

**POLICE PERFORMANCE CONSULTING, LLC**

**INDEPENDENT MONITOR PROPOSAL**

Proposal in Response to Request for Qualifications  
as the Independent Monitor for the  
Ferguson Police Department



**POLICE PERFORMANCE CONSULTING**

PROPOSAL PRESENTED BY  
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## **POLICE PERFORMANCE CONSULTING, LLC INDEPENDENT MONITOR PROPOSAL**

### **A. Executive Summary**

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Police Performance Consulting, LLC (PPC) is pleased to present its proposal to conduct independent monitoring of the Settlement Agreement involving the United States Department of Justice, the City of Ferguson, and the Ferguson Police Department (FPD). The PPC Team, consisting of our two principals who will serve as co-monitors, four additional monitor team members and selected advisors offers what no other team in the Country can offer the City of Ferguson and FPD during the monitoring process.

Our Principal, Attorney Eric Daigle, is a national renowned expert in law enforcement operations, effectiveness and management. For over a decade, Attorney Daigle has worked with law enforcement agencies to ensure constitutional police operations. Specifically, Attorney Daigle is an expert in Use of Force management and force investigation. He has served on two teams monitoring police consent agreements and works with agencies across the Country in developing constitutionally based policies, training, investigation, auditing and management.

Our principal, Chief Charles Reynolds (Ret.), has over eighteen years of experience monitoring police agencies that were under a federal consent decree. In 1997, Chief Reynolds was appointed as the Independent Auditor for Steubenville Ohio, the second consent decree in this Country. Over the next eighteen years, he has served on multiple projects, has worked as a DOJ Consultant and has developed the standards and methodologies of monitoring techniques and methodology.

The remaining members of our independent monitoring team is composed of Lt. Colonel (ret) John R. Brown, Chief Ronnell Higgins, Chief (ret) Terri Wilfong, Tricia Koosa, Esq., Xiomara Colon-Rodriquez, Esq. and selected advisors. This is a team of law enforcement and legal professionals who possess recognized subject matter expertise and extensive monitoring experience and who remain engaged with rapidly evolving contemporary policing practices. Our special advisors are professionals in judicial and judicial processes, academic research and survey methods, and local community relationships. Our proposal combines the talents and experience of these professionals to assure steady progress towards the achievement of full compliance with Agreement requirements.

The PPC team is clearly positioned and prepared to assist with the implementation of the Agreement and compliance with its requirements, while promoting both organizational improvement and strengthened community relationships. The members of the team are experts in contemporary law enforcement practices, police monitoring, auditing and evaluation, intergovernmental relations, civil rights compliance, and constitutional considerations. The PPC team has extensive experience working with law enforcement agencies in formulating law enforcement policies, designing law enforcement training, teaching contemporary law enforcement practices, assessing internal affairs and disciplinary systems, evaluating law enforcement information management systems, and working with all elements of the criminal justice system. The PPC team is well-versed in collective bargaining issues. In addition, the PPC team is ready, willing, and able to provide technical assistance to the FPD, as it may be requested.

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PPC recognizes that the Settlement Agreement is merely the vehicle that outlines certain revisions, including those that are procedural and administrative in nature, which the FPD must implement. When properly implemented, these revisions will enhance police accountability to the community, increase individual and organizational integrity, and minimize the risk of police misconduct, especially with respect to the use of excessive force. The City, in this Agreement, has agreed to promote, foster, and implement a number of changes in FPD policies and practices. These changes will result in improved police community relations, with a net effect of improving the delivery of police services to a more trusting and involved community.

The proposed cost to provide monitoring over the five-year period is capped, as required, at a maximum of \$1,250,000, tentatively distributed over the five years as follows: Year One, \$304,763; Year Two \$309,683; Year Three \$208,043; Year Four \$205,401; and Year five \$210,237. It is understood that the annual estimates may vary so as to mirror activity generated by the FPD requiring monitoring; however will not exceed the \$350,000 annual maximum as required nor the maximum of \$1,250,000. The parties should recognize that this cap will provide limitations on oversight and technical assistance due to the complexity of the underlying agreement. While PPC is dedicated to working with the parties to obtain compliance in an effective and efficient manner, the recognition of budgetary constraints and the need for flexibility is important.

### **B. Personnel and Current Time Commitments**

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The PPC team consists of professionals who are experienced and well-qualified to address the various issues and requirements contained in the Agreement. The team will be led by Attorney Eric Daigle and Chief Charles Reynolds, who will serve as co-monitors.

Attorney Daigle has experience with monitoring agreements as a member of the monitoring teams in Oakland (CA) and formerly Niagara Falls (NY). He also consults with Law Enforcement Agencies across the country, some under DOJ scrutiny, to implement proper policy, training, supervision, and accountability. As an experienced state police officer and police practices litigator, he currently instructs in police and legal seminars across the country on agency liability, use of force standards and investigations, internal affairs, and tactical operations. He is a regular presenter for International Association of Chiefs of Police - Legal Officers Section (IACP), the Americans for Effective Law Enforcement (AELE), FBI-Law Enforcement Executive Development Association (FBI-LEEDA), and the National Association for Oversight of Law Enforcement (NACOLE). Attorney Daigle annually hosts one of the nation's largest three-day Use of Force Summits. The Summit focuses on current issues and methodologies involving police use of force and related use of force liability issues, as well as community relations and effective internal affairs and force investigation practices.

Chief Reynolds is one of the original consent decree monitors and has been instrumental in developing the monitoring process over the last eighteen years. We believe that Chief

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Reynolds has been instrumental in developing the standard practice in development of monitoring techniques and methodologies. Appointed in 1997 as Auditor of the second consent decree under the provisions of 42 U.S.C. §14141 involving the Steubenville (OH) Police Department, he adapted and developed the methodology to effectively monitor police departments. Since that time, Chief Reynolds has continued to improve those techniques, technologies, and methodologies while monitoring consent decrees and/or agreements involving the New Jersey State Police, Prince George's County (MD) Police Department, and as Deputy Monitor involving consent decrees/agreements for the Detroit (MI) Police Department, Oakland (CA) Police Department, and the Niagara Falls (NY) Police Department. He was also a principal evaluator with the Oversight Commission on Policing Reform in Northern Ireland, responsible for monitoring and reporting on progress with the "Patten Report" recommendations as part of the ongoing peace process. Chief Reynolds has also held several municipal governance positions, including mayor, city councilor, acting city manager, and a member of various city boards and commissions.

Additional team members possess wide-ranging experience and expertise in law enforcement and related areas. For example, members of the team have or are serving as served as chiefs of police or in high level command positions within their respective agencies and understand the challenges that confront police chiefs and the agencies they lead. Members have legal background and have or are serving as police legal advisors or counsel and provide organizational technical assistance, one having served as Legal Advisor for the Puerto Rico Government on reform and civil rights issues and as General Counsel and Director of Policies and Procedures for the Puerto Rico Police Department. . Members fully understand the requirements of settlement agreements.

In order to remain skilled and knowledgeable on contemporary issues and practices, team members are active in and hold key positions with several prominent law enforcement and law enforcement related organizations. These include the International Association of Chiefs of Police (IACP), the National Association for Civilian Oversight of Law Enforcement (NACOLE), Americans for Effective Law Enforcement (AELA), FBI-Law Enforcement Executive Development Association (FBI-LEEDA), FBI National Academy, International Law Enforcement Auditors Association, and the Historical Black Colleges and Universities Association. Members also maintain close affiliations with the Civil Liberties Union, the Innocence Project, the National Organization of Black Law Enforcement Executives (NOBLE), and the Commission on Accreditation of Law Enforcement Agencies (CALEA). Such diversity and background will be important to ensure community confidence in the work of the Monitor.

PPC offers a wide breadth of experience that will facilitate a high quality evaluation and effective technical assistance to the Ferguson Police Department. Our monitoring methodology consists of a customized team concept. For purposes of this monitoring proposal, we have identified team members; however, the team can be adjusted to meet the needs of the project. The individual characteristics of our team principals make them uniquely qualified to best serve the needs of the review process. The review team members' experiences and background are complementary characteristics that are mutually reinforcing, as we will illustrate. Our team members are well-versed in best practices for use of force, stops and detentions, non-

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discrimination, and community policing. They have recent monitoring experience and are technically skilled with regard to analyzing risk management databases, citizen complaint procedures, and police officer training. We are acutely aware of the burdens a large monitoring team places on an agency; accordingly, we will coordinate activities closely with the FPD so as to avoid disruption of ongoing service delivery commitments.

Our experience includes:

- working as law enforcement officers and executives responsible for the development, implementation, management, and evaluation of use of force policies and procedures;
- providing expert assistance to a variety of law enforcement agencies on policing issues, including use of force policies, procedures and training, stop and detentions, community policing, complaint systems, disciplinary systems, investigations, and accountability mechanisms;
- designing and implementing programs to correct systemic deficiencies in law enforcement agencies;
- responding to crisis situations following police shootings and other significant uses of force and making the difficult judgments about the propriety of particular uses of force;
- addressing legal issues specific to law enforcement;
- assisting in investigations of cases involving alleged excessive use of force;
- working with government officials, police unions, and community groups on a variety of policing issues;
- working with the U.S. Department of Justice investigating law enforcement agencies with systemic civil rights violations;
- participating in public policy and criminal justice research to assess the impact of management systems on police integrity and police use of force;
- designing and implementing leadership development programs to ensure that supervisors have the tools, ability, and will to uphold policies and procedures related to use of force and police integrity; and
- compliance monitoring of law enforcement agencies.

