

**CAG Consulting Response  
to Request for Monitor  
Application  
for the  
Baltimore Police  
Department  
Consent Decree**

**Filed: June 8, 2017**



English Marble Steps, East Fort Ave, Locust Point, Aug 2014  
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**“Moving the City, Police and the Community Forward as  
a Team”**

**Charles A. Gruber Consulting**

6N302 Ferson Woods Drive  
St. Charles, IL 60175

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**Greetings!**

Civilian Oversight Task Force, City of Baltimore and the Baltimore City Police Department, and the United States Department of Justice.

Dear Committee Members,

Thank you for the opportunity to submit our proposal to serve as your Independent Monitors. You will see as you review our proposal to serve as your monitors that the Charles A. Gruber Consulting (CAG) team has been designed and composed specifically to meet your requirements. You will also note that our monitoring process undertakes and incorporates significant community participation, engagement, openness and transparency, with accompanying skill sets of team members to carry out every function and meet every objective contained in your RFA.

The path to success will be both challenging and rewarding. The work of blending and securing community participation in the law enforcement culture has been never ending. However, today's leaders have invested years in community policing, fair and impartial policing, ethical conduct and organizational accountability in all aspects of police performance. Institutionalizing those values in the hearts and minds of all participants in the Baltimore Police Department, not just today's members but all future members, is what lies at the heart of your effort.

The ideas that are embodied in the paragraphs of this Consent decree are the spirit for the future. We are asking you to trust in us to share that future and your mission. Our team has a passion for the public trust, protecting citizens civil and human rights, for constitutional policing, and transparent and accountable government for everyone.

We ask for the opportunity to serve you!

Sincerely,



Charles A. Gruber

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**CAG CONSULTING TEAM**

Charles A. Gruber, Monitor  
Judge Emory Plitt, Deputy Monitor

Experts

Chet Epperson

Frank Fernandez

Grande Lum

Phil Lynn

Jerry Needle

Marshall Nelson

Danielle Outlaw

Susan Riseling

Aaron Thompson

Marcia Thompson., Esq.

Palmer Wilson

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**PREFACE**

*“The Baltimore Police Department is dedicated to fostering trust with community members, safeguarding life and property, and promoting public safety through enforcing the law in a fair and impartial manner. Officers will police with integrity, dignity, honor, and respect with a commitment to ensure the highest ethical standards are maintained.”*

Mission Statement, Baltimore Police Department

CAG Consulting (CAG) believes that Consent Decrees are more than Court enforced legal documents. They are, in reality, roadmaps for broad and concrete improvements to our communities and their quality of life. Consent Decrees are dialogs of what we expect from our public servants and more importantly how we expect to be treated given our status as citizens of this great country and the great City of Baltimore. While some will see and describe them as hindering, we, CAG Consulting, see them as enabling and guideposts on the road to Constitutional Policing. But they are also goalposts for attaining policing excellence, the desire of every police officer and police chief in this country.

We develop our monitoring focuses and styles based on these principles which, in the end, benefit all of the participants in the Consent Decree process. We are fair, objectives, and lay our cards on the table, with no hidden agendas or preconceived positions. Rather we bring an enlightened approach to monitoring that is always focused on moving the police agency forward toward compliance and excellence, while increasing services delivery to the citizens they serve.

We will provide the Parties, honest, comprehensive, and accurate evaluations of the Baltimore Police Department’s compliance with the Consent Decree and develop responsive and useable Outcome Measures that will provide understanding of the impacts and subsequent changes to policing and community cohesion within the City. These outcome measures will be the barometer that tells the benefits from this joint undertaking between the parties and CAG Consulting would be privileged and honored to be the reporter, but more importantly, the facilitator of these positive changes. Nothing would make us professionally proud than to have participated in the transformation of this beautiful city and its people into a model for other large city transformations across the country.

Charles A. Gruber Consulting  
June 8, 2017

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### **I. EXECUTIVE SUMMARY (RFA 32)**

The Introduction of the Consent Decree (CD) sets forth the Purpose of the Agreement with crystal clarity: To ensure that the City and Baltimore Police Department (BPD) protect individuals' statutory and constitutional rights, treat individuals with dignity and respect, and promote public safety in a manner that is fiscally responsible and responsive to community priorities (p.1). The CD also makes clear the need for BPD-community partnerships, transparency, and a voice for the community in BPD reform processes. A welcome positive is that the City and BPD have already begun the critical work of reform, meaningful changes to policies and training, upgraded equipment, and committed additional resources to outreach, technology and infrastructure.

CAG is keenly aware of the deep and systemic historical roots of the conditions which prevail today, including principal segments of Baltimore's demographic tapestry which feel disenfranchised and isolated. Contributing factors include:

- Socio-economic residential patterns that separate the affluent from the less affluent.
- Police staffing characteristics, an imbalance of racial composition vis-à-vis community demographics.
- Conditions that have triggered rioting, as early as the death of Martin Luther King, Jr. and as recently as the death of Freddie Gray, Jr.

