period, it is useful to present a paragraph-by-paragraph accounting of the state of the PRPB's compliance with the specific requirements of the Agreement and the steps of the Action Plans. Although the risk over-simplification persists, the Team and I conclude that this approach of measuring compliance through tables is beneficial to the Parties and the Court.

Consequently, each of the following sections of this appendix displays with a table – activity by activity, step by step – the state of the PRPB's compliance with the requirements of the Action Plans.

The Report use the following rating structure and color code:

Non-Compliance. The PRPB has not yet complied with the relevant provision of the Action Plan. This includes instances in which the PRPB's work or efforts have begun but

cannot yet be certified by the TCA Team as compliant with a material component of the Action Plan requirement.

Partial Compliance. The PRPB has made sufficient initial strides or sufficient partial progress toward compliance toward a material number of key components of the step of the Action Plan – but has not achieved real, effective operational compliance. This includes instances where policies, processes, protocols, trainings, systems, or the like exist on paper but do not exist or function in day to-day practice. It may capture a wide range of compliance states or performance, from the PRPB having taken only very limited steps toward operational compliance to being nearly in full compliance. It also includes situations where the PRPB has made notable progress to technically comply with the requirement and/or policy, process, procedure, protocol, training, system, or other mechanism of the Action Plan such that it is in existence or practice operationally – but has not yet demonstrated, or not yet been able to demonstrate, meaningful adherence to or effective implementation, including across time, cases, and/or incidents.

Full Compliance. The PRPB has complied fully with the requirement and the requirement has been demonstrated to be meaningfully adhered to and/or effectively implemented across time, cases, and/or incidents. This includes instances where it can be shown that the PRPB has effectively complied with a requirement fully and systemically.

Evaluation Deferred. This category reflects those limited instances where work in a given area has been intentionally and affirmatively deferred in order to work on other, necessary

prerequisites. In these areas, the PRPB could have made more progress in a given area but, for project management, budgetary, or operational reasons, have appropriately focused attention on other areas.

In considering this classification scheme, readers of this report should keep some important things in mind. First, a designation of “Partial Compliance” does not necessarily or in itself mean that the lack of progress is something that the TCA finds problematic under the circumstances. In some instances, it does. But, there are many instances where partial compliance includes situations where the PRPB has made notable progress to technically comply with the requirement of the Action Plan such that it is in existence or practice operationally – but has not yet demonstrated, or not yet been able to demonstrate, meaningful adherence to or effective implementation, including across time, cases, and/or incidents.

Second, the Monitoring Team’s conception of “partial compliance” requires more than the PRPB simply taking some limited or initial steps toward adhering to a specific step of an Action Plan or an Agreement requirement. That is, a “partial compliance” determination is not used simply because some small amount of work has been conducted. Instead, “non-compliance” becomes “partial compliance” when the PRPB has made sufficient, material progress toward compliance – suggesting that the PRPB has graduated from the stages of initial work to more well-developed and advanced refinement or various reforms.

Third, the compliance that this report discusses is with respect to compliance with the various, specific provisions of the Action Plans – and not with respect to the “Full and Effective Compliance” with the whole of the Agreement which is defined in Paragraphs 10 (bb), 294 and 301.³ Such “Full and Effective Compliance” will be reached when the PRPB has reached “sustained compliance with all requirements of this Agreement, or sustained and continuing improvement in constitutional policing, as demonstrated pursuant to the Agreement’s outcome measure.”

During this period of capacity building, the PRPB still has a substantial distance to travel to either comply with all of the Action Plans’ steps and Agreement’s requirements and/or to demonstrate “sustained and continuing improvement” across outcome measures. There is no way for the PRPB to meet the preponderance of the evidence standard to reach Full and Effective compliance with the Agreement until we enter the phase of compliance.

Next, the various charts that begin sections of this report involve intentionally condensed summaries of the requirements in each paragraph. For the sake of space and clarity, we do not reprint the entire Action Plans and/or Agreement in the document. Any imprecision detected by these condensed or summarized requirements is unintended and, in any event, can be cured with reference to the original Agreement and Action Plans language

³ Paragraph 11, bb, defines Full and Effective Compliance. “Full and Effective Compliance means sustained compliance with all substantive provisions of this Agreement and sustained and continuing improvement in PRPD policing. The substantive provisions of this Agreement are all provisions contained in Sections III through XIII.”

themselves. This is the reason why we have added the Paragraphs and activities in the tables.

Further, the TCA Team bases its assessments on its current understandings, knowledge, and information gained through ongoing field work document reviewing, data gathering, and discussing with PRPB, the Parties, and other stakeholders. During this capacity building phase, the assessments are often less formal to the extent that not all of them are necessarily informed by the type of exhaustive quantitative compliance and outcome measurements that are a critical component of the Agreement under Paragraphs 242 and 243. In this sense, it is important to understand that the summary determinations here do not take the place of these more structured, systemic analyses. Ongoing, rigorous quantitative assessments will provide a more comprehensive picture during the compliance phase as work under the Agreement proceeds. However, this task is just impossible at present given the data gathering limitations of the PRPB.

The terms adopted here – including Non-Compliance, Partial, and Full Compliance – are terms that appear in the Agreement. Categorizing the state of compliance with the steps of the Action Plans and the Agreement requirements by using these terms is a method that the TCA has internalized to explain and discuss the substantive work and progress that the PRPB has made in a systematic, straightforward way. This is not unique. The rating approach is similar to the methodological approach used by police monitors in Cleveland, Albuquerque, Cincinnati, Detroit, East Haven, Los Angeles, New Orleans, and others, as well as consent decrees in non-police contexts.

In the next report, the Report will also include additional differentiation between six crucial categories of compliance: policy compliance, staffing compliance, resource compliance, training compliance, documentation compliance, and outcome compliance. For example, policy compliance means (a) that there are sufficient written policies and procedures in place so that, if they were implemented, compliance would be achieved; and (b) that there are no policies and procedures in place that are inconsistent with the requirement.

There are two other minor comments. Compliance with a policy deadline is determined by the date the PRPB submitted the policy for review, not the date the policy was approved. Unless otherwise noted, the training statistics are based on PRPB self-reported data on the percentage of members of the PRPB trained and certified out of the total members of the PRPB

Compliance Tables for Professionalization

Action Plan

Section III. Professionalization

Requirements: 12 to 21

I. Policy and Procedure Development Objectives:

Activity III.I.1.1

III.I.1.1	Collaborate in the review of the Puerto Rico Police Department Personnel Regulation (No. 4216) to tailor it to the requirements of the Agreement for the Sustainable Reform of the Puerto Rico Police Department in relation to the following matters: promotions, transfers, and responsibilities and duties by rank. This policy is part of the Policies and Procedures Compliance Area Action Plan.
Due Date	November 2017
TCA Assessment	See Policies and Procedures Compliance Area Action Plan.
Recommendations	
TCA Rating	See Policies and Procedures Compliance Area Action Plan.

Activity III.I.1.2

III.I.1.2	<p>Review General Order, Chapter 600, Section 617, entitled “Code of Ethics of the Members of the Puerto Rico Police Department”</p> <p>Paragraphs 12,87, 109,113 and 205</p>
Due Date	April 2015
TCA Assessment	<p>The PRPB met the formal requirement to draft the policy.</p> <p>The PRPD reported that the Superintendent signed the “Code of Ethics for PRPD Members on April 23, 2015 as part of the activities related to police ethics.</p> <p>Training is ongoing.</p>
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met.</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

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Activity III.I.1.3

III.I.1.3	Review General Order No. 2010-12, entitled “Rules and Procedures for Transfer Transactions of Rank System Personnel” to tailor it to the requirements of the Agreement for the Sustainable Reform. Paragraphs 13, 14, 16 though 20, 113,136, and137
Due Date	May 2016
TCA Assessment	The PRPB met the formal requirement to draft the policy. On May 15, 2017, the Police Commisioner signed this policy. The TCA is concerned about transfer transactions in practice. See Section III of the TCA Sixth Report.
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements. These reviews include the findings of the TCA assessment of 2017.
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

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Activity III.I.1.4

III.I.1.4	Review the Interagency Collaborative Agreement between the PRPB and the PR Office of Government Ethics signed on March 16, 2015, for the purpose of joining efforts through SAEA and promoting an exchange of training opportunities. Paragraphs 12, 21, 113, and 143
Due Date	July 2016
TCA Assessment	The PRPB met the formal requirement to draft the policy.
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

Activity III.I.1.5

III.I.1.5	<p>Repeal Regulation No. 6644, entitled “Regulation for Promotions Based on Merit and/or Heroism up to Rank of Captain,” and the “Regulation for the Administration of Promotion Exams” to develop a new regulation establishing that written exams will be administered up to the rank of Captain</p> <p>Paragraphs 14, 16, 17 20,21, 84,113, 136, and 137</p>
Due Date	December 2016
TCA Assessment	<p>The TCA is concerned about the way in which the PRPB handled 2015 and 2016 promotions. TCA is also concerned about the impact of Act 20 and the derogation of Act 53.</p> <p>PRPD submitted policy on time, but Act 20 changed the dynamics. They submitted a new revision.</p> <p>PRPB is likely to ask for an extension. New policy should be signed by June 30, 2018 (although they may ask for a six-month extension since March 2018).</p>
Recommendations	Continue annual review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan</p>

Activity III.I.1.6

III.I.1.6	<p>Develop General Order establishing the descriptions, functions, duties, responsibilities, and minimum requirements of each position included in the PRPB Rank System.</p> <p>Paragraphs 15,113, and135</p>
Due Date	September 2016
TCA Assessment	<p>The TCA is concerned about the way in which the PRPB handled 2015 and 2016 promotions.</p> <p>TCA is also concerned about the impact of Act 20 and the derogation of Act 53. PRPB did not submit annual review.</p> <p>PRPB is likely to ask extension. New policy should be ready by June 30, 2018, although the PRPB may ask for a six-month extension since March 2018.</p>
Recommendations	Continue annual review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan</p>

II. Training Development Objectives:

Activity III.II.1.1

III.II.1.1	<p>Through the Auxiliary Superintendency for Education and Training (SAEA, Spanish acronym), the PRPB will create a multitopic Training Program to develop employees' ethical and professional judgment and values with the collaboration of the Office of Government Ethics (OGE), as stipulated in the Collaborative Agreement between the two agencies. These training courses will be part of continuing education and will be certified as contact hours by the OGE.</p> <p>The Program will include, but not be limited to the following topics: (Table 6)</p> <ul style="list-style-type: none"> 1.1.1 General Order 617: MPRPB Code of Ethics 1.1.2 police ethics and integrity 1.1.3 ethical leadership 1.1.4 ethical attitudes in the workplace 1.1.5 ethical principles in management and supervision (this training course is contemplated in the Supervision and Management Compliance Area Action Plan) 1.1.6 managing emotions for ethical coexistence 1.1.7 community policing principles (this training course is contemplated in the Community Interaction and Public Information Compliance Area Action Plan) 1.1.8 techniques to guide and manage MPRPBs in an effective manner and promote effective and ethical police practices (effective supervision) (this training is contemplated in the Supervision and Management Compliance Area Acton Plan), and 1.1.9 Federal and commonwealth non-discrimination laws and PRPB policy (this training is contemplated in the Equal Protection and Non-Discrimination Compliance Area Action Plan).
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	Paragraphs 12, 21, and 143
Due Date	May 2016
TCA Assessment	<p>In past reporting periods, the TCA reviewed these training materials. The TCA approved the training designs (syllabus) of the topics that will be object of the Multitopic Training Program.</p> <p>These trainings were scheduled to begin in February 2017 to June 2017. However, the PRPB was delayed in the development phase of the materials needed for these training.</p> <p>The TCA highlights that the PRPB has been offering the training of the General Order 617: MPRPB Code of Ethics (1.1.1). This policy was developed in compliance with the Agreement. However, other training materials must be added.</p> <p>The PRPB statistics show 93% compliance in Code of Ethics training. (Note to the reader: In this Report, unless otherwise noted, the training statistics are based on PRPB self-reported data on the percentage of members of the PRPB trained and certified out of the total members of the PRPB)</p>
Recommendations	Continue review of training materials in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met for 1.1.1 (GO 617 training materials). Timeframe has not been met for 1.1.2 through 1.1.9</p> <p>The Commonwealth of Puerto Rico is in full compliance with 1.1.1. The Commonwealth of Puerto Rico is in non-compliance with 1.1.2 through 1.1.9</p>

Activity III.II.2.1

III.II.2.1	<p>PRPB, through the Auxiliary Superintendency for Education and Training (SAEA, Spanish acronym), will create a Training Program for all members of the Promotion Exams Board to guarantee that promotions in the PRPB are in accordance with equal employment opportunity principles and non-discrimination laws and comply with the three (3) areas of educational activities—cognitive, affective, and psychomotor—necessary to perform successfully the management and supervisory tasks related to the requirements of the rank that the candidates aspires to obtain.</p> <p>The Program will include, but not be limited to, the following topics: (Table 7)</p> <p>2.1.1 Agreement for the Sustainable Reform of the Puerto Rico Police Department</p> <p>2.1.2 designing exams to measure cognitive activities</p> <p>2.1.3 drafting questions that will measure knowledge, comprehension, application, and analysis, and</p> <p>2.1.4 designing and preparing question banks for each topic that will be examined.</p> <p>Paragraphs 12, 21, and 143</p>
Due Date	Activity was carried out in June 2016. The next dates will be set once the Superintendent constitutes the Exams Board.
TCA Assessment	The PRPB met the formal requirement of developing the training program.

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Recommendations	Continue review of training materials in accordance with Agreement requirements. The TCA would like to train members of the Board on the requirements of the Agreement (2.1.1)
TCA Rating	Timeframe was met . The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

Activity III.II.3.1

III.II.3.1	With the purpose of professionalizing the personnel who perform supervisory and management tasks, training courses will be developed to provide them with the resources needed to carry out effective and direct supervision in accordance with the Constitution and laws of the U.S. and the Commonwealth of Puerto Rico, and generally accepted police practices. These training courses are contemplated in the Supervision and Management Compliance Area Action Plan.
Due Date	n/a
TCA Assessment	This policy is part of the Supervision and Management Compliance Area Action Plan.
Recommendations	
TCA Rating	This policy is part of the Supervision and Management Compliance Area Action Plan.

III. Training Implementation Objectives:

Activity III.III.1.1

III.III.1.1	<p>With the purpose of promoting the development of ethical judgment and their professional development, the PRPB will implement training courses for all of its employees. In relation to MPRPBs, the training courses will be focused on police ethics and integrity pursuant to generally accepted police practices and applicable laws.</p> <p>Paragraphs 12 and 21</p>
Due Date	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train fifty percent (50%) of PRPB personnel through its certified instructors, with the collaboration of personnel from Ethical Judgment Development Center (CDPE, Spanish acronym) at the Office of Government Ethics to develop ethical and professional standards and values. The remaining fifty percent (50%) of the PRPB personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the announcement issued by the SAEA and the training plan provided by each police area and auxiliary superintendency once approved by SAEA. (Table 8)</p>

	Training courses will be implemented as indicated in Appendix C – Training Implementation Process.
TCA Assessment	<p>Except for the training on General Order 617: MPRPB Code of Ethics (1.1.1), trainings were scheduled to begin between February 2017 to June 2017. However, the PRPB continues in the development phase of the materials needed for these training.</p> <p>GO 617 training is underway. The PRPB statistics show 93% compliance in Code of Ethics training.</p>
Recommendations	PRPB must complete all remaining ethical trainings
TCA Rating	<p>Timeframe was met for 1.1.1 (GO 617 training materials). Timeframe for 1.1.2 through 1.1.9 has not been met.</p> <p>Having met the 50% requirement on or before October 2016, the Commonwealth of Puerto Rico is in full compliance with G.O 617 training. With 93% current compliance, the Commonwealth of Puerto Rico is well underway to achieve full compliance by March 2018.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with 1.1.2 through 1.1.9 during this reporting period.</p>

Activity III.III.1.2

III.III.1.2	<p>1.2 The PRPB will begin by training MPRPBs who are first responders and provide direct service to communities:</p> <p>1.2.1 personnel assigned to Zones of Excellence (SAOC)</p> <p>1.2.2 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC)</p> <p>1.2.3 districts, precincts, and posts (SAOC).</p> <p>Paragraphs 14, 16, 17, 19, and 20</p>
Due Date	Training courses will be implemented as indicated in Appendix C – Training Implementation Process.
TCA Assessment	<p>Except for the training on General Order 617: MPRPB Code of Ethics (1.1.1), trainings were scheduled to begin between February 2017 to June 2017. However, the PRPB continues in the development phase of the materials needed for these training.</p> <p>GO 617 training is underway. The PRPB statistics show 93% compliance in Code of Ethics training.</p>
Recommendations	PRPB must complete all remaining ethical trainings
TCA Rating	Timeframe was met for 1.1.1 (GO 617 training materials). Timeframe for 1.1.2 through 1.1.9 has not been meet .

	<p>For SAOC and SAIC, having met the 50% requirement on or before October 2016, the Commonwealth of Puerto Rico is in full compliance with G.O 617 training. With above 90% current compliance, respectively, both SAOC and SAIC units are well underway to achieve full compliance by March 2018.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with 1.1.2 through 1.1.9 during this reporting period.</p>
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Activity III.III.1.3

III.III.1.3	<p>The PRPB will continue training by giving priority to the MPRPBs who belong to the following Divisions and Units:</p> <ul style="list-style-type: none"> 1.3.1 Division of Tactical Operations (DTO) (SAOC) 1.3.2 Division of Special Weapons and Tactics (SWAT) (SAOC) 1.3.3 Bureau of Highway Patrols (SAOC) 1.3.4 Bureau of Vehicle Theft Investigations (SAIC) 1.3.5 Arrests and Extraditions Division (SAIC) 1.3.6 Force Investigation Unit (FIU) (SARP) 1.3.7 Members of Joint Task Forces (SAIC) 1.3.8 K-9 Division (SAIC) 1.3.9 remaining personnel of the Auxiliary Superintendency for Field Operations 1.3.10 remaining personnel of the Auxiliary Superintendency for Criminal Investigations 1.3.11 Auxiliary Superintendency for Professional Responsibility 1.3.12 Auxiliary Superintendency for the La Fortaleza Police, and 1.3.13 Auxiliary Superintendency for Managerial Services <p>Paragraphs 12 and 21</p>
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Due Date	Training courses will be implemented as indicated in Appendix C – Training Implementation Process.
TCA Assessment	<p>Except for the training on General Order 617: MPRPB Code of Ethics (1.1.1), trainings were scheduled to begin between February 2017 to June 2017. However, the PRPB continues in the development phase of the materials needed for these training.</p> <p>GO 617 training is underway. The PRPB statistics show 93% compliance in Code of Ethics training.</p>
Recommendations	PRPB must complete all remaining ethical trainings
TCA Rating	<p>Timeframe was met for 1.1.1 (GO 617 training materials). Timeframe for 1.1.2 through 1.1.9 has not been met.</p> <p>Having met the 50% requirement on or before October 2016, the Commonwealth of Puerto Rico is in full compliance with G.O 617 training. With 93% current compliance, the Commonwealth of Puerto Rico is well underway to achieve full compliance by March 2018.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with 1.1.2 through 1.1.9 during this reporting period.</p>

Activity III.III.2.1

III.III.2.1	Through the Auxiliary Superintendency for Education and Training (SAEA), the PRPB will create a Training Program for all members of the Promotion Exams Board to guarantee that promotions in the PRPB are in accordance with equal employment opportunity principles and non-discrimination laws. (Table 9) Paragraphs 14, 16, 17, 19, and 20
Due Date	The first Exams Board established after the Agreement was trained in March 2015. The next dates will be 60-90 days after the Superintendent constitutes a new Promotion Exams Board.
TCA Assessment	The training was adequate to the Task.
Recommendations	n/a
TCA Rating	Timeframe was met . The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan.

IV. Implementation Objectives:**Activity III.IV.1.1**

III.IV.1.1	<p>The PRPB will establish a working group constituted by a representative from the auxiliary superintendency and from each auxiliary superintendent. The leader of the working group will be the Auxiliary Superintendent for Managerial Services, who will be responsible for developing a work plan that will define the responsibilities of each member of the working group and allow for conducting a personnel and resources allocation study that will result in an effective assignment of the personnel. The purpose of the study is to consider the appropriate number of personnel in the rank and classified systems to fulfill the operational and administrative work necessary to fight crime. The results of the study will help to appropriately distribute all PRPB personnel and to group tasks, which will redound in: reducing costs, hiring and promotion processes, redirecting work and appropriately deploying personnel in work units based on service demands, availability, and the feasibility of the community policing philosophy. (Table 10)</p> <p>Paragraphs 13, 80, 87, 135, 136, and 137</p>
Due Date	December 2016
TCA Assessment	The PRPB noted in the Plan that they had sufficient internal human resources and no obstacles were anticipated. However, there was no commitment from PRPB leadership to get this activity done in a timely fashion.

	<p>The Working Group was constituted last semester, prior to the compliance date established by the Action Plan.</p> <p>The Work Plan of the Working Group team was sent for review December 2017; and, reviewed and discussed by the TCA in January 2017.</p> <p>The Working Group drafted the Request for Proposal (RFP) necessary for the hiring of the consultant that will carry out the study required in paragraph 13 of the Agreement.</p> <p>The contract for the consultant that will carry out the study was executed in April. The selected consultant began to work on the study in May 2017.</p> <p>In the last revision of the Professionalization Action Plan, the compliance date for the delivery of the study was changed to December 2017.</p> <p>The TCA understands that the delays in the fulfillment of Paragraph 13 had a negative impact in the decision making in the PRPB. The completion of the study is essential for the PRPB to improve its level of compliance with all areas covered by the Agreement.</p>
Recommendations	See Section III of the TCA Sixth Report
TCA Rating	<p>Timeframe was met.</p> <p>The Commonwealth of Puerto Rico is in full compliance with the step of the Action Plan.</p>

Activity III.IV.1.2

III.IV.1.2	Conduct a study of PRPB human resources, taking into consideration their status and the operational and administrative work performed by employees in order to identify existing needs and subsequently in decision-making. (Table 11) Paragraphs 13, 80, 87, 135, 136, and 137
Due Date	April 2018 [original December 2017]
TCA Assessment	See Message from the TCA and TCA Sixth Report.
Recommendations	See Message from the TCA and TCA Sixth Report.
TCA Rating	Original timeframe was not met . There is a new deadline. From the perspective of the TCA, the Commonwealth has been non-compliant for most of the reporting period. The progress made in the first three months of 2018 suggest that the Commonwealth will be in full compliance soon. At present, the Commonwealth of Puerto Rico is in partial compliance with the step of the Action Plan.

Activity III.IV.1.3

III.IV.1.3	The superintendent will make decisions regarding the reassignment of human resources, the opening of new announcements for promotions, and/or recruitment of personnel that are consistent with the community policing principles of equality and non-discrimination and in accordance with generally accepted police practices based on service needs so that the PRPB can fulfill its mission. <u>This plan</u> will be based on the study that will be conducted. (Table 12) Paragraphs 13, 80, 87, 135, 136, and 137
Due Date	December 2018 [Original: December 2017]
TCA Assessment	See Message from the TCA and TCA Sixth Report.
Recommendations	See Message from the TCA and TCA Sixth Report.
TCA Rating	Original timeframe was not met . There is a new deadline. Evaluation deferred : Whether the Commonwealth of Puerto Rico is in full, partial, or non-compliance with IV.1.2 through IV.1.3 cannot be assessed during this reporting period. However, the Commonwealth was in non-compliance during this reporting period.

Activity III.IV.2.1

III.IV.2.1	<p>The superintendent will appoint the members of the Promotion Exams Board to carry out the procedures related to promotion exams established by regulation. The PRPB will develop the promotion exams in consultation with the TCA based on generally accepted police practices and the applicable federal and state law.</p> <p>Select and appoint the members of the Promotion Exams Board. (Table 13)</p>
Due Date	6-12 months prior to the date of the Promotion Exams Announcement once determined by the superintendent, after considering the needs and allocation of fiscal resources for said purpose. The Promotion Exams Board is constituted by the superintendent while there are promotion exams scheduled; once the exams are administered, the Board will be dissolved.
TCA Assessment	For additional information on promotions, see TCA Sixth Report
Recommendations	For the recommendations of the TCA regarding promotions, see TCA Sixth Report
TCA Rating	<p>Timeframe was met.</p> <p>The Commonwealth of Puerto Rico is in full compliance.</p>

Activity III.IV.2.2

III.IV.2.2	The SAEA will offer consultation for the development and administration of promotion exams to ensure that they are tailored to generally accepted learning performance measurement standards. It will also evaluate performance-related qualifications in accordance with the needs of the rank, as established in the Agreement for the Sustainable Reform of the PRPB and in applicable policies and procedures. (Table 14)
Due Date	The first Exams Board constituted after the Agreement was trained in March 2015 . The next dates will be 60-90 days after the superintendent constitutes a new Promotion Exams Board.
TCA Assessment	For additional information on promotions, see TCA Sixth Report
Recommendations	For the recommendations of the TCA regarding promotions, see TCA Sixth Report
TCA Rating	Timeframe was met . The Commonwealth of Puerto Rico is in full compliance .

Activity III.IV.2.3

III.IV.2.3	The Promotion Exams Board will develop the tests for the candidates to promotion and it will also organize and carry out all activities related to the administration and scoring of said tests. (Table 15)
Due Date	Session I: Sergeant: August 29, 2015 Session II: Captain and Lieutenant I: October 24, 2015 Session III: Lieutenant II: December 5, 2015 The date of the Promotion Exams Announcement will depend on the needs identified and the fiscal resources allocated for said purpose. Exams will be completed on the date determined by the Promotion Exams Board.
TCA Assessment	For additional information on promotions, see TCA Sixth Report
Recommendations	For the recommendations of the TCA regarding promotions, see TCA Sixth Report
TCA Rating	Timeframe was met. The Commonwealth of Puerto Rico is in full compliance.

V. Self-Assessment Objectives:**Activity III.V.1.1**

III.IV.1.1	<p>1.1 The PRPB, through the Office of Reform, will use various data collection strategies and will conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, and training courses it provides, starting with Zones of Excellence and gradually continuing through all thirteen (13) police areas and offices of auxiliary superintendents, such as:</p> <p>1.1.1 Use the training plan and the training announcement issued by the SAEA for each of the courses to identify their start date, the time police areas and the corresponding auxiliary superintendencies have to complete the training, and the work units that will be given training priority. The training plans for each of the thirteen (13) police areas and Auxiliary Superintendencies, as approved by the SAEA, will also be considered to check the specific dates during which each training course identified in this Action Plan will be provided. The Office of Reform will verify that MPRPBs are participating in scheduled training</p>
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	<p>courses by using the above-mentioned sources and the attendance records for each course.</p> <p>1.1.2 Making random visits to each of the thirteen (13) police areas and auxiliary superintendencies using the training plan approved by the SAEA for each of the training courses developed for this Compliance Area in order to guarantee that PRPB personnel are being trained in accordance with the syllabi, instructor handbooks, presentation, and approved assessment methodology.</p> <p>1.2 The PRPB, through the Office of Reform, will use various data collection strategies and conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, training courses it provides, such as:</p> <p>1.2.1 On an annual basis, compiling a random sample of data from the Human Resources System and comparing it to the data obtained from the reports of the auxiliary superintendencies to ensure that the System is maintained up-to-date with transfers and new assignment of duties.</p> <p>1.2.2 Monitoring the distribution of personnel as they were reassigned by visiting the various work units.</p> <p>1.2.3 Compiling information about personnel who are about to retire or resign to determine vacancy needs.</p>
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	1.3 On a biannual basis, compiling a random sample of the work MPRPBs are carrying out to make sure they are performing the duties corresponding to their ranks. (Table 16)
Due Date	Ongoing, Not applicable
TCA Assessment	The PRPB Report adequately documents PRPB's self-assessment process. PRPB must review more closely the reliability of data to be used in the paragraph 13 study. It should also more closely monitor data from the evaluation of 2015 and 2016 promotions.
Recommendations	n/a
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance .

VI. Budget:

TCA Assessment: The Commonwealth of Puerto Rico is in **non-compliance** with this step of the Action Plan for the reasons described in the message of the TCA. It applies to all other budget steps.

VII. Revision of the Action Plan:

TCA Assessment: no applicable

Compliance Tables for Use of Force

Section IV. Use of Force: Internal Controls and Accountability

I. Policy and Procedure Development Objectives:

Activity IV.I.1.1

IV.I.1.1	Review General Order, Chapter 600, Section 603, entitled "Use and Handling of Impact Weapons." (Table 1) Paragraphs 22,23, 24(G), and 53
Due Date	February 2015
TCA Assessment	General order Chapter 600, Section 603 Use and Management of Impact Weapons was approved by the Superintendent on January 31, 2015. To date, 96% of members of the PRPB have been trained based on PRPB's self-reported data. The statement members of the PRPB does refer to the entire PRPB irrespective of rank or division. It is applicable to all sections where the TCA assesses training compliance. The source of the information is the PRPB Police Academy. The information is derived solely from the PRPB; however, the Core Team members during their site visits to Area Commands verify their training numbers.
Recommendations	The TCA will continue the bi-annual review process in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

Activity IV.I.1.2

1.2	Review General Order, Chapter 600, Section 604, entitled "Use and Handling of Chemical Agents." (Table 2) Paragraphs 22,23, 24(E), 25, and 53
Due Date	January 2015
TCA Assessment	General Order Chapter 600, Section 604 Use and management of Chemical Agents was approved by the Superintendent on March 27, 2015. To date, 90% of members of the PRPB have been trained
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

Activity IV.I.1.3

IV.I.1.3	Develop General Order to establish the Force Review Boards. (This policy became General Order, Chapter 500, Section 502, entitled “Creation of Force Review Boards of the Puerto Rico Police Department”). (Table 3) Paragraphs 22, 46 through 47, 53
Due Date	July 2015
TCA Assessment	General Order Chapter 500, Section 502 creating review Boards to Evaluate Incidents of Use of Force by PRPB Members was approved by Superintendent on July 16, 2015. To date, all board members have been trained by the PRPB Academy, including non-voting legal advisors. The reference to all board members is a reference to second lieutenants and above ranks of the PRPB assigned to Area Command Force Review Boards (FRB). They are required not only to be trained on the policy establishing the Board, but also on the use of force related policies.
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

Activity IV.I.1.4

IV.I. 1.4	Review General Order 2004-3 entitled “Rules and Procedures for the Use, Carrying, Maintenance, Changing, Seizure, Reassignment, and Disposal of Police Service Weapons” to turn it into the General Order entitled “Use and Handling of Service Weapons.” (This policy was partially repealed by General Order, Chapter 600, Section 618, entitled “Use and Handling of Service Weapons.” The section on rearming remains in effect.) (Table 4) Paragraphs 22,23, 24(B), 26, and 53
Due Date	July 2015
TCA Assessment	General Order Chapter 600 Section 617 Use and management of Regulation Firearm was signed by Superintendent on June 1, 2015. This policy involves Bureau-issued firearms. Much of the policy addresses administrative requirements. Members of the Bureau are required to qualify in “daylight shooting” and “night shooting”. These trainings, which are held different times of the year at the PRPB’s Firearms Range have a classroom component as well. Members of the Bureau are required to complete the training yearly.
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

Activity IV.I.1.5

IV.I.1.5	Review General Order, Chapter 600, Section 602, entitled "Use and Handling of Electronic Control Weapon." (Table 5) Paragraphs 22,23, 24(D), and 53
Due Date	December 2014
TCA Assessment	<p>General Order Chapter 600, Section 602, Use and Management of Electronic Control Device was approved by the Superintendent on April 10, 2015.</p> <p>Training and retraining commenced on November 30, 2015.</p> <p>To date, 94% of members of the Bureau have been trained on the policy.</p> <p>Various personnel throughout the Bureau have been trained and issued electronic control devices (taser). Not all personnel have been issued the device, partly due to the fact that PRPB is purchasing them in blocks. The devices have been distributed throughout the various commands and units within the PRPB.</p>
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

Activity IV.I.1.6

IV.I.1.6	Review General Order, Chapter 600, Section 601, entitled “Rules for the Use of Force by MPRPBs” to incorporate the recommendations of the TCA and USDOJ. (Table 6) Paragraphs 22,23, 24, and 53
Due Date	April 2015
TCA Assessment	PRPB prepared General Order Chapter 600, Section 601, Use of Force. The policy was approved and signed by the Superintendent. To date, 92% of members of the Bureau have been trained on the policy This policy was approved at the same time as G.O. 600-605 Report and Investigating Use of Force Incidents (June 1, 2015). The policy was last revised on February 28, 2018.
Recommendations	The TCA will continue the bi-annual review process in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

Activity IV.I.1.7

IV.I.1.7	Review General Order, Chapter 600, Section 605, "Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department" to incorporate the recommendations of the TCA and USDOJ. The PRPB established in this Policy the disclosure of information to the members of the families of the civilians involved in an incident where there was use of force. (Table 7) Paragraphs 22,23, 24, 36 through 39, and 53
Due Date	April 2015
TCA Assessment	General Order Chapter 600, Section 605, Reporting and Investigating Use of Force Incidents by PRPB Members was approved by the Superintendent on June 1, 2015. To date, 92% of members of the Bureau have been trained on the policy
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

Activity IV.I.1.8

IV.I.1.8	Develop General Order to Create Force Investigation Unit (FIU). (This policy became General Order, Chapter 100, Section 113, entitled "Force Investigation Unit (FIU).") (Table 8) Paragraphs 22, 48 through 53
Due Date	June 2015
TCA Assessment	PRPB drafted General Order Chapter 100, Section 113, creation of Force Investigating Unit (FIU). The members of FIU have been selected. To date, 100% of FIU personnel have been trained on use of force policies (GO Chapter 600, Sections 601 & 605). 100% have been trained in force related policies.
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

Activity IV.I.1.9

IV.I.1.9	<p>Review General Order 73-4 entitled “Rules and Procedures for the Tactical Operations Unit.” The Order will include the requirements for eligibility and permanence in specialized units, as well as the recruitment and selection processes that must be followed. It will also include the requirement of documenting activities related to mobilizations and/or activations, as well as the reporting requirement after they are carried out. (This General Order was repealed by General Order, Chapter 100, Section 112, entitled “Reorganization of Tactical Operations Units.”) (Table 9)</p> <p>Paragraphs 22,23, 27 through 31, and 53</p>
Due Date	July 2015
TCA Assessment	<p>General Order Chapter 100, Section 112, Reorganization of the Tactical Operations Division (DOT) was approved by the Superintendent on January 2016.</p> <p>The PRPB had difficulty with the policy itself, relating to the requirement to qualify for DOT. This caused all related policies to be delayed. Many of the existing personnel who were assigned to DOT could not pass the physical portion of the exam as outlined in the policy.</p>

	On August 31, 2017, the then Commissioner signed this policy of the Tactical Operations Division (DOT for its acronym in Spanish). This is the first revision of this policy, which in its previous version was tempered for the first time to the Agreement, at the same time the General Order 73-4, titled, "Rules and Procedures for the Tactical Operations Unit" was repealed.
Recommendations	The TCA will continue bi-annual review process in accordance with Agreement requirements
TCA Rating	<p>The PRPB missed the initial deadline and the policy was delayed. However, the timeframe is now met.</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

Activity IV.I.1.10

IV.I.1.1.10	<p>Develop the General Order for the Mobilization of the Division of Special Weapons and Tactics (SWAT). The Order will include the requirements for eligibility and permanence in the Division, as well as the recruitment and selection processes that must be followed. It will also include the requirement of documenting activities related to mobilizations and/or activations, as well as the reporting requirement after they are carried out. (This policy became General Order, Chapter 100, Section 117, entitled "Reorganization of the Division of Special Weapons and Tactics (SWAT).") (Table 10)</p> <p>Paragraphs 22, 27 through 31, and 53</p>
Due Date	August 2015.
TCA Assessment	<p>General Order 100, Section 11, Reorganization of the Division of Special Weapons and Tactics (SWAT) was approved by the Superintendent on January 2016.</p> <p>The PRPB had difficulty with the policy itself, relating to the requirement to qualify for DOT. This caused all related policies to be delayed. Many of the existing personnel who were assigned to DOT could not pass the physical portion of the exam as outlined in the policy.</p> <p>On August 31, 2017, the Police Commissioner signed the new version of this General Order.</p>

	The revision of this order meets, for the second time, the provisions of the Use of Force Action Plan.
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>The PRPB missed the initial deadline and the policy was delayed. However, the timeframe is now met.</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

Activity IV.I.1.11

IV.I.1.11	<p>Develop General Order for the Use of Less-Lethal Munitions and Any Other Technology. (This policy became General Order, Chapter 600, Section 620, entitled “Rules and Procedures for the Use of Specialized Weapons by Members of the Specialized Tactical Units (STUs).”) (Table 11)</p> <p>Paragraphs 22, 23, 24(F) and 24(H), and 53</p>
Due Date	October 2015.
TCA Assessment	<p>PRPB drafted General Order Chapter 600, Section 620, Procedure for the Use of Intermediate and Specialized Weapons (less than lethal).</p> <p>The policy went in to effect in February of 2016.</p> <p>On August 31, 2017, the then Commissioner signed the new version of this General Order.</p>
Recommendations	The TCA will continue bi-annual review process in accordance with Agreement requirements.
TCA Rating	<p>The PRPB missed the initial deadline and the policy was delayed. However, the timeframe is now met.</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

Activity IV.I.1.12

IV.I.1.12	<p>Develop General Order for Crowd Control and Incident Management. (This policy became General Order, Chapter 600, Section 625, entitled “Crowd Control and Management.”) (Table 12)</p> <p>Paragraphs 22, 32 through 35, and 53</p>
Due Date	October 2015
TCA Assessment	The policy was signed by the Superintendent April 2016.
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements.
TCA Rating	<p>Timeframe [REDACTED]</p> <p>The Commonwealth of Puerto Rico is in [REDACTED] with this step of the Action Plan</p>

Activity IV.I.1.13

IV.I.1.13	<p>Review General Order, Chapter 600, Section 607, entitled “Rules to Initiate and Manage Foot Pursuits by Members of the PRPB.” (This General Order became General Order, Chapter 600, Section 623, entitled “Rules for the Management of Police Pursuits.”)</p> <p>Paragraphs 22, 23, and 53</p>
Due Date	November 2015
TCA Assessment	Incorporated into the Vehicle Pursuit policy.
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements. See 1.14 (Signed by the Superintendent March 2016)
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

Activity IV.I.1.14

IV.I.1.14	<p>Review General Order, Chapter 600, Section 609, entitled “Driving Vehicles in Emergency Situations and Police Pursuits.” (This General Order became General Order, Chapter 600, Section 623, entitled “Rules for the Management of Police Pursuits.”) (Table 14)</p> <p>Paragraphs 22, 23, and 53</p>
Due Date	November 2015
TCA Assessment	Signed by the Superintendent March 2016. Expanded to include foot pursuits.
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

Activity IV.I.1.15

IV.I.1.15	<p>Protocol to Regulate K-9 [Officers] in Patrolling Duties. This policy became General Order, Chapter 100, Section 116, entitled “Reorganization of the K-9 Division.” (This GO repealed GO 2010-5, entitled “Reorganization of the K-9 Division and Creation of the K-9 Training Center.”). (Table 15)</p> <p>Paragraphs 22, 23, 24 (C), 111(A), and 53</p>
Due Date	September 2015
TCA Assessment	Signed by the Superintendent January 2016
Recommendations	The TCA will continue annual review process in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

II. Data Collection and Reporting Objectives:**Activity IV.II.1.1**

IV.I.1.1	<p>Develop an information sub-system for the compilation and monthly review of use-of-force incidents using the Criminal Incidence [Data] Collection Information System as a reference. The printed forms used for said purposes, such as Form PPR-854, Use of Force, and Form PPR-877, Supplementary Report, will also be considered. The instrument will document, among other things, a detailed description of the incident and the acts that led to the use of force, any injury to an arrestee or allegation of excessive use of force, and the measures taken to treat the injured. Likewise, any MPRPB who is involved in a use-of-force incident will be under the obligation to notify his or her supervisor immediately unless exigent circumstances exist.</p> <p>This sub-system will be contemplated in the Criminal Incidence Data Collection System included in the Equal Protection and Non-Discrimination Action Plan. Said sub-system will be initially implemented in Zones of Excellence and gradually in all work units, as established in the Information Systems and Technology Compliance Area Action Plan. (Table 16)</p> <p>Paragraphs 36 through 39 and 41 through 52</p>
Due Date	12 months (once NIBRS and any other policies affecting System are ready) (Approximate date: January 2017)

TCA Assessment	<p>This activity is part of the Information Technology Compliance Area Action Plan.</p> <p>The TCA has provided technical support to the PRPB in the development of informational sub-systems, data collection methods, and practical implementation of forms.</p> <p>The TCA has monitored the implementation of the NIBRS policy and the subsequent development of the sub-system. Sub-system developed in 2016 and is currently operational.</p> <p>Compliance with activity will depend on the Commonwealth's ability to implement contracts executed to develop the crime data collection system mentioned in the Equal Protection and Non-Discrimination Action Plan, since several modules or instruments, such as the one mentioned here, will have to be developed together with system. The TCA continue to have concerns about the ability of the Commonwealth to execute these contracts. They should have been executed on or before January 2017.</p>
Recommendations	
TCA Rating	This activity is part of the Information Technology Compliance Area Action Plan. See rating there.