There are seven regular members of the PPC Team all with extensive law enforcement or related experience; four are active or retired police executives, one has experience in civilian police oversight, and three are attorneys' who specialize in law enforcement operations. Our

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consultants' rapport with departments comes, in part, from the fact that we have been on both sides of the fence so to speak. As police chiefs, we have gone in front of the community after a "bad shooting" incident, been responsible for the firing of police officers, and have implemented reforms in our own agencies. As consultants or professionals involved in related activities, we have studied police conduct, externally overseen police activities, and been challenged to convince police officers that reform is a positive change. Equally important, we have the patience, experience, and restraint to provide monitoring services in a manner that minimizes the intrusion into the day-to-day affairs of the police department. In addition, our team will include three special advisors who have been identified as professionals in areas of judicial processes, academic research and survey methods, and local community relationships.

### **1. Identification and Background of Team Members**

We propose Eric Daigle and Charles Reynolds to serve as Co-Monitors. To assist in the review, PPC has chosen law enforcement executives and has identified subject matter experts to provide specific focused support in selected areas. Additional subject matter experts may be identified as required. Competent administrative staff will be selected as required. In our experience, working in collaborative teams yields the most positive results when assessing policy and procedure.

#### **Eric P. Daigle, Esq.**



Attorney Eric P. Daigle is an attorney, whose primary area of expertise is in civil litigation in both federal and state court, with an emphasis on defending municipalities and municipal clients in civil rights actions, including police misconduct litigation. Attorney Daigle is the principal of Daigle Law Group, LLC a nationally renowned law firm specializing in police operations and police misconduct. Attorney Daigle currently serves as member of the federal Independent Monitoring Team for the City of Oakland Police Department, California. He has also served as a member of the Independent Monitoring Team for the Niagara Falls Police Department, NY Consent Decree brought by the State of New York. As a lawyer with civil rights and law enforcement experience, Attorney Daigle brings to his position of Monitor both the police perspective and the civil rights perspective when examining all compliance tasks. It is his position that all problem-solving techniques must make sense from both of these perspectives.

Attorney Daigle works as a consultant and expert witness for law enforcement pattern and practice development. He has worked as a Police Practices Consultant for the Virgin Islands Police Department and the Puerto Rico Police Department, which is under a Federal Consent Decree. His work focused on the development of use of force policy, developed training for the officers and supervisors, and implemented operational changes. He works with agencies across the country to prevent DOJ investigations where allegations of excessive force, multiple officer involved shootings have occurred, or an ineffective internal affairs process is identified. He works with agencies to develop policies, training, and implementation of investigation/ tracking functions.

Attorney Daigle is a legal use of force trainer and conducts training related to managing force,

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deadly force investigations, and tactical liability. He serves as general counsel for the FBI Law Enforcement Executive Development Association and conducts internal affairs training for the association. He is well versed in best practice standards for use of force and internal affairs. He is a member of the Americans for Effective Law Enforcement (AELE) Board of Directors, an instructor in the use of force seminar, and holds its Certified Litigation Specialist (CLS) credential. Attorney Daigle is the Vice Chairman of the International Association of Chiefs of Police Legal Officers Section and a member of the National Association for Civilian Oversight of Law Enforcement (NACOLE). He holds the Certified Practitioner of Oversight from NACOLE. Attorney Daigle is a retired Connecticut State Police Trooper and a certified officer in the State of Connecticut. Attorney Daigle has attended multiple Force Science training programs and is a Certified Force Science Investigator. Attorney Daigle is also a certified trainer in the Fair and Impartial Policing training programs.

### **Charles Reynolds**



**Mr. Reynolds** serves as Deputy Monitor for the Negotiated Settlement Agreement related to the Oakland Police Department and served in a similar capacity for the Detroit and Niagara Falls Police Departments. He previously served as the Independent Auditor for the consent decree in the City of Steubenville (OH) and as a member of the monitor teams for the consent decree/agreements between the USDOJ and the State of New Jersey (state police) and Prince George's County (MD) police, respectively. Moreover, Mr. Reynolds was one of the principle evaluators with the Oversight Commission on Policing Reform in Northern Ireland, responsible for monitoring and reporting on progress with the "Patten Report" recommendations as part of the ongoing peace process.

Mr. Reynolds has consulted on police organizational and management issues in eighteen states and internationally. He recently consulted with the Puerto Rico Police Department, which is under a Federal Consent Decree, and serves as a policy reviewer for the consulting group overseeing the Federal Court Order involving the Maricopa County (AZ) Sheriff's Office. He also serves as a police practices expert for the Civil Rights Division of the U.S. Department of Justice. He holds a Bachelor of Science (cum laude) Degree in Criminal Justice and a Master's Degree in Public Administration (MPA).

Mr. Reynolds' police career spans over 50 years, during which he has served as Chief of Police for over 26 years and as Assistant to the Director of Public Safety for the Navajo Nation. He is a Past President and a current member of the International Association of Chiefs of Police Executive Committee and its Civil Rights and Wrongful Convictions Committees. Mr. Reynolds is a former member and Vice Chair of the Commission on Accreditation for Law Enforcement Agencies. He is a member of the Americans for Effective Law Enforcement (AELE) Board of Directors and holds its Certified Litigation Specialist (CLS) credential. He is a charter member and former Chairman of the New Hampshire Police Standards and Training Council. He is a former Board Member of the National Association for Civilian Oversight of Law Enforcement (NACOLE) and holds its Certified Practitioner of Oversight Credential. Mr. Reynolds is also certified as a Force Science Investigator.



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Mr. Reynolds has served his community in various capacities, including Acting City Manager, Mayor, City Councilor, Chair of the Ethics Commission and the Parking Commission, member of the Charter Commission and the Planning Board. He also served as Trustee of the local hospital and Chair of the community based mental health center board of directors.

### **John R. Brown**



Mr. Brown retired from the Pennsylvania State Police at the rank of Lt. Colonel after completing more than 29 years of service. Mr. Brown currently serves as a member of the Federal Independent Monitoring Team for the City of Oakland Police Department and served in a similar capacity for the City of Detroit Police Department. He also served as a member of the Independent Monitoring Team for the Niagara Falls, NY Consent Decree brought by the State of New York. As the former Deputy Commissioner of Professional Responsibility for the Pennsylvania State Police, he specialized in internal affairs and community trust building, which he brings to his position of consultant.

Mr. Brown is an executive reviewer with the evaluation and demonstration programs of the National Institute of Justice, in collaboration with Educational Services, Inc., of Bethesda, Md. Brown has collaborated with the Office for Victims of Crime, within the United States Department of Justice, on its witness intimidation and diversity working groups. Mr. Brown served on IACP advisory committees that aimed to link local law enforcement internal affairs practices, facilitate community trust building, employ returning combat veterans as police officers, and increase police response for people with mental illness. Mr. Brown served on the Pennsylvania Governor's Executive Diversity Council regarding commonwealth diversity recruiting initiatives with the Office of Diversity Management. Mr. Brown has been a guest speaker with IACP; the Washington Association of Sheriffs & Police Chiefs; American University, located in Washington, D.C.; California University of Pennsylvania; Elizabethtown College, located in Pennsylvania; and the Pennsylvania Department of Corrections.

### **Xiomara Colón-Rodríguez, Esq.**



Mrs. Colon-Rodriguez was born in San Juan, Puerto Rico and she is an attorney with over ten years of experience. She graduated Magna Cum Laude from the Pontifical Catholic University School of Law where she obtained her Juris Doctor degree in 2005. She began her professional career as an associate attorney in John F. Nevares & Associates where she developed trial experience in diverse areas of the law including but not limited to civil rights, discrimination cases, labor, employment, medical malpractice, contracts, and torts. She started her own practice in 2008. In 2010, she was appointed Legal Advisor for the Puerto Rico Government on reform and civil rights issues until 2013, when she became General Counsel and Director of Policies and Procedures for the Puerto Rico Police Department. Since 2010, she was instrumental in leading the reform efforts of the Puerto

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Rico Police Department, one of the largest police departments in United States, to comply with a settlement agreement that was negotiated with the United States Department of Justice (USDOJ) as part of their investigation pursuant to 42 U.S.C. Section 14141. Her input and knowledge of Puerto Rico's police practices was vital in the negotiation of said agreement.

Among her most important accomplishments in the Puerto Rico Police Department is the creation of fourteen (14) Citizen Interaction Committees with the Puerto Rico Police which resulted in great collaboration relationships between community stakeholders of diverse backgrounds and police officers. She was also instrumental in the training on the settlement agreement, by creating training materials and providing training to instructors and more than six hundred individuals and government officials on the same. Additionally, she served an important role in the development of collaboration efforts between the Puerto Rico Police, the USDOJ, the Technical Compliance Advisor, and other government agencies. Part of her efforts resulted in the recovery of more than ten million dollars in federal funding for the Puerto Rico Police. She is fully bilingual in English and Spanish and is able to serve as both interpreter and translator.

### **Ronnell Higgins**



Mr. Higgins is currently the Chief of Police for the Yale University Police Department, the nation's oldest campus police department, established in 1894. Mr. Higgins has been instrumental in designing and implementing strategies to reduce crime at Yale to the lowest levels since the department began reporting UCR Crimes in 1985. With an emphasis on community policing, public safety, and crime reduction, Mr. Higgins' reputation for leadership, experience, and exemplary achievement, reflects his ability to drive change, broker exceptional intercommunity relationships, optimize operations, and ensure overall public safety. Mr. Higgins' broad background and understanding of the unique issues of an urban Ivy League campus have earned him a reputation for delivering solutions, which produce outstanding results and for leveraging relationships for mutual benefit.