The collective impact of these factors and events will heavily influence and condition the monitoring environment. So too will a series of less obvious but also very powerful BPD city and state conditions:

- Recent "zero-tolerance" and enforcement philosophies that have been very much at the center of community police strained relations and erosion of trust.
- Staffing issues – high levels of vacancies and excessive reliance on overtime.
- An evolving collective bargaining situation which may require blending with CD requirements.

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- The BPD is a state agency. The Maryland General Assembly in the most recent session rejected another attempt to return total control to the City. Provisions of both state and local law have to be blended to advance CD requirements.
- The Law Enforcement Officers Bill of Rights (LEOBR) governs investigation and adjudication of complaints of misconduct by officers. Six BPD units are directly addressed in the CD and changes that may be of value must consider the provisions of the LEOBR.
- The BPD is one of several interconnected core components of the city's criminal justice system. For the purposes of impacting culture and changing relationships among the components this dynamic must be studied and considered. Media reports infer a rocky relationship between the BPD and States' Attorney – the city's chief prosecutor, this is another critical area of exploration to ensure successful reform sustainability.
- Under Maryland's Public Records Law, personnel records of public employees are confidential. This extends to internal investigations and other aspects of BPD personnel records. This could present difficulty in collecting information for monitoring diagnostics and communicating with the public.

Those listed and many, many more factors will need to be explored and will have implications for the monitoring work to be successful. Despite that, we do believe we have a strong and sophisticated understanding of what it takes to be successful and have started identifying many of those pertinent issues.

### **The CAG Team**

Our Team brings past experience using explicitly designed criteria to ensure presence of essential and advanced monitoring expertise, including years of independent monitoring experience, on-the-ground practical and replicable change mechanisms, demonstrable collaboration and problem solving skills, peer and community respect. Our Team is committed to public trust, transparency, accountability of government agencies and their members. Our commitment to policing embraces the constitution and respect for ethnic, gender and racial diversity. To support that understanding and commitment CAG has fashioned the Team named below for the Baltimore engagement:

*Chuck Gruber, Monitor*

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- Police executive and justice professional over 30 years.
- Chief of Police – 4 cities.
- U.S.D.O.J. Civil Rights Division Monitor – 16 years.
- Principal Monitor – U.S. Virgin Islands Consent Decree.
- U.S.D.O.J. Patterns & Practices Investigator and Monitor – Oakland, CA; Cincinnati, OH; Miami, FL; New Orleans, LA; and 7 other cities.
- Past President – IACP and Illinois Chiefs Association.

### ***Emory Plitt, Deputy Monitor***

- 40 year/career as Judge, Attorney General (Asst.), and Counsel.
- Judge, District Court of Maryland and Hartford County – 23 years.
- Assistant A.G., State of Maryland, 19 years (Criminal Appeals Division).
- Chair, Correctional Reform Section, State Bar Association of Maryland.
- Judicial Committees – Family Law, Pre-Trial, Public Awareness, Correctional Reform, (Partial).
- U.S.D.O.J. Consultant – National Institute of Corrections.
- Speaker, Trainer – Baltimore City & County Police Academies; Maryland State Police Academy, Maryland Police Training Commission, FJI; Case Western Reserve University Law School.
- Chair, Legal Officers Section, IACP

### ***Chet Epperson, Policy & Practices Expert***

- Over 35 years of professional police experience.
- Retired from Rockford, Illinois Police Department in 2015. Served 9.5 years as Chief of Police.
- Appointed in July 2015 to the New Orleans Police Consent Decree Monitoring Team. Special emphasis to police use of force, officer-involved shootings, policy development, and other assigned tasks from the Monitor.
- Appointed in December 2015 to the U.S. Virgin Islands Police Consent Decree Monitoring Team. Special emphasis to the police use of force, officer-involved shootings, formation and development of a Force Investigation Team for serious uses of force, policy development, and other assigned tasks from the Monitor.
- Serves as a Hearing Officer for the State of Illinois Attorney Registration Disciplinary Board.
- Assists Illinois Association Chiefs of Police with State-wide police chief organizational accountability/ force management.
- Serves as police expert for plaintiff and defendant litigation involving officer use of force, excessive force, and officer-involved shootings.
- Serves as a consultant for National Incident Based Reporting (NIBRS).
- Board Member for Americans for Effective Law Enforcement (AELE).
- Board Member for International Association Chiefs of Police Human and Civil Rights Committee.

### ***Frank Fernandez, Policy & Practices Expert***

- Currently Public Safety Director, Coral Gables, FL.

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- 30 year police and justice professional.
- U.S.D.O.J., Civil Rights Division Consent Decree Monitor – 6 cities.
- Chief of Police, Hollywood, FL.
- Deputy Chief – Operations, Miami, Florida Police Department.
- Over 20 major city police agency evaluations, assessments, and benchmarking studies.
- Numerous citizen, community line of duty recognitions and awards, including from the Latino community.