Activity IV.II.1.2

IV.II.1.2	<p>Develop an information sub-system for the collection and monthly review of information on the activation and mobilization of specialized tactical units (STUs) that will include operational plans and subsequent reports. This sub-system will be contemplated in the Criminal Incidence Data Collection System included in the Equal Protection and Non-Discrimination Action Plan. (Table 30) Said information sub-system will be initially implemented in the Police Areas in which the Zones of Excellence are found and gradually in all other Police Areas, as established in the Information Systems and Technology Compliance Area Action Plan. (Table 17)</p> <p>Paragraphs 22, 23, 30, 31, and 41</p>
Due Date	12 months (once NIBRS and any other policies affecting System are ready) (Approximate date: January 2017)
TCA Assessment	<p>This activity is part of the Information Technology Compliance Area Action Plan.</p> <p>NIBRS manual has been approved. The General Order was approved in January 2016.</p> <p>Reform Unit states manual has not yet been approved and is under review by TCA. TCA approval memo pending. Superintendente will sign after TCA.</p>

	At this point the 36-month timeline for training will begin; however, Mobile CAD is already in Pilot. The Pilot may go live in August 2017 with CAD. The subsystem is done but training manual is not complete because the NIBRS manual is not complete.
Recommendations	With the NIBRS policy in effect, the PRPB should focus on their ability to implement the data collection system contracts. The Pilot should be validated during the demo scheduled for April 2018.
TCA Rating	This activity is part of the Information Technology Compliance Area Action Plan.

III. Review and Investigation Objectives:**Activity IV.III.1.1**

IV.III.1.1	<p>PRPB supervisors must complete the reviews and investigations on use of force within no more than five (5) business days pursuant to the provisions of General Order, Chapter 600, Section 605, entitled “Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department,” in order to determine whether the conduct of the MPRPBs was justified or in keeping with the corresponding policies and procedures. (Table 18)</p> <p>Paragraphs 36 through 40, 43 through 47, 137, 139, and 140</p>
Due Date	12 months (once NIBRS and any other policies affecting the System are ready) (Approximate date: January 2017)
TCA Assessment	<p>The TCA Core Team continues to conduct site visits to ensure progress is being made towards implementation in the field.</p> <p>The TCA is also checking that all Use of Force Reports are maintained on file at SARP/FIU.</p> <p>The PRPB Reform Units reports they conduct similar activities</p> <p>During the Core Team site visits to precincts/districts one of the questions posed to Commanders was whether sergeants were</p>

	<p>complying with this section of G.O. 600-605. The commanders responded in the affirmative, however they could offer no documentation.</p> <p>The assessment difficulty here lies with the fact the use of force report (PPR-854) cannot be copied, as per PRPB policy, therefore the command has no documentation once the report leaves the command through channels.</p> <p>The Core Team provided in writing to PRPB the recommendation that a log be established in the command where this information would be entered. The log would then be available for inspection.</p>
Recommendations	The TCA will continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this step of the Action Plan. A more data-driven assessment could not be determined for this activity based on the fact that there is no data collection which is in itself one of the goals of the activity.</p>

Activity IV.III.1.2

IV.III.1.2	<p>The PRPB will use the information sub-system for the collection and monthly review of use-of-force incidents so that use-of-force incidents, the reviews and investigations of said incidents, and the information on the activation and mobilization of the specialized tactical units (STUs) can be tracked in a reliable and precise manner. This sub-system is included in the Equal Protection and Non-Discrimination Action Plan; it will be initially implemented in Zones of Excellence and gradually in all work units, as established in the Information Systems and Technology Compliance Area Action Plan.</p> <p>The PRPB will perform a complete analysis of use-of-force incidents on a yearly basis to identify significant trends. This analysis will help correct the deficiencies that are identified, pursuant to generally accepted police practices, the public policy of the Agency, and federal and state law. (Table 19)</p> <p>Paragraphs 30, 31, 41, and 91</p>
Due Date	June 2015
TCA Assessment	Given the IT component necessary to carry out this task, the PRPB has not developed a formal method.

	PRPB has not, as of yet, developed a formal way to analyze use of force incidents, although the Bureau's FIU Unit, which the repository for all use of force reports, maintains its own database. This database, developed by FIU, has been solely used by FIU. The IT Section of the PRPB is developing/building an Early Intervention System Component, that among other things will provide analysis of use of force incidents, however to date it has not been completed.
Recommendations	The TCA will continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan. There is not a complete analysis of use-of-force incidents on a yearly basis identifying significant trends.

Activity IV.III.1.3

IV.III.1.3	Perform a study to determine the number of supervisors needed to comply with the requirement. This activity will be part of the Professionalization Action Plan.
Due Date	December 2017
TCA Assessment	This activity will be part of the Professionalization Action Plan.
Recommendations	
TCA Rating	This activity will be part of the Professionalization Action Plan.

IV. Training Development Objectives:**Activity IV.IV.1.1**

General statement. The Action Plan indicates how due dates for training courses will be determined; but does not actually say what the due dates are. Once a policy is approved and signed by Commissioner the clock starts. The PRPB Academy immediately prepares the training module. The due dates for percentages of training, as required by the Agreement, are based on the date the policy was signed.

As it relates to Use of Force policies and related policies the following are the dates:

G.O.600-601 & 600-605 June 2018

G.O. 600-602 April 2018

G.O. 600-603 February 2018

G.O. 600-604 March 2018

G.O. 600-623 February 2019

IV.IV.1.1	Review Training on the Use and Handling of Impact Weapons. (Table 20) Paragraphs 22, 23, 24(G), and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	PRPB drafted the training module for impact weapons on June 30, 2015. The module has been reviewed by the TCA and approved. To date: 96% have been trained. The policy has been approved and signed by Police Commissioner. The PRPB Police Academy has prepared the training module. The due dates for percentages of training, as required by the Agreement, are based on the date the policy was signed. As it relates to this policy, G.O. 600-603, the date for 100% compliance is February 2018
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step with 96% of members trained

Activity IV.IV.1.2

IV.IV.1.2	Develop Training on the Use and Handling of Chemical Agents. (Table 21) Paragraphs 22, 23, 24(E), and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	<p>The TCA had reviewed and approved the module. General Order Chapter 600, Section 604, Use and Management of Chemical Agents was approved by the Superintendent on March 27, 2015.</p> <p>Field training of personnel began on November 22, 2015.</p> <p>To date: 95% have been trained.</p> <p>The policy has been approved and signed by the Police Commissioner. The PRPB Academy has prepared the training module. The due dates for percentages of training, as required by the Agreement, are based on the date the policy was signed. As it relates to this policy, G.O. 600-604, the date for 100% compliance is March 2018.</p>
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step</p>

Activity IV.IV.1.3

IV.IV.1.3	Develop Training Program for Members of the Force Review Board and the Superintendent's Force Review Board (SFRB). (Table 22) Paragraphs 46 and 47
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	<p>The TCA has reviewed and approved the module. As of December 2015, 100% of the board members were trained, as well as the non-voting legal advisors.</p> <p>Since that date, additional members have been added to the board to replace members on the boards. They have all received the required training.</p>
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step.</p>

Activity IV.IV.1.4

IV.IV.1.4	<p>Review Training on the Use and Handling of Service Weapons. The Training Action Plan will include the mechanism to be used by the SAEA to record and update who has taken the firearm training courses. (Table 37)</p> <p>Paragraphs 22, 23, 24(B), 53, and 54</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	<p>Training has been ongoing on the following schedule: Jan-March Night-Training; April-September Day-Training; and Oct-Dec Rifle Training. Firearms training is a yearly requirement.</p> <p>It is expected that by the end of year all officers will have completed required firearms training. The training modules for this policy were reviewed by the TCA Core Team and approved by the TCA.</p>
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step. The only caveat is that this training is ongoing and yearly, so the rating can change.</p>

Activity IV.IV.1.5

IV.IV.1.5	Review Training on the Use and Handling of Electronic Control Weapon. (Table 24) Paragraphs 22, 24(D), and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	The module has been approved by the TCA. General Order Chapter 600, Section 602, Use and Management of Electronic Control Device was approved by the Superintendent on April 10, 2015. Training and retraining commenced on November 30, 2015. During site visits it was confirmed that all supervisors were equipped with Tasers along with some selected agents. PRPB at this time has a limited number of Tasers
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step

Activity IV.IV.1.6

IV.IV.1.6	Review Training on Use-of-Force Rules and Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department. (Table 25) Paragraphs 22, 24(A), and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	The module has been approved by the TCA. PRPB has prepared General Order Chapter 600, Section 601, Use of Force. The policy has been approved and signed by the Superintendent. Training on G.O. 600-601 Use of Force and G.O. 600-605 Report and Investigation of Use of Force commenced when the policies were signed by the Superintendent. As of February 2018, 92% of the Bureau has been trained.
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step

Activity IV.IV.1.7

IV.IV.1.7	Develop Training for the Force Investigation Unit (FIU). (Table 26) Paragraphs 48 through 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	<p>The TCA has completed his review of the module and it has been approved. The members of FIU have been selected. To Date: one hundred (100) percent of FIU personnel have trained on use of force policies (GO Chapter 600, Sections 601 & 605), all have been trained in force related policies.</p> <p>In June 2016, FIU personnel began and completed training at the PRPB Academy on criminal investigations.</p>
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step</p>

Activity IV.IV.1.8

IV.IV.1.8	Develop Multi-topic Training on the Mobilization of the Tactical Operations Unit. (Table 27) Paragraphs 22, 27 though 31, and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	The module has been approved by the TCA. The General Order policy has been finalized by PRPB with the approval of the TCA. The policy went in to effect in February of 2016.
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step

Activity IV.IV.1.9

IV.IV.1.9	Develop Multi-topic Training on the Mobilization of the Division of Special Weapons and Tactics (“SWAT”). (Table 28) Paragraphs 22, 27 though 31, and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	The Module has been developed by PRPB and approved by the TCA.
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step

Activity IV.IV.1.10

IV.IV.1.10	Develop Training on Special Weapons by Members of the Specialized Tactical Units (STUs). (Table 29) Paragraphs 22, 23, 24(F), 24 (H), and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	The training has not been developed by PRPB and approved by the TCA. Revisions of OG 600-625 are scheduled for April 2018. Training curriculum for OG 625 (crowd control) is scheduled for May 2018. Training curriculum for OG 620 (specialized weapons) is scheduled for August 2018. The PRPB will ask for an extension of approximately five or six months from June 2018. This means that the training will be ready for implementation by December 2018. At present, SWAT has been trained on OG 620 and OG 625, but not STUs.
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step

Activity IV.IV.1.11

IV.IV.1.11	Develop Training on Crowd Control and Management for MPRPBs and Specialized Tactical Units (STUs). (Table 30) Paragraphs 27 though 35, and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	Revisions of OG 600-625 are scheduled for April 2018. Training curriculum for OG 625 (crowd control) is scheduled for May 2018. Training curriculum for OG 620 (specialized weapons) is scheduled for August 2018. The PRPB will ask for an extension of approximately five or six months from June 2018. This means that the training will be ready for implementation by December 2018. At present, SWAT has been trained on OG 620 and OG 625, but not STUs.
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step

Activity IV.IV.1.12

IV.IV.1.12	Develop Training on Rules for the Management of Police Pursuits. (Table 31) Paragraph 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	This has been incorporated into the Vehicle Pursuit Training Module
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step

Activity IV.IV.1.13

IV.IV.1.13	Develop Training on Driving Vehicles in Emergency Situations and Police Pursuits. (Table 32) Paragraph 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	The PRPB has developed the training module and it has been approved by the TCA
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step

Activity IV.IV.1.14

IV.IV.1.14	Develop Training for Patrol Dog Handlers. (Table 33) Paragraphs 22, 24 (C), and 53
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	The PRPB has developed the training module and it has been approved by the TCA,
Recommendations	The TCA will continue to review training development in accordance with Agreement requirements
TCA rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step

Activity IV.IV.1.15

IV.IV.1.15	Develop Training on the Use and Management of the Automated System to Prepare Electronic Incident Reports. This activity will be carried out pursuant to the Equal Protection and Non-Discrimination Action Plan .
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Development Process.
TCA Assessment	PRPB is required to Develop Training on the Use and Management of the Automated System to prepare Electronic Incident Reports. This is tied to Information Technology and to date the system has been developed. However, due to a lack of a formal training syllabus, it has not been implemented bureau-wide.
Recommendations	
TCA rating	<p>This activity will be carried out pursuant to the Equal Protection and Non-Discrimination Action Plan.</p> <p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this step</p>

V. Training Implementation Objectives

Activity IV.V.1.1

IV.V.1.1	To continue with professionalization, achieve a reduction in use-of-force incidents and equality in the provision of services, and restore the community's trust, the PRPB will implement training, new policies and procedures, equipment, technologies, and operational and administrative strategies. Paragraphs 22, 23, 24, and 53
Due Date	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of MPRPBs . The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.
TCA Assessment	PRPB is building an Early Intervention System (EIS) platform. The system when functional will be an effective mechanism for enhancing accountability within the PRPB. The system will be a database management tool designed to identify officers in the PRPB whose performance exhibits potential problems, and to then provide

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	interventions, usually counseling or training. It is also a tool for supervision management.
Recommendations	n/a
TCA Rating	n/a

IV.V.1.1a	Training on the Use and Handling of Impact Weapons. Paragraphs 22, 23, 24 (G), and 53
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training. To date: 96% of the Bureau has been trained
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	Timeframe was met for phases I and II. Having met the 50% requirement on or before October 2016, the PRPB was in partial compliance. The PRPB was scheduled to achieve full compliance by October 2017. Currently they are at 95% which is in the range of full compliance.

IV.V.1.1b	Training on the Use and Handling of Chemical Agents. Paragraphs 22, 23, 24 (E), and 53
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training. To date, 95% of the Bureau has been trained
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	Timeframe was met for phases I and II. Having met the 50% requirement on or before November 2016, the PRPB was in partial compliance. The PRPB was scheduled to scheduled to achieve full compliance by November 2017. Currently they are at 95% which is in the range of full compliance .

IV.V.1.1c	<p>Training for the Force Review Board and the Superintendent's Force Review Board (SFRB).</p> <p>Paragraphs 46 and 47</p>
Due Date	One hundred percent (100%) of members of FRBs and SFRB will be trained within twelve (12) months following training design process and approval and incorporation of recommendations.
TCA Assessment	<p>The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.</p> <p>The TCA has reviewed and approved the module. As of December 2015, 100% of the board members were trained, as well as the non-voting legal advisors.</p> <p>Since that date, additional members have been added to the board to replace members on the boards, they have all received the required training.</p>
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step.</p>

IV.V.1.1d	<p>Training on Use and Handling of Service Weapons. The Training Action Plan will include the mechanism to be used by the SAEA to record and update who has taken the firearm training courses.</p> <p>Paragraphs 22, 23, 24 (B), 53, and 54</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	<p>The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.</p> <p>It is expected that by the end of year all officers will have completed required firearms training.</p>
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step.</p>

IV.V.1.1e	Training on the Use and Handling of Electronic Control Weapon. Paragraphs 22, 23, 24 (D), and 53
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	Timeframe was met for Phase I and II. Having met the 50% requirement on or before December 2016, the PRPB was in partial compliance. The PRPB was scheduled to achieve full compliance by December 2017. Currently they are at 94% which is in the range of full compliance .

IV.V.1.1f	Training on Use-of-Force Rules and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department. Paragraphs 22, 23, 24 (A), and 53
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training. Training for members of the Bureau in Use of Force Policy G.O. 600-601 and Report and Investigating Use of Force G.O. 600-605 is at 92%. PRPB has until June 2018 to achieve 100% training levels and be in compliance with the terms of the Agreement. On a monthly basis, during its site visits, TCA Core Team members visit the academy to be briefed on training percentages for Use of Force related policies.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	Timeframe was met for Phase I. Having met the 50% requirement on or before June 2017, the PRPB was in partial compliance. The PRPB was scheduled to achieve full compliance by June 2018. Currently they are at 92% which is in the range of partial compliance (although full compliance is quite likely by June 2018).

IV.V.1.1g	Training for Force Investigation Unit (FIU). Paragraphs 48 through 52
Due Date	One hundred percent (100%) of FIU members will be trained within twelve (12) months following training design process and approval and incorporation of recommendations.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	Timeframe was met. The Commonwealth of Puerto Rico is in full compliance with 100% of FIU members trained.

IV.V.1.1h	Multi-topic Training on Mobilization of Tactical Operations Unit. Paragraphs 22, 23, 27 through 31
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	Original timeframe was not met . There is a new deadline. Evaluation deferred : Whether the Commonwealth of Puerto Rico is in full, partial, or non-compliance cannot be assessed during this reporting period.

IV.V.1.1i	Multi-topic Training on Mobilization of Division of Special Weapons and Tactics (SWAT). Paragraphs 22, 23, 27 through 31
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	Original timeframe was not met . There is a new deadline. Evaluation deferred : Whether the Commonwealth of Puerto Rico is in full, partial, or non-compliance cannot be assessed during this reporting period.

IV.V.1.1j	<p>Training on Special Weapons by Members of the Specialized Tactical Units (STUs).</p> <p>Paragraphs 22, 23, 24 (F), 24 (H), and 53</p>
Due Date	One hundred percent (100%) of STU members will be trained within twelve (12) months following training design process and approval and incorporation of recommendations.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	<p>Original timeframe was not met. There is a new deadline.</p> <p>Evaluation deferred: Whether the Commonwealth of Puerto Rico is in full, partial, or non-compliance cannot be assessed during this reporting period.</p>

IV.V.1.1k	Training on Crowd Control and Incident Management for MPRPBs and Specialized Tactical Units (STUs). Paragraphs 22, 23, 32 through 35, and 53
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations, starting with SWAT and TO as priority groups and, then, the remaining MPRPBs. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	Original timeframe was not met . There is a new deadline. Evaluation deferred : Whether the Commonwealth of Puerto Rico is in full, partial, or non-compliance cannot be assessed during this reporting period.

IV.V.1.1I	Training on Rules for the Management of Police Pursuits. Paragraph 53
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	Vehicle/Foot Pursuit incorporated into one policy. The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	Original timeframe was not met . There is a new deadline. Evaluation deferred : Whether the Commonwealth of Puerto Rico is in full, partial, or non-compliance cannot be assessed during this reporting period.

IV.V.1.1m	Training for Patrol Dog Handlers. Paragrah 24 (C)
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	The TCA has been monitoring PRPB's training schedules and monthly statistical reports on training.
Recommendations	TCA will continue to review training implementation in accordance with Agreement requirements
TCA Rating	Original timeframe was not met . There is a new deadline. Evaluation deferred : Whether the Commonwealth of Puerto Rico is in full, partial, or non-compliance with cannot be assessed during this reporting period.

IV.V.1.1n	<p>a. Training on the Use and Management of the Automated System to prepare Electronic Incident Reports. This activity will be carried out in accordance with the Equal Protection and Non-Discrimination Action Plan.</p> <p>1.2 The PRPB will start training MPRPBs who belong to the following work units:</p> <ul style="list-style-type: none"> 1.2.1 Members of Joint Forces (SAIC); 1.2.2 Personnel assigned to Zones of Excellence (SAOC) 1.2.3 Division of Tactical Operations – DTO (SAOC) 1.2.4 Division of Special Weapons and Tactics (SWAT) (SAOC) 1.2.5 Force Investigation Unit – FIU (SARP); 1.2.6 Bureau of Highway Patrols (SAOC); 1.2.7 Motorized Unit (SAOC); 1.2.8 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC); 1.2.9 Bureau of Vehicle Theft Investigations (SAIC); 1.2.10 Arrests and Extraditions Division (SAIC).
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	<p>1.3 The PRPB will then train MPRPBs who belong to Districts, Precincts, and Offices of Assistant Superintendents, taking the following into consideration:</p> <p>1.3.1 number of incidents per location;</p> <p>1.3.2 number of incidents of domestic violence;</p> <p>1.3.3 number of interventions with intoxicated persons;</p> <p>1.3.4 number of arrests made;</p> <p>1.3.5 number of tickets from police interventions;</p> <p>1.3.6 number of complaints filed with the SARP on the following grounds: assault; use of unjustified violence; physical and/or psychological coercion; and assault against MPR</p> <p>1.3.7 distance from support units; and</p> <p>1.1.8 frequency of occurrence of demonstrations (i.e. mass protests)</p>
Due Date	See Action Plans for Equal protection
TCA Assessment	<p>Currently the Incident Report (PPR-468) is one of the PRPB reports in the CAD System.</p> <p>PRPB on or about April 3, 2017 instituted a “Pilot Program” whereby Utaudo Precinct (ZOE) began completing the report digitally however, officers will still be required to prepare the report by hand.</p> <p>The TCA Core Team member Scott Cragg is working with PRPB’s IT Unit personnel in developing the CAD System. The Incident Report (PPR-468) is in the system; however, not all features and functions are available. They will be rolled out as developed.</p>

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Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Action Plans for Equal protection

VI. Behavioral or Mental Health Crisis Response Objective**Activity IV.VI.1.1**

IV.VI.1.1	Develop General Order for the Crisis Intervention Team (CIT). Policy now included in the Policy titled: Hostage Negotiator Order # 600-28 Paragraphs 56 and 57
Due Date	December 2015
TCA Assessment	The CIT Policy was incorporated into the Policy titled: Intervention Procedure with Persons in Crisis and Hostages Negotiations Policy, General Order Chapter 600 Section 628, signed by Superintendent April 2017. Crisis Intervention Policy was initially a policy in itself; however, the PRPB decided to merge it with Negotiations in the Taking of Hostages. This delayed the development of the training. The Core Team in July 2017 approved the proposed training (REA628).
Recommendations	Additional work is needed as the Agreement required the PRPB to create Crisis Interventions Teams and the current policy is insufficient.
TCA rating	Timeframe was not initially met. However, the timeframe is now met. The Commonwealth of Puerto Rico is in partial compliance with this step of the Action Plan

VII. MPRPB Crisis Intervention Training Development Objective**Activity IV.VII.1.1**

IV.VII.1.1	<p>Develop Training for Behavioral or Mental Health Crisis Response for MPRPBs belonging to the CIT.</p> <p>Paragraphs 53, 56, and 57</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	<p>The CIT Policy was incorporated into the Policy titled: Intervention Procedure with Persons in Crisis and Hostages Negotiations Policy, General Order Chapter 600 Section 628, signed by Superintendent April 2017.</p> <p>To date, no training curriculum has been approved and training has not commenced. Training should have started in October 2017. They are currently delayed six months.</p> <p>REA 628: the design of the courses was extended to prepare the instructors by September 2017, including the negotiators. Prior to initiating the training, PRPB must draft the protocols to structure the CIT groups. This means that the PRPB must determine the composition of the board for recruitment, investigations, and evaluations.</p> <p>The PRPB is likely to ask for a six-month extension for this activity.</p>
Recommendations	<p>The TCA will continue to review in accordance with Agreement requirements. See prior comment on the requirement to create Crisis Interventions Teams.</p>

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TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan
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Activity IV.VII.1.2

IV.VII.1.2	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of MPRPBs belonging to the CIT in relation to Behavioral or Mental Health Crisis Response through instructors it has certified.</p> <p>Paragraphs 53, 56, and 57</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	<p>Policy signed April 2017.</p> <p>REA 628: the design of the courses was extended to prepare the instructors by September 2017, including the negotiators. See IV.VII.1.1.</p> <p>The PRPB is likely to ask for an extensión.</p>
Recommendations	The TCA will continue to review in accordance with Agreement requirements
Compliance	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan</p>

Activity IV.VII.1.3

IV.VII.1.3	Develop Training on Behavioral or Mental Health Crisis Response for MPRPBs. Paragraphs 53, 56, and 57
Due Date	Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.
TCA Assessment	Training is scheduled to start on April 16, 2018. Course REA 628. Training currently 40 instructors. The PRPB is likely to ask for an extensión.
Recommendations	The TCA will continue to review in accordance with Agreement requirements
Compliance	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity IV.VII.1.4

IV.VII.1.4	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of MPRPBs in relation to Behavioral or Mental Health Crisis Response, as established by the Agreement for the Sustainable Reform of the PRPB. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAIC and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval.</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations. Session #2: twelve (12) months after completion of training of first group.</p>
TCA Assessment	<p>Policy creating the position signed by Superintendent April 2017.</p> <p>Training is scheduled to start on April 16, 2018. Course REA 628. PRPB must complete 50% by April 16, 2019. Training for all members of the PRPB should be completed by April 16, 2020</p> <p>The PRPB is likely to ask for an extensión.</p>
Recommendations	<p>The TCA will continue to review in accordance with Agreement requirements</p>

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TCA Rating	Original timeframe was not met . There is a new deadline. Evaluation deferred : Whether the Commonwealth of Puerto Rico is in full, partial, or non-compliance cannot be assessed during this reporting period.
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Activity IV.VII.1.5

IV.VII.1.4	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of MPRPBs in relation to Behavioral or Mental Health Crisis Response, as established by the Agreement for the Sustainable Reform of the PRPB. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAIC and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval.</p> <p>Training for SAIC, SAOC, DOT, SWAT</p> <p>Paragraphs 53,56, and 57</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p> <p>See appendix C</p>
TCA Assessment	<p>Policy creating the position signed by Superintendent April 2017.</p> <p>Training is scheduled to start on April 16, 2018. Course REA 628. PRPB must complete 50% by April 16, 2019. Training for all members of the PRPB should be completed by April 16, 2020</p> <p>The PRPB is likely to ask for an extensión.</p>

Recommendations	
TCA Rating	<p>Original timeframe was not met. There is a new deadline.</p> <p>Evaluation deferred: Whether the Commonwealth of Puerto Rico is in full, partial, or non-compliance cannot be assessed during this reporting period.</p>

Activity IV.VII.1.6

IV.VII.1.4	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of MPRPBs in relation to Behavioral or Mental Health Crisis Response, as established by the Agreement for the Sustainable Reform of the PRPB. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAIC and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval.</p> <p>Training by incident, domestic violence incidents, interventions with DWI, arrests.</p> <p>Paragraphs 53,56, and 57</p>
Due Date	<p>Session #1: twelve (12) months after completion of training design process and approval and incorporation of recommendations.</p> <p>Session #2: twelve (12) months after completion of training of first group.</p> <p>See appendix C</p>

TCA Assessment	<p>Policy creating the position signed by Superintendent April 2017.</p> <p>Training is scheduled to start on April 16, 2018. Course REA 628. PRPB must complete 50% by April 16, 2019. Training for all members of the PRPB should be completed by April 16, 2020</p> <p>The PRPB is likely to ask for an extensión.</p>
Recommendations	
TCA Rating	<p>Original timeframe was not met. There is a new deadline.</p> <p>Evaluation deferred: Whether the Commonwealth of Puerto Rico is in full, partial, or non-compliance cannot be assessed during this reporting period.</p>

VIII. Self-Assessment Objectives:**Activity IV.VIII.1.1**

The PRPB, through the Office of Reform, will use various data collection strategies and conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, training courses, among others, it provides, starting with Zones of Excellence and gradually continuing through all thirteen (13) Police Areas and Offices of Assistant Superintendents, such as: (Table 52)

IV.VIII.1.1a	Using the Training Plan and Training Announcement issued by the SAEA for each of the courses to identify their start date, the time Police Areas and the corresponding Offices of Assistant Superintendents will have to complete it, and the work units that will be given training priority. The Training Plans for each of the thirteen (13) Police Areas and Offices of Assistant Superintendents, as approved by the SAEA, will also be considered to check the specific dates during which each training course identified in this Action Plan will be offered. The Office of Reform will verify that MPRPBs are participating in scheduled training courses by using the above-mentioned sources and the attendance records for each course.
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	Paragraphs 232 and 233
Due Date	N/A
TCA Assessment	<p>During monthly site visits to PRPB Area Commands, the TCA Core Team checks to ensure that PRPB is complying with the above. Documentation relating to training of personnel as well as training calendars are reviewed by the TCA Core Team. During these site visits the TCA Core team is accompanied by Reform Unit Personnel.</p> <p>During these visits, the Core Team meets with the Training Coordinator of the Area. At these meetings coordinators are requested to produce training calendars, as well as training records of random personnel and the certifications of instructors. In addition, the Police Academy also provides training information.</p>
TCA Rating	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance because it cannot explain the relationship between the training and the effects of the training in practice</p>

OFFICE OF THE TECHNICAL COMPLIANCE ADVISOR

IV.VIII.1.1b	Making random visits to each of the thirteen (13) Police Areas and Offices of Assistant Superintendents using the Training Plan approved by the SAEA for each of the training courses developed for this Compliance Area in order to guarantee that PRPB personnel are being trained in keeping with the syllabi, instructor handbooks, presentation, and assessment methodology approved by the Technical Compliance Advisor.
Due Date	N/A
TCA Assessment	During monthly 'Site Visits' to PRPB Area Commands the TCA Core Team checks to ensure that PRPB is complying with the above. During these site visits the TCA Core Team is accompanied by Reform Unit personnel.
Recommendations	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance because it cannot explain the relationship between the training and the effects of the training in practice

IV.VIII.1.1c	Visiting SARP to do random evaluations of the files related to use-of-force incidents in order to determine if they have been prepared and completed at the work units and are under the custody of the SARP as established in General Order 605, Chapter 600, Section 605, entitled "Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department."
Due Date	N/A
TCA Assessment	<p>The TCA Core Team has conducted "site Visit" to SARP to ensure compliance with the above. During these site visits the TCA Core Team is accompanied by Reform Unit personnel.</p> <p>The FIU Section of SARP is the repository for all completed Use of Force Reports. The FIU section reviews all arriving reports in order to determine if they have been prepared and completed. The Core Team, during its monthly site visits, meets with the FIU Commanding Officer. During these visits, random use of force reports are reviewed for accuracy and completeness. In addition, the Core Team discusses with the FIU the percentage of reports that are returned due to incorrect and/or incomplete information.</p> <p>Note: This has been an ongoing problem and to date the percentage of incomplete reports continues to be at an unacceptable level.</p>

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Recommendations	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance because it cannot explain the relationship between the training and the effects of the training in practice

IV.VIII.1.1d	Making random visits to the districts, precincts, and units to interview and corroborate whether the Supervisors of the PRPB have performed use-of-force reviews and investigations to evaluate that they are being performed in accordance with the provisions of General Order, Chapter 600, Section 605, entitled "Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department."
Due Date	N/A
TCA Assessment	<p>During monthly 'Site Visits' to PRPB Districts and Precinct the TCA Core Team checks to ensure that PRPB is complying with the above. During these site visits the TCA Core Team is accompanied by Reform Unit personnel.</p> <p>It should be noted that due to PRPB's protocol that no Use of Force Report (PPR-605.1) can be copied, the districts/precincts and the Area Commands don't have any copies of the reports that have been forwarded. During site visits of precincts/districts and Area Commands (FRBs) there have been some Use of Force Reports that are in the pipeline that have not been processed/forwarded. In those situations, the reports are reviewed for compliance with General Order Chapter 600 Section 605. The Core Team has recommended in writing that each PRPB precinct/district maintain a log with pertinent information relating to the investigations of use of force incidents. Currently, in order to review a completed Use of Force Report, it requires going to SARP/FIU.</p>
Recommendations	The TCA will continue to review in accordance with Agreement requirements

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TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance because it cannot explain the relationship between the training and the effects of the training in practice</p>
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IV.VIII.1.1e	Verifying compliance with the provisions of General Order, Chapter 600, Section 602, entitled "Use and Handling of Electronic Control Weapon" in relation to the recovery of the data stored in the Electronic Control Weapon (ECW) during the evaluation of the file corresponding to the use-of-force incident in which an ECW was used.
Due Date	N/A
TCA Assessment	<p>This relates to Use of Force by means of Electronic Control Device (Taser). Currently when a member of the PRPB utilizes his/her Electronic Control Device against an individual the stored data becomes part of the documentation. This has been confirmed by the TCA Core Team during its site visits to Area Command Force Review Boards (an incident involving the use of a taser is at the very least a Level 3, which requires that the use of force be evaluated by the Area Command's FRB).</p> <p>In addition, during the Core Teams visits to Area Commands, the Team has verified that "Electronic Control Weapon Use Record" PPR-892 have been prepared. Generally, this duty is the responsibility of the Area Command Training Coordinator.</p>
Recommendations	The TCA will continue to review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance because it cannot explain the relationship between the training and the effects of the training in practice</p>

IV.VIII.1.1f	Verify that MPRPBs have completed form PPR-892 – “Electronic Control Weapon Use Record” registering the arcing test, as established in General Order, Chapter 600, Section 602, entitled “Use and Handling of Electronic Control Weapon.”
Due Date	N/A
TCA Assessment	During the Core Teams visits to Area Commands, the Team has verified that “Electronic Control Weapon Use Record” PPR-892 has been prepared. Generally, this duty is the responsibility of the Area Command Training Coordinator.
Recommendations	The TCA will continue to review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance because it cannot explain the relationship between the training and the effects of the training in practice</p>

Compliance Tables for Search and Seizure

Section V. Searches and Seizures: Internal Controls and Accountability

Paragraphs: 58 to 79

I. Policy and Procedure Development Objectives:

Activity V.I.1.1

V.I.1.1	Review General Order, Chapter 600, Section 615, entitled "Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Citations." Paragraphs 59, 65 through 73
Due Date	December 2014
TCA Assessment	General Order 600-615 was approved by Superintendent November 2015. The TCA conducted the scheduled annual reviews for this general order in February 2016 and August 2017. The 2017 scheduled review is in progress as of March.
Recommendations	The TCA will continue to conduct bi-annual reviews in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

Activity V.I.1.2

V.I.1.2	<p>Review General Order No. 2008-13 entitled “Rules and Procedures for the Receipt, Custody, Delivery, and Disposition of Property Constituting Evidence” with the purpose of ensuring an effective control of the evidence from the beginning of a criminal act, to the collection thereof, and until it is presented at trial.</p> <p>Paragraph 109</p>
Due Date	September 2016
TCA Assessment	<p>This General Order was created on September 30, 2016 and reviewed by the TCA in October 2016, with changes incorporated in November 2016.</p> <p>Approval of this policy is still pending as of March 2018. Based on this information, it does not seem that PRPD is in full compliance.</p>
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this step of the Action Plan</p>

Activity V.I.1.3

V.I.1.3	<p>Review General Order, Chapter 600, Section 612, entitled “Authority of the Puerto Rico Police Department to Conduct Searches and Seizures” to incorporate the recommendations of the TCA and USDOJ.</p> <p>Paragraphs 59, 74 through 77</p>
Due Date	August 2015
TCA Assessment	<p>Approved by Superintendent November 2015.</p> <p>The annual review of this general order was last conducted by the TCA in June 2017. Next review due in June 2018.</p> <p>On September 18, 2017, the Police Commissioner signed an updated new policy.</p>
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

Activity V.I.1.4

V.I.1.4	<p>Develop a protocol for the digital recording and storage of communications between the immediate supervisor and the MPRPB through Command Center and Radio Control communication channels in which the MPRPB states the elements of probable cause he or she used to make an arrest for a felony, obstruction of justice, or resisting arrest.</p> <p>Paragraph 66</p>
Due Date	May 2016
TCA Assessment	<p>A protocol was created by PRPB and submitted to the TCA on May 31, 2016.</p> <p>It was reviewed by the TCA and approved by the Superintendent in October 2016.</p> <p>Legacy system is in place in Zones of Excellence and San Juan Area - no new system yet due to cost considerations.</p>
Recommendations	The TCA will continue annual reviews in accordance with Agreement requirements. Annual review is due for 2018.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan</p>

II. Reporting and Data Collection Objectives.

Activity V.II.1.1

V.II.1.1	<p>Develop an information subsystem to collect incidents resulting in arrests and searches, using the National Incident-Based Reporting System as a reference. The printed forms used for such purposes (PPR-853, Plan to Carry Out Arrests/Detentions and Searches/Seizures, and PPR-880, Member of the PRPB Incident Report Narrative) will be also taken into consideration.</p> <p>Paragraphs 59, 60,61, and 64</p>
Due Date	<p>12 months (once NIBRS and any other policies affecting System are approved and signed by Superintendent). (Estimated date: January 2017)</p>
TCA Assessment	<p>All data gathering is still manual as of the end of March 2018. No change since April 2017.</p> <p>This subsystem will be contemplated in the National Incident-Based Reporting System included in the Equal Protection and Non-Discrimination Compliance Area Action Plan. The subsystem will be initially implemented in the Zones of Excellence and then gradually in all work units, as established in the Information Systems and Technology Compliance Area Action Plan.</p> <p>As of March 2018, TCA reports that the system has been developed and is scheduled to be launched on or before August 2018 with the implementation of CAD.</p>

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Recommendations	TCA will continue to monitor implementation of system with TCA IT Expert
TCA Rating	Timeframe [January 2017] was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan based on non-automated analysis.