Mr. Higgins serves as a member of the Connecticut Police Officers Standards and Training Council (POSTC) and the International Association of Chiefs of Police's (IACP) Juvenile Justice and Child Protection Committee. He also serves as President of the South Central Connecticut Chiefs of Police Association, as Sargent at Arms for the National Organization of Black Law Enforcement Executives (NOBLE) Connecticut Chapter, as an Associate with Margolis Healy & Associates, a professional services firm specializing in campus safety, security, and regulatory compliance for higher education and K-12 and as an Executive Fellow for the Police Foundation.

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### **Tricia Koosa, Esq.**



Mrs. Koosa practices civil litigation in federal and state courts, with an emphasis on municipalities and public officials. Attorney Koosa leads the Daigle Law Group Litigation Section by managing the defense and prosecution of legal actions for our clients.

Mrs. Koosa is an integral member of the Daigle Law Group Law Enforcement Consulting team which provides guidance and oversight to department command staff on operations, organizational structure and risk management. Mrs. Koosa has extensive experience analyzing department policies and developing policies that meet effective and constitutional police practices. Many departments across the country have retained Daigle Law Group to assist with the review, development, and revision of department policies to maintain and reflect constitutional police practices. Mrs. Koosa acts as the project manager and quality assurance while working with consultants to develop department policies and meet accreditation needs.

### **Terri Wilfong**



Ms. Wilfong has 33-years of law enforcement experience. She served as Chief of Police in Greenville South Carolina from 2007- 2014. In her role as chief, she reorganized the department through allocation of manpower into three divisions for a more balanced approach of responsibility to the community. The Internal Affairs Unit was restructured to enhance the efficiency of citizen interaction, officer involvement, and the investigation and tracking of all complaints. During her tenure as Chief, a Crisis Intervention Team (CIT) was created with officers who were trained to respond to individuals experiencing a mental health crisis. This team was the first one established in the state of South Carolina and the agency consisted of the largest numbers of officers trained in CIT throughout the State. A Compstat program was implemented to review crime maps and trends in coordination with crime reduction strategies. To ensure transparency of crime in the City of Greenville, a program called Raids on Line was accessible on the department's website. The program had the capability to send email notifications of current crime every 24 hours to those who signed up through the website.

In 2003, the Jefferson County Police Department and the Louisville Division of Police were merged into the new Louisville Metro Police Department. Ms. Wilfong was promoted to the rank of Lieutenant Colonel as part of the first executive command staff of the newly created department from 2003-2006. In her role as Lieutenant Colonel, she worked with a committee to merge all aspects of the two agencies and developed the new organizational chart for the merged Louisville Metro Police Department. She implemented and directed the Compstat Management Process and restructured and directed the crime analysis section to serve the Department's Compstat goals and directives. She created and managed a Violent Crime Task Force, whose goal was to identify and apprehend wanted violent chronic offenders. She planned and coordinated the law enforcement strategies for all special events in the Louisville area, including the Kentucky Derby, the Breeder's Cup, and the PGA championship.

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Ms. Wilfong also served 17 years with the Jefferson County Police Department. During this time, she completed a variety of assignments and rose to the rank of Captain. Her assignments included a patrol officer, certified police instructor, Sergeant in the patrol division and criminal investigations division, Lieutenant in the patrol division, Commander of the Internal Affairs Unit, Accreditation Coordinator, Assistant Commander on the Hostage Negotiations Team, and a Captain as a Patrol Commander.

Ms. Wilfong was a Kentucky State Trooper from 1983-1985 and served as a trooper in operations and a detective in the Special Investigations Division. She was Deputy Sheriff with Jefferson County Sheriff's Office from 1981-1983 and served as a Court Deputy. She has been a guest instructor for the Southern Police Institute's Administrative Officers Course and an instructor for the Department of Criminal Justice Training in Kentucky.

Ms. Wilfong has expertise in the area of ethics, discipline, and re-organization of police departments. She has a Bachelor of Science Degree in Justice Administration and a Master of Science Degree in Justice Administration, both from University of Louisville. She is a graduate of the Southern Police Institute, 95th Administrative Officer's Course. Ms. Wilfong is an instructor for IACP on leadership and the FBI Law Enforcement Executive Development Association on discipline and ethics.

### **2. Team Advisors**

PPC has contacted individuals to be identified as advisors to the team based on their specific knowledge. Due to the scope and breath of the agreement it may be necessary to utilize advisor as subject matter experts to provide additional assistance to FPD.

These subject matter experts could include:

- An academic who will serve as an advisor on community and organizational survey methods and practices;
- A retired municipal court judge who will serve as an advisor and reviewed on court operation policies, practices and procedures;
- A Pastor from the community who will serve as an advisor on community relations and interactions;
- A training academy director who will advise and review current training programs offered at FPD; and
- A experience civilian oversight auditor who will advise and review civilian oversight programs.

### **3. Internal Organization**

- iii. **Community Policing and Engagement** - Reynolds, Brown, Higgins, Xiomara
- iv. **Reform of the Ferguson Municipal Code** - Daigle, Koosa
- v. **Policies and Training** – Daigle, Reynolds, Koosa
- vi. **Bias-Free Police and Court Practices**- Reynolds, Wilfong and Higgins

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- vii. Voluntary Contacts, Stops, Searches, Citations and Arrests** – Reynolds, Daigle, Wilfong, Colon
- viii. First Amendment Protected Activities** – Daigle, Higgins
- ix. Force** – Daigle, Reynolds, Brown
- x. Crisis Intervention** – Reynolds, Wilfong, Higgins
- xi. School Resource Officer Program** – Reynolds, Higgins Koosa
- xii. Body-Worn and In-Car Cameras** – Daigle, Higgins, Koosa
- xiii. Supervision** – Reynolds, Brown, Wilfong
- xiv. Officer Assistance and Support** – Reynolds, Wilfong, Colon
- xv. Recruitment** – Reynolds, Brown, Higgins
- xvi. Performance Evaluations and Promotions** – Reynolds, Wilfong Higgins
- xvii. Supplemental Recruit and In-Service** – Daigle, Wilfong, Koosa
- xviii. Municipal Court Reform-** Daigle, Koosa, Colon
- xix. Accountability** – Daigle, Brown, Higgins
- xx. Civilian Oversight** – Reynolds, Colon, Brown
- xxi. Data Collection, Reporting and Transparency** – Daigle, Brown, Colon

**4. Description of other projects including time commitment**

Below is a chart which identifies projects on which team members are currently working and a summary of hours worked by month.

Team Member	Project	Hours Per Month
Charles Reynolds	Oakland Deputy Monitor	32-40 Hours
Charles Reynolds	Police Practices Expert	8-16 Hours
Eric Daigle	Daigle Law Group LLC	120 Hours
Eric Daigle	Oakland Police Department	5 Hours
John R. Brown	Metro East Police District Commission	16 hours
John R. Brown	DOJ Program Diagnostic Center	20 Hours 15 Hours
Terri Wilfong	FBI – Law Enforcement Executive Leadership Programs	60 Hours
John R. Brown	NFL Security	20 Hours
Ronell Higgins	Yale University Police	160 Hours
Xiomara Colon	Federal Court Services	160 Hours

**C. Qualifications**

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This following section has been organized to present the information required by the Request for Qualifications in a manner intended to enhance its clarity and reduce

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repetitive responses. This section describes the qualifications of each member, specific to requested topics. The intent is to demonstrate each team member's strengths, which meet the requirements of this Request for Proposal and address the following topics:

**1. Monitoring, auditing, evaluating, or otherwise reviewing performance of organizations, including experience in monitoring settlements, consent decrees, or court orders;**

The members of the PPC team are recognized experts in contemporary policing and have extensive backgrounds in law enforcement or law enforcement practices. Team members also have extensive experience in monitoring settlements, consent decrees, and court orders, as demonstrated below.

Mr. Reynolds has more than 28 years' experience as a police chief, having served in five communities, including Dover and Lebanon, New Hampshire. He also served as Assistant to the Director of Public Safety for the Navajo Nation, where he prepared recommendations for organizational change to include, personnel and resource allocation, internal affairs operations, law enforcement training, and in addition, monitored compliance with a Tribal Court consent decree relating to jail conditions.

Mr. Reynolds has been involved with monitoring since its inception, having been appointed in 1997 as the Independent Auditor for the Consent Decree involving the City of Steubenville, OH and the U.S. Department of Justice. He also served as a member of the Independent Monitor Teams in the Consent Decree involving the New Jersey State Police, where he monitored compliance with requirements relating to traffic stops, searches and seizures, and citizen complaints, and the Memorandum of Agreement involving the Prince George's County Police Department where he monitored use of force. He served as the Deputy Monitor for the Detroit Police Consent Decrees relating to the Use of Force and Conditions of Confinement, served as Deputy Monitor for the Consent Decree in Niagara Falls (NY), and presently serves as Deputy Monitor for the Negotiated Settlement Agreement related to the Oakland Police Department

Mr. Reynolds has consulted on police organizational and management issues in eighteen states and internationally. He also serves as a police practices expert for the Civil Rights Division of the U.S. Department of Justice. Moreover, Chief Reynolds was one of the principal evaluators with the Oversight Commission for Policing Reform in Northern Ireland, responsible for monitoring and reporting on progress with the "Patten Report" recommendations as part of the ongoing peace process. He also served as a member of the Commission on Accreditation for Law Enforcement Agencies a Commission (CALEA) and Vice President and President of the International Association of Chiefs of Police (IACP).