***Grande Lum, Policy & Practices Expert***

- Currently Director of the Divided Community Project at the Ohio State University Moritz College of Law.
- Formerly Director of the Community Relations Service at U.S.D.O.J.
- Chair, Community Engagement and Education Subcommittee for the Human and Civil Rights Committee (IACP).
- Lecturer at Law and Research Fellow at Stanford Law School.
- Designed and managed dispute resolution, facilitation, mediation, communications, cultural professionalism, community engagement and conflict management consulting and training.
- Published author on law-enforcement-community relations, mediation, negotiation and dispute resolution.

***Phil Lynn, Policy & Practices Expert***

- Over 30 years as a police and justice professional specializing in public policy development and operations and management evaluations and reform.
- Director – National Model Policy Center (IACP & BJA) 1986-2016.
- Developed 130 national police policy standards and best practices critical and sensitive areas such as force application and control, officer conduct and discipline, early warning system, technology, including video cameras, and internal affairs.
- Principal investigator for over 30 police policy practice studies.
- Published author of papers on Office-Involved Shootings, Public Recording (Videos) of Police Behavior, Protecting Children of Arrested Parents, Police Recognition (of) and Response to Persons with Autism & Related Challenges.
- Administrator, Police Investigations Committee (IACP).
- Chair, IACP Law Enforcement Policy Center Board.

***Jerry Needle, Policy & Practices Expert***

- Over 30 years in police practices evaluation, innovation, and reform.
- Director of Programs & Research, IACP.
- Directed, conducted over 200 comprehensive evaluations of organizations, staffing, policies and practices.
- Designed, managed dozens of funded police research, development, and training projects: Community Oriented Policing; Post 9-11 Policing; Homeland Security; Youth Services, including alternatives to incarceration;

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Re-entry; Police-Correction Partnerships; School Safety; Youth Groups; Race & Police.

- Managed the National Model Policy Center; Testing & Evaluation Search Center; Education & Training Center.
- D.O.J. Monitor for Virgin Islands Consent Decree.

### ***Marshall Nelson, Policy & Practices Expert***

- Currently Chief of the Southern University Police Department.
- Executive and command positions in the Shreveport & Caddo Parish LA Police Departments.
- Member IACP Civil Rights Committee (7 years).
- Implemented Campus Oriented Policing Program at Southern University.
- Evaluated racial profiling and developed bias-based policing measures (Caddo Parish).
- Reorganized human resources system; recruitment specialist (Caddo Parish).

### ***Danielle Outlaw, Policy & Practices Expert***

- Currently Deputy Chief of Police, Oakland Police Department.
- 19 year career with Oakland Police Department.
- Police Accountability Consultant – U.S.D.O.J. (Chicago C.D.).
- Major responsibility for implementing court-ordered C.D. in Oakland Police Department.
- Strong community-police consensus building record.
- Designed innovative and successful minority recruitment programs.
- Vice President – NOBLE (San Francisco Chapter).

### ***Susan Riseling, Policy & Practices Expert***

- Currently Executive Director of IACLEA (Campus Law Enforcement Administration).
- 25 years as Chief of Police – University of Wisconsin System (26 campuses, 184,000 students, 29,000 staff).
- IACP Executive Committee (V.P.) (6 years).
- Chair of IACP Civil Rights Committee (6 years).
- President, Wisconsin Chiefs of Police Association.
- Career-long focus on sexual assault, child abuse, juvenile justice, and use of force best policy and practices.
- President and Founding Member of NAWLEE (National Association of Women Law Enforcement Executives).

### ***Aaron Thompson, Policy & Practices Expert***

- Currently Interim President, Executive Vice-President and Chief Academic Officer, Kentucky State College.
- 25 years professional academic, consulting, publishing, with focus on leadership, social and organizational change, and cultural diversity.
- Certified law enforcement trainer.

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- Professional consulting services for law enforcement agencies and law enforcement standards councils. (Community assessments, racial profiling, cultural competency.)
- Teaching focus: Leadership; ethics; multi-cultural families; implicit bias; and diversity.

***Marcia Thompson, Policy & Practices Expert***

- 25 years professional experience in civil rights, community engagement, and police related matters.
- D.O.J. Collaborative Reform Initiative in Baltimore, MD.
- Conflict resolution consultant providing neutral intervention services to organizations and committees through mediation, conflict management, and collaborative problem-solving.
- General Counsel – NOBLE (National Organization of Black Law Enforcement Executives).
- Experienced police department assessor, evaluator and trainer
- Social Justice/Criminal Justice Professor – Bowie State University.
- Attorney Consultant (13 years) Resolving Conflict Institute. Worked with USEEOCC, HUD, IACP, FLETC, US Department of State, ILETA.
- DEA Federal Law Enforcement Intelligence (8years).
- Civil Rights Committee – IACP.