Activity V.II.1.2

V.II.1.2	<p>When the PRPB incorporates the TCA and USDOJ recommendations into the General Order, Chapter 600, Section 612, entitled “Authority of the Puerto Rico Police Department to Conduct Searches and Seizures,” the Bureau will ensure that all MPRPBs will be required to obtain and document a person’s consent to a voluntary search of his or her person or vehicle unless a search without the person’s consent is legally justified.</p> <p>Paragraphs 77 and 83</p>
Due Date	August 2015
TCA Assessment	<p>In past reporting periods, the TCA conducted follow-up site visits to San Juan Drug Unit, Vehiculos Hurtados (M/V Theft Unit) Divisions in Humacao, San Juan, Ponce; CIC’s in Fajardo, Humacao, Bayamon, Ponce; and Transit Division in Fajardo.</p> <p>During the period of December 2017 through March 2018, the TCA has inspected dozens of PPR-879’s “Consent to Search” at various CIC’s and Drug Units in Police Areas of Yauco, Humacao, and Aibonito, as well as in the police districts of Las Piedras and Bayamon West. The TCA found that consents to search are being properly recorded in PPR-879 forms.</p> <p>Most police districts report that it is not a practice of their officers to conduct consent searches. They leave searches to Specialized Units.</p> <p>The TCA found that Consents to Search are being properly documented on PPR-879.</p>

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Recommendations	TCA will continue to visit police Areas and Districts/Precincts to ensure consent searches are being recorded and will continue to inspect PPR-879 forms.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this step of the Action Plan as this process is not automated and the TCA's assessment is under way.</p>

Activity V.II.1.3

V.II.1.3	<p>Upon the annual review of General Order, Chapter 600, Section 615, entitled “Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Warrants,” the PRPB will ensure that it maintains the requirement that MPRPBs continue informing the Command Center and a supervisor immediately after making an arrest, or as soon as possible.</p> <p>Paragraphs 66 and 83</p>
Due Date	December 2014
TCA Assessment	<p>In the past, the TCA inspected several sites, including PRPD CIC’s, Vehiculos Hurtados (Auto Theft Unit), Drug Units, Transit Units, and Police Areas, and found that supervisors are being notified when an arrest was made.</p> <p>For the present period, December 2017 to March 2018, the TCA visited several Police Areas, districts and precincts in Aibonito, Yauco, Humacao, Las Piedras, Bayamon West, Santurce, Rio Piedras, Guaynabo, Dorado, and Juana Diaz where the TCA inspected dozens of arrest police reports (PPR-880 and PPR-82) and found that almos all indicated that a supervisor was notified via radio (or cellphone when radio or signal was not available) and responded to the scene. Supervisors signed the forms confirming their review.</p>
Recommendations	TCA will continue to monitor arrest reports to ensure continued compliance.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this step of the Action Plan.</p>

Activity V.II.1.4

V.II.1.4	Develop an automated system for the digital recording and storage of communications between the immediate supervisor and the MPRPB through Command Center and Radio Control communication channels that have been used to communicate the elements of probable cause used to make an arrest for a felony, obstruction of justice, or resisting an MPRPB. This system will be initially implemented in the Zones of Excellence and gradually in the subsequent work units, as established in the Information Systems and Technology Compliance Area Action Plan .
Due Date	18 months once corresponding policy (NIBRS) is approved
TCA Assessment	<p>This sub-section is dependent on the Information Systems and Technology Compliance Action Plan, which is being worked on as of April 2017. This subsection is dependent on approval of NIBRS policy which is pending as of May 2017.</p> <p>Equipment has been purchased. System in development. Questionable status of training at SAEA. Projected operational date is unknown as of this date.</p>
Recommendations	TCA IT expert to continue to monitor compliance
TCA Rating	For rating, see the Information Systems and Technology Compliance Action Plan

III. Review and Investigation Objectives:**Activity V.III.1.1**

V.III. 1.1	PRPB Supervisors must review each search and seizure report to evaluate and determine if the search and seizure was conducted in accordance with the provisions of PRPB policies and the Agreement
Due Date	Not Applicable
TCA Assessment	<p>For this reporting period, the TCA-CT randomly inspected several search warrant files, including applications and affidavits at several PRPB CIC's, Vehiculos Hurtados (Auto Theft Unit), Homicide Units, Drug Units and Transit Units for compliance.</p> <p>All pertaining PPR forms inspected were completed and signed accordingly (PPR-853, PPR264, PR-879, PPR-468, PPR-880, PR-126, PPR-47, PPR-82, and PR-128, etc.) by supervisors and officers, and appeared to have been checked and approved by supervisors.</p> <p>For the reporting period of December 2017 through March 2018, the TCA visited CIC's and Drug Units in Police Areas of Yauco, Humacao, Aibonito, and Ponce and inspected tens of search warrant files containing affidavits, applications and reports. They all included reports indicating that the supervisors and an ADA reviewed the documentations and approved them. All pertaining PPR forms inspected were completed and signed accordingly (PPR-853, PPR264, PR-879, PPR-468, PPR-880, PR-126, PPR-47, PPR-82, and PR-128, etc.) by supervisors and officers, and appeared to have been checked and approved by supervisors.</p>

Recommendations	TCA will continue to make visits to PRPD investigative units and inspect search warrant files for compliance. The TCA inspected the Caguas CIC. The Caguas CIC did not have the original files for many searches. The available copies were incomplete. The TCA will further look into this.
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this step of the Action Plan based on non-automated analysis.

Activity V.III.1.2

V.III. 1.2	<p>The PRPB will use the information subsystem to collect and review, on a monthly-basis, incidents that result in arrests and seizures. This subsystem will be contemplated in the National Incident-Based Reporting System included in the Equal Protection and Non-Discrimination Compliance Area Action Plan. The subsystem will be initially implemented in the Zones of Excellence and then gradually in all work units, as established in the Information Systems and Technology Compliance Area Action Plan.</p> <p>On a yearly basis, the PRPB will perform a complete analysis of the compiled information about searches and seizures conducted to identify significant trends with the purpose of correcting the deficiencies that are identified, pursuant to the law and generally accepted police practices.</p>
Due Date	On a yearly basis after approval of corresponding general orders.
TCA Assessment	This subsystem will be contemplated in the National Incident-Based Reporting System included in the Equal Protection and Non-Discrimination Compliance Action Plan . This sub-section is dependent on the Information Systems and Technology Compliance Action Plan , which is still being worked on as of the end of May 2017.
Recommendations	TCA will continue to monitor through its IT expert
TCA Rating	For rating see the Equal Protection and Non-Discrimination Compliance Action Plan.

Activity V.III.1.3

V.III.1.3	Conduct an evaluation of the PRPB human resources, taking into account their status and the operational and administrative work performed by the employees, in order to identify existing needs and, later on, make decisions in order to determine the number of supervisors needed to meet the requirement. This activity will be part of the Professionalization Compliance Area Action Plan .
Due Date	N/A
TCA Assessment	This activity will be part of the Professionalization Compliance Area Action Plan, which is in progress as of May 2107.
Recommendations	
TCA Rating	For rating, see the Professionalization Compliance Area Action Plan.

IV. Training Development Objectives:

Activity V.IV.1.1

V.IV.1.1	<p>The Auxiliary Superintendency for Education and Training (SAEA) will create courses to train all MPRPBs through instructors certified by SAEA.</p> <p>The training courses are as follows:</p> <ul style="list-style-type: none"> 1.1.1. Training on General Order, Chapter 600, Section 615, entitled “Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Summons”; and 1.1.2. Training on General Order [entitled] “Rules and Procedures for the Receipt, Custody, Delivery, and Disposition of Property Constituting Evidence” with the purpose of ensuring an effective control of the evidence from the beginning of a criminal act, in the collection thereof, and until it is presented at trial.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed in accordance with process established in Appendix B – Training Design Process.
TCA Assessment	<ul style="list-style-type: none"> 1.1.1 Training module on GO 600-615, Arrests and Summons, was reviewed and approved by the TCA; Training is at 95% Department-wide as of the end of February 2018 and retraining is on-going. 1.1.2 This training module has not been created as of March 2018

Recommendations	Continue to monitor
TCA Rating	<p>Timeframe was met for GO 600-615. Timeframe was not met for 1.1.2.</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan for 1.1.1.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan for 1.1.1.</p>

Activity V.IV.1.2

V.IV. 1.2	Review training on General Order, Chapter 600, Section 612, entitled “Authority of the Puerto Rico Police Department to conduct Searches and Seizures.”
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed in accordance with process established in Appendix B – Training Design Process.: April 27, 2016
TCA Assessment	The TCA reviewed and approved the training curriculums on this general order for new police cadets and for in-service training in May 2016. As of February 2018, training is on-going and is at 72% of the Department. 100% due in December 2018
Recommendations	See Section II of the Report regarding prioritization and uneven progress
TCA Rating	Timeframe was met. The Commonwealth of Puerto Rico is in partial compliance with the detailed step of the Action Plan.

Activity V.IV.1.3

V.IV.1.3	Develop a Training Program for Supervisors and High-Ranking Officers on arrest, search, and seizure policies, writing techniques, and report review.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed in accordance with process established in Appendix B – Training Design Process.
TCA Assessment	<p>In May 2017, policy has been approved; and training is at 72% of the Department and is on-going.</p> <p>The TCA has reviewed signed class rosters at the PRPD Academy and at the Area Police Headquarters where training is also happening. The TCA has also audited a Search and Seizure class at the PRPD Academy. Training rosters submitted by the Academy to the TCA in March 2018.</p>
Recommendations	Continue to monitor
TCA Rating	<p>Timeframe was met.</p> <p>The Commonwealth of Puerto Rico is in partial compliance with the detailed step of the Action Plan.</p>

Activity V.IV.1.4

V.IV.1.4	Develop training for the personnel assigned to the Command Center and Radio Control on how to use the automated system for the digital recording and storage of the communications between the immediate supervisor and the MPRPB through the Command Center and Radio Control communication channels.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed in accordance with process established in Appendix B – Training Design Process
TCA Assessment	This sub-section is dependent on the Information Systems and Technology Compliance Area Action Plan , which is being worked on as of end of May 2018. However, training has been reviewed and approved by the TCA.
Recommendations	Continue to monitor through the TCA IT Expert
TCA Rating	For rating, see the Information Systems and Technology Compliance Area Action Plan

V. Training Implementation Objectives:**Activity V.V.1.1**

V.V.1.1	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of MPRPBs through its certified instructors. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the announcement issued by the SAEA and the training plan provided by each police area and auxiliary superintendency upon SAEA approval.</p> <p>The training to be implemented will cover the following topics:</p> <ul style="list-style-type: none"> a. Training on General Order, Chapter 600, Section 615, entitled “Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Summons”; and b. Training on General Order [entitled] “Rules and Procedures for the Receipt, Custody, Delivery, and Disposition of Property Constituting Evidence” with the purpose of ensuring an effective control of the evidence from the beginning of a criminal act, in the collection thereof, and until it is presented at trial. c. Training on General Order, Chapter 600, Section 612, entitled “Authority of the Puerto Rico Police Department to Conduct Searches and Seizures.”
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	<ul style="list-style-type: none"> d. Training Program for Supervisors and High-Ranking Officers on the policies, writing techniques, and review of arrests, searches, and seizures reports. e. Train personnel assigned to the Command Center and Radio Control on how to use the automated system for the digital recording and storage of the communications between the immediate supervisor and the MPRPB through the Command Center and Radio Control communication channels.
Due Date	Training courses will be implemented as indicated in Appendix C – Training Implementation Process . (50% 12 months after approval of the general orders, and the remaining 50% 12 months thereafter)
TCA Assessment	<ul style="list-style-type: none"> a. The TCA has inspected signed training rosters at several Area Police stations and Zones of Excellence districts, as well as at the PRPD Academy. As of the end of February 2018, training on GO 600-615, Arrests and Summons, is at 95% (The remaining 5% untrained is due to leave of absences and otherwise officers not available for training). b. Approval of General Order “Rules and Procedures for the Receipt, Custody, Delivery, and Disposition of Property Constituting Evidence” is still pending, therefore, no training has commenced as of March 2018. c. Training on GO 600-612, Search and Seizure, is at 72% as of the end of February 2018, well on its way to 100% which is due in December 2018. d. Training for Supervisors and High-Ranking Officers on GO 600-612, Search and Seizure, is at 72% in general, which includes supervisors and high-ranking officials. e. The policy for this training was approved October 20, 2016, however, no training has been scheduled as of March 2018, as the system is still in development.

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Recommendations	TCA to continue to monitor in conjunction with TCA IT expert.
TCA Rating	Timeframe was met. The Commonwealth of Puerto Rico is in partial compliance with the detailed step of the Action Plan.

Activity V.V.1.2

V.V.1.2	<p>The PRPB will begin training MPRPBs who belong to the following work units:</p> <ul style="list-style-type: none"> 1.2.1. Criminal Investigation Corps (SAIC); 1.2.2. Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC); 1.2.3. Bureau of Vehicle Theft Investigations (SAIC); 1.2.4. Arrests and Extraditions Division (SAIC); 1.2.5. Bureau of Internal Affairs (SARP); 1.2.6. Members of Joint Forces (SAIC); 1.2.7. Force Investigation Unit (FIU) (SARP); 1.2.8. Personnel assigned to Zones of Excellence (SAOC); 1.2.9. Division of Tactical Operations (DTO) and Division of Special Weapons and Tactics (SWAT) (SAOC); and 1.2.10. Bureau of Highway Patrols, Motorized Unit, Command Centers, and Radio Control (SAOC).
Due Date	
TCA Assessment	<p>The TCA has visited several PRPD sites (CIC's, Narcotics Unit, Auto Theft Units, Highway Patrol, Zones of Excellence, among others) during the months of December 2017 through March 2018 and has learned that PRPD is prioritizing these units for training on Search and Seizures and Arrests and Summons. The Units inspected by the TCA this period are on schedule with this training requirement.</p>
Recommendations	TCA to continue to monitor

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Compliance	<p>Timeframe was met.</p> <p>The Commonwealth of Puerto Rico is in partial compliance with the detailed step of the Action Plan.</p>
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Activity V.V.1.3

Activity 1.3	<p>The PRPB will continue training MPRPBs who belong to Districts, Precincts, and auxiliary superintendencies, taking the following into consideration:</p> <ul style="list-style-type: none"> 1.3.1 number of incidents per location; 1.3.2 number of incidents of domestic violence; 1.3.3 number of interventions with intoxicated persons; 1.3.4 number of arrests made; 1.3.5 number of tickets from police interventions; 1.3.6 number of complaints of incidents on the following grounds: assault; use of unjustified violence; physical or psychological coercion; and assault against an MPRPB; 1.3.7 distance from support units; 1.3.8 frequency of occurrence of demonstrations (i.e. mass protests); and 1.3.9 places inside the district and precinct that have been identified as having a high compiled criminal incidence.
Due Date	
TCA Assessment	<p>Training was concentrated at Specialized Units as of May 2017. However, as of March 2018, training has spread Department-wide regarding GO's under the Search and Seizure Action Plan. The PRPB has complied with the 50% training goal and is on its way to comply with the 100% goal.</p>
Recommendations	TCA to continue monitoring
Compliance	<p>Timeframe was met.</p> <p>The Commonwealth of Puerto Rico is in partial compliance with the detailed step of the Action Plan.</p>

VI. Feedback Committee Creation Objectives:**Activity V.VI.1.1**

Activity 1.1	Create 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 MPRPBs.
Due Date	May, 2016
TCA Assessment	The TCA received a Protocol draft from PRPD on May 31, 2016. Protocol has not yet been approved as of March 2018. PRPB is still in discussion with the pertaining agencies.
Recommendations	TCA to monitor
Compliance	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance .

VIII. Self-Assessment Objectives:**Activity V.VII.1.1**

V.VII. 1.1	<p>PRPB, through the Office of the Reform, will use various data collection strategies and conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, training courses it provides, starting with Zones of Excellence and gradually continuing through all thirteen (13) police areas and auxiliary superintendencies, such as:</p> <ol style="list-style-type: none"> a. Using the training plan and training announcement issued by the SAEA for each of the courses to identify their start date, the time police areas and the corresponding auxiliary superintendencies have to complete the training, and the work units that will be given training priority. The training plans for each of the thirteen (13) police areas and auxiliary superintendencies, as approved by the SAEA, will also be considered to check the specific dates during which each training course identified in this Action Plan will be offered. The Office of Reform will verify that MPRPBs are participating in scheduled training courses by using the above-mentioned sources and the attendance records for each course. b. Conducting random visits to each of the thirteen (13) police areas and the corresponding auxiliary superintendencies using the training plan approved by the SAEA in order to guarantee that PRPB personnel are being trained in accordance with the syllabi, instructor handbooks, presentation, and assessment methodology approved by the TCA.
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	<p>c. Visiting each of the thirteen (13) police areas and the corresponding auxiliary superintendencies and conducting random reviews of files to verify that PPR-264, "Rights for Suspects in Custody Form," has been completed in each incident where there has been an interrogation, in accordance with the provisions of General Order, Chapter 600, Section 615, entitled "Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Summons."</p> <p>d. Visiting each of the thirteen (13) police areas and the corresponding auxiliary superintendencies and conducting random reviews of files to verify that PPR-82, "Conditions of People Arrested and Placed in a Cell," has been completed in each incident where an arrest and placement in a cell has been reported, in accordance with the provisions of General Order, Chapter 600, Section 615, entitled "Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Summons."</p> <p>e. Visiting each of the thirteen (13) police areas and conducting random reviews of files to verify that PPR-126, "Seized Property Inventory," has been completed in each incident where property was seized as a result of either an arrest or a search, and that the seizure has been reported in accordance with the provisions of General Order, Chapter 600, Section 612, entitled "Authority of the Puerto Rico Police Department to Conduct Searches and Seizures."</p>
Due Date	Not Applicable

TCA Assessment	<p>The TCA has been informed by the Reform Unit that it performs periodic audits of Units and Districts to inspect for training, and proper filling of PRPD forms, such as PPR-126, PPR-468, PPR-264, PPR-853, PPR-82, etc. TCA was present in February 2017 when a Reform Unit Lt. had conversation with Bayamon Auto Theft Unit Director about an audit the Lt. had conducted the week before at his unit. For this reporting period, December 2017 through March 2018, the Reform Unit continues to attend site visits with the TCA.</p> <p>a. Members of the PRPB have been attending training on these general orders (Search and Seizure Action Plan). TCA has verified that PRPD has attained the 50% goal on time and that it is on schedule to reach 100% on time as of this date.</p> <p>b. The TCA has been informed by the Reform Unit that it performs periodic audits of Units and Districts to inspect for training, and proper filling of PRPD forms, such as PPR-126, PPR-468, PPR-264, PPR-853, PPR-82, etc.</p> <p>c. The TCA has been informed by the Reform Unit that it has performed audits of various PRPD Districts/Precincts and Specialized Units. However, the process was cut short somewhat due to the two major hurricanes that heavily affected the island and many of the PRPB resources during the month of September 2017 and caused the government to declare a state of emergency that lasted for several months.</p> <p>d. The TCA has inspected dozens of PPR-82 along with members of the Reform Unit during this period, December 2017 through March 2018. They were well completed for the most part. The only faults found were that some in some units were not properly signed by the supervisors. This was called to the attention of the Directors and the Reform Unit for corrective action.</p>
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	e. The TCA has inspected dozens of PPR-126, "Seized Property Inventory" along with members of the Reform Unit during this period, December 2017 through March 2018. They were well completed.
Recommendations	TCA Monitor to continue to monitor
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance .

Compliance Tables for Equal Protection

Action Plan

Section VI: Equal Protection and Non-Discrimination

Requirements: 80 to 100

Activity VI.I.1.1

VI.I 1.1	Collaborate in the review of Regulation 4216, "Puerto Rico Police Department Personnel Regulation," so that it establishes mechanisms that guarantee equal protection of the law in the recruitment process. This policy will form part of the Recruitment, Selection, and Hiring Compliance Area Action Plan.
Due Date	
TCA Assessment	See Recruitment Action Plan
Recommendations	n/a
TCA Rating	For rating, see Recruitment Action Plan

Activity VI.I.1.2

VI.I 1.2	Collaborate in the review of General Order 2008-3 entitled "Rules and Procedures for the Evaluation of Members of the Police Department and Classified Personnel." The evaluation process will establish criteria to evaluate MPRPBs in relation to whether they provide unbiased services. This policy will form part of the Supervision and Management Compliance Area Action Plan.
Due Date	
TCA Assessment	See Supervision Action Plan
Recommendations	
TCA Rating	For rating, see Supervision Action Plan

Activity VI.I.1.3

VI.I 1.3	Collaborate in the review of the “Regulation to Administer Promotional Exams in the Puerto Rico Police Department” so that these requirements are based on the knowledge, skills, and ability needed to perform administrative and supervisory tasks successfully in the principal substantive areas corresponding to the rank to which [a candidate] aspires to be promoted. This policy will form part of the Professionalization Compliance Area Action Plan.
Due Date	
TCA Assessment	See Professionalization
Recommendations	
TCA Rating	For rating, see Professionalization Action Plan

Activity VI.I.1.4

VI.I 1.4	Review Regulation 6508 entitled “Regulation to Establish the Public Policy and Procedure to File Sexual Harassment Complaints in the Puerto Rico Police Department.” This regulation will be amended and known as “Puerto Rico Police Department Internal Regulation to Prevent Harassment, Discrimination, and Retaliation.”
Due Date	March 31, 2015
TCA Assessment	Focus is now on training and implementation The TCA is aware that the USDOJ found the original assessment and rating of full compliance objectionable. PRPB has not approved a harassment regulation that complies with Title VII, the Settlement Agreement, or the TCA’s resolution of the USDOJ objections.
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

Activity VI.I.1.5

VI.I 1.5	Develop the PRPB Regulation to Establish Police Practices without Discrimination, Harassment, Improper Sexual Conduct, and Retaliation. It will cover PRPB processes for interacting with citizens Paragraphs 80,81, 84, 87,88,113,159, 163,167,168, 171, 172, 173, 177-181, and 205
Due Date	March 31, 2015
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct anual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.I.1.6

VI.I 1.6	Develop General Order for the Investigation of Domestic Violence Incidents, which will repeal General Order 2006-4 entitled "Policy and Procedure for the Criminal Investigation of Domestic Violence Incidents," to establish clear and detailed guidelines from a victim-centered approach. Paragraphs 83, 98-100, 111(D), 111(E), and 113
Due Date	June 2015
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.I.1.7

VI.I 1.7	Review General Order 2006-5 entitled “Reorganization of the Puerto Rico Police Department Domestic Violence Division.” Paragraphs 83, 98-100, 111(D), 111(E), and 113
Due Date	June 2015
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct anual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.I.1.8

VI.I 1.8	Develop an Administrative Order for the Investigation of Domestic Violence Incidents Involving PRPB Employees, which will describe the processes to be followed when a PRPB employee is involved in a domestic violence incident. Paragraphs 83, 98-100, 111(D), 111(E), and 113
Due Date	June 2015
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct anual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.I.1.9

VI.I 1.9	<p>Review General Order 2007-1 entitled “Duties and Responsibilities of Sexual Crimes and Child Abuse Divisions” to create a General Order for the Investigation of Sexual Assault Incidents establishing clear and detailed guidelines for investigation processes from a victim-centered approach. The processes to operate the sexual crimes hotline island-wide, 24 hours a day, 7 days a week will also be established.</p> <p>Paragraphs 93-97, 99, 205, 111(D), 111(E), and 113</p>
Due Date	September 2015
TCA Assessment	<p>On October 2, 2017, the Police Commissioner signed this Order.</p> <p>Focus is now on training and implementation</p>
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity VI.I.1.10

VI.I 1.10	<p>Develop an Administrative Order to Investigate Sexual Assault Incidents for cases in which an incident of sexual assault involving PRPB employees occurs.</p> <p>Paragraphs 93-97, 99, 205, 111(D), 111(E), and 113</p>
Due Date	September 2015
TCA Assessment	<p>On August 8, 2017, the Police Commissioner signed the first revision of this policy.</p> <p>Focus is now on training and implementation</p>
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity VI.I.1.11

VI.I 1.11	Develop General Order for Interaction with Transgender and Transsexual People to provide guidelines to address matters related to this group, including transportation, booking, custody, and medical treatment. Paragraphs 89, 38, 113, and 205
Due Date	October 2015
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct anual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.I.1.12

VI.I 1.12	Develop General Order for Interaction with Foreigners Paragraphs 87-88,113,159,163, 167-168, 171-173, 177-181, and 205
Due Date	December 2015
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct anual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.I.1.13

VI.I 1.13	Review General Order 2000-3 entitled “Controls on the Use, Filing, and Final Disposition of Incident Reports (NIBRS) at the Puerto Rico Police Department.” Paragraphs 83, 85, 86, 91, 113, and 205
Due Date	August 2015 (Activity No. 13)
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct anual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.I.1.14

VI.I 1.14	Develop General Order for Hate Crime Data Collection and Management. Paragraphs 83, 85, 86, 91, 113, and 205
Due Date	April 2016 (Activity No. 14)
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct anual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.I.1.15

VI.I 1.15	Develop Hate Crime Management and Investigation Manual. The PRPB will use the FBI Hate Crime Data Collection [Guidelines and Training] Manual as a reference. Paragraphs 83, 85, 86, 91, 113, and 205
Due Date	April 2016 (Activity No. 15)
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.I.1.16

VI.I 1.16	Develop an Evaluation Protocol on Compliance with Best Practices for Operational Programs to review documents, forms, policies, and procedures related to arrests, traffic stops, searches, property seizures, and administrative complaints. Paragraphs 83, 85, 86, 91, 113, and 205
Due Date	June 2016 (Activity No. 16)
TCA Assessment	PRPB is likely to ask for an extension for the annual revision. The new policy should be ready by July 2018.
Recommendations	The TCA will continue to conduct annual reviews of the policy
TCA Rating	Timeframe was met initially . However, Police Commissioner requested substantial change to policy. The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity VI.I.1.17

VI.I 1.17	Review Special Order 2006-2 entitled "Rules and Procedures for the Criminal Investigation of Institutional Abuse and/or Negligence Complaints Related to Minors in Juvenile Correctional Institutions." Paragraphs 83, 85-86, 91, 113, and 205
Due Date	August 2016
TCA Assessment	Focus is now on training and implementation
Recommendations	The TCA will continue to conduct anual reviews of the policy
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.I.1.18

VI.I 1.18	Review "Interagency Agreement for the Investigation of Allegations of Abuse in Juvenile Institutions." Paragraphs 92, 111 (D, E), and 113
Due Date	August 2016
TCA Assessment	PRPB and the other agencies have not finalized and implemented the MOU
Recommendations	The TCA will continue to conduct annual reviews of the policy. The PRPB must complete the MOU.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

II. Training Development Objectives:**Activity VI.II.1.1**

VI.II. 1.1	<p>1.1 The Auxiliary Superintendency for Education and Training will create courses to train all MPRPBs through certified instructors. The training courses are as follows:</p> <p>1.1.1 Training on the Puerto Rico Police Department Internal Regulation to Prevent Harassment, Discrimination, and Retaliation (Table 8), and</p> <p>1.1.2 PRPB Regulation to Establish Police Practices Free of Discrimination, Harassment, Improper Sexual Conduct, and Retaliation</p> <p>Paragraphs 80-81, 87-88, 144, 159,163, 167-168, 171-173, 177-181, and 205</p>
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in Appendix B – Training Design Process.
TCA Assessment	<p>The TCA reviewed and approved the training materials.</p> <p>For course 1.1.1 (the internal regulation), the regulation was signed by the Police Commissioner on February 2016.</p> <p>Training should have commenced on September 2016. Virtual training was scheduled for September 2017.</p> <p>The virtual training delay has an effect on 1.1.2, 1.1.11, 1.2.1, 1.2.2, and 1.3.7,</p>

	<p>There are serious issues pertaining to the technological implementation. PRPD is likely to request an extension of 6-12 months.</p> <p>There are at least five activities pending approval: user manual, certification protocol, terms for compliance, determination of hours per course, and run a technological capacity assessment.</p>
Recommendations	The TCA will continue to conduct anual reviews of the training materials
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity VI.II.1.2

VI.II. 1.1	<p>1.1 The Auxiliary Superintendency for Education and Training will create courses to train all MPRPBs through certified instructors. The training courses are as follows:</p> <p>1.1.1 Training on the Puerto Rico Police Department Internal Regulation to Prevent Harassment, Discrimination, and Retaliation (Table 8), and</p> <p>1.1.2 PRPB Regulation to Establish Police Practices Free of Discrimination, Harassment, Improper Sexual Conduct, and Retaliation</p> <p>Paragraphs 80-81, 87-88, 144, 159,163, 167-168, 171-173, 177-181, and 205</p>
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in Appendix B – Training Design Process.
TCA Assessment	<p>Training should have commenced on September 2016. Virtual training was scheduled for September 2017.</p> <p>The virtual training delay has an effect on 1.1.2, 1.1.11, 1.2.1, 1.2.2, and 1.3.7,</p> <p>There are serious issues pertaining to the technological implementation. PRPD is likely to request an extension of 6-12 months.</p> <p>There are at least five activities pending approval: user manual, certification protocol, terms for compliance, determination of hours per course, and run a technological capacity assessment.</p>
Recommendations	The TCA will continue to conduct anual reviews of the training materials

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TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan
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Activity VI.II.1.3

VI.II. 1.3	1.1.3 Training on Investigation of Domestic Violence Incidents. Paragraphs 93, 98, 99, and 100
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in Appendix B – Training Design Process.
TCA Assessment	The TCA reviewed and approved the training materials
Recommendations	The TCA will continue to conduct anual reviews of the training materials
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.II.1.4

VI.II. 1.4	<p>Training on Investigation of Sexual Assault Incidents.</p> <p>Paragraphs 93 through 99</p>
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in Appendix B – Training Design Process.
TCA Assessment	<p>On August 31, 2017, the Police Superintendent signed the policy.</p> <p>The TCA reviewed and approved the training materials</p>
Recommendations	The TCA will continue to conduct annual reviews of the training materials
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity VI.II.1.5

VI.II. 1.5	Training on Identification of and Intervention with People from the Transgender and Transsexual Community. Paragraph 89.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in Appendix B – Training Design Process.
TCA Assessment	The TCA reviewed and approved the training materials
Recommendations	The TCA will continue to conduct anual reviews of the training materials
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VI.II.1.6

VI.II. 1.6	<p>Training on Intervention with Foreigners</p> <p>Paragraph 87,88, 159, 163, 167, 168, 171-173, 177-181, and 205</p>
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in Appendix B – Training Design Process.
TCA Assessment	<p>The TCA reviewed and approved the training materials.</p> <p>Policy was approved on May 26, 2016.</p> <p>Training should have commenced through virtual training which was scheduled for December 2016.</p> <p>The virtual training delay has an effect on 1.1.2, 1.1.11, 1.2.1, 1.2.2, and 1.3.7.</p> <p>There are serious issues pertaining to the technological implementation. PRPD is likely to request an extension of 6-12 months.</p> <p>There are at least five activities pending approval: user manual, certification protocol, terms for compliance, determination of hours per course, and run a technological capacity assessment.</p> <p>There are at least five activities pending approval: user manual, certification protocol, terms for compliance, determination of hours per course, and run a technological capacity assessment.</p>

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Recommendations	The TCA will continue to conduct anual reviews of the training materials
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity VI.II.1.7

VI.II. 1.7	1.1.8 Training on Techniques to Collect Demographic Information.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in Appendix B – Training Design Process.
TCA Assessment	See IT Action Plan
Recommendations	
TCA Rating	For rating, see IT Action Plan

Activity VI.II.1.8

VI.II. 1.8	Training on Techniques to Collect Demographic Information
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in Appendix B – Training Design Process.
TCA Assessment	Policy has not been approved. No training materials.
Recommendations	
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity VI.II.1.9

VI.II. 1.9	1.1.9 Training on Hate Crime Data Collection, Management, and Investigation.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed according to process established in Appendix B – Training Design Process.
TCA Assessment	<p>Policy was approved on October 13, 2016.</p> <p>Virtual training was scheduled for May 2017.</p> <p>The virtual training delay has an effect on 1.1.2, 1.1.11, 1.2.1, 1.2.2, and 1.3.7,</p> <p>There are serious issues pertaining to the technological implementation. PRPD is likely to request an extension of 6-12 months.</p> <p>There are at least five activities pending approval: user manual, certification protocol, terms for compliance, determination of hours per course, and run a technological capacity assessment.</p>
Recommendations	
Compliance	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity VI.II.1.10

VI.II. 1.10	Training on Investigation of Incidents at Juvenile Institutions Related to Complaints of Institutional Abuse and/or Negligence against Minors.
Due Date	Designing training courses corresponding to policies will begin once policy has been approved and signed in accordance with process established in Appendix B – Training Design Process.
TCA Assessment	
Recommendations	
Compliance	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan</p>

Activity VI.II.1.11

VI.II. 1.11	MultiTopic training
Due Date	6 months after approval and signing of the “ <i>Regulation to Prohibit Discrimination, Harassment, and Retaliation</i> ” by superintendent (regulation was approved on April 13, 2016)
TCA Assessment	<p>Focus is now on implementation</p> <p>Policies were approved in 2016.</p> <p>Virtual training was scheduled for November 2016.</p> <p>The virtual training delay has an effect on 1.1.2, 1.1.11, 1.2.1, 1.2.2, and 1.3.7,</p> <p>There are serious issues pertaining to the technological implementation. PRPD is likely to request an extension of 6-12 months.</p> <p>There are at least five activities pending approval: user manual, certification protocol, terms for compliance, determination of hours per course, and run a technological capacity assessment.</p>
Recommendations	The TCA will continue to conduct annual reviews of the training materials

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Compliance	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan
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Activity VI.III.1.1

VI.III. 1.1	<p>To provide police services in an equitable, respectful, and unbiased manner; foster greater professionalization; promote more trust in the community; and prevent more crime, PRPB will implement training, new policies and procedures, equipment, technologies, operational and administrative strategies, among others.</p> <p>The training to be implemented will cover the following topics:</p> <ul style="list-style-type: none"> a. training on Regulation to Prohibit Discrimination, Harassment, and Retaliation (Table 21) b. training on investigation of domestic violence incidents (Table 21) c. training on investigation of sexual assault incidents (Table 21) d. training on gender identification and expression in the transgender and transsexual community (Table 20) e. training on intervention with foreigners (Table 21) f. use of automated system to prepare electronic incident reports (NIBRS), as established in the Information Systems and Technology Compliance Area Action Plan (Table 21) g. more effective techniques to collect demographic information accurately (Table 21) h. training on hate crime data collection, management, and investigation (Table 21) i. training on investigation of incidents at juvenile institutions regarding complaints of institutional abuse and/or negligence against minors (Table 20) j. multitopic training aimed at MPRPBs (Table 21) k. Multitopic training aimed at civilian employees of the PRPB (Table 21)
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Due Date	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of PRPB personnel through its certified instructors. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on
TCA Assessment	Focus is now on implementation
Recommendations	
Compliance	Timeframe was not met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