Attorney Daigle currently serves as member of the federal Independent Monitoring Team for the City of Oakland Police Department, California. He also has served as a member of the Independent Monitoring Team for the Niagara Falls Police Department, NY Consent Decree brought by the State of New York. As a lawyer with civil rights and law enforcement experience, Mr. Daigle brings to his position of Monitor both the police perspective and the civil rights perspective when examining all compliance tasks.



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Attorney Daigle works as a consultant and expert witness for law enforcement pattern and practice concerns. He has worked as a police practices consultant for the Virgin Islands Police Department and the Puerto Rico Police Department, which are under a Federal Consent Decree. He works with agencies across the country to prevent DOJ investigations where allegations of excessive force, multiple officer-involved shootings have occurred, or an ineffective internal affairs process are identified. He works with agencies to develop policies, training, and implementation of investigation/ tracking functions.

Mr. Brown currently serves as member of the Federal Independent Monitoring Team for the City of Oakland Police Department, California. He also has served as a member of the Independent Monitoring Team for the Niagara Falls Police Department, NY Consent Decree brought by the State of New York. While serving as a Deputy Commissioner of the Pennsylvania State Police, Lt. Col. Brown had responsibility for oversight of the Department's Bureau of Integrity and Professional Standards (BIPS). He audited, used and analyzed data pertaining to the operations and programs of the PSP, a police organization of over 6,000 employees. During his period of executive management, he oversaw the successful reform of the PSP and brought the department into compliance or substantial compliance with 40 recommendations overseen by an independent monitor team.

### **2. Law enforcement practices, including use of force and investigations of force; search and seizure practices; constitutional policing; bias-free policing; community policing, problem-oriented policing and engagement; crisis intervention and de-escalation techniques; First Amendment speech and protest-related rights; intake, investigation, and adjudication of complaints of officer misconduct; civilian oversight; police-youth interactions; and officer and staff training;**

In addition to the information provided in Section 1 above, several members of the PPC team have extensive command and consulting experience implementing all of the law enforcement practices identified above. The members of this team believe that the linkage of these topic areas is the necessary methodology to improve effective and constitutional-based policing.

Mr. Reynolds, Mr. Higgins, Mr. Brown, and Ms. Wilfong have over 70 years of experience as a police executive dealing with these topic areas. Attorney Daigle, Mr. Reynolds, and Mr. Brown now consult with law enforcement agencies to enhance the linkages from policy development, training, supervision, and accountability. Members of the PPC team have consulted on these topics with various police departments, such as Steubenville (OH) Police Department, Detroit (MI) Police Department, Oakland (CA) Police Department, New Jersey State Police, Prince Georges County (MD), Puerto Rico Police, Virgin Islands Police, Niagara Falls (NY) Police Department, Seattle (WA) Police Department

Multiple members of the PPC team conduct training as subject matter experts on these topics. Most significantly is Attorney Daigle, who provides instruction at a majority of nationally recognized law enforcement organizations on practices, training, community linkage, complaint and use of force investigations, along with the concept of constitutional based policing. Attorney

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Daigle instructs nationally and at the Connecticut Police Academy on subjects including use of force and investigations of force; search and seizure practices; constitutional policing; bias-free policing; community policing, problem-oriented policing and engagement; crisis intervention and de-escalation techniques; First Amendment speech and protest-related rights; intake, investigation, and adjudication of complaints of officer misconduct; civilian oversight; police-youth interactions; and officer and staff training. Attorney Daigle is clearly the leader in the industry conducting high level training on these subjects across the country.

Attorney Daigle is a legal use of force trainer and conducts training related to managing force, deadly force investigations, First Amendment protests and tactical liability. He serves as general counsel for the FBI Law Enforcement Executive Development Association (FBI-LEEDA) and conducts internal affairs training for the association. The training includes the intake, investigation and adjudication of complaints involving officer misconduct. He is well-versed in best practice standards for use of force and internal affairs. He is a member of the Americans for Effective Law Enforcement (AELE) Board of Directors, an instructor in the use of force seminar, and holds its Certified Litigation Specialist (CLS) credential.

Mr. Reynolds has consulted on police organizational and management issues in eighteen states and internationally. He consulted with the Puerto Rico Police Department, which is under a Federal Consent Decree, and presently serves as a policy reviewer for the consulting group overseeing the Federal Court Order involving the Maricopa County (AZ) Sheriff's Office. He also serves as a police practices expert for the Civil Rights Division of the U.S. Department of Justice. He is a member of the Americans for Effective Law Enforcement and holds its Certified Litigation Specialist (CLS) credential.

Mr. Brown monitors and assesses use of force investigations and Force Review Boards in the federal consent decree in Oakland, CA, monitored and assessed Force Investigations and Command Level Force Review Teams (CLFRT) in the completed Detroit, MI federal consent decree, and monitored and assessed internal investigations, discipline and community outreach (including training) in the completed state consent decree in Niagara Falls, NY. Mr. Brown is also a Subject Matter Expert (SME) that was selected as part of the U.S. Office for Justice Programs (OJP) Diagnostic Center, Metro East Police District Commission (MEPDC) engagement in East St. Louis, IL.

After service as the Police Chief in Greenville South Carolina where she reformed the department's Internal Affairs Unit, Ms. Terri Wilfong developed the first Crisis Intervention Team and implemented the first use of force reporting system. She is currently a Lead Instructor for the FBI- Law Enforcement Executive Development Association teaching in the Supervisory, Command and Executive Leadership Program.

### **3. court practices, including bias-free practices; implementation of amnesty programs; transparency in court operations; judicial and prosecutorial independence; community service programs and fee scheduling;**

PPC team consisting of police practices experts and legal experts has experience in Court operations, from conducting investigation, proper process for evidence collection, probable



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cause standards for arrest, preparing cases for trial and testimony in Court. Attorney Daigle is a certified instructor with Fair and Impartial Policing which focuses on addressing bias-free practices. PPC intends to also use advisors who are experts on court operations and community based integration to assist in refining court practices.

**4. assessing legal sufficiency and compliance with constitutional and other legal requirements;**

The proposed team has extensive experience assessing legal sufficiency and compliance with constitutional and other legal requirements. These include search and seizure analysis to include stops, searches and seizures, arrest, interrogations, crowd control and use of force standards. The members of the team have utilized their expertise to assess legal sufficiency in other consent decree projects and consulting with law enforcement agencies. Attorneys Colon and Koosa have spent over a decade focusing on the legal sufficiency and compliance with constitutional and other legal requirements and legal advisors to Law Enforcement.

In 2010, Attorney Colon was appointed Legal Advisor for the Puerto Rico Government on reform and civil rights issues until 2013, when she became General Counsel and Director of Policies and Procedures for the Puerto Rico Police Department. Since 2010, she was instrumental in leading the reform efforts of the Puerto Rico Police Department, one of the largest police departments in United States, to comply with a settlement agreement that was negotiated with the United States Department of Justice (USDOJ) as part of their investigation pursuant to 42 U.S.C. Section 14141.

**5. familiarity and understanding of local issues and conditions;**

Four of our team members were senior executives in local and state police organizations. They are intimately familiar with issues confronting local police departments. They will be quick to understand the conditions and issues confronting the FPD. PPC clearly understands the importance of understanding and familiarity of local issues and conditions. We will use our relationships with the parties and community representatives to stay updated and will consider retaining local counsel if possible. PPC will work with local advisor in the community to identify local issues and receive recommendation on addressing these issues. In addition, PPC would host community meetings to learn about the local issues and concerns to consider in the reform process.

**6. familiarity with federal and Missouri and local laws, including civil rights laws and policies and rules governing police and municipal court practices;**

Knowledge of laws and rules of police practices is another strength of the PPC team. All members of the team have extensive experience in law enforcement operations, as well as Federal civil rights laws and policies and rules governing police practices. The team's Attorneys focus on specific laws and rules governing police practices nationally. Attorney Daigle has 14 years as a litigator, focusing specifically on Federal civil rights law specific to 42 U.S.C §1983,

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and agency liability under Monell v. Department of Social Services.

The PPC team has extensive experience in developing, auditing, and implementing policies and procedures that guide the operation of an effective and constitutional police department. Policy development requires a particular skill set. The PPC team is exceptionally knowledgeable about national standards, including model policies, effective operations, accreditation standards, DOJ agreements across the country, and legal standards, and the manner in which they apply to law enforcement. This team possesses the necessary skill set required to effectively guide policy development at the Ferguson Police Department.

**7. evaluating, developing, or implementing processes for supervisors and managers to oversee training and accountability in a law enforcement organization;**

Members of the PPC team are experts in evaluating the breadth and depth of organizational change, including the development of outcome measures. Mr. Reynolds was one of the original monitors of police departments in 1997 under the authority of 42 U.S.C. §14141 and was a guiding force in developing the methodology of evaluating organizational changes and the development of outcome measures. The members of the PPC team, who served as police chiefs, utilize their experience in that role to evaluate the ability of those working in their departments. Experts Reynolds, Daigle, Brown, and Wilfong are active consultants in the police practices field. They have spent years mastering their craft and the ability to identify and evaluate the process of organizational change; assist departments in understanding their current stage in the organizational change process; and assist departments in implementing self-assessment outcome measures.