***Palmer Wilson, Policy & Practices Expert***

- Over 30 years of law enforcement field experience, operations evaluation, training, and technology application and innovation.
- Montgomery County Maryland Department of Police: Director (Lt.), Office of Inspections; Senior Management Officer in charge of Inspectional Services; Policy; Operational Audits; Accreditation (ALEA); and cutting-edge technology system.
- D.O.J. Monitor for U.S. Virgin Islands Consent Decree.
- Senior Program Analyst, U.S.D.O.J., International Criminal Investigative Training Assistance Program.
- Senior Consultant, IACP. Lead analyst on more than 25 comprehensive management studies, specializing in staffing and deployment and internal affairs assessment.
- Lieutenant Colonel, U.S. Army Military Police Corps, (Ret).
- Nationally recognized in training design and delivery; Certified ISD and ADDIE systems development.
- Certified Master Instructor, US Army; Maryland Police and Correctional Training Commission Instructor.
- Two Superior Performance Awards from D.O.J. for Academy Development Program & Community Policing Transition.

**Consent Decree Engagements**

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The career summaries above, should convey the comprehensive scope of work done in the past and presently being done by the members of the proposed CAG team. Below we single out for consideration a subset -- of 15 jurisdictions and departments where we have engaged in D.O.J. initiated patterns and practices investigations and compliance monitoring:

- The Territory of the Virgin Islands (Monitor)
- Oakland, California Police Department (Co-Monitor)
- Cincinnati, Ohio Police Department
- Providence, Rhode Island Police Department
- Schenectady, New York Police Department
- Austin, Texas Police Department
- Puerto Rico Police Department
- Maricopa County, Arizona Sheriff's Department
- New Orleans, Louisiana Police Department
- Seattle, Washington Police Department
- Portland, Oregon Police Department
- Miami, Florida Police Department
- S. East Haven, Connecticut Police Department
- Albuquerque, New Mexico Police Department
- Chicago, Illinois Police Department

Municipalities for which patterns and practices investigation have been carried out include Arlington Heights, Rockford, Martin Grove, Wayne and Riverwoods, all in the state of Illinois. Additionally, two members of our proposed team have recently worked with the Baltimore Police Department one on the COPS-funded Collaborative Reform Initiative, and the other on assessing sexual assault investigations.

### **Monitoring Approach**

The body of this document displays a five-year Project Timeline and an intricately designed and integrated plan that responds to the Request For Monitor Application (RFA) directive to address how candidates will meet requirements outlined in Paragraphs 8-27 (see Section II, Scope of Work). As a result of this detailed pre-award activity, CAG feels confident that we have many principal building blocks already in place for early accomplishment of critical first-year tasks such as developing monitoring plans, compliance standards, and outcome measures (to name a few), all meeting rigorous professional standards.



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**Monitoring Standards**

CAG's proposed Monitor, Charles A. Gruber, participated in forging *National Guidelines For Police Monitors* (BJA, PARC, 2008). The guidelines address ethical considerations, operational techniques, reports, compliance protocols, and much more. These standards have guided CAG work in the past and will, again, should we be chosen as Baltimore's monitor.

**Cost-Effectiveness**

Being consciously mindful of and committed to cost-effective monitoring, CAG would bring the following assets:

- **Local Presence.** Our Deputy Monitor can and will be on-site and on-call 24 hours a day, 7 days a week. He is a resident of Havre de Grace, Maryland, additionally we have another member of our proposed team that resides in Maryland. We intend to strategically supplement the Team with local hires who will act as liaisons with the affected communities..
- **Availability.** Our availability "index" should reflect our proposed Team's dedication and availability to monitor this department's reform and efforts. At the onset, two members can devote full time to the project, one being the Deputy Monitor. More than a third of our Team can devote more than half time. By early next year the Monitor will be available approximately full time.
- **Information & Diagnostic Headstart.** The issues and problems discussed in the U.S. Department of Justice (USDOJ) 2016 Investigation Report on the Baltimore City Police Department are not new. They have existed for years in the eyes of both the public and within the department, city and state government. They are uniquely enumerated and updated in this document and the 2016 Investigation Report, and the Consent Decree, which addresses and provides intended improvements and solutions to these problems. Together, these documents will serve as foundational and governing frameworks for CAG Consulting's work. Normally, CD work requires heavy up-front (first phase) concentration on gathering information of the nature contained in these works. While there is still work to do with regard to early data collection, the material already available, provide a good baseline to start from..
- **Infrastructure.** CAG has demonstrated experience creating and staffing teams capable of monitoring police departments and court ordered reforms. In addition to the human capital, CAG has in place a proprietary monitoring software system that allows us to document, analyze, manage and control all basic aspects of a monitoring effort, including one as complex as this Baltimore project.