Activity VI.III.1.4

VI.III. 1.4	Sexual Crimes Hotline to answer calls island-wide 24 hours a day, 7 days a week. The Hotline will be implemented in accordance with the provisions and guidelines adopted in the Sexual Crimes General Order.
Due Date	After approval of policy
TCA Assessment	Focus is now on implementation. There were 965 calls in 2017 based on PRPB reports.
Recommendations	Next steps are to audit hotline information
Compliance	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan</p>

Activity VI.III.1.5

VI.III. 1.4	The SASG, through the Medical Services Office and the Division of Psychology of the PRPB, will implement the corresponding processes to evaluate the competence of MPRPBs who have been involved in sexual assault or domestic violence incidents and determine if their physical and/or mental state warrants disarming or rearming them, according to the corresponding policies of the PRPB.
Due Date	After approval of policy
TCA Assessment	Focus is now on implementation
Recommendations	Next steps are to audit PRPB documentation
Compliance	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan</p>

Activity VI.III.1.6

VI.III. 1.6	The SASG will establish guidelines and periodically evaluate the effectiveness of the programs, operational plans, initiatives, and activities, as well as the efficiency of its processes. The duties of the corresponding work unit at the SASG will include studying, analyzing, and evaluating work processes in PRPB units, proposing and developing measurement indicators for the service areas of the PRPB, and measuring and documenting the same. The corresponding work unit at the SASG must make recommendations to the superintendent about actions that must be taken to correct the identified deficiencies, taking into consideration generally accepted police practices.
Due Date	After approval of policy
TCA Assessment	Focus is now on implementation
Recommendations	Next steps are to audit PRPB documentation. To date, the TCA has not seen any protocol for evaluation in compliance with the appropriate schedule
Compliance	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity VI.IV.1.1

VI.III. 1.6	Develop crime rate data collection system using the criminal incident and resource allocation reporting system as a starting point to prepare electronic incident reports. This system is already being used in the Utuado Zone of Excellence as part of a pilot plan to evaluate its operation and to improve its processes. It will eventually be implemented in the remaining Zones of Excellence and other units as established in the Information Systems and Technology Compliance Area Action Plan. (Table 25)
Due Date	12 months (once NIBRS and any other policies affecting System are ready) (policy was approved on January 1, 2016)
TCA Assessment	See IT Action Plan
Recommendations	
Compliance	For rating, see IT Action Plan

Compliance Tables for Recruitment

Action Plan

Section VII. Recruitment, Selection, and Hiring

Requirements: 101 to 108

I. Policy and Procedure Development Objectives:

Activities:

Activity VII.I.1.1

VII.I.1.1	<p>Collaborate in the development of the General Order establishing the profile of PRPB officers as a guideline for the selection of the best suited and most qualified candidates. This profile consists of a description of the abilities, attitudes, and aptitudes that a candidate will need to hold the rank of officer efficiently and is made up of a set of standards describing the following:</p> <ul style="list-style-type: none"> • basic knowledge candidates must have to be an MPRPB; • abilities candidates must possess; • attitudes candidates must adopt; • aptitudes candidates will apply to demonstrate their competence; • outcomes officers will obtain in the performance of their duties; • contexts in which said performance takes place. <p>This set of standards is based on the ideal performance of an PRPB officer. This General Order is included in the Professionalization Compliance Area Action Plan.</p>
Due Date	September 2016

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TCA Assessment	TCA has not reviewed a General Order establishing the profile of PRPB officers. Pending review.
Recommendations	The PRPB must make this a priority
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity VII.I.1.2

VII.I.1.2	Collaborate in the review of Public Law No. 53-1996, as amended, Puerto Rico Police Department Act, to adapt it to the requirements of the Agreement for the Sustainable Reform of the Puerto Rico Police Department and to require an associate degree or its equivalent as part of the requirements for MPRPB candidates. This activity was completed through Public Law No. 112 of July 30, 2014, which amended the PRPB Act. This policy will form part of the Policy and Procedure Compliance Area Action Plan .
Due Date	November 2017
TCA Assessment	Due to new DPS law, Public Law No. 53 has been vacated. Pending review.
Recommendations	TCA has not finished reviewing the General Order establishing the profile of PRPB officers. Pending review.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

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Activity VII.I.1.3

VII.I.1.3	Collaborate in the development of a draft bill to amend Public Law No. 53 of June 10, 1996, as amended, better known as the “Puerto Rico Police Department Act” to establish the probationary period evaluation requirements and the fact that hiring a person for the rank of cadet is provisional until the candidate completes the training, which will include 800 hours of field training. Once the above-mentioned requirements are met, the person will be promoted to the rank of officer. This activity is included in the Policy and Procedure Compliance Area Action Plan .
Due Date	March 2017
TCA Assessment	Due to new DPS law, Public Law No. 53 has been vacated. Pending review.
Recommendations	TCA assessment has not reviewed a General Order establishing the profile of PRPB officers. Pending review.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

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Activity VII.I.1.4

VII.I.1.4	Collaborate in the review of Regulations Number 4216, "PR Police Department Personnel Regulations," to establish eligibility criteria in the MPRPB candidate investigation process that will include a psychological evaluation, credit history, criminal record, employment history, use and abuse of controlled substances (including anabolic steroids), ability to work with diverse communities, and impartiality. To such effect, any candidate who meets the selection requirements and has passed each phase of the recruitment process satisfactorily will be included in a roster of eligible candidates for the rank of cadet. The roster of eligible candidates will be in effect for six (6) months. This policy will form part of the Policies and Procedures Compliance Area Action Plan .
Due Date	November 2017
TCA Assessment	Time period for eligible candidate list is still under discussion by the PRPB and DOJ. Pending review.
Recommendations	TCA assessment has not reviewed a General Order establishing the profile of PRPB officers. Pending review.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non- compliance with this step of the Action Plan

Activity VII.I.1.5

VII.I.1.5	Collaborate in the review of Regulations No. 6403, “Puerto Rico Police Department Officials and Employees Controlled Substance Detection Program Regulations,” to include the process to have PRPB candidates undergo controlled substance detection tests. This activity is part of the Administrative Complaints Action Plan.
Due Date	
TCA Assessment	
Recommendations	
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity VII.I.1.6

VII.I.1.6	Develop a General Order for the MPRPB Recruitment Program establishing clear guidelines and objectives to recruit MPRPB candidates. This General Order will establish the responsibilities of the PRPB Division of Recruitment director, whose duties are equivalent to those of the recruitment officer as established in the Agreement. The director will be responsible for implementing the MPRPB Recruitment Program . (Table 1)
Due Date	September 2016
TCA Assessment	<p>Decision to have a recruit class in 2018 has not yet been determined by the PRPB. Impact of General Order remains to be seen.</p> <p>Partial Compliance. After further review by the TCA Core Team, it is recommended that the PRPD receive partial compliance. Full compliance was not accomplished because the Department of Public Safety has not determined under Article 2.07 (Members of the Bureau of the Police: Income and Re-entry. [The Secretary shall establish, by regulation, the requisites of entry and re-entry of every member of the Bureau of the Police and shall have the authority to understand such matters) if the Puerto Rico Police Bureau was going to maintain a recruitment section and under what requirements.</p> <p>Former Commissioner Fraley reports that she had several meetings to determine what tasks of Human Resources would remain with the Commissioner and the Puerto Rico Police Bureau. She stated that she felt that recruitment should remain with the Puerto Rico Police Bureau and they would do the recruiting for regular police officers (cadets) and auxiliary police officers. The policy has been developed, but the Department of Public Safety has not yet made a final decision.</p>

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Recommendations	The Department of Public Safety needs to make a final decision on this General Order.
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

OFFICE OF THE TECHNICAL COMPLIANCE ADVISOR

Activity VII.I.1.6

VII.I.1.7	The recruitment policies for undercover officers will be reviewed to guarantee compliance with the requirements established in the Agreement for the Sustainable Reform of the PRPB. This procedure will be established by the superintendent because of the nature of their duties, the security measures that will be taken, and the danger of the investigations conducted by said personnel. The review and implementation of this policy will, therefore, be strictly confidential. (Table 2)
Due Date	May 2017
TCA Assessment	Non-Compliance. The TCA Core Team reviewed a policy in regard to the recruitment for undercover officers in January 2018. The TCA denied additional extensions. Policy should be finalized by April 2018.
Recommendations	See above
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

II. Training Development Objectives:

Activity VII.II.1.6

VII.II.1.1	<p>The SAEA will develop a multi-topic training course aimed at the personnel who will work on the various phases of the recruitment process, which will address the following topics:</p> <p>1.1.1 General Order for MPRPB Recruitment (includes candidate eligibility requirements and rules and procedures to follow in each phase of the process);</p> <p>1.2.1 phases of recruitment process;</p> <p>1.3.1 guidance on effective recruitment interview techniques;</p> <p>1.4.1 applicable equal protection and non-discrimination statutes, as well as generally accepted police practices;</p> <p>1.5.1 candidate profile;</p> <p>1.6.1 informational guide on recruitment process; and</p> <p>1.7.1 techniques to interview members of community organizations. (Table 3)</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	Given that the training course has not yet been developed, the TCA has not reviewed this multi-topic training course aimed at personnel who will work on the various phases of the recruitment process.
Recommendations	The TCA will continue training reviews in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity VII.II.1.2

VII.II.1.2	The SAEA will create a field investigations training course together with personnel from the Office of Safety and Protection assigned to SAIC in order to train investigators on criminal record investigation techniques and PRPB candidate recruitment procedures to continue professionalizing the personnel and to strengthen the community's trust and help provide police services in an equitable, respectful, and unbiased manner in accordance with generally accepted police practices. (Table 4)
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process
TCA Assessment	Given that the training course has not yet been developed, the TCA has not reviewed this
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

III. Implementation Objectives:

Activity VII.III.1.1

VII.III.1.1	The recruitment officer of the PRPB superintendent will be the Division of Recruitment director, who will be responsible for implementing the General Order for the PRPB Recruitment Program together with a task force that includes officers with various work experiences and for establishing alliances with historically unrepresented groups in the PRPB. (Table 5)
Due Date	August 2017
TCA Assessment	Partial Compliance. After further review by the TCA Core Team, it is recommended that the PRPD receive partial compliance. Full compliance was not accomplished because the Department of Public Safety has not determined under Article 2.07 (Members of the Bureau of the Police: Income and Re-entry. [The Secretary shall establish, by regulation, the requisites of entry and re-entry of every member of the Bureau of the Police and shall have the authority to understand such matters]) if the Puerto Rico Police Bureau was going to maintain a recruitment section and under what requirements. The TCA will seek information on whether a recruitment officer has been name, whether a Task Force has been formed, and other related matters.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

Activity VII.III.1.2

VII.III.1.2	With the purpose of defining and standardizing the various phases that make up the PRPB recruitment process and guarantee the uniformity of the same for all candidates for the position of cadet, the recruitment officer and his or her task force will develop a flowchart of the various phases of the recruitment process, from the announcement to the selection, which will allow for the specification and standardization of the process in equal conditions for all candidates. The limitations and weaknesses of the process will be discovered by analyzing it to make it more streamlined and efficient to successfully attract and promote the hiring of qualified candidates, pursuant to the applicable non-discrimination statutes and protecting candidates' rights in accordance with generally accepted police practices. This flowchart will be included in the General Order for the MPRPB Recruitment Program . (Table 6)
Due Date	September 2016
TCA Assessment	A recruitment flowchart has not been developed or submitted to the TCA Core Team.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity VII.III.1.3

VII.III.1.3	Develop an informational and procedures brochure or guide for candidates for the position of cadet at the PRPB that will provide guidance and help them identify various aspects of the recruitment process so that they can successfully complete it.
Due Date	September 2016
TCA Assessment	A hard copy recruitment guide/brochure has not been developed by the PRPD, however, there is one available on the PRPD website.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan</p>

Activity VII.III.1.4

VII.III.1.4	<p>Develop and implement an attractive advertising campaign to promote recruiting PRPB candidates targeted at various sectors of the community in educational institutions (including high schools), job fairs, shopping centers, press, radio, military bases, social networks, public service programs offered by the television media, and the PRPB webpage. To such effect, the PRPB will carry out the following activities:</p> <ul style="list-style-type: none"> • Publish the minimum requirements established to qualify for the position of cadet on the PRPB webpage and the government portal. The announcement and requirements for candidates will also be published in local, regional, and national newspapers. • Develop informational brochures about the recruitment process including the minimum requirements and steps to follow to complete the process successfully, which will be distributed at the various job fairs that will be organized throughout the island. • Design a recruitment poster with the requirements that must be met to become a candidate for the position of cadet and general information about the recruitment process, which will be distributed at various universities, technical colleges, and educational, shopping, and community centers. (Table 8)
Due Date	Once the Superintendent has made the decision and vacant positions and budgets have been identified.
TCA Assessment	Decision to have a recruit class in 2018 has not yet been determined by the PRPD. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity VII.III.1.5

VII.III.1.5	The PRPB Office of Safety and Protection will establish an Analysis, Control, and Quality Committee to guarantee the integrity and reliability of job candidate investigations. (Table 9)
Due Date	When recruitment process begins.
TCA Assessment	Decision to have a recruit class in 2017 has not yet been determined by the PRPB. TCA assessment has not reviewed information on Analysis, Control, and Quality Committee. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity VII.III.1.6

VII.III.1.6	The PRPB and the SAEA will establish performance evaluation requirements that comply with the objectives required by the PRPB. The evaluation of cadets will establish parameters to evaluate their performance, aptitude, and abilities during their training period at the PRPB Academy, which will include 800 hours of field training. Once they have passed the training, they will be promoted to the rank of officer. (Table 10)
Due Date	After recruitment and after training requirements are met cadets will be officers.
TCA Assessment	<p>Performance evaluation requirements have been established by the PRPB and SAEA.</p> <p>General Order 702 for the SAEA was signed and published, as well as the General Order that pertains to cadet training and performance evaluation requirements. The curriculum (all course material) has to be revised every 6 months regardless of scheduled classes. The General Order identifies the months that the revisions are required. Additionally, performance evaluations for faculty members was included in the General Order.</p>
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity VII.III.2.1

VII.III.2.1	<p>Within the twelve (12) months following the final approval of the training material of the Recruitment Manual and the Multi-topic Workshop on the recruitment process and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of PRPB employees. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The following topics will be addressed:</p> <p>2.1.1 General Order for MPRPB Recruitment (includes candidate eligibility requirements and rules and procedures to follow in each phase of the process);</p> <p>2.1.2 phases of recruitment process;</p> <p>2.1.3 guidance on effective recruitment interview techniques;</p> <p>2.1.4 applicable equal protection and non-discrimination statutes, as well as generally accepted police practices;</p> <p>2.1.5 candidate profile;</p> <p>2.1.6 informational guide on recruitment process; and</p> <p>2.1.7 techniques to interview members of community organizations. (Table 11)</p>
Due Date	Training will be implemented as indicated in Appendix C – Training Implementation Process.

TCA Assessment	Decision to have a recruit class in 2017 has not yet been determined by the PRPB. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

IV Self-Assessment Activities:**Activity VII.IV.1.1**

VII.IV.1.1	The PRPB, through the Office of Reform, will conduct periodic, specific, and random monitoring of the different activities, services, investigations, and training courses.
Due Date	May 2017
TCA Assessment	<p>The PRPB Report adequately documents PRPB's self-assessment process.</p> <p>Members of the Reform conduct random monitoring of the different activities, services, investigations and training courses with Members of the TCA Core Team on site visits.</p>
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity VII.IV.1.2

VII.IV.1.2	On an annual basis, [the PRPB] will compile a random sample of the work MPRPBs are performing to verify the positions available.
Due Date	May 2017
TCA Assessment	The PRPB Report adequately documents PRPB's self-assessment process
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VII.IV.1.3

VII.IV.1.3	The Implementation and Compliance Section of the Office of Reform, together with the Analysis, Control, and Quality Committee of the Office of Safety and Protection, will develop a Candidate Investigation Monitoring Program to ensure compliance with the Job Candidate Investigation Guide and guarantee high-quality, efficient investigations.
Due Date	May 2017
TCA Assessment	The TCA Core Team has not reviewed a Job Candidate Investigation Guide will guarantee high-quality, efficient investigations.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity VII.IV.1.4

VII.IV.1.4	The Implementation and Compliance Section of the Office of Reform, together with the Analysis, Control, and Quality Committee of the Office of Safety and Protection, will design the evaluation instrument to conduct efficient, high-quality monitoring of the components of the recruitment process.
Due Date	May 2017
TCA Assessment	The TCA Core Team has not reviewed a Job Candidate Investigation Guide will guarantee high-quality, efficient investigations.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Compliance Tables for Policies

Action Plan

Section VIII. Policies and Procedures

Requirements: 109 to 116

Compliance Area Summary:

Assessment: no applicable

I. Policy and Procedure Development Objectives:

Activities:

Activity VIII.I.1.1

VIII.I.1.1	Develop a draft bill to amend Public Law Number 53 of June 10, 1996, as amended, known as the “Puerto Rico Police Department Act,” to adapt it to the requirements established in the Agreement for the Sustainable Reform of the PRPB. Paragraphas 109, 110
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Due Date	March 2017
TCA Assessment	With the implementation of the new DPS law (Act 20-2017), Law Number 53 (Act 53-1996) has been vacated
Recommendations	See TCA Message. PRPB needs administrative and operational framework under Act 20.
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan. To date, PRPB has not addressed the issue of how will codify relevant provisions of the Agreement in the absence of Law 53.</p>

Activity VIII.I.1.2

VIII.I.1.2	Review General Order, Chapter 100, Section 102, entitled “Reorganization of the Puerto Rico Police Department Organizational Structure,” with the purpose of adjust said General Order to the changes resulting from the creation and reorganization of other work units and the Agreement. Paragraphas 109, 110
Due Date	September 2017
TCA Assessment	See TCA Message. PRPB needs administrative and operational framework under Act 20.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan.

Activity VIII.I.1.3

VIII.I.1.3	Review General Order, Chapter 100, Section 106, entitled “Creation of the Office of the Assistant Superintendent for Field Operations,” to incorporate the changes in the structure and duties of the Office of the Assistance Superintendent for Field Operations and the Zones of Excellence. Paragraphs 109, 110, 111 (a)
Due Date	November 2016
TCA Assessment	PRPB reviewed the above policy with TCA input during the past reporting period. The new revision should be ready by September 2018. PRPB is likely to request an extension. New policy must take into account new structure of PRPB under Act 20 and other organizational changes.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was initially met . Timeframe was not met for annual revision. The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan.

Activity VIII.I.1.4

VIII.I.1.4	Review General Order, Chapter 100, Section 111, entitled “Creation and Functional Organization of the Office of Reform,” to adjust it to the changes that have been made after its creation.
Due Date	October 2016
TCA Assessment	Signed by Superintendent April 2015. Revised October 2016. PRPB is likely to request extension to determine role of the Reform unit under the DSP.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met . However, the annual revision has been delayed. The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

Activity VIII.I.1.5

VIII.I.1.5	Review General Order, Chapter 100, Section 107, entitled "Creation of the Office of the Assistant Superintendent for Criminal Investigations," to incorporate the changes made in the organizational structure to comply with the provisions of the Agreement.
Due Date	September 2016
TCA Assessment	PRPB reviewed above order with TCA input during the past reporting period
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VIII.I.1.6

VIII.I.1.6	Develop a General Order establishing the organizational and functional structure of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons, as well as its duties and responsibilities, in accordance with the Agreement and generally accepted police practices.
Due Date	April 2016
TCA Assessment	PRPB developed the above order with TCA input during last reporting period Signed by Superintendent Sept/2016
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VIII.I.2.1

VIII.I.2.1	Review Regulations No. 4216, entitled “Puerto Rico Police Department Personnel Regulations,” in its entirety to adapt it to Public Law No. 53-1996, as amended, known as the “Puerto Rico Police Department Act of 1996;” to Public Law No. 184-2004, as amended, known as the “Public Service Human Resources Administration Act;” to other applicable legislation; and to the requirements of the Agreement for the Sustainable Reform of the PRPB. The Regulations will also clarify that they will only apply to the personnel belonging to the PRPB Rank System.
Due Date	November 2017
TCA Assessment	See TCA Message. PRPB needs administrative and operational framework under Act 20. Policy is under review to adapt to Ley 20-2017, Ley 26-2017 y Ley 8-2017. PRPB is likely to ask for an extensión. The new policy is scheduled for June 2018.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan.

Activity VIII.I.3.1

VIII.I.3.1	Review AO 2015-1-IV, entitled “Administrative Order for Traffic Stops,” to adapt it to the new generally accepted police practices in relation to the services provided to people and police interventions with them.
Due Date	March 2016
TCA Assessment	Pending, waiting approval of the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VIII.I.3.2

VIII.I.3.2	Review Uniform Crime Reporting Handbook (NIBRS).
Due Date	November 2016
TCA Assessment	NIBRS manual approved Jan 2016.
Recommendations	Continue review in accordance with Agreement requirements. Review Pilot status and forms in July and August with PRPB (see IT Action Plan Section IV.1.2.1 Table 30)
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan until NIBRS training is in place.</p>

Activity VIII.I.4.1

VIII.I.4.1	Review the corresponding Memoranda of Understanding with federal and state agencies to adapt them to the Agreement and establish requirements that federal agencies must meet to request the services of PRPB officers, procedures that federal agencies must follow in relation to MPRPBs assigned to task forces in order to comply with the Agreement, and required processes, such as training, performance evaluations and reporting of any incident of improper conduct or use of force by MPRPBs under their supervision, among others.
Due Date	February 2017
TCA Assessment	The PRPB submitted a list of proposed changes. The TCA reviewed the list, but has not seen these changes implemented.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan until TCA recommendations are in place.

Activity VIII.I.4.2

VIII.I.4.2	Develop an Operations Manual establishing the rules and procedures that MPRPBs assigned to the investigation units of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons will follow to incorporate the new and revised policies in accordance with state and federal laws and generally accepted police practices related to searches, seizures, arrests, and extraditions. This Operations Manual will be classified as confidential due to the nature of the operations conducted, the protection and confidentiality of the logistics during the time it takes to search for information, the danger of the investigations, and the security measures that these MPRPBs must take.
Due Date	November 2016
TCA Assessment	It is the understanding of the TCA that this Manual is currently being worked on.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity VIII.I.4.3

VIII.I.4.3	Develop a Procedures Manual for Investigators of the Criminal Investigation Corps to standardize the processes conducted during the entire criminal investigation in order to meet the fundamental requirements in accordance with the law and generally accepted police practices and to safeguard the confidentiality of the same. This Operations [sic] Manual will be classified as confidential due to the nature of the operations conducted, the protection and confidentiality of the logistics during the time it takes to search for information, the danger of the investigations, and the security measures that these MPRPBs must take.
Due Date	November 2016
TCA Assessment	Procedures Manual for CIC Investigators developed by PRPB and approved by TCA during the past reporting period. Annual revision scheduled for April 2018. FBI contributed to this policy.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VIII.I.5.1

VIII.I.5.1	Review Special Order No. 2010-7, entitled “Local Monthly Academies,” to establish the procedure that will be followed when developing the continuous monthly training and at the beginning of each shift or service periods; and to record and certify the discussion of general orders and/or administrative orders during local “academies” as an alternate valid method to the training offered by the SAEA in order to supplement the 40 hours of formal training in accordance with the Supervision and Management Compliance Area.
Due Date	October 2016
TCA Assessment	The Special order has been developed, and approved by the TCA
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VIII.I.6.1

VIII.I.6.1	<p>Develop a General Order to create the Virtual Library on the PRPB webpage where all policies and procedures in force, as well as the different forms, will be published and indexed so that PRPB employees can easily access them and the general public can also have access to the information. Thus, people from the community and MPRPBs will be able to access laws, regulations, policies, and procedures applicable to the PRPB that are not confidential. A section will be established in this webpage where people from the community can submit comments about policies and procedures in process or approved by the superintendent. The comments will be evaluated and analyzed by the Office of Reform and, if they are in keeping with generally accepted police practices and the respective Constitutions and laws of the United States of America and the Commonwealth of Puerto Rico, they will be incorporated, as appropriate, during the annual reviews. This activity is included in the Information Systems and Technology Action Plan.</p>
Due Date	December 2016

TCA Assessment	<p>To date has not been established by IT Bureau. According to IT Action Plan pending finalization of all policies before implemented.</p> <p>The PRPB is likely to request an extension. New Policy should be scheduled for July 2018.</p>
Recommendations	
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity VIII.I.6.2

6.2	Develop an Administrative Order establishing the rules and procedures PRPB personnel must follow to protect the copyrights of graphic works and photos and the source codes of software, among others, produced by the PRPB. (Table 15)
Due Date	October 2016
TCA Assessment	Changed from Administrative Order to a Regulation. The Regulation required process through PR Administrative Law. It was approved, but never implemented. The PRPB will create a General Order.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan until General Order is developed

Activity VIII.I.7.1

VIII.I.7.1	Review General Order 73-4, entitled “Rules and Procedures for the Tactical Operations Unit.” This policy is included in the Use of Force Action Plan .
Due Date	
TCA Assessment	See Use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

Activity VIII.I.7.2

VIII.I.7.2	Develop General Order for the Mobilization of the Division of Special Weapons and Tactics (SWAT). This policy is included in the Use of Force Action Plan .
Due Date	
TCA Assessment	See use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

Activity VIII.I.7.3

VIII.I.7.3	Develop Protocol to Regulate K-9 [Officers] in Patrolling Duties. This policy is included in the Use of Force Action Plan .
Due Date	
TCA Assessment	See Use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

Activity VIII.I.7.4

VIII.I.7.4	Develop General Order for Crowd Control and Incident Management. This policy is included in the Use of Force Action Plan .
Due Date	
TCA Assessment	See Use of Force (Boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

Activity VIII.I.7.5

VIII.I.7.5	Develop General Order to Create Force Investigation Unit (FIU). This policy is included in the Use of Force Action Plan .
Due Date	
TCA Assessment	See use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

Activity VIII.I.7.6

VIII.I.7.6	Review General Order 2010-14, entitled “Creation of the Office of the Assistant Superintendent for Professional Responsibility.” This policy is included in the Administrative Complaints Action Plan .
Due Date	
TCA Assessment	See administrative complaints (boxes)
Recommendations	
TCA Rating	For rating, see the Administrative Complaints Action Plan.

Activity VIII.I.7.7

VIII.I.7.7	Review Regulations 6506, entitled “Regulations to Process Administrative Complaints against Members of the Force and Civilian Personnel who Work at the PRPB,” to adopt the new “ Regulations to Receive, Process, and Manage Administrative Complaints. ” This policy is included in the Administrative Complaints Action Plan.
Due Date	
TCA Assessment	See administrative complaints (boxes)
Recommendations	
TCA Rating	For rating, see the Administrative Complaints Action Plan.

Activity VIII.I.7.8

VIII.I.7.8	Develop the Administrative Complaint Investigation Procedures Manual. This policy is included in the Administrative Complaints Action Plan .
Due Date	
TCA Assessment	See administrative complaints (boxes)
Recommendations	
TCA Rating	For rating, see the Administrative Complaints Action Plan.

Activity VIII.I.7.9

VIII.I.7.9	Review General Order 2010-1, entitled “Reorganization of the Internal Audit Office.” This policy is included in the Supervision and Management Action Plan .
Due Date	
TCA Assessment	See Supervision Action Plan (boxes)
Recommendations	
TCA Rating	For rating, see the Supervision Action Plan.

Activity VIII.I.7.10

VIII.I.7.10	Develop Procedures Manual establishing Guidelines to Conduct Operational and Administrative Inspections. This policy is included in the Supervision and Management Action Plan .
Due Date	
TCA Assessment	See Supervision Action Plan (boxes)
Recommendations	
TCA Rating	For rating, see the Supervision Action Plan.

Activity VIII.I.7.11

VIII.I.7.11	Review Regulations No. 6403, entitled “Puerto Rico Police Department Officials and Employees Controlled Substance Detection Program Regulations.” This policy is included in the Administrative Complaints Action Plan .
Due Date	
TCA Assessment	See Administrative Complaints (boxes)
Recommendations	
TCA Rating	For rating, see the Administrative Complaints Action Plan.

Activity VIII.I.7.12

VIII.I.7.12	Review General Order, Chapter 600, Section 605, entitled “Report and Investigation of Use-of-Force Incidents by Members of the Puerto Rico Police Department.” This policy is included in the Use of Force Action Plan .
Due Date	
TCA Assessment	See Use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

Activity VIII.I.7.13

VIII.I.7.13	Develop General Order to establish the Force Review Boards. This policy is included in the Use of Force Action Plan .
Due Date	
TCA Assessment	See Use of Force (boxes)
Recommendations	
TCA Rating	For rating, see the Use of Force Action Plan.

Activity VIII.I.7.14

VIII.I.7.14	Develop General Order for the Investigation of Domestic Violence Incidents. This policy is included in the Equal Protection and Non-Discrimination Action Plan .
Due Date	
TCA Assessment	See Equal Protection (boxes)
Recommendations	
TCA Rating	For rating, see the Equal Protection Action Plan.

Activity VIII.I.7.15

VIII.I.7.15	Develop Administrative Order for Intervention in Domestic Violence Incidents Involving PRPB Employees. This policy is included in the Equal Protection and Non-Discrimination Action Plan .
Due Date	
TCA Assessment	See Equal Protection (boxes)
Recommendations	
TCA Rating	For rating, see the Equal Protection Action Plan.

Activity VIII.I.7.16

VIII.I.7.16	Develop General Order for the Investigation of Sexual Assault Incidents. This policy is included in the Equal Protection and Non-Discrimination Action Plan .
Due Date	
TCA Assessment	See Equal Protection (boxes)
Recommendations	
TCA Rating	For rating, see the Equal Protection Action Plan.

Activity VIII.I.7.17

VIII.I.7.17	Develop General Order for the Investigation of Sexual Assault Incidents. This policy is included in the Equal Protection and Non-Discrimination Action Plan .
Due Date	
TCA Assessment	See Equal Protection (boxes)
Recommendations	
Compliance	For rating, see the Equal Protection Action Plan.

Activity VIII.I.7.18

VIII.I.7.18	Develop Administrative Order to Investigate Sexual Assault Incidents for cases in which an incident of sexual assault involving PRPB employees occurs. This policy is included in the Equal Protection and Non-Discrimination Action Plan .
Due Date	
TCA Assessment	See Equal Protection (boxes)
Recommendations	
TCA Rating	For rating, see the Equal Protection Action Plan.

Activity VIII.I.7.19

VIII.I.7.19	Develop General Order for the MPRPB Recruitment Program establishing clear guidelines and objectives to recruit MPRPB candidates. This policy is included in the Recruitment, Selection, and Hiring Action Plan .
Due Date	
TCA Assessment	See Recruitment Action Plan (boxes)
Recommendations	
TCA Rating	For rating, see the Recruitment Action Plan.

Activity VIII.I.7.20

VIII.I.7.20	Develop General Order establishing the rules and procedures for the Cadet Training Program. This policy is included in the Training Action Plan .
Due Date	
TCA Assessment	See Training Action Plan
Recommendations	
TCA Rating	For rating, see the Training Action Plan.

Activity VIII.I.7.21

VIII.I.7.21	Review General Order, Chapter 700, Section 701, entitled “Creation of the Operational Supervision Officers Program.” This policy is included in the Training Action Plan .
Due Date	
TCA Assessment	See Training Action Plan
Recommendations	
TCA Rating	For rating, see the Training Action Plan.

Activity VIII.I.7.22

VIII.I.7.22	Review Operations Manual of the Field Training Program (FTOs). This policy is included in the Training Action Plan .
Due Date	
TCA Assessment	See Training Action Plan
Recommendations	
TCA Rating	For rating, see the Training Action Plan.

Activity VIII.I.7.23

VIII.I.7.23	Develop Administrative Order establishing the rules and procedures for the development and implementation of training and re-training for PRPB employees. This policy is included in the Training Action Plan .
Due Date	
TCA Assessment	See Training Action Plan
Recommendations	
TCA Rating	For rating, see the Training Action Plan.