Attorney Daigle currently serves as member of the federal Independent Monitoring Team for the City of Oakland Police Department, California. He has also served as a member of the Independent Monitoring Team for the Niagara Falls Police Department, NY Consent Decree, brought by the State of New York. As a lawyer with civil rights and law enforcement experience, Mr. Daigle brings to his position of Monitor both the police perspective and the civil rights perspective when examining all compliance tasks. He works with agencies across the country to prevent DOJ investigations where allegations of excessive force, multiple officer-involved shootings have occurred, or an ineffective internal affairs process is identified. He works with agencies to develop policies, conduct training, and implement investigation/ tracking functions.

Mr. Reynolds serves as Deputy Monitor for the Negotiated Settlement Agreement related to the Oakland (CA) Police Department and served as Deputy Monitor for the Consent Decrees related to the Detroit (MI) Police Department as well as the Niagara Falls (NY) Police Department. He previously served as the Independent Auditor for the Consent Decree in the City of Steubenville (OH), and as a member of the monitor teams for the consent decree/agreements between the USDOJ and the State of New Jersey (state police) and Prince George's County (MD) police, respectively. Moreover, Mr. Reynolds was one of the principle evaluators with the Oversight Commission on Policing Reform in Northern Ireland, responsible for monitoring and reporting on progress with the "Patten Report" recommendations as part of the ongoing peace process.

Mr. Brown currently serves as member of the Federal Independent Monitoring Team for the City

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of Oakland Police Department, California. He has also served as a member of the Independent Monitoring Team for the Niagara Falls Police Department, NY Consent Decree, brought by the State of New York. Mr. Brown works with agencies across the country to prevent DOJ investigations specific to implementing an effective internal affairs process and community interaction. He works with agencies to develop policies, conduct training, and implement investigation/ tracking functions.

### **8. evaluating organizational change and institutional reform, including applying qualitative and quantitative analyses to assess progress, performance, and outcomes;**

PPC team members have experience in other projects evaluating organizational change and institutional reform. Utilizing the academic advisor PPC team members will apply qualitative and quantitative analysis to assess progress, performance and outcomes.

### **9. working with government agencies, including municipalities, elected officials, civilian oversight bodies, collective bargaining units, and community members interested in policing issues;**

The strength of the PPC team is their collective experience in the industry. Mr. Reynolds, Mr. Brown, Mr. Higgins, and Ms. Wilfong have over 100 years of experience as police chiefs dealing with governmental agencies, municipalities and collective bargaining units. Attorney Daigle, Mr. Reynolds, and Mr. Brown currently monitor, audit, and consult with law enforcement agencies across the country. These team members focus on working with local, state, and federal agencies in their respective careers. In his capacity as Acting City Manager, Mr. Reynolds had direct responsibility for negotiating labor contracts. Attorney Daigle for over the past decade has worked with Government Agencies and municipalities providing consulting services to improve police operations, effectiveness and management. During these consulting services, Attorney Daigle has worked with and negotiated with collective bargaining units.

### **10. engaging effectively with diverse community stakeholders to promote civic participation, strategic partnerships, and community policing;**

Members of the PPC team have extensive experience and expertise in facilitating effective engagement with diverse communities.

Mr. Brown collaborated with the Governor's Advisory Commissions on Latino, African American, and Asian affairs in the development of innovative community based and process strategies to improve and reform the department's hiring processes to recruit qualified minorities and women into enlisted and civilian positions. In Mr. Brown's role as monitor/auditor in the Niagara Falls, NY consent decree, he monitored and provided technical assistance to the department in their community outreach efforts. He provides technical assistance on community outreach policies, training, and accountability. Mr. Brown is a Subject Matter Expert (SME) that was selected as part of the U.S. Office for Justice Programs (OJP) Diagnostic Center, Metro East Police District Commission (MEPDC) engagement in East St. Louis, IL.

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Mr. Reynolds, in his capacity as Deputy Monitor in Oakland and Detroit, and including his capacity as police practices expert for the DOJ, has interacted with diverse community members. As part of these projects, Mr. Reynolds has met with community members, community leaders, and faith-based leaders to identify concerns relevant to police operation and understanding the concerns of the community. It is essential that the community be heard to understand their concerns. The PPC team is diverse in race and gender for the purpose of meeting the needs of engaging a diverse community. In addition, Mr. Reynolds served as the Chair and member of the Board of Directors of the local mental health center and dealt with the problems surrounding de-institutionalization. He also established a community-based interactive policing program to address issues affecting the lives of people living in public housing.

### **11. creation and evaluation of meaningful civilian oversight mechanisms;**

The PPC team recognizes the challenges with the creation and evaluation of meaningful civilian oversight. Members of the team have the required skill set to ensure successful implementation. The team's strengths in this area is enhanced through the experience of Mr. Reynolds is an active member of the National Association for Civilian Oversight of Law Enforcement (NACOLE) having served on its Board of Directors for twelve years. He received NACOLE's Flame Award in 2015, the association's highest honor "in recognition of his significant, long-term contributions to the field of police oversight and to advancing effective constitutional policing throughout his career."

Attorney Daigle is an active member of NACOLE, and has provided police practices training at the last three or four conferences. Mr. Reynolds and Attorney Daigle are NACOLE Certified Practitioners of Civilian Oversight.

### **12. language skills and experience working with limited English proficient persons and communities, in particular communities whose primary language is Spanish;**

PPC team member Attorney Xiomara Colon is fluent in Spanish which will prove beneficial when working with limited English proficient persons and communities. This particular proficiency has proven to be beneficial in her prior position as legal advisor to the Puerto Rico Police.

### **13. mediation and dispute resolution, especially mediation of police complaints and neighborhood mediation;**

Mediation and dispute resolution is a necessary skill of those who evaluate organizations to facilitate change and encourage and provide outcome measures. All proposed team members are industry experts and during their tenure as police chiefs, attorneys, and educators, they have utilized their mediation and dispute resolution skills on an ongoing basis as leaders, instructors, and advocates. Their experience includes conducting disciplinary hearings and the administration of discipline to employees, as well as mediating complaints from members of society and mediating issues within the community, particularly those pertaining to police involvement.

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Attorney Daigle has extensive experience as a litigator with mediation and dispute resolution, which includes formal application in court or administrative hearings and the implementation of police practice changes in policy, training, and supervision. Mr. Reynolds has experience working with residents of public housing to improve police-public relationships and reduce crime.

Ms. Wilfong has experience with interactions between and within law enforcement and the community. Mr. Brown was responsible for overseeing his Department's reform and accountability efforts in the areas of misconduct, sexual harassment/sexual misconduct, sworn member domestic violence, use of force, and early intervention/risk management initiatives. Mr. Brown led the development of the department's Equal Employment Opportunity Office's statewide liaison program and had oversight of citizen complaints that alleged discrimination or disparate treatment through the Internal Affairs and/or EEOO functions.

### **14. development of effective quality improvement practices;**

All members of the PPC team are clearly leaders in the process of developing effective quality improvement practices. In addition to the information provided above, the members of the PPC team are foremost experts in their respective areas of compliance analysis. The PPC team readily acknowledges and expects to not only be responsible for the evaluation of FPD through the life of the Agreement, but to provide FPD with the team's collective years of experience and knowledge in the form of technical assistance. One of the PPC team's strengths is that they maintain contemporary knowledge of issues facing law enforcement operations in 2015. By keeping current with present day issues, they remain leaders in the industry on topics affecting law enforcement agencies, including: policy development, training methodology, effective internal affairs methods, legal standards and recent court rulings, utilization of available technology, and use of force standards.

### **15. use of technology and information systems—including data collection and management, and analytic tools—to support and enhance law enforcement and court practices;**

The PPC team believes that their experience utilizing technology and information systems is superior to any other team. Technology is used for multiple assessment tools from Computer Aided Dispatch, Stop Data Collection, Use of Force, Body-Worn Cameras, and Early Interventions software. They collect and audit the available data for the purpose of reporting on the audit results.

Mr. Reynolds serves as Deputy Monitor for the Negotiated Settlement Agreement related to the Oakland Police Department and previously served in similar leadership positions for Consent Decrees related to the Detroit (MI) and Niagara Falls (NY) Police Departments. He also served as the Independent Auditor for the Consent Decree in the City of Steubenville (OH) and as a member of the monitor teams for the consent decree/agreements between the USDOJ and the State of New Jersey (State Police), and Prince George's County (MD) police and Detroit Police Department, respectively. In all of these projects the technology and information systems were necessary to identify compliance measures.

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Attorney Daigle and Mr. Brown currently serve as a members of the Federal Independent Monitoring Team for the City of Oakland Police Department in California. They also served as a member of the Independent Monitoring Team for the Niagara Falls Police Department, NY Consent Decree brought by the State of New York. Mr. Daigle worked as a police practices consultant for the Virgin Islands Police Department and the Puerto Rico Police Department, which are under a Federal Consent Decree. In all of these projects, technology and information systems were necessary to identify compliance measures.

### **16. providing formal and informal feedback, technical assistance, training, and guidance to law enforcement agencies;**

The proposed PPC team has extensive experience in multiple projects across the country providing feedback, training and guidance to law enforcement agencies. Attorney Daigle, Mr. Reynolds, Mr. Brown and Attorney Colon all have worked in and/or with agencies under a settlement agreement. They have for years provided feedback and technical assistance on policies, training and operations. These topics have included search & seizure, use of force, internal affairs investigation, training standards and supervision. The team members utilize there years of experience and subject matter expertise to provide assistance, feedback and guidance to meet the needs of the settlement agreement.