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**Budget**

CAG will meet all material monitoring requirements for a price of \$4,420,375 for three (3) years. First-Year cost will be \$1,473,125. Direct Labor comprises 62% of proposed costs, Other Direct Costs 30%. The Parties will receive a minimum of 4,775 billable hours annually. CAG is able to document that our staff members regularly invest substantial amounts of unbilled, pro-bono labor to every engagement.

The Three-Year budget conforms to the duration of the initial monitoring contract. A Five-Year budget, called for in the RFA is also provided.

**II. SCOPE OF WORK (RFA 33)**

The project will flow in accordance with the RPA and CD requirement and CAG has established the following timeline (Chart 1) to depict the occurrence of these milestones:

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**CHART 1  
CAG Baltimore Project Timeline**

<b>TASK</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	<b>Year 6</b>
Initial Meeting & Administrative Activity	✓					
Conduct Capacity Review of BPD (1)	✓					
Develop Compliance Standards	✓					
Develop Monitoring Plan	✓					
Conduct Monitoring	✓					
Complete Semi-Annual Report 1	✓					
Develop Outcome Measures	✓					
Continue Monitoring		✓				
Test outcome Measures		✓				
Complete Semi-Annual Report 2		✓				
Re-Assess Compliance Standards		✓				
Continue Monitoring		✓				
Complete Semi-Annual Report 3		✓				
Continue Monitoring		✓				
Produce Semi-Annual Report 4			✓			
Conduct Comprehensive 2 Yr-Re-Assessment			✓			
Re-Assess and Adjust Standards, Measures, and Plan			✓			
Continue Monitoring			✓			
Complete Semi-Annual Report 5			✓			
Continue Monitoring			✓			
Complete Semi-Annual Report 6				✓		
Continue Monitoring				✓		
Complete Semi-Annual Report 7				✓		
Continue Monitoring				✓		

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<b>TASK</b>	<b>Year 1</b>	<b>Year 2</b>	<b>Year 3</b>	<b>Year 4</b>	<b>Year 5</b>	<b>Year 6</b>
Complete Semi-Annual Report 8					✓	
Conduct Comprehensive 2 Yr-Re-assessment					✓	
Continue Monitoring					✓	
Complete Semi-Annual Report 9					✓	
Continue Monitoring					✓	
Complete Semi-Annual Report 10 (2)						✓

- (1) CAG has experienced Team Members who have conducted many management studies using the IACP standardized protocols. CAG will modify those and assess the BPD capacity relating directly to the Consent Decree Material Requirements. This analysis will assist CAG in identify areas where data or policy does not match the requirements and will recommend needed adjustments or capacity updates. The results of this will be included in Semi-Annual Report 1.*
- (2) Shown in sixth year as must report on last six months of the fifth year, so will actually be published after the estimated end date of the Consent Decree.*

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### **Paragraph 8**

*The Monitor will assist the Court and the Parties in evaluating BPD and the City's implementation of the Consent Decree. The Monitor will provide thorough, objective assessments of whether BPD and the City have obtained Full and Effective Compliance with the Material Requirements of the Consent*

### **CAG Response**

CAG has a proven track record with its past and most recent Consent Decree monitoring contract of providing fair, objective and concise evaluations of compliance to the Parties and the Court. Our reports focus on either existing court approved monitoring plans directed at a specific set of goals or high priority targets and/or periodic review of those paragraphs currently in compliance to determine continued compliance. We use a variety of reporting tools and formats including several CAG designed appendices that list the status of all paragraphs from a variety of views and data sets maintained within our proprietary data management system, which provides live access to all facets of the Consent Decree status. By having such a live system, our monitoring is always up to date and available for review and analysis. Included are several outcome measures such as longitudinal review of paragraph progress toward compliance. Such a system directly responds to many of the requirements of the Baltimore CD.

Our evaluation standards are premised on and built upon generally accepted policing practices and national standards. Our team understands that nothing is absolute in the workplace and perfection is often not attainable in any field to include police work. Given that understanding, our team acknowledges that police department reform and cultural changes do not occur over night and take significant effort and time. Our team will be mindful of the efforts taken by the department, while also monitoring those areas the department hasn't progressed in and/or should have. Fairness in this process requires our team to give credit when it is warranted for progress and feedback when it is not evident that needed progress is being made.

Our ability to assist and collaborate with departments, while pushing for compliance when progress is slowed or not in line with national standards has given CAG a reputation for fairness and transparency in cities we have worked with. Our mechanisms for reporting progress is clear and consistent for both the department and the court. An example of our typical reporting may provide a measurement such as: =>95% of all Field Interview reports are completed in accordance with policy. We would have established these milestones and measures in collaboration with the Parties initially and subsequently modified them, in conjunction with the Parties, as a result of real world operations.