II. Training Development Objectives:

Activity VIII.II.1.1

VIII.II.1.1	<p>The Office of the Assistant Superintendent for Education and Training will develop a Multi-topic Training Program to train all MPRPBs assigned to SAIC on the law, applicable case law, and the rules and procedures to follow when conducting criminal investigations. The Program will begin with training on the following topics: (Table 16)</p> <ul style="list-style-type: none"> 1.1.1 criminal law; 1.1.2 Rules of Criminal Procedure; 1.1.3 evidence law; 1.1.4 constitutional and civil rights; 1.1.5 criminal investigation techniques; 1.1.6 interview and interrogation techniques; 1.1.7 scene work; 1.1.8 court testimony; 1.1.9 criminal photography; and 1.1.10 preparation of files and reports. <p>MPRPBs assigned to the SAIC will also take training corresponding to the following policies during the period established on the timeline:</p>
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	<p>1.1.11 General Order, Chapter 100, Section 107, entitled “Creation of the Office of the Assistant Superintendent for Criminal Investigations”; and</p> <p>1.1.12 Operational Manual for Criminal Investigation Corps Investigator Procedures.</p>
Due Date	
TCA Assessment	Training module not yet developed
Recommendations	
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity VIII.II.1.2

VIII.II.1.2	<p>The Office of the Assistant Superintendent for Education and Training will develop a Multi-topic Training Program to train all MPRPBs assigned to the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons on the following topics: (Table 17)</p> <ul style="list-style-type: none"> 1.2.1 criminal law; 1.2.2 Rules of Criminal Procedure; 1.2.3 evidence; 1.2.4 criminal investigation techniques; 1.2.5 interview and interrogation techniques; 1.2.6 Confidential Special Order 2010-1; 1.2.7 police corruption; 1.2.8 identification of controlled substances; 1.2.9 undercover operations; 1.2.10 controlled substance sale surveillance; 1.2.11 court testimony; 1.2.12 forensic photography and video 1.2.13 General Order to create the “Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons”; and 1.2.14 Operations Manual establishing the rules and procedures that MPRPBs assigned to the investigation units of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons will follow.
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Due Date	
TCA Assessment	Training module not yet developed
Recommendations	
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity VIII.II.2.1

VIII.II.2.1	The Office of the Assistant Superintendent for Education and Training will develop a training course aimed at all MPRPBs on the law, applicable case law, and the rules and procedures to follow when conducting traffic stops in various scenarios, answering emergency calls, and inspecting motor vehicles, among others. (Table 18)
Due Date	
TCA Assessment	Training module not yet developed
Recommendations	
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity VIII.II.3.1

VIII.II.3.1	The Office of the Assistant Superintendent for Education and Training will develop a training course aimed at all MPRPBs on the Uniform Crime Reporting Handbook (NIBRS) . (Table 19)
Due Date	
TCA Assessment	Training module not yet developed. This should be ready by November 2018
Recommendations	
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

III. Training Implementation Objective:

Activity VIII.III.1.1

VIII.III.1.1	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs assigned to the SAIC on the topics included in the Multi-topic Program. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The Multi-topic Training Program that will be implemented will address the following topics:</p> <ul style="list-style-type: none"> i. criminal law; ii. Rules of Criminal Procedure; iii. evidence law; iv. constitutional and civil rights; v. criminal investigation techniques; vi. interview and interrogation techniques; vii. scene work; viii. court testimony; ix. criminal photography; x. preparation of files and reports;
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	<ul style="list-style-type: none"> xi. General Order, Chapter 100, Section 107, entitled “Creation of the Office of the Assistant Superintendent for Criminal Investigations”; and xii. Operational Manual for Criminal Investigation Corps Investigator Procedures.
Due Date	
TCA Assessment	
Recommendations	
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity VIII.III.1.2

VIII.III.1.2	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs assigned to the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.</p> <p>The Multi-topic Training Program that will be implemented will address the following topics: (Table 21)</p> <ul style="list-style-type: none">1.1.1 criminal law;1.1.2 Rules of Criminal Procedure;1.1.3 evidence law;1.1.4 criminal investigation techniques;1.1.5 interview and interrogation techniques;1.1.6 Special Confidential Order 2010-1;1.1.7 police corruption;1.1.8 controlled substances identification;1.1.9 undercover operations;
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	<p>1.1.10 controlled substance sale surveillance;</p> <p>1.1.11 court testimony;</p> <p>1.1.12 forensic photography and video;</p> <p>1.1.13 General Order to create the “Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons”; and</p> <p>1.1.14 Operations Manual establishing the rules and procedures that MPRPBs assigned to the investigation units of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons will follow.</p>
Due Date	
TCA Assessment	
Recommendations	
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity VIII.III.1.3

VIII.III.1.3	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs on the law, applicable case law, and the rules and procedures that must be followed when conducting traffic stops in various scenarios, answering emergency calls, and inspecting motor vehicles, among others. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.</p>
Due Date	
TCA Assessment	
Recommendations	
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity VIII.III.1.4

VIII.III.1.4	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of all MPRPBs on the Uniform Crime Reporting Handbook (NIBRS) . The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.
Due Date	
TCA Assessment	
Recommendations	
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

IV. Implementation Objectives:**Activity VIII.IV.1.1**

VIII.IV.1.1	The PRPB will develop a Strategic Plan for Implementation in Zones of Excellence establishing the goals, objectives, and activities aimed at measuring the percentage of MPRPBs who have been trained on each of the implemented policies to comply with the procedures related to the eleven (11) compliance areas included in the Reform Agreement. (Table 24)
Due Date	
TCA Assessment	TCA has not seen strategic plan. However, training progress is above 90% in all areas
Recommendations	
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VIII.IV.1.2

VIII.IV.1.2	Hold local “academies” at each work unit based on the guidelines provided by the PRPB to ensure that the PRPB personnel know the policies and procedures established by the Agency.
Due Date	ongoing
TCA Assessment	The TCA has visited local academies during the Core Team filed visits and has reviewed training logs
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

V. Self-Assessment Objectives**Activity VIII.V.1.1**

VIII.V.1.1	<p>The PRPB, through the Office of Reform, will evaluate the effectiveness of the rules and procedures adopted in its policies and the knowledge acquired in the training of PRPB employees. The results of these evaluations will be analyzed to measure the level of knowledge, attitudes, aptitudes, and abilities; to identify if there is a substantial deficiency; and, if necessary, to take the corrective actions in the policies, training courses, and re-training courses so that the procedures adopted are feasible, operationally enforceable, and sustainable. This activity will be conducted through an Evaluation Protocol on Compliance with Operational Programs Best Practices, which will help measure the effectiveness of the rules and training of PRPB employees by reviewing documents, forms, policies, and procedures related to arrests, traffic stops, searches, property seizures, and administrative complaints to ensure that police services are provided in an equitable, respectful, and unbiased manner; attaining ongoing professionalization of MPRPBs; restoring the community's trust; and effectively preventing crime based on generally accepted police practices and without prejudice on the basis of race, color, ethnicity, national origin, religion, sex, age, disability, sexual orientation, gender identity or expression, or political beliefs or affiliation and pursuant to the rights, privileges, and immunities guaranteed or protected by the respective Constitutions and laws of the</p>
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	United States and the Commonwealth of Puerto Rico. The development of this Protocol will be part of the Equal Protection and Non-discrimination Compliance Area Action Plan.
Due Date	ongoing
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VIII.V.1.2

VIII.V.1.2	The PRPB, through the Office of Reform, will submit a monthly report to the superintendent on the policies and procedures scheduled as of the date submitted so that collaborators from the various Offices of the Assistant Superintendents can provide draft policies and procedures in advance on the date scheduled for each of them and avoid affecting their delivery to the TCA and USDOJ.
Due Date	ongoing
TCA Assessment	
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VIII.V.1.3

VIII.V.1.3	The PRPB, through the Office of Reform, will submit a monthly report to the superintendent on the progress of the policies and procedures, according to the due date and status of each with the TCA and USDOJ.
Due Date	ongoing
TCA Assessment	
Recommendations	
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VIII.V.1.4

VIII.V.1.4	On a monthly basis, the PRPB, through the Office of Reform, will verify that the corresponding policies have been delivered as scheduled, including the annual reviews established in the Agreement. In the event of noncompliance, it will evaluate the situation that resulted in not delivering the policy or procedure on the scheduled date and prepare a report for the superintendent stating the reasons for the noncompliance, its findings and recommendations, and any agreements reached with the TCA and USDOJ.
Due Date	ongoing
TCA Assessment	
Recommendations	
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

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Activity VIII.V.1.5

VIII.V.1.5	The Implementation and Compliance Section of the Office of Reform will compile the statistical data and information needed to ensure that MPRPBs are being informed about the new and revised policies and procedures established by the PRPB through the local “academies.” This will allow the PRPB to obtain the statistical data and information needed to make sure that MPRPBs are receiving the corresponding training and to measure progress and the level of compliance during the first twelve (12) months and the twelve (12) months following the final approval of the training material, starting with the Zones of Excellence and, afterwards, according to the priority work units established in this Action Plan. It will also identify the aspects that need to be corrected or amended.
Due Date	ongoing
TCA Assessment	
Recommendations	
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity VIII.V.1.6

VIII.V.1.6	The PRPB, through the Office of Reform, will evaluate the recommendations received from all PRPB employees and people from the community in relation to all the policies and procedures in force that are not confidential in nature. The comments will be evaluated and analyzed by the Office of Reform and, if they are in keeping with generally accepted police practices and the respective Constitutions and laws of the United States of America and the Commonwealth of Puerto Rico, they will be incorporated, as appropriate, during the annual reviews.
Due Date	ongoing
TCA Assessment	
Recommendations	
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Compliance Tables for Training

Section IX. Training

Requirements: 117 to 134

Activity IX.I.1.1

IX.I.1.1	Develop a General Order establishing the rules and procedures of the Prior-to-Service Education and Training Program (Cadets) and the review of said curricula.
Due Date	October 2016
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan. The General Order for pre-service training has been approved, signed and distributed to PRPD personnel. It was signed on 12 April 2017 as OG 700-702.
Recommendations	Continue annual reviews in accordance with Agreement requirements.
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity IX.I.1.2

IX.I.1.2	Develop the new PRPB Academy Student Regulations, which will repeal Regulations No. 7669, entitled “Puerto Rico Criminal Justice College Student Regulations,” to adapt them to the amendments to Public Law No. 53-1996, as amended, known as the “Puerto Rico Police Department Act,” and with the requirements of the Agreement.
Due Date	July 27, 2017
TCA Assessment	In progress.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Evaluation deferred: Timeframe: not due yet</p> <p>Evaluation deferred: Whether the Commonwealth of Puerto Rico is in compliance with this detailed step of the Action Plan cannot be assessed during this reporting period</p>

Activity IX.I.1.3

IX.I.1.3	Review General Order, Chapter 100, Section 108, entitled “Creation of the Office of the Assistant Superintendent for Education and Training,” to incorporate the requirements included in the Reform Agreement and establish, among other things, the powers and responsibilities in relation to guaranteeing that PRPB employees receive full and effective training aimed at protecting their security and that of the people through theoretical and practical training and re-training that integrate community policing principles and that these principles promote equitable, respectful, and unbiased police services. The selection, certification, and recertification processes and the responsibilities of instructors will also be included. Furthermore, the duties and responsibilities of PRPB training coordinators will be established.
Due Date	September 2016
TCA Assessment	General Order entitled “Creation of the Office of the Assistant Superintendent for Education and Training,” has been approved by the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity IX.I.1.4

IX.I.1.4	Develop an Administrative Order establishing the rules and procedures to develop and implement training and re-training for PRPB employees. It will also include the rules and procedures for enrollment, compiling information (statistics), files, and certification of training and re-training taken by PRPB personnel, as well as the electronic distribution of the annual Training Plan prepared by the SAEA and the PRPB training coordinators.
Due Date	August 2017
TCA Assessment	Administrative order establishing rules and procedures to develop and implement training and retraining for PRPD employees is currently in place.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity IX.I.1.5

IX.I.1.5	Review General Order, Chapter 700, Section 701, entitled “Creation of the Operational Supervision Officers Program,” to adapt it to the Operations Manual of the Field Training Program and the requirements of the Agreement.
Due Date	March 2016
TCA Assessment	The TCA has been monitoring PRPB’s progress. To date PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity IX.I.1.6

IX.I.1.6	Review the Operations Manual of the Field Training Program (FTOs) to adapt it to the new and revised policies established at the PRPB.
Due Date	March 2017
TCA Assessment	<p>Review of the Operational Manual of the Field Training Program has been approved by the TCA and approved by the Superintendent to adapt it to the new and revised policies established at the PRPB.</p> <p>The final Field Operations Manual was approved on 13 September 2016. The OG 700-702 was approved, signed and distributed to PRPD personnel.</p>
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity IX.I.1.7

IX.I.1.7	Review General Order 88-1, entitled “Rules and Procedures for the Appearance of Police Department Personnel at Court and Administrative Proceedings,” to adapt it to the requirements of the Agreement and make sure that appearances at court and administrative proceedings will not affect MPRPB attendance at the training established in the different Action Plans. The Protocols establishing the processes to follow to carry out the appropriate coordination are included in the Searches and Seizures and the Supervision and Management Action Plans .
Due Date	November 2016
TCA Assessment	General Order 88-1 entitled “Rules and Procedures for the Appearance of Police Department Personnel at Court and Administrative Proceedings” has not yet been approved. The TCA has been monitoring PRPB’s progress. PRPB has not complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	For rating, see Supervision and Search and Seizure Action Plans non-compliance

II. Pre-service Training Development Objectives:**Activity IX.II.1.1**

IX.II.1.1	The Criminal Justice College ceased to exist on July 30, 2014, with the passing of Public Law No. 112-2014, which repealed Public Law No. 155-1999, as amended, that had created the Criminal Justice College. Thus, the SAEA no longer offers college degrees, and as such, the accreditations of the Puerto Rico Council on Higher Education or the Middle States Association of Colleges and Schools are no longer required. To such effect, the SAEA took steps to request the closing of the CJC and submitted certification number 2015-175 signed by Mr. Ricardo Aponte Parsi, chairman of the Puerto Rico Council on Higher Education, acknowledging the closing of the Gurabo and Villalba campuses of the Criminal Justice College effective July 30, 2014. The TCA requested a copy of the certification. The SAEA has assumed responsibility for the CJC, thus complying with requirement number 118 of the Agreement.
Due Date	See Schedules B & C.
TCA Assessment	General Order has been approved but may be changed. The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	n/a

Activity IX.II.2.1

IX.II.2.1	<p>The SAEA will develop a Prior-to-Service Education and Training Program (cadets), which will consist of at least nine hundred (900) contact hours. The Program will be based on an analysis of factors, which will include, but will not be limited to, the following topics:</p> <ul style="list-style-type: none"> 2.1.1 criminology; 2.1.2 fundamentals of communication and writing reports and forms; 2.1.3 basic techniques in the use and management of force; 2.1.4 fundamentals of psychology and human relations in the police context; 2.1.5 ethical police principles; 2.1.6 criminal law; 2.1.7 introduction to human and civil rights; 2.1.8 basic use and handling of firearms; 2.1.9 physical efficiency; 2.1.10 special legislation; 2.1.11 criminal procedure; 2.1.12 searches and seizures; 2.1.13 fundamentals of the administration of the Traffic Act; 2.1.14 psychosocial and investigative aspects of domestic violence, sexual harassment, and LGBTTIQ communities; 2.1.15 conflict mediation and resolution; 2.1.16 intermediate use and handling of firearms;
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	<p>2.1.17 intermediate techniques in the use and management of force;</p> <p>2.1.18 certification in the use and handling of pepper spray;</p> <p>2.1.19 introduction to juvenile justice;</p> <p>2.1.20 Rules of Evidence and court testimony;</p> <p>2.1.21 organizational conduct in the police context;</p> <p>2.1.22 criminal investigation;</p> <p>2.1.23 management and protocol in crisis situations;</p> <p>2.1.24 operational skills simulated scenarios;</p> <p>2.1.25 community policing;</p> <p>2.1.26 cybernetics in criminal investigation;</p> <p>2.1.27 blood pathogens, response in cases of emergency, and basic first-aid skills;</p> <p>2.1.28 interview and interrogation; and</p> <p>2.1.29 equal protection and non-discrimination (homeless persons) and human trafficking.</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	Prior-to-Service Education and Training Program (cadets) has been approved by the TCA and the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was met

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	The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan
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III. Field Training Development Objectives:**Activity IX.III.1.1**

IX.III.1.1	<p>The SAEA will develop the FTO Training Program to train future FTOs or re-train MPRPBs who have previously acted as FTOs. It will consist of a minimum of eighty (80) contact hours, which include theory and practice. The Training and Re-training Program will be based on an analysis of factors, which will include, but will not be limited to, the following topics: (Table 9)</p> <ul style="list-style-type: none"> 1.1.1 Agreement requirements; 1.1.2 introduction to the Field Training Program; 1.1.3 use of force and use-of-force incident reports; 1.1.4 reports and forms; 1.1.5 criminal law and criminal procedure; 1.1.6 civil rights (focused on protections against unreasonable searches and seizures and equal protection and non-discrimination); 1.1.7 Traffic Act and traffic stops; 1.1.8 sexual harassment and other prohibited employment practices; 1.1.9 criminal investigation; 1.1.10 supervision and management; 1.1.11 arrests and citations; 1.1.12 mechanics of the arrest;
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	<p>1.1.13 searches and seizures;</p> <p>1.1.14 community policing (effective conflict resolution techniques);</p> <p>1.1.15 interaction with transgender and transsexual persons;</p> <p>1.1.16 intervention with foreigners;</p> <p>1.1.17 weapons authorized by the PRPB;</p> <p>1.1.18 police ethics;</p> <p>1.1.19 crisis intervention;</p> <p>1.1.20 Operations Manual of the Field Training Program; and</p> <p>1.1.21 basic teaching techniques.</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	<p>FTO Training Program has been developed, implemented, and approved by the TCA and the Commissioner.</p> <p>The General Order for pre-service training has been approved, signed and distributed to PRPD personnel. It was signed on 12 April 2017 as OG 700-702.</p>
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity IX.III.1.2

IX.III.1.2	<p>The PRPB will develop the Field Training Program for recently graduated officers, which will consist of at least nine hundred (900) hours of practice and be divided into four (4) phases as detailed below:</p> <p>1.2.1 Phase I – Integration – Response to Incidents Not Constituting an Emergency;</p> <p>1.2.2 Phase II – Response to Incidents Constituting an Emergency;</p> <p>1.2.3 Phase III – Activities while Patrolling; and</p> <p>1.2.4 Phase IV – Criminal Investigations.</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process
TCA Assessment	The Field Training Program has been developed, implemented, and approved by the TCA and the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

IV. Training and Re-training Implementation Objectives:

A. Pre-service Training Program:

Activity IX.IV.A.1.1

IX.IV.A.1.1	<p>The SAEA will implement a Prior-to-Service Education and Training Program (cadets) that will consist of at least nine hundred (900) contact hours. The Program will be based on an analysis of factors, which will include, but will not be limited to, the following topics: (Table 11)</p> <ul style="list-style-type: none"> 1.1.1 criminology; 1.1.2 fundamentals of communication and writing reports and forms; 1.1.3 basic techniques in the use and management of force; 1.1.4 fundamentals of psychology and human relations in the police context; 1.1.5 ethical police principles; 1.1.6 criminal law; 1.1.7 introduction to human and civil rights; 1.1.8 basic use and handling of firearms; 1.1.9 physical efficiency; 1.1.10 special legislation; 1.1.11 criminal procedure; 1.1.12 searches and seizures;
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	<p>1.1.13 fundamentals of the administration of the Traffic Act;</p> <p>1.1.14 psychosocial and investigative aspects of domestic violence, sexual harassment, and LGBTTIQ communities;</p> <p>1.1.15 conflict mediation and resolution;</p> <p>1.1.16 intermediate use and handling of firearms;</p> <p>1.1.17 intermediate techniques in the use and management of force;</p> <p>1.1.18 certification in the use and handling of pepper spray;</p> <p>1.1.19 introduction to juvenile justice;</p> <p>1.1.20 Rules of Evidence and court testimony;</p> <p>1.1.21 organizational conduct in the police context;</p> <p>1.1.22 criminal investigation;</p> <p>1.1.23 management and protocol in crisis situations;</p> <p>1.1.24 operational skills simulated scenarios;</p> <p>1.1.25 community policing;</p> <p>1.1.26 cybernetics in criminal investigation;</p> <p>1.1.27 blood pathogens, response in cases of emergency, and basic first-aid skills;</p> <p>1.1.28 interview and interrogation; and</p> <p>1.1.29 equal protection and non-discrimination (homeless persons) and human trafficking.</p>
Due Date	Training will be implemented as indicated in Appendix C – Training Implementation Process.

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TCA Assessment Prior-to-Service Education and Training Program (cadets) has been approved by the TCA and the Superintendent. The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.

Recommendations Continue review in accordance with Agreement requirements.

TCA Rating Timeframe **was met**

The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

B. Field Training Program:**Activity IX.IV.B.1.1**

IX.IV.B.1.1	<p>It will consist of a minimum of eighty (80) contact hours, which include both theory and practice. The Training and Re-training Program will be based on an analysis of factors, which will include, but will not be limited to, the following topics: (Table 12)</p> <ul style="list-style-type: none"> 1.1.1 Agreement requirements; 1.1.2 introduction to the Field Training Program; 1.1.3 use of force and use-of-force incident reports; 1.1.4 reports and forms; 1.1.5 criminal law and criminal procedure; 1.1.6 civil rights (focused on protections against unreasonable searches and seizures and equal protection and non-discrimination); 1.1.7 Traffic Act and traffic stops; 1.1.8 sexual harassment and other prohibited employment practices; 1.1.9 criminal investigation; 1.1.10 supervision and management; 1.1.11 arrests and citations; 1.1.12 mechanics of the arrest; 1.1.13 searches and seizures; 1.1.14 community policing (effective conflict resolution techniques);
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	<p>1.1.15 interaction with transgender and transsexual persons;</p> <p>1.1.16 intervention with foreigners;</p> <p>1.1.17 weapons authorized by the PRPB;</p> <p>1.1.18 police ethics;</p> <p>1.1.19 crisis intervention;</p> <p>1.1.20 Operations Manual of the Field Training Program; and</p> <p>1.1.21 basic teaching techniques.</p>
Due Date	Training will be implemented as indicated in Appendix C – Training Implementation Process.
TCA Assessment	The Training and Retraining Program has been developed and implemented by PRPB and approved by the TCA and the Superintendent. The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity IX.IV.B.2.1

IX.IV.B.2.1	Phase I – Integration – Response to Incidents Not Constituting an Emergency; Phase II – Response to Incidents Constituting an Emergency; Phase III – Activities while Patrolling; and Phase IV – Criminal Investigations. (Table 13)
Due Date	Training will be implemented as indicated in Appendix C – Training Implementation Process.
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

V. In-Service Training and Re-training Development and Implementation

Objectives:

Activity IX.V.1.1

IX.V.1.1	<p>The PRPB, through the SAEA, will create a Multi-topic Training Program to develop employees' ethical and professional thinking and values with the collaboration of the Office of Government Ethics (OGE), as stipulated in the Mutual-Aid Agreement between the two agencies. These training courses will be part of the continuing education and certified as contact hours by the OGE. The Program will include, but will not be limited to, the following topics:</p> <ul style="list-style-type: none"> 1.1.1 General Order 617 – MPRPB Code of Ethics; 1.1.2 Police Ethics and Integrity; 1.1.3 Ethical Leadership; 1.1.4 Ethical Attitudes in the Workplace; 1.1.5 Ethical Principles in Management and Supervision (this training course is contemplated in the Supervision and Management Compliance Area Action Plan); 1.1.6 Managing Emotions for Ethical Coexistence; 1.1.7 Community Policing Principles (this training course is contemplated in the Community Engagement and Public Information Compliance Area Action Plan); 1.1.8 Techniques to guide and manage MPRPBs in an effective manner and promote effective and ethical police practices (effective supervision) (this training is contemplated in the Supervision and Management Compliance Area Action Plan); and
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	1.1.9 Federal and Commonwealth discrimination legislation and PRPB policy (this training is contemplated in the Equal Protection and Non-Discrimination Compliance Area Action Plan).
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has not complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity IX.V.1.2

IX.V.1.2	<p>The PRPB, through the SAEA, will create a Training Program for all members of the Promotion Exams Board to guarantee that promotions in the PRPB will be in keeping with equal employment opportunity principles and discrimination legislation and comply with the three (3) areas of educational activities—cognitive, affective, and psychomotor—needed to perform successfully the management and supervisory tasks related to the requirements of the rank that the candidates wish to obtain. The Program will include, but will not be limited to, the following topics:</p> <p>1.2.1 Agreement for the Sustainable Reform of the Puerto Rico Police Department;</p> <p>1.2.2 designing exams to measure cognitive activities;</p> <p>1.2.3 <i>(this was blank in the master document)</i></p> <p>1.2.4 drafting questions that will measure knowledge, comprehension, application, and analysis; and</p> <p>1.2.5 designing and preparing question banks for each topic that will be examined.</p>
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPD's progress. PRPD has not complied with the requirement outlined in the Action Plan. The TCA has not reviewed a training program for all members of the Promotions Exams Board.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met

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	The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan
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Activity IX.V.1.3

IX.V.1.3	The SAEA will create a Multi-topic Training Program to train MPRPBs who have passed the promotion exams before assuming the responsibilities of their new rank. The Program will be designed taking into consideration the profile corresponding to each rank and will consist of at least forty (40) contact hours. These training courses will be contemplated in the Supervision and Management Compliance Area Action Plan.
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Training Implementation Activities:**Activity IX.V.1.3**

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of PRPB personnel to develop ethical and professional thinking and values through and with the collaboration of the personnel from the Office of Government Ethics Ethical Thinking Development Center (CDPE, Spanish acronym). The remaining fifty percent (50%) of the PRPB personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the Professionalization Action Plan .
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Professionalization Action Plan

B. Use of Force Compliance Area**Training Development Activities:**

1.1	<p>To achieve a reduction in use-of-force incidents, promote professionalization, [achieve] equality in the provision of services, and restore the community's trust, all Members of the PRPB will be trained in use of force at least every two (2) years during the first four (4) years after the Agreement herein comes into effect. Thereafter, all use-of-force policies and training will be evaluated one (1) time per year so that they conform to the applicable law and generally accepted police practices. The training courses corresponding to this compliance area are detailed below:</p> <p>1.1.1 Review Training on the Use and Handling of Impact Weapons;</p> <p>1.1.2 Review Training on the Use and Handling of Chemical Agents;</p> <p>1.1.3 Develop Training Program for the Members of the Force Review Board;</p> <p>1.1.4 Review Training on the Use and Handling of Service Weapons;</p> <p>1.1.5 Review Training on the Use and Handling of Electronic Control Weapon;</p> <p>1.1.6 Review Training on Use-of-Force Rules and Investigation Report on Use-of-Force Incidents by Members of the Puerto Rico Police Department;</p> <p>1.1.7 Develop Training for Force Investigation Unit;</p> <p>1.1.8 Develop Multi-topic Training on the Mobilization of the Tactical Operations Unit;</p> <p>1.1.9 Develop Multi-topic Training on the Mobilization of the Division of Special Weapons and Tactics ("SWAT");</p>
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	<p>1.1.10 Develop Training on Less-Lethal Munitions and Other Technology;</p> <p>1.1.11 Develop Training on Crowd Control and Incident Management for MPRPBs and Specialized Tactical Units;</p> <p>1.1.12 Develop Training on Rules for the Management of Police Pursuits;</p> <p>1.1.13 Develop Training on Driving Vehicles in Emergency Situations and Police Pursuits;</p> <p>1.1.14 Develop Training for Patrol Dog Handlers;</p> <p>1.1.15 Develop Training on the Use and Management of the Automated System to Prepare Electronic Incident Reports (this activity will be carried out in accordance with the Equal Protection and Non-Discrimination Action Plan);</p> <p>1.1.16 Develop Training for Behavioral or Mental Health Crisis Response for MPRPBs belonging to the CIT (this activity will be carried out in accordance with the Use of Force Action Plan); and</p> <p>1.1.17 Develop Training on Behavioral or Mental Health Crisis Response for MPRPBs (this activity will be carried out in accordance with the Use of Force Action Plan).</p>
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA rating	See Use of Force Action Plan

Training Implementation Activities:

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of MPRPBs . The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. Priority groups for training and re-training are established in the Use of Force Action Plan .
Due Date	See Schedules B & C
TCA Assessment	The TCA has been monitoring PRPB's progress. PRPB has complied with the requirement outlined in the Action Plan.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Use of Force Action Plan

C. SEARCHES AND SEIZURES COMPLIANCE AREA

Training Development Activities:

1.1	<p>To achieve a reduction of civil right violation incidents, promote professionalization, achieve equality in the provision of services, and strengthen the community's trust, the PRPB will train all its members on the corresponding arrest, search, and seizure policies at least every two years during the first four years after this Agreement comes into effect, and on a yearly basis thereafter. The training courses will be evaluated on a yearly basis so that they are in keeping with the applicable law and generally accepted police practices. The design of the training courses mentioned below is included and duly explained in the Searches and Seizures Action Plan. The Program will include, but will not be limited to, the following topics:</p> <p>1.1.1 Training on General Order, Chapter 600, Section 615, entitled "Authority of the Puerto Rico Police Department to Conduct Arrests and Serve Citations";</p> <p>1.1.2 Training on General Order, Chapter 600, Section 612, entitled "Authority of the Puerto Rico Police Department to conduct Searches and Seizures."</p> <p>1.1.3 Training Program for Supervisors and High-Ranking Officers on the policies, writing techniques, and review of arrests, searches, and seizures reports.</p> <p>1.1.4 Training on General Order entitled "Rules and Procedures for the Receipt, Custody, Delivery, and Disposition of Property Constituting Evidence" with the purpose of ensuring an effective control of the evidence from the beginning of a criminal act, to the collection thereof, until it is presented at trial. This activity is included in the Searches and Seizures Compliance Area Action Plan; and</p>
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	1.1.5 Training for the personnel assigned to the Command Center and Radio Control on how to use the automated system for the digital recording and storage of communications between the immediate supervisor and the MPRPB through the Command Center and Radio Control communication channels.
Due Date	See Schedules B & C.
TCA Assessment	<p>The TCA has been monitoring PRPB's progress. To date PRPB has complied with 1.1.1 through 1.1.4 the requirement outlined in the Action Plan and the Agreement.</p> <p>1.1.5 Training for the personnel assigned to the Command Center and Radio Control on how to use the automated system for the digital recording and storage of communications between the immediate supervisor and the MPRPB through the Command Center and Radio Control communication channels has not been developed.</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Search and Seizure Action Plan

Training Implementation Activities:

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of MPRPBs . The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the Searches and Seizures Action Plan .
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Search and Seizure Action Plan

D. EQUAL PROTECTION AND NON-DISCRIMINATION COMPLIANCE AREA

Training Development Activities

1.1	<p>To provide police services in an equitable, respectful, and unbiased manner, with greater professionalization; promote more trust in the community; and do more crime prevention, training courses will be developed for PRPB personnel based on best practices, without prejudice on the basis of race, color, ethnicity, national origin, religion, sex, age, disability, sexual orientation, gender identity, gender expression, or political beliefs or affiliation in accordance with the rights, privileges, and immunities guaranteed or protected by the respective Constitutions and laws of the United States and the Commonwealth. The training courses corresponding to this compliance area are detailed below:</p> <ul style="list-style-type: none"> 1.1.1 Training on the PRPB Internal Regulations to Prevent Harassment, Discrimination, and Retaliation; 1.1.2 PRPB Regulations to Establish Police Practices without Discrimination, Harassment, Improper Sexual Conduct, and Retaliation; 1.1.3 Training on Investigation of Domestic Violence Incidents; 1.1.4 Training on Investigation of Sexual Assault Incidents; 1.1.5 Training on Identification of and Intervention with Persons from the Transgender, Transsexual, and Intersexual Community; 1.1.6 Training on Intervention with Foreigners; 1.1.7 Training on Use of Automated System to Prepare Electronic Incident Reports (NIBRS), as established in the Implementation Plan developed by the BT; 1.1.8 Training on Techniques to Collect Demographic Information; 1.1.9 Training on Hate Crime Data Collection, Management, and Investigation;
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	1.1.10 Training on Investigation of Incidents at Juvenile Institutions Related to Complaints of Institutional Abuse and/or Negligence against Minors in Institutions for Juvenile Delinquents.
Due Date	Training not yet due.
TCA Assessment	Syllabus equal protection and non-discrimination training development objective on March 2017 was referred to the TCA for review and approval including CAD 101-System Operator Data Collection. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Equal Protection Action Plan

1.2	<p>Multi-topic Training Program aimed at MPRPBs will be offered every two (2) years during the first (4) years of the Agreement, and once a year thereafter. The core topics that will sequentially make up the training will include, but will not be limited to, the following:</p> <ul style="list-style-type: none"> 1.2.1 constitutional rights and other legal principles related to equal protection and non-discrimination included in federal and state legislation; 1.2.2 protection of civil rights as a cornerstone of the police mission; 1.2.3 suspicious, arbitrary, and stereotypical classifications; 1.2.4 unbiased police conduct; 1.2.5 community perspective on discriminatory police conduct; 1.2.6 key points and critical aspects of prohibition against discrimination that could have an effect on incidents and at operational planning levels; 1.2.7 interaction with diverse populations, including the homeless, economically disadvantaged people, and the LGBTTIQ community, among others; and 1.2.8 methods, strategies, and techniques to reduce misunderstandings, conflicts, and complaints resulting from perception of bias or discrimination.
Due Date	See Schedules B & C.
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Equal Protection Action Plan

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1.3	<p>Training courses for PRPB personnel belonging to the Classified System (civilian employees). The Program will include, but will not be limited to, the following topics:</p> <p>1.3.1 Training on PRPB Internal Regulations to Prevent Harassment, Discrimination, and Retaliation; and</p> <p>1.3.2 PRPB Regulations to Establish Police Practices without Discrimination, Harassment, Improper Sexual Conduct, and Retaliation.</p>
Due Date	Training not yet due.
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Equal Protection Action Plan

1.4	<p>Multi-topic training aimed at PRPB personnel belonging to Classified System (civilian employees) will be offered every two (2) years during the first four (4) years of the Agreement, and once a year thereafter. The core topics that will sequentially make up the training include the following:</p> <p>1.4.1 constitutional rights and other legal principles related to equal protection and non-discrimination included in federal and state legislation, such as Title VII;</p> <p>1.4.2 interaction with diverse populations, including the homeless, economically disadvantaged people, and the LGBTTIQ community, among others; and</p> <p>1.4.3 methods, strategies, and techniques to reduce misunderstandings, conflicts, and complaints resulting from perception of bias or discrimination.</p>
Due Date	See Schedules B & C.
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Equal Protection Action Plan

Training Implementation Activities:

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of MPRPBs . The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the Equal Protection and Non-Discrimination Action Plan .
Due Date	Training not yet due.
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Equal Protection Action Plan

E. RECRUITMENT, SELECTION, AND HIRING COMPLIANCE AREA**Training Development Activities:**

1.1	<p>The SAEA will develop a multi-topic training course aimed at the personnel who will work on the various phases of the recruitment process, which will address the following topics:</p> <p>1.1.1 General Order for MPRPB Recruitment (includes candidate eligibility requirements, and rules and procedures to follow in each phase of the process);</p> <p>1.1.2 phases of recruitment process;</p> <p>1.1.3 guidance on effective recruitment interview techniques;</p> <p>1.1.4 applicable equal protection and non-discrimination statutes, as well as generally accepted police practices;</p> <p>1.1.5 candidate profile;</p> <p>1.1.6 informational guide on recruitment process; and</p> <p>1.1.7 techniques to interview members of community organizations.</p>
Due Date	Training not yet due.
TCA Assessment	PRPB has not approved a recruit class for 2018.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Recruitment Action Plan

1.2	The SAEA will create a field investigations training course together with personnel from the Office of Safety and Protection assigned to SAIC in order to train investigators on criminal record investigation techniques and PRPB candidate recruitment procedures to professionalize the personnel and restore the community's trust and help provide police services in an equitable, respectful, and unbiased manner in accordance with generally accepted police practices.
Due Date	Training not yet due.
TCA Assessment	PRPB has not approved a recruit class for 2018.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Recruitment Action Plan

Training Implementation Activities:

1.1	The recruitment officer assigned by the PRPB superintendent will be the director of Division of Recruitment, who will be responsible for implementing the General Order for the MPRPB Recruitment Program along with a task force that includes officers with various work experiences to establish alliances with historically unrepresented groups in the PRPB. The priority groups for training and re-training are established in the Recruitment, Selection, and Hiring Action Plan .
Due Date	Training not yet due.
TCA Assessment	General Order on recruitment has been developed, approved by the TCA, but has yet to be approved by the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Recruitment Action Plan

F. POLICIES AND PROCEDURES COMPLIANCE AREA

Training Development Activities:

1.1	<p>The Office of the Assistant Superintendent for Education and Training will develop a Multi-topic Training Program to train all MPRPBs assigned to SAIC on the law, applicable case law, and the rules and procedures to follow when conducting criminal investigations. The Program will begin with training on the following topics:</p> <ul style="list-style-type: none"> 1.1.1 criminal law; 1.1.2 Rules of Criminal Procedure; 1.1.3 evidence law; 1.1.4 constitutional and civil rights; 1.1.5 criminal investigation techniques; 1.1.6 interview and interrogation techniques; 1.1.7 scene work; 1.1.8 court testimony; 1.1.9 criminal photography; and 1.1.10 preparation of files and reports. <p>MPRPBs assigned to the SAIC will also take training corresponding to the following policies during the period established on the timeline</p> <ul style="list-style-type: none"> 1.1.11 General Order, Chapter 100, Section 107, entitled "Creation of the Office of the Assistant Superintendent for Criminal Investigations"; and 1.1.12 Operational Manual for Criminal Investigation Corps Investigator Procedures.
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Due Date	Training not yet due.
TCA Assessment	PRPB has yet to provide the TCA training materials to review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.2	<p>The Office of the Assistant Superintendent for Education and Training will develop a Multi-topic Training Program to train all MPRPBs belonging to the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons about the following topics:</p> <ul style="list-style-type: none"> 1.2.1 criminal law; 1.2.2 Rules of Criminal Procedure; 1.2.3 evidence law; 1.2.4 criminal investigation techniques; 1.2.5 interview and interrogation techniques; 1.2.6 Special Confidential Order 2010-1; 1.2.7 police corruption; 1.2.8 identification of controlled substances; 1.2.9 undercover operations; 1.2.10 controlled substance sale surveillance; 1.2.11 court testimony; 1.2.12 forensic photography and video 1.2.13 General Order to create the “Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons”; and 1.2.14 Operations Manual establishing the rules and procedures that MPRPBs assigned to the investigation units of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons will follow.
Due Date	See Schedules B & C.
TCA Assessment	Training module not yet developed. Operations Manual is being worked on.

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Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.3	The Office of the Assistant Superintendent for Education and Training will develop a training course aimed at all MPRPBs on the law, applicable case law, and the rules and procedures to follow when conducting traffic stops in various scenarios, answering emergency calls, and inspecting motor vehicles, among others
Due Date	See Schedules B & C.
TCA Assessment	Training course reference traffic stops has not been reviewed by the TCA.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

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1.4	The Office of the Assistant Superintendent for Education and Training will develop a training course aimed at all MPRPBs on the Uniform Crime Reporting Handbook (NIBRS) .
Due Date	See Schedules B & C.
TCA Assessment	NIBRS Handbook was approved in January 2016, pending approval by the Superintendent.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

Training Implementation Activities;

1.1	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs assigned to the SAIC about topics included in the Multi-topic Program. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The Multi-topic Training Program to be implemented will be about the following topics:</p> <ul style="list-style-type: none"> 1.1.1 criminal law; 1.1.2 Rules of Criminal Procedure; 1.1.3 evidence law; 1.1.4 constitutional and civil rights; 1.1.5 criminal investigation techniques; 1.1.6 interview and interrogation techniques; 1.1.7 scene work; 1.1.8 court testimony; 1.1.9 criminal photography; 1.1.10 preparation of files and reports; 1.1.11 General Order, Chapter 100, Section 107, entitled "Creation of the Office of the Assistant Superintendent for Criminal Investigations"; and 1.1.12 Operational Manual for Criminal Investigation Corps Investigator Procedures.
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Due Date	See Schedules B & C.
TCA Assessment	Training material not yet developed.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

Training Implementation Activities;

1.1	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs assigned to the SAIC about topics included in the Multi-topic Program. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The Multi-topic Training Program to be implemented will be about the following topics:</p> <p>1.1.1 criminal law;</p> <p>1.1.2 Rules of Criminal Procedure;</p> <p>1.1.3 evidence law;</p> <p>1.1.4 constitutional and civil rights;</p> <p>1.1.5 criminal investigation techniques;</p> <p>1.1.6 interview and interrogation techniques;</p> <p>1.1.7 scene work;</p> <p>1.1.8 court testimony;</p> <p>1.1.9 criminal photography;</p> <p>1.1.10 preparation of files and reports;</p> <p>1.1.11 General Order, Chapter 100, Section 107, entitled "Creation of the Office of the Assistant Superintendent for Criminal Investigations"; and</p> <p>1.1.12 Operational Manual for Criminal Investigation Corps Investigator Procedures.</p>
Due Date	See Schedules B & C.

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TCA Assessment	Training material not yet developed.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.2	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA
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OFFICE OF THE TECHNICAL COMPLIANCE ADVISOR

	<p>will have its certified instructors simultaneously train fifty percent (50%) of MPRPBs assigned to the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA Approval.</p> <p>The Multi-topic Training Program that will be implemented will address the following topics:</p> <ul style="list-style-type: none"> 1.2.1 criminal law; 1.2.2 Rules of Criminal Procedure; 1.2.3 evidence law; 1.2.4 criminal investigation techniques; 1.2.5 interview and interrogation techniques; 1.2.6 Confidential Special Order 2010-1; 1.2.7 police corruption 1.2.8 identification of controlled substances; 1.2.9 undercover operations; 1.2.10 controlled substance sale surveillance; 1.2.11 court testimony; 1.2.12 forensic photography and video; 1.2.13 General Order to create the “Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons”; and 1.2.14 Operational Manual for establishing the rules and procedures that MPRPBs assigned to the investigation units of the Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons will follow..
Due Date	Training not yet due.
TCA Assessment	PRPB has yet to provide the TCA training materials to review.