### **17. reviewing policies, procedures, manuals, and other administrative orders or directives, and training programs related to law enforcement practices;**

This proposal has clarified that one of the three fundamental elements to effective constitutional police operations related to policies. Members of the PPC team have spent the last thirty years developing, training and enforcing effective constitutional based operations. Attorney Daigle, who provides instruction at a majority of nationally recognized law enforcement organizations on practices, training, community linkage, complaint and use of force investigations, along with the concept of constitutional based policing. Attorney Daigle instructs nationally and at the Connecticut Police Academy on subjects including use of force and investigations of force; search and seizure practices; constitutional policing; bias-free policing; community policing, problem-oriented policing and engagement; crisis intervention and de-escalation techniques; First Amendment speech and protest-related rights; intake, investigation, and adjudication of complaints of officer misconduct; civilian oversight; police-youth interactions; and officer and staff training. Attorney Daigle is clearly the leader in the industry conducting high level training on these subjects across the country.

### **18. institutional transformation and change management;**

Experience has shown that one of the most challenging parts of a Settlement Agreement is the cultural change of the department. There is no consultant that can give a road map to institutional transformation and change management. Members of the PPC team have experience in watching agencies that have over time successfully transformed the cultural change in departments across the country. That experience will allow members of the PPC team to guide and assist Ferguson Police Department in determining the strategy of change.

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**19. appearing in court as a judge, monitor, counsel, or expert witness, or providing other types of testimony;**

Members of the PPC team include law enforcement executives, attorneys, and police practices experts, who have extensive experience in preparing for and participating in court proceedings. The experts with law enforcement education and training have considerable experience in the preparation of police reports, affidavits, and evidence for use in court proceedings. This includes the ability to testify regarding the content of their reports and their findings. Team members also have extensive experience with testifying in criminal matters, administrative hearing, and in civil actions.

In addition, the teams Attorney's has knowledge and experience preparing legal briefs and cases for trial. Attorney Daigle has litigated multiple cases in both civil and criminal courts and in administrative hearings, which requires extensive preparation and participation.

**20. writing complex reports for dissemination to diverse sets of stakeholders;**

As a member of an Independent monitoring team, report preparation is an important and necessary task to advise a broad variety of stakeholders on the police department's progress in meeting the requirements of the Agreement. The PPC team has significant experience in report writing. Specifically, Mr. Reynolds has been preparing and writing extensive monitoring reports since 1997. In fact, he developed the reporting methodology that he used in Steubenville OH, Detroit MI, and Oakland CA. Having managed and produced well over fifty reports, he is unsurpassed in his understanding of the manner in which reports are effective and beneficial to the project and for the dissemination of essential information to a variety of stakeholders.

Additional members of the team has worked as consultants on many projects across the country, which requires an analysis of data, documents, training, and police reports. Upon completion of the analysis, team members produce reports that clearly articulate the method of analysis, the scope of the data examined, and the result or outcome of the analysis. The extensive experience of this team will ensure a clear, effective report, which will be beneficial for a broad variety of stake holders.

**21. statistical and data analysis;**

Statistical and data analysis is an important part of monitoring or evaluating a police department. This process usually focuses on using both an early intervention or risk management database and collection of data regarding stops of subjects detained by police. Data analysis is a necessary step when properly evaluating department operations. This process includes: use of force, automobile accidents, Internal Affairs complaints, lawsuits, and injuries caused to prisoners. As police chiefs, PPC team members have used and implemented statistical and data analysis into their departments operations.

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The PPC team believes that their experience utilizing statistical and data analysis is superior to any other team. As the Deputy Monitor for the Oakland Police Department, Mr. Reynolds and Attorney Daigle have five years of experience in the analysis of statistical and data analysis specific to vehicle stops, field investigation, and detentions. When evaluating the stops made by OPD members, Attorney Daigle audits thousands of field and stop data reports. They collect and audit the available data for the purpose of reporting on the audit results.

Mr. Reynolds serves as Deputy Monitor for the Negotiated Settlement Agreement related to the Oakland Police Department and previously in the same capacity for Consent Decrees related to the Detroit (MI) and Niagara Falls (NY) Police Departments. He previously served as the Independent Auditor for the Consent Decree in the City of Steubenville (OH) and as a member of the monitor teams for the consent decree/agreements between the USDOJ and the State of New Jersey (State Police), and Prince George's County (MD) police and Detroit Police Department, respectively. In all of these projects the statistical and data analysis is necessary to identify compliance measures.

Attorney Daigle and Mr. Brown currently also serve as a members of the Federal Independent Monitoring Team for the City of Oakland Police Department. They also served as a member of the Independent Monitoring Team for the Niagara Falls Police Department, NY Consent Decree brought by the State of New York. Mr. Daigle worked as a police practices consultant for the Virgin Islands Police Department and the Puerto Rico Police Department, which are under a Federal Consent Decree. In all of these projects, statistical and data analysis was necessary to identify compliance measures.

### **22. experience with municipal budgets; and**

PPC members in their capacity as former Law Enforcement executives were responsible for the development, analysis and implementation of municipal budgets. Mr. Reynolds, in his capacities as acting city manager, mayor and city councilor, he had the additional responsibility of reviewing and approving budgets for all city departments.

### **23. completing projects within anticipated deadlines and budget**

Prior sections have demonstrated the vast experience of PPC members as a result of their involvement in multiple projects across the country. The team's projects have included monitoring, consulting, and auditing; and through their positions as police executives, they understand the importance of meeting the deadlines and budgets identified with this project to ensure that progress is continuous. In Section IV below, the PPC team identifies references for multiple projects on which they have worked. Contact with these references will establish that PPC team members can meet assigned deadlines.

Based on the information provided, PPC has identified a respective budget for operational purposes. This project, like many others, requires that the work be organized to meet the requirements of the proposed and accepted budgets. It is understood that the failure to meet the requirements of anticipated deadlines, or within agreed upon budgets, will result in a breach of contractual requirements.



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**D. Prior Experiences and References**

Team Member	Project	References
Charles Reynolds	<b>Former CALEA Commissioner, Team Leader and Assessor.</b> Reviewed compliance with CALEA standards for enforcement agencies applying for Accredited status.	<b>W. Craig Hartley, Jr.</b> Executive Director <a href="mailto:chartley@calea.org">chartley@calea.org</a> <b>James D. Brown</b> Conference Coordinator <a href="mailto:jbrown@calea.org">jbrown@calea.org</a> Commission on Accreditation for Law Enforcement Agencies (CALEA) 13575 Heathcote Boulevard Gainesville, VA 20155 703-352-4225
Charles Reynolds	<b>Steubenville Consent Judgment - Independent Auditor.</b> Evaluated and reported on status of compliance with 1997 Decree entered in the U.S. District Court, Southern District of Ohio.	<b>William A. McCafferty</b> Chief of Police 123 S. Third Street Steubenville, OH 43952 740- 283-6102 <a href="mailto:bmcafferty@cityofsteubenville.us">bmcafferty@cityofsteubenville.us</a>
Charles Reynolds	<b>New Jersey (State Police) Consent Judgment</b> - Member of Monitor Team. Evaluated stops, searches, seizures for compliance with requirements relating to profiling.	<b>Colonel Rick Fuentes</b> Superintendent New Jersey State Police P.O. Box 7068 W. Trenton, NJ 08628 (609) 882-2000 Ext. 6500
Charles Reynolds	<b>Oversight Commission for Policing Reform in Northern Ireland</b> – Principal Evaluator. Evaluated and reported on progress with the implementation of the “Patten Report” recommendations as part of the ongoing peace	<b>Thomas A. Constantine</b> Former, Superintendent, New York State Police; Administrator, Drug Enforcement Administration; Oversight Commissioner (Police Reform) Northern Ireland <sup>1</sup>  <b>Gil Kleinknecht</b> Chief (Ret) St. Louis County (MO) Police Department

<sup>1</sup> Deceased

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	process in Northern Ireland.	Former Associate Commissioner & Naturalization Service Assistant Director (Ret), U.S. Marshals Service Evaluator, Oversight Commission for Police Reform, Northern Ireland 7 Douglas Lane, Kirkwood, MO 63122 Phone: 314-835-0091 Email: <a href="mailto:gikleinknecht@aol.com">gikleinknecht@aol.com</a>
Charles Reynolds	<b>Prince George's County (MD) Police Department</b> Memorandum of Agreement, OA Member of Monitor Team. Evaluated all uses of force and of force and assisted with issues related to implementation of the risk management system.	<b>Roberto L. Hylton</b> Chief of Police (ret) Prince George's County Police Department Senior Law Enforcement Advisor Office of the Administrator (FEMA) 202-646-7668 <a href="mailto:Roberto.hylton@fema.dhs.gov">Roberto.hylton@fema.dhs.gov</a>  <b>Melvin High</b> Chief of Police (ret) and present Sheriff, Prince George's County 5303 Chrysler Way Upper Marlboro, MD 20772 301-780-8600 <a href="mailto:sheriffinfo@co.pg.md.us">sheriffinfo@co.pg.md.us</a>
Charles Reynolds  John R. Brown	<b>Detroit Police Department Deputy Monitor.</b> Responsibility for coordinating activities of monitor team and specific responsibility for overseeing review and assessment of serious use of force events and overseeing the preparation of quarterly reports.	<b>Attorney Allan Charlton</b> City of Detroit and the Detroit Police Department Legal Counsel Detroit, MI. 313-530-4650 <a href="mailto:allanmchar@yahoo.com">allanmchar@yahoo.com</a>  <b>Celia Banks-Washington</b> 2 <sup>nd</sup> Deputy Chief, Legal Advisor Detroit Police Department 313-596-2158 <a href="mailto:Washingtonc@detroitmi.gov">Washingtonc@detroitmi.gov</a>
Charles Reynolds	<b>Oakland Police Department, Deputy Monitor.</b> Responsibility for coordinating activities of monitor team and overseeing preparation of	<b>Sean Whent</b> Chief of Police 455 7 <sup>th</sup> Street Oakland, CA 94607 510-238-3568 <a href="mailto:swhent@oaklandnet.com">swhent@oaklandnet.com</a>