Compliance standards such as these reflect compliance with the CD requirements but not necessarily the outcomes expected. If we were to take the above example and carry it out (in partnership with other portions of the requirements) to an outcome standard, one example might be: analyzing Citizen Complaints filed against the Department regarding stops where Field Interviews were conducted to see if the number of such complaints were reduced after the CD requirements were put into place.

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Albeit, these are hypothetical examples of “potential” standards and outcomes, all of which will require more in-depth analysis and review prior to presenting them to the Parties for approval. We intend to make that process as transparent as possible, resulting in quality compliance standards and understandable outcomes that can be evaluated and measured against the CD requirements as well as policing excellence within the City.

**Paragraph 9**

*The Monitor will assist in achieving compliance with the Consent Decree by offering technical assistance, issuing recommendations, soliciting information from and providing information to members of the public, and preparing public reports on the Consent Decree’s implementation.*

**CAG Response**

The proposed CAG team has over 30 years of experience working with state, local, and federal policing agencies to provide technical assistance, consulting and training. Most if not all of the proposed team has worked with a police department in some capacity that has been under a consent decree. All of our proposed team has written reports and recommendations to or for police organizations. The majority of our team has worked in the public domain either as a civil servant, or consultant that has required disclosures and reports that are subject to public reporting and review. Additionally, our teams experience working in collaborative problem solving, community engagement, facilitated dialogs, and community briefings and listening sessions, have all required working with the public to solicit information and input. Our team has a rich history of conducting management and leadership studies which expands our understanding and ability to identify and respond to other organizational change issues that may require some additional forms of technical assistance. Our proposed team brings not only practical knowledge of law enforcement promising practices to assist with reforms, but also best practices for organizational development and creating sustainable changes.

One of our teams’ initial goals will be to help identify areas the department will need for technical assistance. Once identified, CAG goes through a systematic series of problem solving steps that further define the problem and move the team toward a specific type or range of technical assistance options, which include both in-house and external resources. In our most recent CD work we identified a need for more intensive officer involved shooting investigations by the defendant police agency. After reviewing the defendant police agency’s capacity, it was determined that a Force Investigation Team (FIT), supported by a Force Review Board (FRB) was the needed response.

CAG, working with both DOJ and the monitoring agency, help develop the FIT and FRB policy, supporting Standard Operating Procedures (SOPs), and subsequently provided initial training to the selected FIT and FRB members based on those documents. After implementation, CAG continued its Technical Assistance role by having qualified OPR and criminal investigative team members participate in the investigative reviews of the first two cases as the investigations proceeded. CAG did not conduct the investigations, but merely provide expert review and suggestions for investigative steps in the process, again based upon the policies and SOPs. In another example of Technical Assistance, after complying with a Court order to establish an

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Action Plan for focusing the agency's efforts on the remaining non-compliant paragraphs, CAG modified a sub-section of its monitoring system, recoding it for the defendant agency's use and provided the modified software to the agency. The agency utilized this software to make work assignments and track progress toward compliance with the referenced paragraphs. CAG continued to update the agency's version as new requirements arose.

CAG brings to the engagement a strong depth of expertise in a wide variety of disciplines that allow us to respond to the identified Technical Assistance areas of the CD and we believe that positions us well to respond to Baltimore's identified needs.

### **Paragraph 10**

*The Monitor will work closely with BPD and its staff, in a cost-effective and collaborative manner, to ensure both Full and Effective Compliance under the Consent Decree and positive, constructive, and long-lasting change for BPD, and the community at large.*

### **CAG Response**

CAG is committed to forward and positive change in all of our consultancies. This has always required close coordination and constant communication with the client and in this case the Parties. We have a track record of such engagement with our most recent Consent Decree monitoring operations where we remain in constant contact with the Parties through conference calls, daily and weekly contact with the agency key personnel, review of case and complaint flow (via remote data access into the IAPro system and PowerDMS policy and training records system), monthly meetings with all of the Parties, and written evaluations of compliance throughout the CD paragraphs with the agency assigned point persons and agency leadership.

We make extensive use of our in-house computerized system for example, we provided compliance status updates to the Parties on the Court adopted Action Plan for Compliance on a weekly basis. These reports provided key indicators of compliance through suspense date analysis, percentages of completion versus non-completion, monthly trend analysis of compliance. All of this was provided by our data systems, which also recorded the analysis of compliance by the Police Practice Experts (PPEs), recommendations for gaining compliance, forecasts of Action Plan compliance completion based on past trends, and individual compliance certifications to the sub-paragraph and Action Step level on each review. All of these reports then formed the basis for quarterly reporting to the Court on a prescribed schedule. CAG prides itself in our ability to rapidly respond with CD status at any time through these "live" and "interactive" data systems. This furthers our ability to monitor in the most cost effective manner by reducing repetitive report preparation through automation.