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Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.3	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs on the law, applicable case law, and the rules and procedures that must be followed when conducting traffic stops in various scenarios, answering emergency calls, and inspecting motor vehicles, among others. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA Approval.
Due Date	See Schedules B & C.
TCA Assessment	Training course reference traffic stops has not been reviewed by the TCA.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.4	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will simultaneously train fifty percent (50%) of all MPRPBs on the Uniform Crime Reporting Handbook (NIBRS) . The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA Approval.
Due Date	See Schedules B & C.
TCA Assessment	Training materials has not been approved yet
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

Training Development Activities

1.1	<p>The SAEA will create a Multi-topic Training Program to train MPRPBs who have passed the promotion exams from the rank of sergeant to captain before they assume the responsibilities of their new rank. This Program will be designed taking into consideration the powers, responsibilities, and duties of each rank and will consist of at least forty (40) contact hours. This activity will depend on the availability of vacant positions approved to be filled according to the budget. These training courses will include the following topics, pursuant to the Agreement:</p> <p>1.1.1 management;</p> <p>1.1.2 supervision;</p> <p>1.1.3 leadership;</p> <p>1.1.4 chain of command; and</p> <p>1.1.5 equal employment opportunity (EEO). This training is included in Objective II-1 of Training Development in the Equal Protection and Non-Discrimination Action Plan, activity 1.1, 1.1.1, and 1.1.2.</p>
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.2	<p>The SAEA will create a Multi-topic Program to train all PRPB supervisory personnel taking into consideration the inherent duties of each rank. This Program will be aimed at their level of supervision and management and will include the following topics:</p> <ul style="list-style-type: none"> 1.2.1 techniques to guide and direct MPRPBs effectively and promote effective and ethical police practices (effective supervision); 1.2.2 reduce conflict intensity (conflict mediation); 1.2.3 evaluation of written reports (reports and forms); 1.2.4 risk assessment and management; 1.2.5 performance evaluation process; 1.2.6 selection and annual award of outstanding employees; 1.2.7 applying appropriate, non-punitive disciplinary sanctions and corrective actions. This activity is included in the Administrative Complaints Compliance Area Action Plan; 1.2.8 use of the Early Identification System (EIS) to facilitate direct and effective supervision. This training will be designed once the System is running; 1.2.9 dissemination of Public Information. This training is included in the Community Engagement and Public Information Compliance Area Action Plan; 1.2.10 Procedures Manual regarding supervisor powers, duties, and responsibilities; 1.2.11 Equal Employment Opportunity (EEO). This training is included in the Equal Protection and Non-Discrimination Action Plan, activity 1.1, 1.1.1, and 1.1.2; and the 1.2.12 Executive Committee Interagency Memorandum.
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Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.2.13	Every year after these trainings, the MPRPBs with supervisory or management duties will be trained for a minimum of forty (40) contact hours on topics based on the identified needs or trends existing at the time preceding the training. The elements that may be incorporated include: an analysis of factors, including, but not limited to, MPRPB safety, community concerns, use of force statistics, internal affairs statistics, court decisions, and latest trends in the application of the law, as well as the feedback received from the Interagency Executive Committee and the Citizen Engagement Committees (CICs [Spanish acronym]), among others.
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.3	The SAEA will create a course to have its certified instructors train all PRPB personnel who carry out management and supervisory duties on the General Order and the Early Identification System (EIS) Procedures Manual.
Due Date	See Schedules B & C.
TCA Assessment	PRPB has yet to provide the TCA training materials and the EIS Procedures Manual to review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

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1.4	The SAEA will create a course to train all personnel assigned to the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility on the Operational and Administrative Inspections Procedures Manual, as well as on the procedures to be followed.
Due Date	See Schedules B & C.
TCA Assessment	PRPB has not developed training materials on the Operational and Administrative Inspections Procedures Manual.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

Training Implementation Activities

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train one hundred percent (100%) of MPRPBs who have passed the promotion exams before they assume the responsibilities of their new rank. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan.
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

Training Implementation Activities

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train one hundred percent (100%) of MPRPBs who have passed the promotion exams before they assume the responsibilities of their new rank. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan.
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.2	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of the MPRPBs who perform supervisory and management duties (activities 1.3 and 1.4) at their level of management. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the Supervision and Management Action Plan .
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

1.3	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of MPRPBs assigned to the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility on the Operational and Administrative Inspections Procedures Manual at the level of management they perform. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.
Due Date	See Schedules B & C.
TCA Assessment	PRPB has yet to provide the TCA training materials to review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Policies Action Plan

H. ADMINISTRATIVE COMPLAINTS, INTERNAL INVESTIGATIONS, AND DISCIPLINE COMPLIANCE AREA

Training Development Activities:

1.1	<p>The SAEA will create a Multi-topic Training Program to train SARP and OLA personnel on the procedure to receive, classify, process, and manage a complaint for improper conduct and the process of investigating administrative complaints. The Program will begin with training on the following topics:</p> <ul style="list-style-type: none"> 1.1.1 criminal law; 1.1.2 criminal procedure; 1.1.3 evidence law; 1.1.4 constitutional rights; 1.1.5 criminal investigation techniques; 1.1.6 administrative investigation techniques; 1.1.7 cybercrime; 1.1.8 scene work; 1.1.9 criminal photography; and 1.1.10 preparation of files and reports.
Due Date	See Schedules B & C.

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TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

1.2	<p>After the approval of the Training Program and the incorporation of the recommendations, the SAEA will continue providing training on the topics corresponding to the following policies:</p> <p>1.2.1 training on the procedure to follow to promote collaboration from PRPB employees in the administrative complaint process when criminal proceedings have not been initiated;</p> <p>1.2.2 training on the new “Regulations to Receive, Process, and Manage Administrative Complaints”;</p> <p>1.2.3 training on the Administrative Complaint Investigation Procedures Manual;</p> <p>1.2.4 training on the Public Information Program regarding the Filing of Administrative Complaints</p> <p>1.2.5 training on the Code of Ethics and Conduct that will be used to determine minor and major offenses and impose disciplinary sanctions;</p> <p>1.2.6 training on the Administrative Order for the Investigation, Management, and Adjudication of Minor Offenses by Supervisors; and</p> <p>1.2.7 training on the amendments to the Controlled Substances Detection Program for Officials and Employees of the PRPB Regulations in relation to detecting anabolic steroids.</p>
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB’s progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

1.3	Multi-topic course to train the personnel who perform management and supervisory duties on the procedure supervisors are to follow when they learn that a citizen intends to file an administrative complaint, the time frames supervisors have to hand in a complaint filed for their consideration, and their authority to investigate and take non-punitive corrective or disciplinary measures when they learn about minor offenses or violations of PRPB policies. The responsibilities of high-ranking officers in relation to the evaluation of the investigations, the corrective measures to be taken, and the identification of deficiencies will be part of the training, which will also include learning about the duty to document and inform the SARP about improper conduct, the consequences of refusing to accept a complaint or providing false or deceitful information about a complaint for improper conduct, and the prohibition against retaliating in any way against an MPRPB who reports improper conduct.
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

1.4	Multi-topic course to train PRPB personnel on the requirement to report any conduct perceived as improper, the consequences of refusing to accept a complaint or providing false information, their duty to cooperate with any administrative investigation pursuant to the ruling in the case of <i>Garrity v. New Jersey</i> , and the existing mechanisms to file complaints for improper conduct or report the good performance of any MPRPB.
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

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1.5	Orientation session to inform PRPB personnel who perform supervisory and management duties how to manage stress to prevent critical incidents and the support and mental health services available to them and their families.
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

Training Implementation Activities:

1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of the PRPB personnel. The remaining fifty percent (50%) of the PRPB personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the Administrative Complaints, Internal Investigations, and Discipline Action Plan .
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Administrative Complaints Action Plan

H. COMMUNITY INTERACTION AND PUBLIC INFORMATION COMPLIANCE AREA

Training Development Activities:

1.1	To obtain the assistance, advice, and recommendations of the members of the different community sectors; restore the trust of the communities in the PRPB; and foster solid relationships with said communities, Multi-topic Seminars will be developed for the members of the Community Interaction Councils (CICs [Spanish acronym]). The design of the training courses mentioned below is included and duly explained in the Community Interaction and Public Information Action Plan .
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

1.2	<p>The Office of the Assistant Superintendent for Education and Training will develop Multi-topic Seminars for the members of the CICs on the following topics:</p> <ul style="list-style-type: none"> 1.2.1 Agreement for the Sustainable Reform of the Puerto Rico Police Department; 1.2.2 duties and Responsibilities of the Community Interaction Councils, in accordance with GO 801; 1.2.3 parliamentary procedure; 1.2.4 principles of community policing; 1.2.5 S.A.R.A. Problem-Solving Model; 1.2.6 creation and preservation of community alliances; 1.2.7 functioning of the rank system; 1.2.8 PRPB flowchart; 1.2.9 duties and responsibilities of the Investigation Units, Specialized Units, Precincts, and Districts; 1.2.10 duties and responsibilities of the Office of Reform, TCA, and the USDOJ; 1.2.11 administrative complaint filing process; 1.2.12 use of force; 1.2.13 rights of the individual during searches and seizures; 1.2.14 civil rights; 1.2.15 crime victim services; 1.2.16 PRPB recruitment process; 1.2.17 duties and responsibilities of the Community Safety Councils;
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	1.2.18 General Plan for the Implementation of the Community Outreach and Public Information Program; and the 1.2.19 Uniform Crime Reporting Handbook (NIBRS).
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

1.3	<p>The Office of the Assistant Superintendent for Education and Training will create a Multi-topic Training Program to train the MPRPBs on the principles of community policing. The Program will include the following topics:</p> <ul style="list-style-type: none"> 1.3.1 Principles of community policing; 1.3.2 S.A.R.A. Problem-Solving Model; 1.3.3 creation and continuation of community alliances; 1.3.4 identifying factors that affect quality of life and may affect criminal activity; 1.3.5 diverse populations in Puerto Rico; 1.3.6 cultural awareness and tolerance towards the communities; 1.3.7 identifying their prejudices; 1.3.8 effective meeting development; 1.3.9 basic elements of the communication process during conflict management; 1.3.10 conflict-solving strategies; 1.3.11 managing difficult conversations; 1.3.12 managing and channeling emotions; and 1.3.13 right to freedom of expression.
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.

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Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

1.4	<p>The Office of the Assistant Superintendent for Education and Training will create a Multi-topic Training Program for the personnel who work at the Central Press Office, in the Areas, and for the high-ranking officers of the PRPB, about the dissemination of public information and about incidents or ongoing investigations from a community perspective, and said training will include practical police Q & A scenarios before the press. The Program will include the following topics:</p> <ul style="list-style-type: none"> 1.4.1 freedom of the press; 1.4.2 right to privacy; 1.4.3 defamation and libel; 1.4.4 ethics in the dissemination of information; 1.4.5 what and when something is public information; 1.4.6 importance of the media in solving criminal cases; 1.4.7 dissemination of public information in ongoing situations; 1.4.8 protecting victim and witness information; 1.4.9 drafting press releases; 1.4.10 oral communication in the media; 1.4.11 use of electronic media to disseminate public information; 1.4.12 image portrayed in the media; and 1.4.13 media management and interviews.
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.

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Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

1.5	<p>The Office of the Assistant Superintendent for Education and Training will create training for the personnel that performs management and supervisory duties at the PRPB about the dissemination of public information and about incidents or ongoing investigations from a community perspective, and said training will include practical police Q & A scenarios before the press. The Program will include the following topics:</p> <p>1.5.1 freedom of the press;</p> <p>1.5.2 right to privacy;</p> <p>1.5.3 defamation and libel;</p> <p>1.5.4 ethics in the dissemination of information;</p> <p>1.5.5 what and when something is public information;</p> <p>1.5.6 importance of the media in solving criminal cases;</p> <p>1.5.7 dissemination of public information in ongoing situations;</p> <p>1.5.8 protecting victim and witness information;</p> <p>1.5.9 oral communication in the media;</p> <p>1.5.10 image portrayed in the media; and</p> <p>1.5.11 media management and interviews.</p>
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

Training Implementation Activities:

1.1	Within the twelve (12) months following the final approval of the community policing training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of the personnel. The remaining fifty percent (50%) of the personnel will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the Public Information Action Plan .
Due Date	See Schedules B & C. In progress.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Administrative Complaints Action Plan

H. INFORMATION SYSTEMS AND TECHNOLOGY COMPLIANCE AREA

Training Development Activities:

1.1	Develop training for the administration, configuration, and diagnosis of radio communication equipment aimed at the personnel of the Communications Division of the Bureau of Technology and Communications of the PRPB.
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	GO 400-404 replaces 73-13. SAEA is lead and will use agents to develop training and to conduct the training. GO signed Jan 2017. Per Diaz, as of 4/25, waiting for training material from SAEA and then TCA approval. training start is projected for 7/12/2017 based on policy approval on Jan 13, 2017, per decree, 50% to be trained 7/18, 100% trained by 7/19. Training not yet due. The design and training development are expected to be submitted to the TCA for approval on time.
Recommendations	Continue to monitor.
TCA Rating	See IT Action Plan

1.2	Develop training for the use and handling of the radio communication equipment at the PRPB aimed at MPRPBs.
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	GO 400-404 replaces 73-13. SAEA is lead and will use agents to develop training and to conduct the training. GO signed Jan 2017. Per Diaz, as of 4/25, waiting for training material from SAEA and then TCA approval. Training start is projected for 7/12/2017 based on policy approval on Jan 13, 2017, per decree, 50% to be trained 7/18, 100% trained by 7/19. The design and training development are expected to be submitted to the TCA for approval on time.
Recommendations	Continue to monitor.
TCA Rating	See IT Action Plan

1.3	Develop training for the administration and diagnosis of the computerized systems of the Puerto Rico Police Department aimed at the personnel of the Technology Division of the Bureau of Technology and Communications of the PRPB. (Table 17)_
Due Date	May 2017 Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	GO 400-403 signed Dec 19, 2016. Training start projection June 2017. First 50% trained is targeted June 2018, second 50% targeted June 2019
Recommendations	Continue to monitor.
TCA Rating	See IT Action Plan

1.4	Develop training on the Manual for the Use and Handling of the Computerized Systems of the Puerto Rico Police Department, geared toward the MPRPBs and the employees of the PRPB classified system. (Table 18).
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	Projected start of training is June 2017, 50% complete June 2018, 100% June 2019
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.5	Develop training on the Manual for the Use and Handling of the Central Repository for Crime Data Analysis (CIW) at the Puerto Rico Police Department, aimed at the MPRPBs and the employees of the PRPB classified system assigned to the Center for the Analysis of Criminal Activity and Crime Monitoring; the Criminal Intelligence Collection, Analysis, and Dissemination Center, the Crime Statistics Division, as well as for the employees who collect statistical data in the Police Areas. (Table 19)
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	Pending review.
Recommendations	Continue monitoring
TCA Rating	See IT Action Plan

1.6	Develop training on accessing and using the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (ICR) aimed at MPRPBs (Table 20).
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	Pending review.
Recommendations	Continue monitoring
TCA Rating	See IT Action Plan

1.7	Develop training on accessing and using the criminal activity map aimed at MPRPBs. (Table 21).
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	Pending review.
Recommendations	Continue monitoring.
TCA Rating	See IT Action Plan

Training Implementation Activities:

1.1	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs and the employees assigned to the Bureau of Technology and Communications. The remaining fifty percent (50%) of the members of the PRPB will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The training that will be implemented will address the following topics:</p> <ul style="list-style-type: none"> a. use and handling of radio communications equipment; b. use and management of the computerized systems of the Puerto Rico Police Department. <p>The priority groups for training and re-training are established in the Information Systems and Technology Action Plan.</p>
Due Date	See Schedules B & C. The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide the TCA evidence of training materials for review concerning the use and handling of radio communications equipment.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.2	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of the employees assigned to the Communications Division on the administration, configuration, and diagnosis of radio communications equipment . The remaining fifty percent (50%) of the employees assigned to the Communications Division will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide the TCA evidence of training materials for review concerning the administration, configuration, and diagnosis of radio communications equipment .
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.3	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of the employees assigned to the Technology Division on the administration and diagnosis of the computerized systems of the PRPB . The remaining fifty percent (50%) of the employees assigned to the Technology Division will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide the TCA evidence of training materials for review concerning the administration and diagnosis of the computerized systems of the PRPB .
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.4	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of MPRPBs and the employees of the PRPB classified system assigned to the Center for the Analysis of Criminal Activity and Crime Monitoring; the Criminal Intelligence Collection, Analysis, and Dissemination Center; the Crime Statistics Division; as well as the employees who collect statistical data in the Police Areas and Offices of the Assistant Superintendents on the Handbook for the Use and Handling of the Central Crime Information Warehouse (CIW). The remaining fifty percent (50%) of the members of the PRPB and employees of the PRPB classified system will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval.</p>
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide the TCA evidence of training materials for review concerning the Handbook for the Use and Handling of the Central Crime Information Warehouse (CIW), employees assigned to the center for the analysis of crime activity and crime monitoring, the criminal intelligence collection.

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Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.5	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs on the Use and Management of the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (ICR) . The remaining fifty percent (50%) of the members of the PRPB will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the Information Systems and Technology Action Plan .
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide the TCA evidence of training materials for review concerning the Use and Management of the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (ICR) .
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.6	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs on the Use and Management of the Crime Mapping Application . The remaining fifty percent (50%) of the members of the PRPB will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. The priority groups for training and re-training are established in the Information Systems and Technology Action Plan .
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	PRPB has yet to provide TCA with adequate evidence of materials concerning a training course reference handling of radio communications equipment
Recommendations	
TCA Rating	See IT Action Plan

II. IMPLEMENTATION OBJECTIVES

1.1	<p>Develop and implement an information sub-system for keeping digitized, complete, and precise records of the curricula, teaching plans, and other materials used to develop trainings and re-training courses at the SAEA. This sub-system will enable document storage by category and access level. This activity is included in the Training Action Plan. (Table 35)</p> <p>The focus and scope of the information system that will be developed to maintain digitized, complete, and precise records of the curricula, teaching plans, and other materials used to develop training and re-training courses are described in the following phases:</p>
Due Date	December 2016
TCA Assessment	<p>In development but needs to be merged with HR system (Kronos)</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>
Recommendations	Continue effort.
TCA Rating	See IT Action Plan

1.2	Develop and implement an information sub-system to offer virtual (online) training and/or re-training, in order to maximize MPRPB service time and provide greater accessibility and flexibility so that they may fulfill their work commitments without affecting the performance and quality of the services they offer to the community. This activity is included in the Training Compliance Area Action Plan.
Due Date	12 months after the corresponding policies have been approved.
TCA Assessment	<p>Contract for on-line training awarded to Natl Univ College. Work started to develop training packages. The first ten (10) courses are expected to start on September 2017. A list of the courses will be provided as soon as possible. The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan</p> <p>PRPB comment: the first ten (10) courses are expected to start on September 2017. A list of the courses will be provided as soon as possible.</p>
Recommendations	Continue monitoring.
TCA Rating	See IT Action Plan

II. SELF ASSESSMENT OBJECTIVES:

1.1	<p>The PRPB, through the Office of Reform, will evaluate the effectiveness of the rules and procedures adopted in its policies and the knowledge acquired in the training of PRPB employees. The results of these evaluations will be analyzed to measure the level of knowledge, attitudes, aptitudes, and abilities, identify if there is a substantial deficiency, and, if necessary, take the corrective actions in the policies, training, and re-training so that the procedures adopted are feasible, operationally enforceable, and sustainable. This activity will be conducted through an Evaluation Protocol on Compliance with Operational Programs Best Practices, which will help measure the effectiveness of the rules and training of PRPB employees by reviewing documents, forms, policies, and procedures related to arrests, traffic stops, searches, property seizures, and administrative complaints with the purpose of ensuring that police services are provided in an equitable, respectful, and unbiased manner; attaining ongoing professionalization of Members of the PRPB; strengthening the community's trust; and effectively preventing crime, based on generally accepted police practices and without prejudice on the basis of race, color, ethnicity, national origin, religion, sex, age, disability, sexual orientation, gender identity or gender expression, or political beliefs or affiliation and pursuant to the rights, privileges, and immunities guaranteed or protected by the respective Constitutions and laws of the United States and the Commonwealth of Puerto Rico. The development of this Protocol will be part of the Equal Protection and Non-discrimination Compliance Area Action Plan.</p>
Due Date	See Schedules B & C.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.

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Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

1.2	<p>The PRPB, through the Office of the Reform, will use various data collection strategies and conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, training courses, among others, it provides, starting with Zones of Excellence and gradually continuing through all thirteen (13) Police Areas and Offices of Assistant Superintendents.</p> <ul style="list-style-type: none"> a. Using the Training Plan and Training Announcement issued by the SAEA for each of the courses to identify their start date, the time Police Areas and the corresponding Offices of Assistant Superintendents will have to complete it, and the work units that will be given training priority. The Training Plans for each of the thirteen (13) Police Areas and Offices of Assistant Superintendents, as approved by the SAEA, will also be considered to check the specific dates during which each training course identified in this Action Plan will be provided. The Office of Reform will verify that MPRPBs are participating in scheduled training courses by using the above-mentioned sources and the attendance records for each course. b. Making random visits to each of the thirteen (13) Police Areas and Offices of Assistant Superintendents using the Training Plan approved by the SAEA for each of the training courses developed for this Compliance Area to guarantee that the PRPB personnel are being trained in keeping with the syllabi, instructor handbooks, presentations, and assessment methodology approved by the Technical Compliance Advisor. c. Making random visits to the Office of the Assistant Superintendent for Education and Training (SAEA) to check that the training records of the sworn and classified personnel, the curricula, and the lesson plans, among others, are maintained digitalized, centralized, updated, complete, and accurate and that the training records contain the course description and duration, curriculum, location of the training, and name of the instructor, among other details.
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Due Date	See Schedules B & C. Not yet due.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See IT Action Plan

Compliance Tables for Supervision

Action Plan

Section X. Supervision and Management

Requirements: 135 to 158

Compliance Area Summary:

I. Policy and Procedure Development Objectives:

Activity X.I.1.1

X.I.1.1	Collaborate in the development of the General Order on Detailed Job Description by Rank and in establishing the requirements for the position of supervisor, clearly defining the supervisor duties, responsibilities, and minimum qualifications in keeping with generally accepted police practices. This policy will form part of the Professionalization Compliance Area Action Plan .
Due Date	October 2016

TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement. TCA assessment has not reviewed a detailed job description by rank. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	See Professionalization Action Plan

Activity X.I.1.2

X.I.1.2	Develop a General Order on Supervisor Powers, Duties, and Responsibilities establishing guidelines and clear strategies for effective and efficient supervision and management.
Due Date	October 2016
TCA Assessment	<p>The TCA has been monitoring PRPB's progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement. TCA assessment has not reviewed a General Order on Supervisor Powers, Duties, and Responsibilities. Pending review.</p> <p>The PRPB is likely to request an extensión. The new policy will be scheduled for June 30, 2018.</p>
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was not met.</p> <p>The Commonwealth of Puerto Rico is in non-compliance.</p>

Activity X.I.2.1

X.I.2.1	Collaborate in the review of Regulation No. 4216, entitled “Puerto Rico Police Department Personnel Regulations”, Article 13, Section 14.2, and adapt the general rules that will govern the Performance Evaluation System for the Employees of the PRPB to the requirements provided in the Agreement for the Sustainable Reform. This policy will form part of the Policies and Procedures Compliance Area Action Plan .
Due Date	December 2016
TCA Assessment	The TCA has been monitoring PRPB’s progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement. TCA has not reviewed a PRPB personnel regulations, which will govern the Performance Evaluation System. PRPB is likely to request an extensión for June 2018.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.I.2.2

X.I.2.2	Review General Order 2008-3, entitled “Rules and Procedures for the Evaluation of the Members of the Police and Classified Personnel”, to establish a specific system for accurately evaluating the performance of all PRPB employees. (Table 2)
Due Date	December 2016
TCA Assessment	The TCA has been monitoring PRPB’s progress. To date PRPB has not complied with the requirement outlined in the Action Plan and the Agreement. TCA has not reviewed a specific system for accurately evaluating the performance of all PRPB employees. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.I.3.1

X.I.3.1	Develop a General Order for the Creation of the Early Identification System to establish procedures to support effective supervision and management that identifies risk conduct patterns in the employees of the Rank System and the Classified System, as well as to prevent and correct improper conduct.
Due Date	October 2017
TCA Assessment	In progress. The policy is undergoing full revision
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.I.3.2

X.I.3.2	Develop a Procedures Manual for the Use of the Early Identification System that establishes the correct way to operate the system and analyze the data obtained. (Table 4)
Due Date	November 2017
TCA Assessment	In progress. The policy is undergoing full revision. The PRPB is likely to request an extension and the manual should be scheduled for September 2018.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.I.4.1

X.I.4.1	Review General Order No. 2010-1, entitled “Reorganization of the Internal Audit Office” to ensure the establishment of an internal audit system that identifies administrative and operational deficiencies, analyzes contributing causes and factors, and for effective measures to be implemented.
Due Date	July 2016
TCA Assessment	approved
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in full compliance with this step of the Action Plan

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Activity X.I.4.2

X.I.4.2	Develop a Procedures Manual establishing Guidelines for Operational and Administrative Inspections , and ensure that all offices and divisions of the PRPB receive the proper level of services based on the generally accepted police practices, seek operational efficiency, internal control, and promote a culture of organizational responsibility and improvement. This responsibility will rest with the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility.
Due Date	August 2016
TCA Assessment	The manual should be ready for September 2018. PRPB is likely to request an extension.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.I.5.1

X.I.5.1	Develop an Inter-Agency Memorandum among the PRPB, the federal and state justice systems, the Administrative Office of the Courts, the Municipal Police Commissioners to establish the Executive Coordination Committee.
Due Date	July 2016
TCA Assessment	The PRPB is likely to request an extension and scheduled this memorandum for June 2018
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.II.1.1

X.II.1.1	The SAEA will create a course aimed at training all supervisory personnel and all MPRPB on equal employment opportunity. This training is included in the Equal Protection and Non-Discrimination Action Plan.
Due Date	Session I: Sergeants: October 2015 Session II: Captain and Lieutenant I: December 2015 Session III: Lieutenant II: January 2016
TCA Assessment	Training materials have been developed. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	For rating, see Equal Protection Action Plan

Activity X.II.1.2

X.II.1.2	<p>The SAEA will create a Multi-Topic Training Program to train MPRPBs who have passed the promotional exams from the rank of Sergeant to Captain before they assume the responsibilities of their new rank. This Program will be designed taking into consideration the powers, responsibilities, and duties of each rank and will consist of at least forty (40) contact hours. This activity will depend on the availability of vacant positions approved to be filled according to the budget. These training courses will include the following topics, pursuant to the Agreement: (Table 8)</p> <p>1.1.1 Management;</p> <p>1.1.2 Supervision;</p> <p>1.1.3 Leadership;</p> <p>1.1.4 Chain of Command; and</p> <p>1.1.5 Equal Employment Opportunity (EEO). This training is included in the Equal Protection and Non-Discrimination Action Plan activity 1.1, 1.1.1, and 1.1.2.</p>
Due Date	<p>Session I: Sergeants: October 2015</p> <p>Session II: Captain and Lieutenant I: December 2015</p> <p>Session III: Lieutenant II: January 2016</p>
TCA Assessment	Training materials have been developed. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	For rating, see Equal Protection Action Plan

Activity X.II.1.3

X.II.1.3	<p>The SAEA will create a Multi-Topic Training Program to train all PRPB supervisory personnel, taking into consideration the inherent duties of each rank. This Program will implement Action Plan Section X. Supervision and Management be aimed at their level of supervision and management and will include the following topics: (Table 9)</p> <ul style="list-style-type: none"> 1.3.1 Techniques to effectively guide and direct the MPRPBs and promote effective and ethical police practices (effective supervision); 1.3.2 Reduce conflict intensity (conflict mediation); 1.3.3 Evaluation of written reports (reports and forms); 1.3.4 Investigation of use of force by MPRPBs. 1.3.5 Responding to and investigating allegations of improper conduct by an MPRPB. 1.3.6 Risk assessment and management; 1.3.7 Performance evaluation process; 1.3.8 Selection and annual award of outstanding employees; 1.3.9 Applying appropriate non-punitive disciplinary sanctions and corrective actions. This activity is included in the Administrative Complaints Compliance Area Action Plan. 1.3.10 Use of the Early Identification System (EIS) to facilitate direct and effective supervision. This training will be designed once the System is running;
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	<p>1.3.11 Dissemination of Public Information. This training is included in the Community Engagement and Public Information Compliance Area Action Plan.</p> <p>1.3.12 Procedures Manual regarding supervisor powers, duties, and responsibilities.</p> <p>1.3.13 Equal Employment Opportunity (EEO). This training is included in the Equal Protection and Non-Discrimination Action Plan activity 1.1, 1.1.1, and 1.1.2.</p> <p>1.3.14 Executive Committee Inter-agency Memorandum</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	Training materials have not been fully developed. Pending review.
Recommendations	Continue review in accordance with Agreement requirements.
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan</p>

Activity X.II.1.4

X.II.1.4	Every year after these trainings, the MPPR with supervisory or management duties will be trained for a minimum of forty (40) contact hours on topics based on the identified needs or trends existing at the time prior to the training. The elements that may be incorporated include: an analysis of factors, including, but not limited to, MPRPB safety, community concerns, use of force statistics, internal affairs statistics, court decisions, and latest trends in the application of the law; as well as the feedback received from the Inter-Agency Executive Committee and the Citizen Engagement Committees, among others.
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	Training materials have not been fully developed. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.II.2.1

X.II.2.1	The SAEA will create a course to train all MPRPBs who carry out supervisory and management duties on the General Order and the Procedures Manual for the Early Identification System (EIS) through instructors it has certified.
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.II.3.1

X.II.3.1	The SAEA will create a course to train all personnel assigned to the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility on the Operational and Administrative Inspections Procedures Manual, as well as on the procedures to be followed.
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	The TCA has not reviewed a course to train all personnel assigned to the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility on the Operational and Administrative Inspections Procedures Manual.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.1.1

X.III.1.1	Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train one hundred percent (100%) of all MPRPBs who have passed the promotional exams before they assume the responsibilities of their new ranks, through instructors it has certified. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan. (Table 13)
Due Date	Session I: Sergeants: October 2015 Session II: Captain and Lieutenant I: December 2015 Session III: Lieutenant II: January 2016
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance

Activity X.III.1.2

X.III.1.2	Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train one hundred percent (50%) of all MPRPBs who perform supervisory and management duties at their level of supervision, through instructors it has certified. The remaining fifty percent (50%) of the personnel will be trained during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval. (Table 14)
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance

Activity X.III.1.3

X.III.1.3	<p>The PRPB will begin by training the MPRPBs who are first responders:</p> <p>1.3.1 Personnel assigned to the Zones of Excellence (SAOC);</p> <p>1.3.2 Districts, Precincts, Posts (SAOC). The priority of each one will be based on the following:</p> <p>1.3.2.1 Number of use-of-force incidents per location;</p> <p>1.3.2.2 Number of domestic violence incidents per location;</p> <p>1.3.2.3 Number of interventions with intoxicated persons;</p> <p>1.3.2.4 Number of traffic stops;</p> <p>1.3.2.5 Number of arrests made;</p> <p>1.3.2.6 Administrative complaints for the following: violations of civil rights, sexual harassment, discrimination, assault or unjustified use of force, physical or psychological coercion;</p> <p>1.3.2.7 Aggression against an MPRPB;</p> <p>1.3.2.8 Number of mass protests; and</p> <p>1.3.2.9 Distance from support units.</p> <p>1.3.3 Motorized Unit (SAOC).</p> <p>1.3.4 Bureau of Highway and Traffic Patrols (SAOC);</p> <p>1.3.5 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</p>
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.

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TCA Assessment	In progress; pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.1.4

X.III.1.4	<p>The PRPB will continue to give training priority to the MPRPBs who are first responders and who belong to the following divisions and units:</p> <ul style="list-style-type: none"> 1.4.1 Personnel assigned to the Office of the Superintendent; 1.4.2 Division of Tactical Operations – DTO (SAOC); 1.4.3 Division of Special Weapons and Tactics – SWAT (SAOC); 1.4.4 Bureau of Vehicle Theft Investigations (SAIC); 1.4.5 Arrests and Extraditions Division (SAIC); 1.4.6 Use-of-Force Investigations Division – FIU (SARP); 1.4.7 Members of Joint Forces (SAIC); 1.4.8 Canine Division (SAIC); 1.4.9 Remaining personnel of the Office of the Assistant Superintendent for Field Operations; 1.4.10 Remaining personnel of the Office of the Assistant Superintendent for Criminal Investigations; 1.4.11 Office of the Assistant Superintendent for Professional Responsibility; 1.4.12 Office of the Assistant Superintendent for the La Fortaleza Police; 1.4.13 Office of the Assistant Superintendent for Education and Training; and 1.4.14 Office of the Assistant Superintendent for Managerial Services.
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.

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TCA Assessment	In progress; pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.1.5

X.III.1.5	Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train one hundred percent (50%) of the MPRPBs that perform supervisory or administrative duties on the Performance Evaluation System for the MPRPBs through instructors it has certified. The remaining fifty percent (50%) of the personnel will be trained during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval. (Table 15)
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	TCA assessment has not reviewed the materials on the Performance Evaluation System for the MPRPBs. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.1.6

X.III.1.6	<p>The PRPB will begin by training the MPRPBs who are first responders:</p> <p>1.6.1 Personnel assigned to the Zones of Excellence (SAOC);</p> <p>1.6.2 Districts, Precincts, Posts (SAOC). The priority of each one will be based on the following:</p> <p>1.6.2.1 Number of use-of-force incidents per location;</p> <p>1.6.2.2 Number of domestic violence incidents per location;</p> <p>1.6.2.3 Number of interventions with intoxicated persons;</p> <p>1.6.2.4 Number of traffic stops;</p> <p>1.6.2.5 Number of arrests made;</p> <p>1.6.2.6 Administrative complaints for the following: violations of civil rights, sexual harassment, discrimination, assault or unjustified use of force, physical or psychological coercion;</p> <p>1.6.2.7 Aggression against an MPRPB;</p> <p>1.6.2.8 Number of mass protests;</p> <p>1.6.2.9 Distance from support units;</p> <p>1.6.2.10 Motorized Unit (SAOC); and</p> <p>1.6.2.11 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</p>
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process .
TCA Assessment	TCA assessment has not reviewed the materials on the Performance Evaluation System for the MPRPBs. Pending review.

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Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.1.7

X.III.1.7	<p>The PRPB will continue to give training priority to the MPRPBs who are first responders and who belong to the following divisions and units:</p> <ul style="list-style-type: none"> 1.7.1 Personnel assigned to the Office of the Superintendent; 1.7.2 Division of Tactical Operations – DTO (SAOC); 1.7.3 Division of Special Weapons and Tactics – SWAT (SAOC); 1.7.4 Bureau of Highway and Traffic Patrols (SAOC); 1.7.5 Bureau of Vehicle Theft Investigations (SAIC); 1.7.6 Arrests and Extraditions Division (SAIC); 1.7.7 Use-of-Force Investigations Division – FIU (SARP); 1.7.8 Members of Joint Forces (SAIC); 1.7.9 Canine Division (SAIC); 1.7.10 Remaining personnel of the Office of the Assistant Superintendent for Field Operations; 1.7.11 Remaining personnel of the Office of the Assistant Superintendent for Criminal Investigations; 1.7.12 Office of the Assistant Superintendent for Professional Responsibility; 1.7.13 Office of the Assistant Superintendent for the La Fortaleza Police; 1.7.14 Office of the Assistant Superintendent for Education and Training; 1.7.15 Office of the Assistant Superintendent for Managerial Services.
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.