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<p>Eric Daigle, John R. Brown</p>	<p>quarterly reports. Specific responsibility for providing monthly technical assistance to the OPD regarding compliance issues. Specific focused responsibility for overseeing the collection and analysis of stop data.</p> <p>Members of monitor team with specific responsibility for assessing stop data for indications of bias based policing, reviewing use of force and internal affairs reports.</p>	<p><b>Paul Figueroa</b> Assistant Chief of Police Oakland, CA 510-238-7183 <a href="mailto:pfigueroa@oaklandnet.com">pfigueroa@oaklandnet.com</a></p> <p><b>Attorney James B. Chanin</b> Plaintiff's Attorney Oakland 510-848-4752 <a href="mailto:jbcofc@sbcglobal.net">jbcofc@sbcglobal.net</a></p>
<p>Charles Reynolds</p> <p>Eric Daigle, Esq.</p> <p>John R. Brown</p> <p>Xiomara Colon</p>	<p><b>Prior Puerto Rico Police Subject Matter experts and PRP consultants.</b> Focus was on use of force and search and seizure Policy development and training. No longer engaged with this project</p>	<p>Max Perez Bouret Former Assistant Superintendent Puerto Rico Police Assistant District Attorney United States District Attorneys Office Puerto Rico District Phone 787 922 8818</p>
<p>Charles Reynolds</p> <p>Eric Daigle, Esq.</p> <p>John R. Brown</p>	<p><b>Niagara Falls Police Department</b> Mr. Reynolds served as Deputy Monitor with responsibility for initial team administration. Assignment completed. Mr. Daigle was assigned responsibility for policy development and use of force review. No longer engaged with this project.</p>	<p><b>Superintendent Brian Dalporto</b> Niagara Falls Police Department 1925 Main Street, Niagara Falls, NY 14305 Phone: (716) 286-4545 Email: <a href="mailto:bryan.dalporto@niagrafallsny.gov">bryan.dalporto@niagrafallsny.gov</a></p>
<p>Eric Daigle, Esq.</p>	<p><b>Virgin Island Police Department</b></p>	<p>Sherri Lewis, Esq. Virgin Islands Police Department</p>

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	Prior consultant for VIPD under consent decree responsible for policy development, training and use of force.	Legal Counsel <a href="mailto:Sherri.lewis@vipd.gov.vi">Sherri.lewis@vipd.gov.vi</a>
Eric Daigle, Esq.	<b>Anchorage Police Department</b> Operational study, policy Development and Training	<b>Chief Mark Mew</b> Anchorage Police Department 4501 Elmore Rd, Anchorage, AK Phone: (907) 786-8595 Email: <a href="mailto:MMew@muni.org">MMew@muni.org</a>
Eric Daigle, Esq.	<b>Wichita Police Department</b> Operational Study, policy development and Training	<b>Sharon L. Dickgrafe</b> Interim Director of Law and City Attorney Wichita, KS Phone: (316) 268-4681, ext 24
John R. Brown	<b>Police Operations Diagnostic Assessment and Ethics</b> Accountability SME for Implementation on Metro East Police District Commission (MEPDC) engagement in East St. Louis, IL.	<b>Angelas Jackson-Castain</b> Office of Justice Programs Diagnostic Center Washington, D.C. 20531 Email: <a href="mailto:Angela@OJPDDiagnosticCenter.org">Angela@OJPDDiagnosticCenter.org</a>
John R. Brown	<b>Baltimore Police Department, DOJ</b> Investigation and SME Review	Angela Jackson-Castain, Contractor Support to the U.S. Department of Justice, Office of Justice Programs Diagnostic Center, Washington, D.C. 20531. Email: <a href="mailto:Angela@OJPDDiagnosticCenter.org">Angela@OJPDDiagnosticCenter.org</a> , Main Diagnostic Center Phone: 1 (855) OJP-0411.

**E. Potential Conflicts of Interest or Bias**

No other member of the team is involved in any matter that presents a potential or actual conflict or bias.

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**F. Estimated Costs**

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In preparation of this estimated budget we have reviewed the Agreement in detail and have anticipated the duties/ responsibilities of the team members. It is the intent of PPC to maintain a manageable team size to reduce costs for the City of Ferguson. The data provided in *Table #1* represents our interpretation of the Agreement requirements and our attempt to meet the needs of the Agreement. PPC expects that the costs identified are the anticipated costs, however, PPC will bill for work actually conducted, not to exceed the agreed upon proposed price.

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*Table #1*

# POLICE PERFORMANCE CONSULTING, LLC INDEPENDENT MONITOR PROPOSAL

TOTAL COST ESTIMATE – YEAR ONE										
Cost Item	On-Site Activities <sup>10</sup>			Off-Site Compliance Activities. Report Writing/ Project Management <sup>11</sup>			Technical Assistance <sup>12</sup>			Year One
	R	H	D	R	H	D	R	H	D	
Co-Monitor	250.	192	48,000.	250.	96	24,000.	250.	10	2400.	74,400.
Co-Monitor	250.	192	48,000.	250.	96	24,000.	250.	10	2400.	74,400.
TM #1	200.	24	4,800.	200.	32	6,400.	200.	3.5	700.	11,900.
TM #2	200.	24	4,800.	200.	32	6,400.	200.	3.5	700.	11,900.
TM #3	200.	24	4,800.	200.	32	6,400.	200.	3.5	700.	11,900.
TM #4	200.	24	4,800.	200.	32	6,400.	200.	3.5	700.	11,900.
TM #5	200.	24	4,800.	200.	32	6,400.	200.	3.5	700.	11,900.
Advisors <sup>13</sup>			5,000.	-	-	5,000.	-	-	-	10,000.
Admin. Assistant	-	-	-	75.	48	3,600.	-	-	-	3,600.
Total Labor Hours	504			400			38			942
Total Labor Dollars	125,000.			88,600.			8,300.			221,900.
Travel	29,987.									29,987.
Other Direct Costs <sup>14</sup>	2,500.									2,500.
Overhead <sup>15</sup>	25,188.									25,188.
Contingency <sup>16</sup>	25,188.									25,188.
Total	207,863.			88,600.			8,300.			\$304,763.

R = Rate    H = Hours    D = Dollars

<sup>10</sup> Includes one full team site visit and five co-monitor site visits

<sup>11</sup> Includes conference calls (monthly), document review, data analysis, report writing, and project management; average of eight hours per month for Co-Monitors and eight hours per quarter for Team Members

<sup>12</sup> Technical Assistance is estimated at approximately 10% of Review, Report Writing for co-monitors and team members

<sup>13</sup> Honorariums/fees for special advisors on local community issues, statistical/survey procedures and court procedures

<sup>14</sup> Equipment, supplies, printing, etc.

<sup>15</sup> Computed at 10% of labor and expenses

<sup>16</sup> Unanticipated Labor, travel or other charges estimated at 10%.

Our preliminary budget was organized with a unique method of operations for PPC consultants. We anticipate an initial full team visit at the beginning of the project and then bi-monthly site visits with select team members based on the needs of the visit. The data in *Table #1* is broken into three areas for budgeting: on-site activities, review/report writing/ project management, and technical assistance. The “On-site activities” category denotes time spent in Ferguson meeting with parties and FPD. The second category identifies the time necessary to review documents and data, prepare the necessary reports, and project management, including telephonic or electronic conferencing with the parties. The category “Technical Assistance” is anticipated costs to provide guidance on a specific portion of the Settlement Agreement and general guidance on compliance issues. The category defined as “Overhead” is 10% of the project for corporate expenses including accountant services and insurance. The final category identified as the contingency category is 10% of the project for unanticipated labor or travel.

*Table #2* below is a preliminary costing worksheet providing estimated costs associated

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with travel for PPC team members. These figures were used to compute travel costs identified in the preliminary budget.