### **Paragraph 11**

*As set forth in Paragraphs 442-488 of the Consent Decree, to realize these objectives, the Monitor must assume certain concrete responsibilities. Responses to the RFA must address, in detail, how candidates will meet these responsibilities*

### **CD Paragraph 442**



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*The Parties will jointly select an Independent Monitor (“Monitor”), which will include a team of individuals with expertise in policing, civil rights, monitoring, data analysis, project management, and related areas, as well as local experience and expertise with the diverse communities of Baltimore, to assess and report on whether the requirements of 459 this Agreement have been implemented and provide Technical Assistance in achieving compliance.*

**CD Paragraph 443**

*The selection of the Monitor shall be pursuant to a process jointly established by the City, BPD and DOJ, further explained in a Request for Application (“RFA”) that will be mutually developed by the parties. The RFA shall specify the criteria upon which the selection for the Monitor shall be made, including: each team member’s experience and qualifications to perform the tasks outlined in this Agreement; the ability to work collaboratively with BPD and DOJ to enable BPD to reach compliance with this Agreement; and the ability to do so in a cost effective manner. As part of the RFA, applicants will be required to submit a proposed budget for the work to be performed under this Agreement.*

**CD Paragraph 444**

*The Parties agree to file a joint motion asking the Court to appoint the Monitor chosen by the Monitor selection process described herein. The Parties agree that it is important to allow for public input at each stage of the Monitor selection process.*

*a. As further explained in the RFA, the Parties will publicly seek information from all qualified individuals or groups of individuals who are interested in being considered for the Monitor team. The Parties will publicly announce a time period in which interested parties can make submissions, and will review all information provided. All information submitted by interested parties will be made publicly available*

*b. After the deadline for Monitor candidates to submit information as specified in the RFA, the Parties agree to a public comment period, in which members of the public can review candidate information and make recommendations to the parties about the potential candidates.*

*c. After the public comment period, the Parties will evaluate the candidates, considering the recommendations made by members of the public, and agree on a subset of the teams to interview. In selecting whom to interview, the Parties may request additional information from the candidates. Interviews will be in person and conducted in Baltimore. Any travel expenses associated with these or other interviews shall be borne by the candidates.*

*d. Following the Party interviews, the Parties will then agree upon the teams that are finalists for the Monitor role. If the Parties cannot agree on finalists, the City and BPD, and DOJ may each name up to two teams (two for the City and BPD, and two for DOJ), to the finalist list. In selecting the finalists, the Parties may request additional information from the candidates. After a list of finalists is established, the Parties may conduct a second interview of the candidates, in-person at the parties’ discretion. The Parties will provide an opportunity for candidates to respond to questions and concerns from the Baltimore community. As part of this process, the*

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*Parties will provide for a public meeting at which candidates may respond to written questions submitted by members of the public.*

*e. After the finalists have been interviewed and responded to questions submitted by the public, the Parties will agree on a Monitor to propose to the Court in a joint motion. If the Parties cannot agree on a Monitor, the City/BPD and DOJ may each submit one proposed team to the Court, which will select the Monitor.*

*f. Candidates for the position of Monitor shall be responsible for their own expenses incurred as a result of the application process to become the Monitor.*

**CAG Response to CD Paragraphs 442-444**

CAG acknowledges the requirements noted in the referenced paragraphs and looks forward to participating in each step.

**CD Paragraph 445**

*The Monitor will be the agent of the Court and subject to the supervision and orders of the Court, consistent with this Agreement. The Monitor will only have the duties, responsibilities, and authority conferred by this Agreement. The Monitor will not, and is not intended to, replace or assume the role and duties of the City or BPD, or any duties of any City or BPD employee, including the Commissioner, or any City official.*

**CAG Response to CD Paragraph 445**

The above statement regarding the Monitor's status concurs with our current relationships with the Parties associated with the CD we are monitoring and we concur and accept these conditions. In our current engagement, as stipulated on our CD website, we do not take complaints from the public, but rather provide a direct link on that website for complaints to be re-routed to the agency OPR function. We answer questions about the CD and provide copies of all of our public reports from that website platform also, but always within the context of the CD's direction and limitations. We do not intend to assume any roles that are properly the responsibility of the City or the BPD and/or not enunciated within the CD itself.

**CD Paragraph 446**

*The Monitor shall be appointed for a period of three years from the Effective Date, subject to an evaluation by the Court to determine whether to renew the Monitor's appointment until the Termination of this Agreement or for another two years, whichever happens first. In evaluating the Monitor, the Court shall consider the Monitor's performance under this Agreement, including whether the Monitor is adequately engaging the community, completing its work in a cost-effective manner and on budget, and is working effectively with the Parties to facilitate BPD's efforts to comply with the Agreement's terms, including by providing Technical Assistance to BPD. The Monitor may be removed for good cause by the Court at any time, on motion by any of the Parties or the Court's own determination.*

**CD Paragraph 447**

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*If the Agreement continues more than five years pursuant to Paragraphs 504-510, the Court shall evaluate the Monitor's performance and decide whether to extend the term of the Monitor. If the monitoring period is extended under this Agreement, it should be extended only as to those Material Requirements of the Agreement that have not been terminated pursuant to this Agreement.*