TCA Assessment	TCA assessment has not reviewed the materials on the Performance Evaluation System for the MPRPBs. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.1.8

X.III.1.8	Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train one hundred percent (50%) of the employees that perform supervisory or administrative duties on the Early Identification System (EIS) Procedures Manual and General Order through instructors it has certified. The remaining fifty percent (50%) of the personnel will be trained during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Action Plan Section X. Supervision and Management Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval.
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process .
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.1.9

X.III.1.9	<p>The PRPB will begin by training the MPRPBs who are first responders:</p> <ul style="list-style-type: none"> 1.9.1 Personnel assigned to the Zones of Excellence (SAOC); 1.9.2 Districts, Precincts, Posts (SAOC). The priority of each one will be based on the following: (Table 16) <ul style="list-style-type: none"> 1.9.2.1 Number of use-of-force incidents per location; 1.9.2.2 Number of domestic violence incidents per location; 1.9.2.3 Number of interventions with intoxicated persons; 1.9.2.4 Number of traffic stops; 1.9.2.5 Number of arrests made; 1.9.2.6 Administrative complaints for the following: violations of civil rights, sexual harassment, discrimination, assault or unjustified use of force, physical or psychological coercion; 1.9.2.7 Aggression against an MPRPB; 1.9.2.8 Number of mass protests; and 1.9.2.9 Distance from support units. 1.9.3 Motorized Unit (SAOC). 1.9.4 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC); 1.9.5 The PRPB will continue to give training priority to the MPRPBs who are first responders and who belong to the following divisions and units: 1.9.6. Personnel assigned to the Office of the Superintendent;
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	<p>1.9.7 Division of Tactical Operations – DTO (SAOC);</p> <p>1.9.8 Division of Special Weapons and Tactics – SWAT (SAOC);</p> <p>1.9.9 Bureau of Highway and Traffic Patrols (SAOC);</p> <p>1.9.10 Bureau of Vehicle Theft Investigations (SAIC);</p> <p>1.9.11 Arrests and Extraditions Division (SAIC);</p> <p>1.9.12 Use-of-Force Investigations Division – FIU (SARP);</p> <p>1.9.13 Members of Joint Forces (SAIC);</p> <p>1.9.14 Canine Division (SAIC);</p> <p>1.9.15 Remaining personnel of the Office of the Assistant Superintendent for Field Operations;</p> <p>1.9.16 Remaining personnel of the Office of the Assistant Superintendent for Criminal Investigations;</p> <p>1.9.17 Office of the Assistant Superintendent for Professional Responsibility;</p> <p>1.9.18 Office of the Assistant Superintendent for the La Fortaleza Police;</p> <p>1.9.19 Office of the Assistant Superintendent for Education and Training;</p> <p>1.9.20 Office of the Assistant Superintendent for Managerial Services.</p>
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met

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	The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan
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Activity X.III.1.10

X.III.1.10	<p>Within the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train one hundred percent (100%) of the personnel assigned to the Inspections Division of the Office of the Assistant Superintendent for Professional Responsibility, on the Operational and Administrative Inspections Manual, through instructors it has certified. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan.</p> <p>(Table 17)</p>
Due Date	The trainings will be implemented as stated in Appendix C– Training Implementation Process.
TCA Assessment	TCA assessment has not reviewed materials reference Operations and Administrative Inspections Manual. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan</p>

Activity X.III.2.1

X.III.2.1	The PRPB will develop an automated Performance Evaluation System that will enable the personal and professional development of its employees in order to achieve the goals set forth in its policies and procedures and to see whether the evaluated employees meet the expected performance and conduct standards. This activity will form part of the Information and Technology Systems Compliance Area Action Plan.
Due Date	Six months after the policy takes effect.
TCA Assessment	TCA assessment has not reviewed an automated Performance Evaluation System. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.3.1

X.III.3.1	Develop a plan to organize and conduct inspections whereby the operational and administrative deficiencies of the different inspected work units of the PRPB are identified and the contributing causes are studied (Table 18).
Due Date	Six months after the policy takes effect.
TCA Assessment	TCA assessment has not reviewed a policy reference an operational and administrative inspection system. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.3.2

X.III.3.2	Implement the periodic, specific, and random Inspections Plan to ensure that all work units and personnel are complying with the policies and procedures established by the PRPB; identify operational and administrative deficiencies; and recommend potential corrective measures to address the deficiencies identified. (Table 18)
Due Date	Six months after the policy takes effect.
TCA Assessment	TCA assessment has not reviewed a policy reference a random inspections plan. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.4.1

X.III.4.1	Designate the representatives of each Executive Coordination Committee. (Table 19)
Due Date	July 2016
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.5.1

X.III.5.1	Consider the results of the Work Plan included in the Professionalization Action Plan, which will be carried out with the purpose of evaluating the human resources of the PRPB, taking into consideration their status and the operational and administrative work that they perform, in order to identify existing needs and then make decisions, to foster the correct distribution of personnel based on criminal activity and on the philosophy of community policing. (Table 20)
Due Date	Once the Superintendent decides to make the promotions.
TCA Assessment	Contract to conduct staff study has been signed. Human Resources of the PRPB will be evaluated. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.5.2

X.III.5.2	Once considered by the Superintendent, identify the number of supervisors needed per rank and issue announcements for Promotional Exams so that the PRPB may meet the need for supervisors and provide the proper number of same.
Due Date	Once the Superintendent decides to make the promotions.
TCA Assessment	Contract to conduct staff study has been signed. Human Resources of the PRPB will be evaluated.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.III.5.3

X.III.5.3	Based on the results of the promotional exams and on the needs previously identified in the Work Plan, assign the front-line supervisors who have satisfactorily completed the training required for the rank and that meet any other requirements established by the PRPB.
Due Date	Once the Superintendent decides to make the promotions.
TCA Assessment	Contract to conduct staff study has been signed. Human Resources of the PRPB will be evaluated. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.IV.1.1

X.IV.1.1	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 Early Identification System (EIS) . They will identify the specifications that the database to be used must have according to their needs to collect the information related to the identification of the improper conduct and of the work that must be acknowledged among the employees of the agency. This system will form part of the Information and Technology Systems Compliance Area Action Plan .
Due Date	August 2017
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.IV.1.2

X.IV.1.2	The Office of the Assistant Superintendent for Managerial Services, its Bureau of Human Resources, in collaboration with the Bureau of Technology, will maintain a Performance Evaluation System to evaluate the performance of all PRPB employees. They will identify the specifications that the database to be used must have in order to collect performance evaluation information. This system will form part of the Information and Technology Systems Compliance Area Action Plan .
Due Date	August 2017
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.IV.1.3

X.IV.1.3	<p>The PRPB will use the Early Identification System (EIS) to document all improper conduct, performance evaluations of the employees of the PRPB, and the services that they provide. This system will also document all work that is performed with excellence by the employees of the PRPB and will be integrated into the Human Resources Information System. (Table 21)</p> <p>1.3.1 All use-of-force incidents;</p> <p>1.3.2 Injuries and deaths of persons in custody;</p> <p>1.3.3 All complaints and their solutions;</p> <p>1.3.4 Data compiled with the mechanisms for obtaining information (stop data);</p> <p>1.3.4 All criminal proceedings initiated, in addition to all administrative complaints filed, related to the performance or aptitudes of an MPRPB, including, but not limited to, domestic violence and protective orders;</p> <p>1.3.6 All judicial proceedings involving domestic violence, protective orders, and any other judicial proceeding that may be related to the performance of a MPRPB.</p> <p>1.3.7 All instances when a fiscal authority informs the PRPB that the refusal to process a crime was based, totally or partially, on questions about the credibility of a PRPB employee, or that a motion to suppress evidence was granted on the basis of a constitutional violation by a member or civilian employee of the PRPB;</p> <p>1.3.8 All disciplinary actions taken against a member or civilian employee of the PRPB;</p>
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	<p>1.3.9 All non-punitive corrective actions required for a member or civilian employee of the PRPB;</p> <p>1.3.10 All acknowledgments and rewards received by a member or civilian employee of the PRPB;</p> <p>1.3.11 Training history of every member or civilian employee of the PRPB;</p> <p>1.3.12 Identification information for every member or civilian employee of the PRPB;</p> <p>1.3.13 Demographics of each civilian involved in a use-of-force or search and seizure incident, sufficient to evaluate the existence of bias.</p>
Due Date	August 2017
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan</p>

Activity X.IV.2.1

2.1	The Office of the Assistant Superintendent for Managerial Services, through its Bureau of Technology, will develop, in coordination with the SARP, an information system for the collection of relevant data and information about all Operational and Administrative Inspections performed by the SARP. This system will enable the identification and analysis of operational and administrative deficiencies, and of causes and contributing factors, to facilitate the implementation of the appropriate corrective measures. The system will provide periodic reports about the inspections and their results. (Table 22)
Due Date	December 2017
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.V.1.1

X.V.1.1	<p>The PRPB, through the Office of Reform, will consistently use data collection strategies and periodically conduct specific and random monitoring of the different activities, operations, services, investigations, trainings, among others offered by the PRPB, such as:</p> <p>1.1.1 Use the Training Plan and the Training Announcement issued by the SAEA for every course, in order to identify the start date of each one, the period of time that the Police Areas and the Offices of the Assistant Superintendents will have to complete it, and the work units that will be given training priority. Likewise, the Training Plans of each of the thirteen (13) Police Areas and the Offices of the Assistant Superintendents, as approved by the SAEA, will be considered, to verify the specific dates during which each one of the trainings identified in this Action Plan will be offered. The Office of the Reform will use the sources mentioned above and the attendance records of each training to ensure that the MPRPBs are participating in the scheduled trainings.</p> <p>1.1.2 Make random visits to each of the thirteen (13) Police Areas and Offices of Assistant Superintendents using the Training Plan approved by the SAEA for each of the training courses developed for this Compliance Area in order to guarantee that PRPB personnel are being trained in keeping with the syllabi, instructor handbooks, presentations, and assessment methodology approved by the Technical Compliance Advisor.</p>
Due Date	Unknown.
TCA Assessment	The TCA has been monitoring PRPB's progress. To date PRPB has complied with the requirement outlined in the Action Plan and the Agreement.

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Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance

Activity X.V.1.2

X.V.1.2	Evaluate the implementation of the quarterly meetings with the members of the Executive Coordination Committee and the purpose for which they were created.
Due Date	Unknown.
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.V.1.3

X.V.1.3	Measure progress of internal audits so that the officers in charge of all work units may take the appropriate corrective measures to correct operational deficiencies found. This will foster a culture of continuous improvement in all the divisions and among PRPB personnel.
Due Date	Unknown.
TCA Assessment	TCA assessment has not reviewed materials reference measuring progress of internal audits. Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity X.V.1.4

X.V1.4	Monitor to ensure that the required ratio of front-line supervisors to MPRPBs is established and maintained so that there may be direct and effective supervision in keeping with the generally accepted police practices. (Table 23)
Due Date	Eighteen (18) months after the approval of the Action Plan.
TCA Assessment	Pending review.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Compliance Tables for Administrative Complaints

Action Plan

Section XI: Administrative Complaints, Internal Investigations, and Discipline

Requirements: 159 to 204

Section I. Policy & Procedure Development

Activity XI.I.1.1

XI.I.1.1	Develop an Administrative Order to create a Public Information Program regarding the filing of administrative complaints and posters and flyers informing people how to file administrative complaints
Due Date	June 2015
TCA Assessment	PRPB has developed the Administrative Order and created posters explaining the complaint process, has updated their website to also outline the complaint process, and has advertised in the newspaper. TCA will obtain the media contract as an example of proof of compliance.

Recommendations	<p>In the public information literature and the posters there is clause, "Complaint letters will also be accepted but must be the original (no copies) and contain an original signature," which at minimum contradicts their practice of accepting complaints from all sources in any format. This may be construed to be a deterrent to filing written complaints. The TCA recommends that all relating literature not contain this clause, and that it is also clear that signatures are optional.</p> <p>During the 6th reporting period PRPB advised the Superintendent intends to revise the complaint requirement</p> <p>Continue review in accordance with Agreement requirements</p>
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity XI.I.1.2

XI.I.1.2	Develop a Collaborative Agreement between the Puerto Rico Police Department and the Puerto Rico Department of Justice to establish a procedure for the PRPB to consult with the District Attorney's Office in order to determine whether to continue or suspend an administrative investigations to avoid affecting a criminal proceeding and safeguard the constitutional rights of subject of a criminal investigation
Due Date	August 2017
TCA Assessment	Not developed
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this step of the Action Plan

Activity XI.I.1.3

XI.I.1.3	Review Regulations 6506 entitled “Regulations to Process Administrative Complaints against Members of the Force and Civilian Personnel who Work at the PRPB” to adopt the new “ Regulations to Receive, Process, and Manage Administrative Complaints ,” which will specify the process and mechanisms available for the receipt, tracking, processing, and final disposition of any administrative complaint that is submitted.
Due Date	October 2015
TCA Assessment	PRPB advised that the Regulation 6506 has been approved in 2016.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity XI.I.1.4

XI.I.1.4	Develop the Administrative Complaint Investigation Procedures Manual, which will establish that, when investigating, all pertinent evidence will be taken into consideration and all investigative findings must be consistent with the facts and be supported by a preponderance of the evidence
Due Date	December 2015
TCA Assessment	PRPB advised that Manual has been completed but awaiting approval consistent with the ALPU (Uniform Administrative Law of Puerto Rico)
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity XI.I.2.1

XI.I.2.1	Review Regulations 4216 entitled “Puerto Rico Police Department Personnel Regulations” to establish the Code of Ethics and Conduct, identify minor and major violations and impose disciplinary actions.
Due Date	January 2016
TCA Assessment	PRPB has published the Code of Ethics and Conduct on its website, and it is out for public comments and awaits the signature from the Secretary of State of Puerto Rico
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity XI.I.2.2

XI.I.2.2	Develop an Administrative Order for Supervisors on the Investigation, Management, and Adjudication of Minor Violations that establishes the procedure supervisors are to follow when they learn about improper conduct by a PRPB employee and authorizing them to investigate and take appropriate non-punitive corrective action or recommend disciplinary action when appropriate.
Due Date	March 2016
TCA Assessment	See 2.1 (above). Waiting for approval of Regulation 4216
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity XI.I.2.3

XI.I.2.3	Develop an Administrative Order to create the Puerto Rico Police Department Personnel Assistance and Support Program through which some of the corrective, non-punitive measures available will be established
Due Date	July 2016
TCA Assessment	<p>TCA must confirm with the General Services Administration concerning this policy; not within SARP control</p> <p>In 6th period PRPB advised Administrative Order has been published in 2017, but this is not a SARP issue</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity XI.I.3.1

XI.I.3.1	Review General Order 2010-14 entitled “Creation of the Office of the Assistant Superintendent for Professional Responsibility” establishing internal recruitment requirements, selection criteria, and performance evaluation criteria for continued assignment to SARP
Due Date	May 2015
TCA Assessment	PRPB has revised the General Oder that has been approved and appears on their website. See GO 100-114 During 6 th period, PRPB advised this activity is undergoing annual review
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity XI.I.4.1

XI.I.4.1	Review Regulations 6403 entitled "Controlled Substance Detection Program for Puerto Rico Police Department Officials and Employees Regulations" to include the requirement of detecting anabolic steroids
Due Date	December 2016
TCA Assessment	<p>PRPB will check Regulation 6403 to determine if anabolic steroids has been added to program as a drug to be detected for employee use.</p> <p>During this period, PRPB advised the law is still pending. PRPB is requesting an extension until September 2018.</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met initially for submission. However, the timeframe was not met in terms of approval of the policy.</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Training objectives**Activity XI.II.1.1**

XI.II.1.1	<p>1.1 The Office of the Assistant Superintendent for Education and Training will create⁴ a Multi-topic Training Program to train SARP and OLA personnel on the procedure to receive, classify, process, and manage a complaint for improper conduct and the process of investigating administrative complaints. The Program will begin with training on the following topics:</p> <ul style="list-style-type: none"> a. criminal law; b. criminal procedure; c. evidence; d. constitutional rights; e. criminal investigation techniques; f. administrative investigation techniques; g. cybercrime; h. on-scene work; i. criminal photography; j. preparation of files and reports. <p>After the approval of the Training Program and the incorporation of the recommendations, the SAEA will continue providing training on the topics corresponding to the following policies: (Table 10)</p>
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⁴ See Appendix B – Training Development Process

	<ul style="list-style-type: none"> k. training on the procedure to follow on parallel administrative and criminal investigations l. training on the new “Regulation to Receive, Process, and Manage Administrative Complaints”; m. training on the Administrative Complaint Investigation Procedures Manual; n. training on the Public Information Program regarding the Filing of Administrative Complaints; o. training on the Code of Ethics and Conduct that will be used to determine minor and major offenses and impose disciplinary sanctions; p. training on the Administrative Order for the Investigation, Management, and Adjudication of Minor Offenses by Supervisors; and q. training on the amendments to the Controlled Substances Detection Program for Officials and Employees of the Puerto Rico Police Department Regulations in relation to detecting anabolic steroids.
Due Date	SEE SCHEDULES B & C

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TCA Assessment	PENDING REVIEW. The PRPB request an extension until July 2018.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.II.1.2

XI.II.1.2	Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of SARP and OLA personnel . The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval
Due Date	SEE SCHEDULES B & C
TCA Assessment	PENDING REVIEW. The PRPB is likely to request an extension until July 2018. Time will start from that moment.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.II.2.1

XI.II.2.1	The SAEA will create a multi-topic course to train the personnel who perform management and supervisory duties on the procedure supervisors are to follow when they learn that a citizen intends to file an administrative complaint, the time frames supervisors have to hand in a complaint filed for their consideration, and their authority to investigate and take non-punitive corrective or disciplinary measures when they learn about minor offenses or violations of PRPB policies. The responsibilities of high-ranking officers in relation to the evaluation of the investigations, the corrective measures to be taken, and the identification of deficiencies will be part of the training, which will also include learning about the duty to document and inform the SARP about improper conduct, the consequences of refusing to accept a complaint or providing false or deceitful information about a complaint for improper conduct, and the prohibition against retaliating in any way against an MPRPB who reports improper conduct
Due Date	See Appendix B
TCA Assessment	PENDING REVIEW. The PRPB is likely to request an extension until August 2018. Time will start from that moment.

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Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.II.2.2

XI.II.2.2	During the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train fifty percent (50%) of the personnel who perform management and supervisory duties through instructors it has certified. The SAEA will train the remaining MPRPBs who perform supervisory duties during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval.
Due Date	SEE SCHEDULES B & C
TCA Assessment	PENDING REVIEW. The PRPB is likely to request an extension until October 2018. Time will start from that moment.

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Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.II.2.3

XI.II.2.3	<p>The PRPB will begin by training Supervisors who belong to the following work units:</p> <p>2.3.1 Members of Joint Forces (SAIC);</p> <p>2.3.2 Personnel assigned to Zones of Excellence (SAOC);</p> <p>2.3.3 Division of Tactical Operations – DTO (SAOC);</p> <p>2.3.4 Division of Special Weapons and Tactics – SWAT (SAOC);</p> <p>2.3.5 Bureau of Highway and Traffic Patrols (SAOC);</p> <p>2.3.6 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weap.</p> <p>2.3.7 Bureau of Vehicle Theft Investigations (SAIC);</p> <p>2.3.8 Special Arrests and Extraditions Division (SAIC);</p> <p>2.3.9 Criminal Investigations Corps – CIC (SAIC);</p> <p>2.3.10 Canine Division, K-9 (SAIC); and</p> <p>2.3.11 Motorized Unit (SAOC).</p>
Due Date	See Appendix C

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TCA Assessment	PENDING REVIEW. The PRPB is likely to request an extension until October 2018. Time will start from that moment.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.II.2.4

XI.II.2.4	<p>The PRPB will continue training Supervisors who belong to Districts and Precincts, taking the following into consideration: (Table 13)</p> <p>2.4.1 number of use of force incidents per location;</p> <p>2.4.2 number of domestic violence incidents per location;</p> <p>2.4.3 number of interventions with intoxicated persons;</p> <p>2.4.4 number of arrests made;</p> <p>2.4.5 number of traffic stops;</p> <p>2.4.6 number of administrative complaints for the following: illegal or unreasonable arrests or detentions; use of unjustified force; physical coercion or psychological violence against an arrestee; illegal or unreasonable searches and seizures; discrimination; unjustified or excessive assault; assault against MPRPBs; domestic violence; sexual harassment; and obstructing, preventing, or interrupting the legal exercise of freedoms.</p>
Due Date	Appendix C
TCA Assessment	PENDING REVIEW. The PRPB is likely to request an extension until October 2018. Time will start from that moment.

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Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.II.3.1

XI.II.3.1	The SAEA will create a multi-topic course to train PRPB personnel on the requirement to report any conduct perceived as improper, the consequences of refusing to accept a complaint or providing false information, their duty to cooperate with any administrative investigation pursuant to the ruling in the case of <i>Garrity v. New Jersey</i> , and the existing mechanisms to file complaints for improper conduct or report the good performance of any MPRPB
Due Date	See Appendix B
TCA Assessment	PENDING REVIEW. The PRPB is likely to request an extension until November 2018. Time will start from that moment.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.II.3.2

XI.II.3.2	During the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train fifty percent (50%) of PRPB personnel through instructors it has certified. The SAEA will train the remaining fifty percent (50%) of Puerto Rico Police Department personnel during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval
Due Date	See Appendix C
TCA Assessment	PENDING REVIEW. The PRPB is likely to request an extension until November 2018. Time will start from that moment.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.II.3.3

XI.II.3.3	<p>The PRPB will begin by training PRPB personnel who belong to the following work units:</p> <p>3.3.1 Members of Joint Forces (SAIC);</p> <p>3.3.2 Personnel assigned to Zones of Excellence (SAOC);</p> <p>3.3.3 Division of Tactical Operations – DTO (SAOC);</p> <p>3.3.4 Division of Special Weapons and Tactics – SWAT (SAOC);</p> <p>3.3.5 Bureau of Highway and Traffic Patrols (SAOC);</p> <p>3.3.6 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</p> <p>3.3.7 Bureau of Vehicle Theft Investigations (SAIC);</p> <p>3.3.8 Special Arrests and Extraditions Division (SAIC);</p> <p>3.3.9 Criminal Investigations Corps – CIC (SAIC);</p> <p>3.3.10 Canine Division, K-9 (SAIC); and</p> <p>3.3.11 Motorized Unit (SAOC).</p>
Due Date	SEE SCHEDULES B & C

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TCA Assessment	PENDING REVIEW. The PRPB is likely to request an extension until November 2018. Time will start from that moment.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.II.3.4

XI.II.3.4	<p>The PRPB will continue training PRPB personnel who belong to Districts and Precincts, taking the following into consideration:</p> <ul style="list-style-type: none"> 3.4.1 number of use of force incidents per location; 3.4.2 number of domestic violence incidents per location; 3.4.3 number of interventions with intoxicated persons; 3.4.4 number of arrests made; 3.4.5 number of traffic stops; and 3.4.6 number of administrative complaints for the following: illegal or unreasonable arrest or detention; use of unjustified force; physical coercion or psychological violence against an arrestee; illegal or unreasonable searches and seizures; discrimination; unjustified or excessive assault; assault against MPRPBs; domestic violence; sexual harassment; and obstructing, preventing, or interrupting the legal exercise of freedoms.
Due Date	SEE SCHEDULES B & C

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TCA Assessment	PENDING REVIEW. The PRPB is likely to request an extension until November 2018. Time will start from that moment.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.II.4.1

XI.II.4.1	The Division of Psychology and Social Work will develop the design of the informational session to inform PRPB personnel who perform supervisory and administrative duties about how to manage stress to prevent critical incidents and the support and mental health services available to them and their families.
Due Date	See Appendix B
TCA Assessment	PEDNING REVIEW. Instruction began in March.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan until TCA verifies training attendance records and materials including stress related training

Activity XI.II.4.2

XI.II.4.2	During the twelve (12) months following the final approval of the training material and the incorporation of the recommended changes, the SAEA will simultaneously train fifty percent (50%) of PRPB personnel who perform supervisory and administrative duties through instructors it has certified. The remaining fifty percent (50%) of the personnel will be trained during the following twelve (12) months, once the training of the first group has been completed. Training will begin in accordance with the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent after SAEA approval
Due Date	See Appendix C
TCA Assessment	PENDING REVIEW
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Evaluation Deferred: Timeframe: not yet due</p> <p>Evaluation Deferred: Whether the Commonwealth of Puerto Rico is in compliance with this detailed step of the Action Plan cannot be assessed</p>

Activity XI.II.4.3

XI.II.4.3	<p>The PRPB will begin by training PRPB personnel who perform supervisory and administrative duties who belong to the following work units:</p> <p>4.3.1 Members of Joint Forces (SAIC);</p> <p>4.3.2 Personnel assigned to Zones of Excellence (SAOC);</p> <p>4.3.3 Division of Tactical Operations – DTO (SAOC);</p> <p>4.3.4 Division of Special Weapons and Tactics – SWAT (SAOC);</p> <p>4.3.5 Bureau of Highway and Traffic Patrols (SAOC);</p> <p>4.3.6 Bureau of Drugs, Narcotics, Vice Control, and Illegal Weapons (SAIC);</p> <p>4.3.7 Bureau of Vehicle Theft Investigations (SAIC);</p> <p>4.3.8 Special Arrests and Extraditions Division (SAIC);</p> <p>4.3.9 Criminal Investigations Corps – CIC (SAIC);</p> <p>4.3.10 Canine Division, K-9 (SAIC); and</p> <p>4.3.11 Motorized Unit (SAOC).</p>
Due Date	SEE SCHEDULES B & C
TCA Assessment	PENDING REVIEW

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Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Evaluation Deferred: Timeframe: not yet due Evaluation Deferred: Whether the Commonwealth of Puerto Rico is in compliance with this detailed step of the Action Plan cannot be assessed

Activity XI.II.4.4

XI.II.4.4	<p>The PRPB will continue training PRPB personnel who perform supervisory and administrative duties who belong to Districts and Precincts, taking the following into consideration:</p> <p>4.4.1 number of use of force incidents per location;</p> <p>4.4.2 number of domestic violence incidents per location;</p> <p>4.4.3 number of interventions with intoxicated persons;</p> <p>4.4.4 number of arrests made;</p> <p>4.4.5 number of traffic stops; and</p> <p>4.4.6 number of administrative complaints for the following: illegal or unreasonable arrest or detention; use of unjustified force; physical coercion or psychological violence against an arrestee; illegal or unreasonable searches and seizures; discrimination; unjustified or excessive assault; assault against MPRPBs; domestic violence; sexual harassment; and obstructing, preventing, or interrupting the legal exercise of freedoms.</p>
Due Date	SEE SCHEDULES B & C
TCA Assessment	PENDING REVIEW

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Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Evaluation Deferred: Timeframe: not yet due Evaluation Deferred: Whether the Commonwealth of Puerto Rico is in compliance with this detailed step of the Action Plan cannot be assessed

Activity XI.III.1.1

XI.III.1.1	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. SARP and OLA will identify the needs of the work units involved in the process of recording and evaluating complaints for improper conduct for receiving, processing, and resolving them.
Due Date	February 2016
TCA Assessment	PRPB has contracted with a consulting firm for Information Technology needs. During 6 th period, PRPB advised the firm is called Consulting 2 Success
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

Activity XI.III.1.2

XI.III.1.2	After making an inventory of the MPRPB files, SARP, OLA, and SASG, with its Bureau of Technology and Bureau of Human Resources, will establish the procedures to digitalize improper conduct investigation records for a minimum of five (5) years after the MPRPB has been discharged from the Agency
Due Date	May 2016
TCA Assessment	PRPB has not digitized its records but are working with their IT consultant (Consultant 2 Success) concerning this requirement. During 6 th period, PRPB advised this activity is part of the C2S contract
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

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Activity XI.III.1.3

XI.III.1.3	Digitalize the physical files of employees with administrative complaints and dispose of the rest, as identified during the inventory process. The digitalization process will be carried out in accordance with the Protocol developed by the PRPB Bureau of Technology together with the SARP
Due Date	December 2017
TCA Assessment	3/21/18 – PRPB states the system is available. SARP is converting records. Approximately 5000 of 7000 records in the first phase.
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

OFFICE OF THE TECHNICAL COMPLIANCE ADVISOR

Activity XI.III.1.4

XI.III.1.4	The Bureau of Technology will evaluate the current conditions of its automated systems and those that are in the process of being acquired or implemented to determine if they can be modified to meet the needs raised by SARP and OLA
Due Date	February 2017
TCA Assessment	PRPB working with their IT consultant (Consultant 2 Success) concerning this requirement. SARP has been involved in the discussions During 6 th period, PRPB advised the C2S will review this activity
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.III.1.5

XI.III.1.5	Discuss the requirements for the development of the automated system with technology consultants or companies so that they can evaluate their ability to provide their services to the PRPB
Due Date	April 2017
TCA Assessment	PRPB working with their IT consultant (Consultant 2 Success) concerning this requirement
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

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Activity XI.III.1.6

XI.III.1.6	Request formal proposals from technology consultants or companies for the development of the information system, which will be evaluated by a Committee created to select the contractor
Due Date	June 2017
TCA Assessment	PRPB working with their IT consultant (Consultant 2 Success) concerning this requirement. Document request-----see if they put out a contract and for what
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.III.1.7

XI.III.1.7	Once the Proposal to develop the Administrative Complaints Information System is awarded, the selected consultant or company must meet the terms and conditions included in the Proposal.
Due Date	18 months after Proposal award date
TCA Assessment	PRPB working with their IT consultant (Consultant 2 Success) concerning this requirement
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Evaluation Deferred: Timeframe: not yet due</p> <p>Evaluation Deferred: Whether the Commonwealth of Puerto Rico is in compliance with this detailed step of the Action Plan cannot be assessed</p>

Activity XI.III.1.8

XI.III.1.8	Train SARP and OLA personnel in the use of the Administrative Complaints Information System to record the receipt and processing of complaints for improper conduct as established in the Information Systems and Technology Compliance Area Action Plan.
Due Date	18 months after Information System design is completed
TCA Assessment	PRPB working with their IT consultant (Consultant 2 Success) concerning this requirement
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Evaluation Deferred: Timeframe: not yet due</p> <p>Evaluation Deferred: Whether the Commonwealth of Puerto Rico is in compliance with this detailed step of the Action Plan cannot be assessed</p>

Activity XI.IV.1.1

XI.IV.1.1	The PRPB will use the various mass media available to develop a Promotion Plan to inform communities about their rights and the mechanisms available to file complaints for improper conduct against MPRPBs. Communities will also be informed about the alternatives available to recognize their good service. This activity will be developed together with the Community Engagement and Public Information Compliance Area
Due Date	September 2015
TCA Assessment	In addition to PRPB's efforts to publicize procedures for citizen complaints, PRPB also created form PPR 888 to capture citizen compliments of officers. During 6 th period, PRPB advised they are still using Form PRR 888
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan

Activity XI.IV.2.1

IV 2.1	The PRPB Division of Psychology will provide psychological and therapeutic services to treat cases referred through the Program (Personnel Assistance and Support Program)
Due Date	March 2017
TCA Assessment	<p>TCA will check with the PRPB Division of Psychology to determine the contours of this program. This is not within SARP control</p> <p>During 6th period, PRPB advised the Employee Assistance Program (PAE) was approved February 2017.</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan</p>

Activity XI.IV.2.2

XI. IV.2.2	The SAEA will re-train employees who have been referred through the Program after identifying a deficiency in their performance that can be corrected through re-training. This activity will be part of the Training Action Plan .
Due Date	SEE SCHEDULES B & C
TCA Assessment	This will become part of the PRPB Early Intervention System once developed. TCA will also confirm with SAEA about the training materials for this program. PENDING REVIEW
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	See Training Action Plan

Activity XI.IV.3.1

XI.IV.3.1	SARP will conduct a study to determine the number of employees needed to investigate administrative complaints within the parameters established in the corresponding policies
Due Date	February 2016
TCA Assessment	SARP is conducting an assessment of their workload and personnel. However, they also await a scientific department-wide human resource study. See Paragraph 13 of the Agreement
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XI.IV.3.2

IV 3.2	Conduct an internal recruitment process to identify possible candidates to be assigned to the SARP
Due Date	May 2016
TCA Assessment	<p>SARP will await a department-wide human resource study before creating specific recruitment materials, which would include designing ideal job qualifications.</p> <p>During 6th period, PRPB advised SARP currently has position openings</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity XI.IV.3.3

IV 3.3	Carry out personnel selection and internal transfer processes to provide the necessary personnel to the SARP
Due Date	August 2016
TCA Assessment	<p>SARP will await a department-wide human resource study before creating specific recruitment materials, which would include designing ideal job qualifications.</p> <p>During 6th period, PRPB advised a General Order was approved to transfer officers into SARP listing entry requirements.</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity XI.V.1.1

V 1.1	<p>The PRPB, through the Office of Reform, will use various data collection strategies and conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, and training courses, among others they provide, starting with Zones of Excellence and gradually continuing through all thirteen (13) Police Areas and Offices of Assistant Superintendents, such as: (Table 31)</p> <p>a. Using the Training Plan and Training Announcement issued by the SAEA for each of the courses to identify their start date, the time Police Areas and the corresponding Offices of Assistant Superintendents will have to complete it, and the work units that will be given training priority. The Training Plans for each of the thirteen (13) Police Areas and Offices of Assistant Superintendents, as approved by the SAEA, will also be considered to check the specific dates during which each training course identified in this Action Plan will be offered. The Office of Reform will verify that MPRPBs are participating in scheduled training courses by using the above-mentioned sources and the attendance records for each course.</p>
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	<ul style="list-style-type: none">b. Making random visits to each of the thirteen (13) Police Areas and Offices of Assistant Superintendents using the Training Plan approved by the SAEA for each training course developed for this compliance area in order to guarantee that PRPB personnel are being trained in keeping with the training materials approved by the Technical Compliance Advisor.c. Verifying that complaints sent to SARP are assigned for investigation within no more than five (5) business days.d. Corroborating that any person can file a complaint through the various means available.e. Visiting each of the thirteen (13) Administrative Complaint Investigation Divisions to randomly review files to verify that administrative investigations are being completed within no more than ninety (90) days from the receipt of the complaint. If complaints exceed said period, the file must include the authorization for an extension.f. Randomly reviewing administrative complaint files sustaining an allegation in order to check that the PRPB is notifying the respondent of the decision and corresponding disciplinary measure no later than thirty (30) days after the decision that the allegation is sustained.
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	<p>g. Randomly reviewing administrative complaint files to corroborate that the recommendation for each of the complaints is one of the following final dispositions: unfounded, sustained, not sustained, or exonerated.</p> <p>h. Randomly reviewing administrative complaint files to corroborate that for every complaint received at the SARP, the complainant was given written notice of the complaint number assigned, the investigator assigned the complaint, any extensions granted, the final disposition and any non-punitive disciplinary measure or action applied, and the right to request a review of the final disposition.</p> <p>i. Making random visits to command offices, districts, precincts, posts, and units in the thirteen (13) Police Areas and Offices of Assistant Superintendents to corroborate that the guidance posters on how to file complaints and recognitions are visible and that they have forms PPR-111 and PPR-888 available.</p>
Due Date	May 2016

TCA Assessment	<p>This is the umbrella task and responsibility for complaint intake and investigation for the Reform Unit as it relates to the Reform Unit ensuring accountability within PRPB. The enumerated activities identify with specificity how the Reform Unit will examine implementation of the intake, investigation, and timeliness of all complaints through field on-site audits and inspections.</p> <p>During 6th period, PRPB advised that this Unit now has 1 Captain, 3 First LTs, 2 Second LTs, 3 Sgts, and 4 Agents</p>
Recommendations	Continue review in accordance with Agreement requirements
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan</p>

Compliance Tables for Community Interaction

Action Plan

Section XII. Community Interaction and Public Information Requirements: 205 to 217

XII.I.1.1	Review General Order, Chapter 800, Section 801, entitled "Functioning of the Central Committee and the Area community interaction councils with the Puerto Rico Police Department" (hereinafter OG 801) establishing the way in which its members will review and evaluate the policies and procedures. (Table 1)
Due Date	March 2015
TCA Assessment	During this period, the TCA conducted the annual review of the General Order 800-801: Citizens Interaction Committees. After being revised, it was approved by the TCA in March 2017.
Recommendations	A significant number of CIC members have expressed concern and frustration with this policy. There is considerable confusion regarding the roles and responsibilities of CIC members and their relationship with PRPB. In March 2018, the TCA and the Parties worked with CIC members to identify much needed revisions to the policy. The PRPB should work closely with the CICs to identify solutions.
Compliance	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

XII. I.3.2	Review General Order 2005-7, entitled “Reorganization and Re-naming of the Public Information Office as the Press Office” to establish the manner in which to communicate the information in ongoing investigations or incidents, through the media, including social media, websites, and other electronic platforms, in accordance with the best and generally accepted practices, and with the principles of community policing. (Table 4)
Due Date	June 2016
TCA Assessment	<p>-The review process of this policy began last semester.</p> <p>-The General Order 2005-7: Reorganization and Re-naming of the Public Information Office as the Press Office, became General Order 100-125: Press Office and General Order 600-634: Dissemination of Incident Information. Both policies were approved by the TCA in the month of December 2016.</p> <p>-As a result of the reaction of the media of both orders, they have been subjected to a new review process where the recommendations given by the press should be considered.</p> <p>-In May 2017, review meeting of General Order 100-125: Press Office was held. The TCA presented its comments and recommendations at that meeting.</p> <p>-As for General Order 600-634: Dissemination of Incident Information, TCA has not received a new draft of this policy during the period covered by this report.</p>
Recommendations	Continue review in accordance with Agreement requirements.
Compliance	Timeframe was met

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	The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan
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XII.II.3.1	<p>The Auxiliary Superintendency for Education and Training will create a Multi-Topic Training Program for the personnel that works at the Central Press Office, in the Areas, and for the high-ranking officers of the PRPB, about the dissemination of public information and about incidents or ongoing investigations from a community perspective, and said training will include practical police Q & A scenarios before the press. The Program will include the following topics: (Table 7)</p> <ul style="list-style-type: none"> 1.1.1. freedom of the press 1.1.2. right to privacy 1.1.3. defamation and libel 1.1.4. ethics in the dissemination of information 1.1.5. what and when something is public information 1.1.6. importance of the media in solving criminal cases 1.1.7. dissemination of public information in ongoing situations 1.1.8. protecting victim and witness Information 1.1.9. drafting press releases 1.1.10. oral communication in the media 1.1.11. use of electronic media to disseminate public information 1.1.12. image portrayed in the media, and 1.1.13. media management and interviews.
Due Date	<p>Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.</p>

TCA Assessment	The processes related to this activity have been stopped, until the following policies are approved again: General Order 100-125: Press Office and General Order 600-634: Dissemination of Incident Information. Make reference to the information provided in the activity I.3.2.
Recommendations	Continue review in accordance with Agreement requirements.
Compliance	Timeframe was not met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