*Table #2*

**FERGUSON (MO) POLICE DEPARTMENT & MUNICIPAL COURT – FULL TEAM SITE VISIT – EXAMPLE (BUDGETED)**

<b>COSTING WORKSHEET – FULL TEAM SITE VISIT – ANNUAL OPTION #2</b>								
<b>Name</b>	<b>Days/Hours</b>	<b>Services</b>	<b>Airfare</b>	<b>Hotel –Day</b>	<b>Meals</b>	<b>Mileage/Trans</b>	<b>Parking</b>	<b>Misc.</b>
Daigle	4 – 32	8,000.	550.	(4) 740.	243.	540. <sup>8</sup>	60.	30.
Reynolds	4 – 32	8,000.	550.	(4) 740.	243.	70.	72.	30.
TM#1	3 – 24	4,800.	550.	(3) 555.	189.	16.	45.	30.
TM#2	3 – 24	4,800.	550.	(3) 555.	189.	60.	45.	30.
TM#3	3 – 24	4,800.	550.	(3) 555.	189.	15.	54.	30.
TM#4	3 – 24	4,800.	550.	(3) 555.	189.	10.	45.	30.
TM#5	3 – 24	4,800.	550.	(3) 555.	189.	65.	54.	30.
	<b>184 hours</b>	<b>40,000.</b>	<b>3,850.</b>	<b>4,255.</b>	<b>1,431.</b>	<b>776.</b>	<b>375.</b>	<b>210.</b>
<b>Professional Services</b>	<b>40,000.</b>							
<b>Travel</b>	<b>10,897.</b>							
<b>Total</b>	<b>50,897.</b>							
<b>Administrative (10%)</b>	<b>5,089.</b>							
<b>Total</b>	<b>\$ 55,986.</b>							

<sup>7</sup> Includes Daigle mileage plus estimate of \$225 per day for on-site car rental(s)(6 days)

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The data provided in *Table #3* below represents our interpretation of the Agreement requirements and our attempt to meet the needs of the Agreement for year two. The costs identified below are the anticipated actual costs, however, PPC will bill for work actually conducted, not to exceed the agreed upon proposed price.

*Table #3*

TOTAL COST ESTIMATE – YEAR TWO										
Cost Item	On-Site Activities <sup>17</sup>			Off-Site Compliance Activities. Report Writing/ Project Management <sup>18</sup>			Technical Assistance <sup>19</sup>			Year One
	R	H	D	R	H	D	R	H	D	
Co-Monitors (2)	250.	256	64,000.	250.	192	48,000.	250.	20	5,000.	117,000.
Monitor Team (5)	200.	120	24,000.	200.	320	64,000.	200.	64	12,800.	100,800.
Advisors <sup>20</sup>			5,000.	-	-	5,000.	-	-	-	10,000.
Admin. Assistant	-	-	-	75.	48	3,600.	-	-	-	3,600.
Total Labor Hours	376			560			84			1020
Total Labor Dollars	93,000.			120,600.			17,800.			231,400.
Travel <sup>21</sup>	24,586.									24,586.
Other Direct Costs <sup>22</sup>	2,500.									2,500.
Overhead <sup>23</sup>	25,598.									25,598.
Contingency <sup>24</sup>	25,598.									25,598.
Total	171,282.			120,600.			17,800.			<b>\$309,682.</b>

<sup>17</sup> Includes one full team site visit and three rather than five co-monitor site visits

<sup>18</sup> Includes conference calls (monthly), document review, data analysis, report writing, and project management; average of eight hours per month for Co-Monitors and an increase to 16 hours per quarter for team members

<sup>19</sup> Technical Assistance is estimated 10% of Review, Report Writing for co-monitors and 20% for team members

<sup>20</sup> Honorariums/fees for special advisors on local community issues, statistical/survey procedures and court procedures

<sup>21</sup> Travel Costs increased by 10% over year one

<sup>22</sup> Equipment, supplies, printing, etc.

<sup>23</sup> Computed at 10% of labor and expenses

<sup>24</sup> Unanticipated Labor, travel or other charges estimated at 10%.

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The data provided in *Table #4* below represents our interpretation of the Agreement



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requirements and our attempt to meet the needs of the Agreement for year three. The costs identified in the table are the anticipated actual costs, however, PPC will bill for work actually conducted, not to exceed the agreed upon proposed price.

*Table #4*

TOTAL COST ESTIMATE – YEAR THREE										
Cost Item	On-Site Activities <sup>25</sup>			Off-Site Compliance Activities. Report Writing/ Project Management <sup>26</sup>			Technical Assistance <sup>27</sup>			Year One
	R	H	D	R	H	D	R	H	D	
Co-Monitors (2)	250.	144	36,000.	250.	192	48,000.	250.	20	5,000.	89,000.
Monitor Team (5)	200.	120	24,000.	200.	120	24,000.	200.	12	2,400.	50,400.
Advisors <sup>28</sup>			5,000.	-	-	5,000.	-	-	-	10,000.
Admin. Assistant	-	-	-	75.	48	3,600.	-	-	-	3,600.
Total Labor Hours	264			360			32			656
Total Labor Dollars	65,000.			80,600.			7,400.			153,000.
Travel	18,287.									18,287.
Other Direct Costs <sup>29</sup>	2,500.									2,500.
Overhead <sup>30</sup>	17,128.									17,128.
Contingency <sup>31</sup>	17,128.									17,128.
Total	120,043.			80,600.			7,400.			<b>\$208,043.</b>

<sup>25</sup> Includes one full team site visit (3 days) and two co-monitor site visits (3 days) (four month intervals)

<sup>26</sup> Includes conference calls (monthly), document review, data analysis, report writing, and project management; average of eight hours per month for co-Monitors and six hours per quarter for team members

<sup>27</sup> Technical Assistance is estimated 10% of Review, Report Writing for Co-monitors and team members

<sup>28</sup> Honorariums/fees for special advisors on local community issues, statistical/survey procedures and court procedures

<sup>29</sup> Equipment, supplies, printing, etc.

<sup>30</sup> Computed at 10% of labor and expenses

<sup>31</sup> Unanticipated Labor, travel or other charges estimated at 10%.

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# POLICE PERFORMANCE CONSULTING, LLC INDEPENDENT MONITOR PROPOSAL

The data provided in *Table #5* below represents our interpretation of the Agreement requirements and our attempt to meet the needs of the Agreement for year four. The costs identified in the table are the anticipated actual costs, however, PPC will bill for work actually conducted, not to exceed the agreed upon proposed price.

*Table #5*

TOTAL COST ESTIMATE – YEAR FOUR										
Cost Item	On-Site Activities <sup>1</sup>			Off-Site Compliance Activities. Report Writing/ Project Management <sup>2</sup>			Technical Assistance <sup>3</sup>			Year One
	R	H	D	R	H	D	R	H	D	
Co-Monitors (2)	250.	128	32,000.	250.	192	48,000.	250.	20	5,000.	85,000.
Monitor Team (5)	200.	80	16,000.	200.	160	32,000.	200.	16	3,200.	54,400.
Advisors <sup>4</sup>			5,000.	-	-	5,000.	-	-	-	10,000.
Admin. Assistant	-	-	-	75.	48	3,600.	-	-	-	3,600.
Total Labor Hours	208			400			36			644
Total Labor Dollars	53,000.			88,600.			11,200.			152,800.
Travel	16,285.									16,285.
Other Direct Costs <sup>5</sup>	2,500.									2,500.
Overhead <sup>6</sup>	16,908.									16,908.
Contingency <sup>7</sup>	15,908.									16,908.
Total	105,601.			88,600.			11,200.			<b>\$205,401.</b>

<sup>1</sup> Includes one full team site visit (2 days) and two co-monitor site visits (3 days) (four month intervals)

<sup>2</sup> Includes conference calls (non-site visit months), document review, data analysis, report writing, and project management; average of eight hours per month for co-Monitors and eight hours per quarter for team members

<sup>3</sup> Technical Assistance is estimated 10% of Review, Report Writing for Co-monitors and team members

<sup>4</sup> Honorariums/fees for special advisors on local community issues, statistical/survey procedures and court procedures

<sup>5</sup> Equipment, supplies, printing, etc.

<sup>6</sup> Computed at 10% of labor and expenses

<sup>7</sup> Unanticipated Labor, travel or other charges estimated at 10%.

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# POLICE PERFORMANCE CONSULTING, LLC INDEPENDENT MONITOR PROPOSAL

The data provided in *Table #6* below represents our interpretation of the Agreement requirements and our attempt to meet the needs of the Agreement for year five. The costs identified are the actual anticipated costs, however, PPC will bill for work actually conducted, not to exceed the agreed upon proposed price.

*Table #6*

TOTAL COST ESTIMATE – YEAR FIVE										
Cost Item	On-Site Activities <sup>39</sup>			Off-Site Compliance Activities. Report Writing/ Project Management <sup>40</sup>			Technical Assistance <sup>41</sup>			Year One
	R	H	D	R	H	D	R	H	D	
Co-Monitors (2)	250.	144	36,000.	250.	192	48,000.	250.	20	5,000.	89,000.
Monitor Team (5)	200.	120	24,000.	200.	120	24,000.	200.	12	2,400.	50,400.
Advisors <sup>42</sup>			5,000.	-	-	5,000.	-	-	-	10,000.
Admin. Assistant	-	-	-	75.	48	3,600.	-	-	-	3,600.
Total Labor Hours	264			360			32			656
Total Labor Dollars	65,000.			80,600.			7,400.			153,000.
Travel	20,115.									20,115.
Other Direct Costs <sup>43</sup>	2,500.									2,500.
Overhead <sup>44</sup>	17,311.									17,311.
Contingency <sup>45</sup>	17,311.									17,311.
Total	122,237.			88,600.			7,400.			\$210,237.

<sup>39</sup> Includes one full team site visit (3 days) and two co-monitor site visits (3 days) (four month intervals)

<sup>40</sup> Includes conference calls (monthly), document review, data analysis, report writing, and project management; average of eight hours per month for co-Monitors and six hours per quarter for team members

<sup>41</sup> Technical Assistance is estimated 10% of Review, Report Writing for Co-monitors and team members

<sup>42</sup> Honorariums/fees for special advisors on local community issues, statistical/survey procedures and court procedures

<sup>43</sup> Equipment, supplies, printing, etc.

<sup>44</sup> Computed at 10% of labor and expenses

<sup>45</sup> Unanticipated Labor, travel or other charges estimated at 10%.

**END OF PROPOSAL**