XII.II.3.2	<p>The Auxiliary Superintendency for Education and Training will create training for the personnel that carries out management and supervisory duties at the PRPB about the dissemination of public information and about incidents or ongoing investigations from a community perspective, and said training will include practical police Q & A scenarios before the press. The Program will include the following topics: (Table 8)</p> <ul style="list-style-type: none"> 1.1.1. freedom of the press 1.1.2. right to privacy 1.1.3. defamation and libel 1.1.4. ethics in the dissemination of information 1.1.5. what and when something is public information 1.1.6. importance of the media in solving criminal cases 1.1.7. dissemination of public information in ongoing situations 1.1.8. protecting victim and witness information 1.1.9. oral communication in the media 1.1.10. image portrayed in the media, and 1.1.11. media management and interviews.
Due Date	<p>Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.</p>

TCA Assessment	The processes related to this activity have been stopped, until the following policies are approved again: General Order 100-125: Press Office and General Order 600-634: Dissemination of Incident Information. Make reference to the information provided in the activity I.3.2.
Recommendations	Continue review in accordance with Agreement requirements.
Compliance	Timeframe was not met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

Compliance Tables for Information and Technology

Action Plan

Section XIII: Information and Technology

Systems Requirements: 218 to 224

Section I. Policy & Procedure Development

Activity XIII.I.1.1

<p>XIII.1.1.1 1 – 11 (Table 1)</p>	<p>1.1 Collaborate in the development of the Administrative Order that will create the Public Information Program regarding the filing of administrative complaints, as well as the posters and fliers informing people how to file administrative complaints. This policy will form part of the Administrative Complaints Compliance Area Action Plan.</p> <p>The policy was signed on November 2, 2015. The Commonwealth of Puerto Rico is in full compliance in this detailed step of the Action Plan)</p> <p>1.2 Collaborate in the revision of General Order 2000-3, entitled “Controls on the Use, Filing, and Final Disposition of Incident Reports (NIBRS) at the Puerto Rico Police Department”. This policy will form part of the Equal Protection and Non-Discrimination Compliance Area Action Plan.</p>
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	<p>The policy was signed on January 1, 2016. The Commonwealth of Puerto Rico is in full compliance in this detailed step of the Action Plan)</p> <p>1.3 Collaborate in the review of General Order 2007-1 “Duties and Responsibilities of the Sex Crimes and Child Abuse Divisions”. This policy will be part of the Equal Protection and Non-Discrimination Compliance Area Action Plan.</p> <p>The policy was signed on April 21, 2016. The Commonwealth of Puerto Rico is in full compliance in this detailed step of the Action Plan)</p> <p>1.4 Collaborate in the review of Regulations 6506, entitled “Regulations for the Processing of Administrative Complaints against Members of the Force and Civilian Personnel who Work at the PRPB” to adopt the new “Regulations for Receiving, Processing, and Managing Administrative Complaints”. This policy will form part of the Administrative Complaints Compliance Area Action Plan.</p> <p>The policy was signed on October 31, 2016. The Commonwealth of Puerto Rico is in full compliance in this detailed step of the Action Plan)</p> <p>1.5 Collaborate in the development of the General Order for Hate Crime Data Collection and Management. This policy will be part of the Equal Protection and Non-Discrimination Compliance Area Action Plan.</p>
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	<p>The policy was signed on October 13, 2016. The Commonwealth of Puerto Rico is in full compliance in this detailed step of the Action Plan)</p> <p>1.6 Collaborate in the development of the protocol for the digital recording and storage of communications generated between immediate supervisors and MPRPBs through the Command Center and Radio Control communication channels. This policy will form part of the Searches and Seizures Compliance Area Action Plan.</p> <p>The policy was signed on October 13, 2016. The Commonwealth of Puerto Rico is in full compliance in this detailed step of the Action Plan)</p> <p>1.7 Collaborate in the revision of General Order 2010-1, entitled “Reorganization of the Internal Audit Office”. This policy will form part of the Supervision and Administration Compliance Area Action Plan.</p> <p>The policy was signed on November 1, 2016. The Commonwealth of Puerto Rico is in full compliance in this detailed step of the Action Plan)</p> <p>1.8 Collaborate in the revision of General Order 2008-3 entitled, “Rules and Procedures for the Evaluation of MPRPBs and Classified Personnel”. This policy will form part of the Supervision and Administration Compliance Area Action Plan.</p>
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	<p>The policy is under evaluation by DPS. The Commonwealth of Puerto Rico is in partial compliance in this detailed step of the Action Plan. Reform Unit indicates this policy is pending Police Commissioner approval)</p> <p>1.9 Collaborate in the development of policy to protect the copyrights of the PRPB in the creation of policies, training courses, posters, and printed and/or electronic media. This policy will form part of the Policies and Procedures Compliance Area Action Plan.</p> <p>The policy is being evaluated by the LPAU. The Commonwealth of Puerto Rico is in full compliance in this detailed step of the Action Plan)</p> <p>1.10 Collaborate in the development of a General Order for the Creation of the Early Identification System (EIS). This policy will be part of the Supervision and Administration Compliance Area Action Plan.</p> <p>Planned submission to TCA scheduled for October 2017. The Commonwealth of Puerto Rico is in non-compliance in this detailed step of the Action Plan</p> <p>1.11 Collaborate in the development of a Procedures Manual for the Use of the Early Identification System (EIS). This policy will form part of the Supervision and Administration Compliance Area Action Plan.</p> <p>Planned submission to TCA scheduled for November 2017. The Commonwealth of Puerto Rico is in non-compliance in this detailed step of the Action Plan</p>
Due Date	Varied
TCA Assessment	BT continues to collaborate with all elements of PRPB in these areas

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	Note: that these tasks are found primarily in other AP Areas.
Recommendations	Continue Collaboration between TCA and PRPB
TCA Rating	Timeframe: see above The Commonwealth of Puerto Rico is in full compliance with this detailed step of the Action Plan, except for EIS that is non-compliance

Activity XIII.I.1.2

XIII.I.1.12 Table 1	1.12 Review General Order Chapter 100, Section 101, entitled “Reorganization of the Office of the Assistant Superintendent for Managerial Services”, in order to efficiently and effectively adapt it to the implementation of the Agreement
Due Date	August 2016
TCA Assessment	The Superintendente signed the GO on January 2017
Recommendations	Implement & Monitor
TCA Rating	Timeframe was met The Commonwealth of Puerto is in full compliance with this detailed step of the Action Plan

Activity XIII.I.1.3

XIII.I.1.3 Table 2	1.13 Develop a General Order establishing the processes and procedures of the Bureau of Technology for updating and implementing the information and technology systems infrastructure, including hardware, software, and communications. Additionally, establish IT governance methodology and processes in keeping with the best practices. (Table 2)
Due Date	August 2016
TCA Assessment	The General Order 100-123 invokes necessary roles and responsibilities for the BT and therefore throughout the other AP's and Decree. It was signed January 23, 2017.
Recommendations	Implement & Monitor. BT must execute IAW the GO and the PRPB must resource and enforce the intent of the GO. Special attention must be placed on the distribution of requirements definition in other offices and accountability for managing to successful outcomes regarding system development, training, data collection etc. Follow up monitoring requires evidence of this behavior. Reforma and CIO claim that the final decision on the DPS standup (DHS Equivalent) is a pacing gate for fullest implementation of the above. Complete, recommend close
TCA Rating	Timeframe was met The Commonwealth of Puerto is in full compliance with this detailed step of the Action Plan

Activity XIII.I.2.1

XIII.I.2.1 Table 3	2.1 Review General Order 73-13, entitled “Rules and Procedures for Walkie-Talkie Use, Control, and Identification”, to standardize the radio communications of the PRPB in terms of security and efficiency by establishing the duties and responsibilities of Agency employees when using and managing radio communications, as well as the activities that are carried out at a radio station, including the duties and limitations of the operator. Additionally, establish guidelines and safety procedures for radio frequency use. (Table 3)
Due Date	October 2016 -- Signed Jan 13, 2017
TCA Assessment	Complete, recommend close
Recommendations	Implement & Monitor
TCA Rating	Timeframe was met The Commonwealth of Puerto is in full compliance with this detailed step of the Action Plan

Activity XIII.I.2.2

XIII.I.2.2 Table 4	2.2 Establish a Collaborative Agreement with the agencies that make up the Interoperability System and the PRPB in order to facilitate the interconnection of the inter-agency communications infrastructures and create a network that will enable the uninterrupted exchange of information through data, radio, video conference, fax, or telephone communication. This collaborative agreement will be updated as new technologies related to the interoperability systems arise. (Table 4)
Due Date	Nov 2016
TCA Assessment	<p>This task is important to the ongoing transformation. Obstacles listed such as “gathering people to meet” are NOT obstacles. They are tasks surmountable through management intervention and attention. Budget Obstacles at the working level are understandable but must be addressed by PRPB leadership. Re-use of budget restrictions, as a means for not accomplishing tasks is “convenient” but not adequate. Monitor Comment -- According to Reforma POC this task was proposed to be moved under the Puerto Rico DPS (DHS equivalent) via a request on 1/29/17 to TCA and DoJ.</p> <p>Reforma Comment -- “PRPB submit a proposal to the TCA and DOJ on those matters, based on a meeting about this action plan activity on December. In addition, Article (1.15) of the Puerto Rico Department of Public Safety Act (Act 20-2017) establishes the interoperability of the agencies.”</p> <p>Not compliant; 3/21/18 – TCA has asked PRPB to solicit evidence that formally transfers this agreement to the authority of DSP. 8/15/17 – This has been raised to DSP who have now assumed authority on this task.</p>
Recommendations	Prioritize work and complete tasks. Employ proposed solutions. The law determining scope of authority is not the same as an MOU or MOA defining an operating agreement and the services exchanged
Compliance	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan</p>

Activity XIII.I.2.3

XIII.I.2.3 Table 5	2.3 Review General Order 97-16, entitled “Reorganization of the San Juan Command Center and the Radio Command Centers of the Police Areas and Establishment of Work Guidelines for the 9-1-1 Emergency System”, to redefine their duties and responsibilities, taking into consideration the technological advances that have been positively developed and implemented in the information and communication systems of the agency. Additionally, update the processes and procedures established in the PRPB for the 9-1-1 Emergency System. (Table 5)
Due Date	December 2016
TCA Assessment	IT Monitor recommended approval on 5/21/2017. Approval of GO on 10/2/2017
Recommendations	Superintendente Sign, Implement & Monitor
TCA Rating	Timeframe was met The Commonwealth of Puerto is in full compliance with this detailed step of the Action Plan

Activity XIII.I.3.1

XIII.I.3.1 Table 6	3.1 Develop a General Order for the Use and Handling of Portable Recording Devices for the MPRPBs to establish guidelines for the recording, review, use, distribution, and storage of incident recordings, as well as the duties and responsibilities of the MPRPBs who use said equipment. Additionally, guide the processes and procedures for the Supervisors that are needed when interviewing and recording the statements of complainants and witnesses during the investigation of complaints regarding inappropriate use of force or improper conduct or behavior of the MPRPBs. (Table 6)
Due Date	May 2017
TCA Assessment	IT Monitor comment; Partial Signature October 20, 2016 on GO 400-402 But Standard Operating Procedures Manual is required which will need to be reviewed by Monitor. Draft policy received in Reforma for review and edit on 4/26/2017. Reforma comment: draft policy will be sent to TCA on 5/31/2017. Approval of GO on 10/2/2017
Recommendations	Task must be completed
Compliance	Timeframe was met The Commonwealth of Puerto is in full compliance with this detailed step of the Action Plan

Activity XIII.I.4.1

XIII.I.4.1 Table 7	4.1 Review General Order, 2003-25, entitled “Rules and Controls for the Use of the Computerized Systems of the Puerto Rico Police Department”, in order to update the processes and procedures that have been incorporated into the information systems, communications, and technology services developed and implemented at the PRPB. (Table 7)
Due Date	October 2016 Signed December 19, 2016.
TCA Assessment	GO 400-403 signed
Recommendations	Implement & Monitor
TCA Rating	Timeframe was met The Commonwealth of Puerto is in full compliance with this detailed step of the Action Plan

Activity XIII.I.4.2

XIII.I.4.2 Table 8	4.2 Develop User Manual for the Computer Systems of the Puerto Rico Police Department, in order to update the processes and procedures that have been incorporated into the information systems, communications, and technology services developed and implemented at the PRPB. (Table 8)
Due Date	January 2017 Signed December 19, 2016
TCA Assessment	GO 400-403 signed
Recommendations	Implement and Monitor
TCA Rating	Timeframe was met The Commonwealth of Puerto is in full compliance with this detailed step of the Action Plan

Activity XIII.I.4.3

XIII.I.4.3 Table 9	4.3 Develop a General Order establishing the Central Crime Data Collection Repository ³ (CIW), in order to implement guidelines to collect and distribute statistics about the incidents registered at the PRPB. Additionally, incorporate the processes and procedures needed to analyze and distribute the information about the criminal activity in all of the pertinent operational and administrative units of the Agency. (Table 9)
Due Date	Feb 2017 -- IT Monitor recommended approval on 5/21/2017. Policy is pending signature
TCA Assessment	This is a major and significant component of being able to collect and assess data relevant to compliance with the Decree and eventual transformation. Completion of the GO signals a commitment to policy. Implementation of CIW and commitment of the resources needed remains to be seen.
Recommendations	Implement and Monitor
TCA Rating	Timeframe was met The Commonwealth of Puerto is in partial compliance with this detailed step of the Action Plan

Activity XIII.I.4.4

XIII.I.4.4	4.4 Develop a Manual for the Use and Handling of the Central Crime Information Warehouse (CIW). (Table 10)
Table 10	
Due Date	March 2017
TCA Assessment	4/25/17 PRPB submitted to TCA in March 2017, TCA responded with comments on 4/13/2017. PRPB has not received DOJ Comments.
Recommendations	5/1/2017 Reforma comment -- PRPB asked for the approval memo from TCA. TCA indicated Reform Unit revisions are ongoing Continue to monitor
Compliance	Timeframe was met
	The Commonwealth of Puerto is in partial compliance with this detailed step of the Action Plan

Activity XIII.I.4.6

AP Section I.4.6, Table 12, Decree areas: 218,223, 224	4.6 Develop a General Order regulating access and handling by the MPRPDs of the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (RCI) provided by the Division of Information of the U.S. Criminal Justice System and by the Puerto Rico Department of Justice. (Table 12)
Due Date	July 2017
TCA Assessment	8/18/17 – reviewed this day collaboratively between PRPD, DoJ and TCA. Edits are required. Bazan recommendations for 5 year retention will be vetted by Reforma. 3/21/18 –comments from PR DoJ provided 3/20/18. Redraft will be provided to TCA projected 3/31/18
Recommendations	
Compliance	Timeframe was met The Commonwealth of Puerto is in partial compliance with this detailed step of the Action Plan

Activity XIII.I.4.7

AP Section I.4.7, Table 13, Decree areas: 218, 214	Develop a General Order for the Use and Handling of the Crime Mapping Application Software. (Table 13)
Due Date	October 2017
TCA Assessment	Nov/17 – PRPD proposed GO to TCA. Cragg reviewed and responded via TCA that draft was acceptable with changes. PRPD notified 11/10/7. 8/15/17 - In process. 3/21/18 – at Commissioner for signature.
Recommendations	
Compliance	Timeframe was met The Commonwealth of Puerto is in partial compliance with this detailed step of the Action Plan

Section II. Training Development Objectives

Activity XIII.II.1.1

XIII.II.1.1 Table 14	1.1 Develop training for the administration, configuration, and diagnosis of radio communication equipment, geared towards the personnel of the Communications Division of the Bureau of Technology and Communications of the PRPB, (Table 14)
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process
TCA Assessment	<p>GO 400-404 replaces 73-13. SAEA is lead and will use agents to develop training and to conduct the training. GO signed Jan 2017. Per Diaz, as of 4/25, waiting for training material from SAEA and then TCA approval. Training start is projected for 7/12/2017 based on policy approval on Jan 13, 2017, per decree, 50% to be trained 7/18, 100% trained by 7/19.</p> <p>Reform Unit comment: The design and training development are expected to be submitted to the TCA for approval on time.</p> <p>8/15/17 – Manual approval by the Superintendente is pacing completion of this training.</p> <p>8/17/17 - Expected signature is imminent for manual approval. SAEA says Training is in development, estimate for submission to TCA is 1 Sep 2017.</p> <p>3/21/18 – per PRPB there is no change. This still a SAEA responsibility.</p>
Recommendations	Continue to monitor
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto is in non-compliance with this detailed step of the Action Plan</p>

Activity XIII.II.1.2

XIII.II.1.2 Table 15	1.2 Develop training for the use and handling of the radio communication equipment at the PRPB, geared towards the MPRPBs. (Table 15)
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	<p>GO 400-404 replaces 73-13. SAEA is lead and will use agents to develop training and to conduct the training. GO signed Jan 2017. Per Diaz, as of 4/25, waiting for training material from SAEA and then TCA approval. Training start is projected for 7/12/2017 based on policy approval on Jan 13, 2017, per decree, 50% to be trained 7/18, 100% trained by 7/19.</p> <p>Reform Unit comment: The design and training development are expected to be submitted to the TCA for approval on time.</p> <p>8/15/17 – Reforma states that the manual is in development.</p> <p>8/17/17 - SAEA says Training is in development, there is no projected date for this syllabus.</p> <p>3/21/18 – pending SAEA follow through.</p>
Recommendations	Continue to monitor
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto is in non-compliance with this detailed step of the Action Plan</p>

Activity XIII.II.1.4

XIII.II.1.4 Table 17	1.4 Develop training for the administration and diagnosis of the computer system at the Puerto Rico Police Department, geared towards the personnel of the Technology Division of the Bureau of Technology and Communications of the PRPB, (Table 17)
Due Date	May 2017 Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	GO 400-403 signed Dec 19, 2016. Training start projection June 2017. First 50% trained is targeted June 2018, second 50% targeted June 2019. 3/21/18 – per PRPB there is no change. This still a SAEA responsibility.
Recommendations	Continue to monitor
TCA Rating	Timeframe was not met The Commonwealth of Puerto is in non-compliance with this detailed step of the Action Plan

Activity XIII.II.1.5

XIII.II.1.5 Table 18	Develop training on the Manual for the Use and Handling of the Computerized Systems of the Puerto Rico Police Department, geared toward the MPRPBs and the employees of the PRPB classified system. (Table 18)
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	Projected start of training is June 2017, 50% complete June 2018, 100% June 2019
Recommendations	Continue monitoring
TCA Rating	Timeframe was not met The Commonwealth of Puerto is in non-compliance with this detailed step of the Action Plan

Activity XIII.II.1.6-8

<p>XIII. II.1 (.6, .7, 8)</p> <p>Tables 19, 20, 21</p>	<p>Develop training on the Manual for the Use and Handling of the Central Repository for Crime Data Analysis (CIW) at the Puerto Rico Police Department, aimed at the MPRPBs and the employees of the PRPB classified system assigned to the Center for the Analysis of Criminal Activity and Crime Monitoring; the Criminal Intelligence Collection, Analysis, and Dissemination Center, the Crime Statistics Division, as well as for the employees who collect statistical data in the Police Areas. (Table 19)</p> <p>Develop training on accessing and using the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (ICR) geared toward the MPRPBs. (Table 20). Policy projected June 2017</p> <p>Develop training on accessing and using the criminal activity map, geared toward the MPRPBs. (Table 21). Due date Projected Policy submit October 2017</p>
Due Date	Designing training courses corresponding to policies will begin once the policy has been approved and signed in accordance with the process established in Appendix B – Training Design Process.
TCA Assessment	
Recommendations	Continue monitoring
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto is in non-compliance with this detailed step of the Action Plan</p>

Section III. Training Implementation Objectives

Activity XIII.III.3.7

<p>XIII. III.1.3.7, III.1.4, III.1.5, III.1.6, III.1.7, III.1.10</p> <p>Table 22, 23, 24, 25, 26 , 27</p>	<p>1.3.7 The training courses to be implemented will cover the following topics:</p> <ul style="list-style-type: none"> a) use and handling of radio communications equipment; (Table 22) b) use and handling of portable recording devices for the MPRPBs; (Table 22) c) use and handling of the computerized systems of the Puerto Rico Police Department (Table 22) <p>1.4 Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) on the administration, configuration, and diagnosis of radio communications equipment. The remaining fifty percent (50%) of the employees assigned to the Communications Division will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. (Table 23)</p> <p>1.5 Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) the employees assigned to the Technology Division on the administration and diagnosis of the computerized systems of the Puerto Rico Police Department. The remaining fifty percent (50%) of the employees assigned to the Technology Division will be trained within the following twelve (12) months, once the training of the</p>
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	<p>first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. (Table 24)</p> <p>1.6 Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of the MPRPBs and the employees of the PRPB classified system assigned to the Center for the Analysis of Criminal Activity and Crime Monitoring; the Criminal Intelligence Collection, Analysis, and Dissemination Center; the Crime Statistics Division, as well as the employees who collect statistical data in the Police Areas on the Manual for the Use and Handling of the Central Crime Information Warehouse (CIW). The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. (Table 25)</p> <p>1.7 Within the twelve (12) months following the final approval of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs on the Use and Handling of the Information Systems of the National Crime Information Center (NCIC) and the Integrated Crime Registry (ICR). The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. (Table 26)</p> <p>1.10 Within the twelve (12) months following the final approval</p>
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Due Date	<p>of the training material and the incorporation of the changes recommended, the SAEA will have its certified instructors simultaneously train fifty percent (50%) of all MPRPBs on the Use and Handling of the Crime Mapping Application Software. The remaining fifty percent (50%) of the MPRPBs will be trained within the following twelve (12) months, once the training of the first group has been completed. Training will begin on the date indicated in the Announcement issued by the SAEA and the Training Plan provided by each Police Area and Office of the Assistant Superintendent upon SAEA approval. (Table 27)</p> <p>The trainings will be implemented as stated in Appendix C– Training Implementation Process.</p>
TCA Assessment	Per Monitor Youngs -- PRPB has yet to provide TCA with adequate evidence of materials concerning handling of radio communications equipment
Recommendations	
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto is in non-compliance with this detailed step of the Action Plan</p>

OFFICE OF THE TECHNICAL COMPLIANCE ADVISOR

Section IV. Information and Technology Systems Development and Implementation Objectives

Activity XIII.IV.1.1

XII.IV.1.1 Table 28	1.1 Develop an information system to support the implementation of the Action Plans of the compliance areas included in the Agreement. This system will be used to follow up on the activities identified in the Action Plans, including their descriptions, start, and the final progress of each effort that is carried out, as well as the specific repetitions for each process established in the approved General Orders and forms. (Table 28)
Due Date	October 2016
TCA Assessment	Demonstrated to TCA Monitors on May 24-25, 2017. This deliverable was jointly developed with the IT Monitor and is being implemented by Reforma. It is a "living management tool. It is critically dependent on the finalization of the English translation of the Consolidated Action Plans which as of 5/26/2017 has not yet been released by PRPB. Planned demonstration moved to April 2018
Recommendations	Release the Final Consolidated AP's in English. Manage, revise and monitor
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan

Activity XIII.IV.1.2

<p>XIII.IV.1.2</p> <p>Table 29</p> <p>See also Search and Seizure able 5.</p>	<p>1.2 Develop and implement the Information System for the collection of the computer-aided Dispatch system (CAD). This information system will be used to collect data and information about the incidents reported in all of the offices and divisions of the Puerto Rico Police Department. Additionally, the system will include as a basis the forms approved by the PRPB, such as: the Complaint Card (PPR-84) and the Incident Report (PPR-468), the Traffic Accident Report (PPR-93 and 94) in electronic format, among others, as well as the different forms for the operational, investigative, and administrative activities of the MPRPBs. This system will be initially implemented in the Zones of Excellence and then gradually throughout all of the Puerto Rico Police Department. This activity is included in the Equal Protection and Non-Discrimination Action Plan. (Table 29)</p>
<p>Due Date</p>	<p>36 months (once the NIBRS and any other policy that may affect the system are ready)</p>
<p>TCA Assessment</p>	<p>CAD is in operation and CAD Mobile is in pilot although without training materials. As such full rollout is being held in abeyance. According to PRPB the CAD Mobile system is in partial use and is limited by the lack of formal training provided by SAEA.</p> <ul style="list-style-type: none"> • NIBRS manual is approved (Jan 2016 GO was approved). • The CAD Mobile manual is not yet approved. Reforma states that its in TCA for review • Superintendente will sign after TCA. • Next phase of CAD Mobile pilot could begin August 2017 with CAD. <p>Update 8/15/17</p> <ul style="list-style-type: none"> • NIBRS manual is approved by TCA(Jan 2016 GO was approved). • The CAD Mobile manual is not yet approved by TCA. Reforma states that its in TCA for review • Superintendente will sign after TCA. • Next phase of CAD Mobile pilot could begin August 2017 with CAD.

	<p>CAD is in operation and CAD Mobile is in pilot although without training materials. As such, full rollout is being held in abeyance. According to PRPD the CAD Mobile system is in partial use and is limited by the lack of formal training to be provided by SAEA.</p> <p>Update 3/21/2018 CAB mobile is in implementation</p> <p>PRPB states that only 54% of mobiles are operational. PRPB is asking for a 12-month extension. See Docket 775 (3/9/2018). Submitted to Court. This extension was further discussed with PRPB and USDOJ on 3/22/2018 meeting with the TCA.</p>
Recommendations	SAEA prioritize CAD Mobile curricula development. Follow Through with CAD Mobile implementation. 3/21/18 – IT Monitor recommends IT compliance is met and that CT Monitors receive a demonstration of CAD/Mobile in order to verify functionality. It is important to note that SAEA has not yet completed training.
TCA Rating	<p>Timeframe was not met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed</p>

Activity XIII.IV.1.2.1

XIII.IV.1.2.1, Table 30	1.2.1 Develop an information sub-system or module for the collection, storage, and distribution of data and information related to the activation and mobilization of specialized tactical units (STUs) that will include operational and tactical plans, as well as the requirement to report after each activity in which they have participated. This sub-system will provide the scheduled reports needed to review unit activations and mobilizations and identify the MPRPBs that belong to said units. Once per year, the PRPB shall conduct a full analysis of use-of-force incidents in order to identify significant trends and fix the deficiencies that are found, in accordance with the law and the best accepted police practices. Therefore, the system will be modified and adapted to any changes that affect the collection and distribution of data and information. This activity is included in the Equal Protection and Non-Discrimination Action Plan . (Table 30)
Due Date	36 months (once the NIBRS and any other policy that may affect the system are ready)
TCA Assessment	<p>NIBRS manual is approved (Jan 2016 GO was approved). Reform states manual is not yet approved and was reviewed and by TCA (Soler). TCA approval memo pending. Superintendente will sign after TCA.</p> <p>At this point the 36 month clock will begin however Mobile CAD is already in Pilot. Maybe go live in august 2017 with CAD. TCA (Romero) – subsystem is done but training manual is not complete because the NIBRS manual is not complete.</p> <p>PRPB states that only 54% of mobiles are operational. PRPB is asking for a 12-month extension. See Docket 775 (3/9/2018). Submitted to Court. This extension was further discussed with PRPB and USDOJ on 3/22/2018 meeting with the TCA.</p>

Recommendations	Review Pilot status and forms in July and August with PRPB. 3/21/18 – to be validated during the demo in April 2018.
Compliance	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed

Activity XIII.IV.1.2.2

<p>XIII.IV. 1.2.2</p> <p>Table 31</p> <p>See also Search and Seizure table #5</p>	<p>1.2.2 Develop an information sub-system or module for the collection of data and information related to incidents that lead to arrests and searches, using the forms approved for said purposes (PPR-853, entitled “Plan to Carry Out Arrests/Detentions and Searches/Seizures” and PPR-880, entitled “MPRPB Incident Report Narrative”). Once per year, the PRPB shall conduct a full analysis of the information on the searches and seizures it conducted, in order to identify significant trends and fix the deficiencies that are found, in accordance with the law and the best accepted police practices. Therefore, the system will be modified and adapted to any changes that affect the collection and distribution of data and information. This activity is included in the Equal Protection and Non-Discrimination Action Plan. (Table 31)</p>
Due Date	36 months (once the NIBRS and any other policy that may affect the system are ready)
TCA Assessment	<p>NIBRS manual is approved (Jan 2016 GO was approved).</p> <p>Reform states manual is not yet approved and was reviewed and by TCA (Soler). TCA approval memo pending. Superintendente will sign after TCA.</p> <p>At this point the 36 month clock will begin however CAD is already in Pilot. May go live in August 2017 with CAD. 3/21/18 – to be validated during the demo in April 2018. PRPB requested 12-month extension, Docket 775.</p>
Recommendations	Review Pilot status and forms in July and August with PRPB
Compliance	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed</p>

Activity XIII.IV.1.2.3

XIII.IV.1.2.3 Table 32	1.2.3 Update and/or incorporate the forms approved by the PRPB needed for collection of data and information about incidents, which provide statistics, in order to add the processes and mechanisms needed to effectively organize the police work by the police, with local diagnostics, work plans for the problem areas that are identified, monitoring, permanent follow-up, and internal evaluation. These operational forms will be updated whenever changes that may affect it are made to the policy or procedure. Additionally, if the need to collect data and information about statistics needed for the operational, investigative, and/or administrative area were to arise, it will be included in the maintenance of the system for its corresponding evaluation and inclusion in the annual budget. This activity is included in the Equal Protection and Non-Discrimination Action Plan . (Table 32)
Due Date	36 months (once the NIBRS and any other policy that may affect the system are ready)
TCA Assessment	NIBRS manual is approved (Jan 2016 GO was approved). Reform states manual is not yet approved and was reviewed and by TCA (Soler). TCA approval memo pending. Superintendente will sign after TCA. At this point the 36 month clock will begin however CAD is already in Pilot. May go live in august 2017 with CAD. Update 3/21/18 – to be validated during the demo in April 2018. PRPB requested 12-month extension, Docket 775.
Recommendations	Review Pilot status and forms in July and August with PRPB
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed

Activity XIII.IV.1.4

XIII.IV.1.4 Table 35	<p>1.4 Develop and implement an information sub-system for keeping digitized, complete, and precise records of the curricula, teaching plans, and other materials used to develop trainings and re-training courses at the SAEA. This sub-system will enable document storage by category and access level. This activity is included in the Training Action Plan. (Table 35)</p> <p>The focus and scope of the information system that will be developed to maintain digitized, complete, and precise records of the curricula, teaching plans, and other materials used to develop training and re-training courses are described in the following phases:</p>
Due Date	December 2016
TCA Assessment	In development but needs to be merged with HR system (Kronos) Update 3/21/18 – PRPB states that the system/application was completed 12/16. However, legacy data transfer and validation is unclear with HR. PRPB requested 12-month extension, Docket 775.
Recommendations	Continue effort
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed</p>

Activity XIII.IV.1.5

XIII.IV.1.5 Table 36	1.5 Develop and implement an information sub-system to offer virtual (online) training and/or re-training, in order to maximize MPRPB service time and provide greater accessibility and flexibility so that they may fulfill their work commitments without affecting the performance and quality of the services they offer to the community. This activity is included in the Training Compliance Area Action Plan . (Table 36)
Due Date	12 months after the corresponding policies have been approved.
TCA Assessment	<p>Contract for on-line training awarded to Natl Univ College. Work started to develop training packages.</p> <p>Reforma comment: the first ten (10) courses are expected to start on September 2017. A list of the courses will be provided as soon as possible.</p> <p>Update 3/211/18 – PRPB notes that 10 systems are completed, 10 more are in development. Approximately 15 additional systems are to be completed. PRPB requested 12-month extension, Docket 775.</p>
Recommendations	Continue monitoring
TCA Rating	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed</p>

Activity XIII.IV.1.6

XIII.IV.1.6 Table 37	1.6 Develop an information system or module for the digital recording and storage of communications generated between immediate supervisors and MPRPBs through the Command Center and Radio Control channels that have been used to communicate the elements of probable cause for which a MPRPB made a felony arrest for obstruction of justice or resisting arrest. This information sub-system will be implemented in the offices and divisions of the PRPB where necessary, as established in the operational and/or administrative orders of each department, together with the Bureau of Technology and Communications. This activity is included in the Searches and Seizures Action Plan . (Table 37)
Due Date	18 months after the corresponding policy has been approved.
TCA Assessment	As of 5/25/17 -- GO 400-402, Policy was approved 10/20/2016. April 2018 system is due department wide. In San Juan the legacy system exists but there is no new system since the decree. CIO has requested to buy new systems and infrastructure. Update 3/21/18 – equipment has been purchased. System in development. Questionable status of training at SAEA. Projected operational date is unknown. PRPB requested 12-month extension, Docket 775.
Recommendations	Continue monitoring
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan. No full compliance until a successful demonstration is completed

Activity XIII.IV.1.7

XIII.IV.1.7 Table 38	1.7 Develop an information system or module to digitally record and store incident-related videos captured in the portable recording devices, and the recordings collected by supervisors based on the statements of complainants and witnesses taken as part of the investigation of complaints about inappropriate use of force or improper conduct. This information sub-system will be implemented in the offices and divisions of the PRPB where necessary, as established in the operational and/or administrative orders of each office and division, together with the Bureau of Technology and Communications. (Table 38)
Due Date	18 months after the corresponding policy has been approved.
TCA Assessment	Policy was due in May 2017 and drafted. Update 3/21/18 – Policy drafted but unknown what the leadership position is regarding Body Worn Cameras.
Recommendations	
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan.

Activity XIII.IV.1.8

XIII.IV.1.8 Table 39	Develop an information system or module to collect and distribute data and information about alliances created, activities, specific problems addressed, measures adopted and obstacles faced by the PRPB, as well as recommendations for future improvements. This sub-system will serve as basis for the annual report on the alliances that have been created, the activities that have been carried out, and the measures adopted by the PRPB, among other matters. Additionally, the information collected through this mechanism will serve as a work tool for the Office of the Superintendent and related units of the PRPB. This information sub-system will be implemented in the offices and divisions of the PRPB where necessary, as established in the operational and/or administrative orders of each office and division, together with the Bureau of Technology and Communications. This activity is included in the Community Engagement and Public Information Action Plan . (Table 39).
Due Date	January 2017
TCA Assessment	Update 3/21/18 – System available for implementation. Not observed in use. Training status questionable. IT monitor recommends confirmation. PRPB requested 12-month extension, Docket 775.
Recommendations	
TCA Rating	Timeframe was met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan.

Activity XIII.IV.1.10

XIII. IV.1.10 Table 44	1.10 Create a Virtual Library on the PRPB website where all current policies and procedures, and the different forms will be published and indexed in a way that PRPB employees can easily access them and that the general public may also access them, as long as they do not contain confidential information. This activity is included in the Policies and Procedures Action Plan . (Table 44)
Due Date	6 months after the approval of the Administrative Order creating the Virtual Library of the PRPB.
TCA Assessment	Pending finalization all policies before implemented. Agreement between Reforma, TCA and DOJ. PRPB requested 12-month extension, Docket 775.
Recommendations	
TCA Rating	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Activity XIII.IV.1.10

XIII.IV.1.11 Table 45	1.11 Create a section in the PRPB Virtual Library where people in the community can submit comments about the policies and procedures signed by the Superintendent, to be analyzed by the Policy and Procedure Section attached to the Office of Reform, and incorporate them during the annual review, as applicable. This activity is included in the Policies and Procedures Action Plan . (Table 45)
Due Date	3 months after the approval of the Administrative Order creating the PRPB Virtual Library.
TCA Assessment	Pending finalization all policies before implemented. Agreement between Reforma, PRPB requested 12-month extension, Docket 775.
Recommendations	
Compliance	Timeframe was not met The Commonwealth of Puerto Rico is in non-compliance with this detailed step of the Action Plan

Section V. Self Assessment Objectives

Activity XIII.V

<p>XIII.V, Table 46</p>	<p>1. To make sure that services have been provided in an equitable, respectful, and unbiased manner, guarantee that PRPB personnel are being trained in accordance with the policies, procedures, and approved training materials, and know whether or not the community's trust in the PRPB has increased and whether solid relationships have been developed with the community, various self-assessment mechanisms will be adopted to measure the level of compliance with the Agreement for the Sustainable Reform of the PRPB and to identify the aspects that need to be corrected and improved.</p> <p>Activities:</p> <p>1.1 The PRPB, through the Office of Reform, will use various data collection strategies and will conduct periodic, specific, and random monitoring of the different activities, operations, services, investigations, training courses, among others provided by the PRPB, starting with Zones of Excellence and gradually continuing through all thirteen (13) Police Areas and Offices of Assistant Superintendents, such as: (Table 46)</p> <ol style="list-style-type: none"> Review all components of information and technology systems infrastructure in functional and operational terms, at the General Headquarters and throughout the entire PRPB. Inspect the use and handling of the information systems implemented throughout the PRPB. Pay random visits to the PRPB units and divisions to evaluate their information and technology systems needs for the implementation of the Agreement. Corroborate the correct use of the electronic forms developed for the information systems established in the action plans of the different Compliance Areas. Conduct preventive inspections of computer and electronic
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	<p>equipment to identify potential flaws or breakdowns that could affect the safety of MPRPBs in operational and field activities.</p> <p>f. Review the distribution of documents, data, and information in the PRPB website to ensure that they are always updated and available for citizens, entities, and agency employees.</p> <p>g. Evaluate the safety of the data and information distributed in the information systems developed or acquired by the PRPB.</p> <p>h. Review the hardware and software inventory, use licenses of service providers, information systems, and any other technology related to the technological infrastructure of the PRPB.</p>
Due Date	NA
TCA Assessment	Continue monitoring. PRPB requested 12-month extension, Docket 775.
Recommendations	
Compliance	<p>Timeframe was met</p> <p>The Commonwealth of Puerto Rico is in partial compliance with this detailed step of the Action Plan</p>