**CD Paragraph 448**

*Once the Monitor is retained, the City will pay the Monitor a maximum of \$1,475,000 per year for performing all of the Monitor's duties under this Agreement. The Parties recognize the importance of ensuring that the fees and costs of monitoring the Agreement are reasonable, and thus fees and costs will be a factor to be considered when selecting the Monitor and the Monitor's reappointment. The Monitor will submit a proposed budget annually to the Court for approval, including an accounting of the actual budget for the previous year.*

*The Monitor will maintain a public website and will post its proposed budget and accounting to its public website. In the event that any dispute arises regarding the reasonableness or payment of the Monitor's fees and costs, the City, DOJ, and the Monitor will attempt to resolve such dispute cooperatively prior to seeking the assistance of the Court. The City and/or BPD will provide the Monitor with office space and reasonable office support such as office furniture, telephones, internet access, secure document storage, and photocopying. The City shall not be responsible for paying for non-working travel time. The Monitor may, at any time after its initial selection, request to be allowed to hire, employ, or contract with additional persons or entities that are reasonably necessary to perform the tasks assigned to the Monitor by this Agreement. Any person or entity hired or otherwise retained by the Monitor to assist in furthering any provision of this Agreement will be subject to the provisions of this Agreement. The Monitor will notify the City, BPD and DOJ in writing if the Monitor wishes to select such additional persons or entities. The notice will identify and describe the qualifications of the person or entity to be hired or employed, the monitoring task to be performed, and any additional fee or cost associated with the proposed selection. If the City, BPD and DOJ agree to the Monitor's proposal, the Monitor will be authorized to hire or employ such additional persons or entities.*

*The City, BPD and DOJ have ten business days to disagree with any such proposal. If the City, BPD, DOJ, and the Monitor are unable to reach agreement within ten business days of receiving notice of the disagreement, then any Party or the Monitor may seek the Court's approval for the selection. Any fees or costs charged by this additional person or entity will count toward the annual \$1,475,000 Monitor budget cap, except as provided in Paragraph 450.*

**CD Paragraph 449**

*The City will deposit \$150,000 into the Registry of the Court as interim payment of costs incurred by the Monitor. This deposit and all other deposits pursuant to this Agreement will be held in the Court Registry and will be subject to the standard registry fee imposed, if any, on depositors. The Monitor will submit monthly statements to the Court, with copies to the Parties, detailing all expenses the Monitor incurred during the prior month. These monthly statements shall be posted to the Monitor's public website. The Court will order the clerk to make payments to the Monitor. Upon receipt of an Order from the Court directing payment, the clerk will ensure*

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*timely payment of all approved statements received from the Monitor. Within 45 days of the entry of each Order directing payment, the City will replenish the fund with the full amount paid by the clerk in order to restore the fund's total to \$150,000, or to a lesser amount if the annual cap would be exceeded.*

**CD Paragraph 450**

*The Court has the discretion to increase the Monitor's cap by a specific amount for a specific year at the Monitor's request. To grant the request, the Court must find that the increase is necessary for the Monitor to fulfill its duties under the Agreement and is not due to a failure in planning, budgeting, or performance by the Monitor.*

**CD Paragraph 451**

*Before submitting a monthly statement to the Court, the Monitor will submit the monthly statements to the Parties. The Parties will review such statements for reasonableness. Upon completion of the Parties' review, but in no case more than 30 days after submission of the statements by the Monitor, the Parties will notify the Monitor of their approval of the statement. Upon receipt of the Parties' approval, the Monitor may submit the statement to the Court for payment. The statement submitted to the Court will indicate that it was reviewed and approved by the Parties. In the event the Parties cannot agree on approval of a statement, the Parties will attempt to resolve such dispute cooperatively prior to seeking the assistance of the Court to resolve the dispute.*

**CD Paragraph 452**

*In the event that the Monitor is no longer able to perform its functions, is removed, or is not extended, within 60 days thereof, the City, BPD and the DOJ will together select and advise the Court of the selection of a replacement Monitor, acceptable to both. The Parties' selection of the Monitor will be made pursuant to a method jointly established by the DOJ, the City and BPD, and the method will include public input. If the Parties are unable to agree on a Monitor or an alternative method of selection within 90 days of the Monitor's incapacitation, each Party will submit the names of up to two candidates, or two groups of candidates, along with resumes and cost proposals, to the Court, and the Court will select and appoint the Monitor from among the qualified candidates/ candidate groups.*

**CD Paragraph 453**

*Should any of the Parties to this Agreement determine that the Monitor has exceeded its authority or failed to satisfactorily perform the duties required by this Agreement, the Party may petition the Court for such relief as the Court deems appropriate, including replacement of the Monitor, and/or any individual members, agents, employees, or independent contractors of the Monitor. In addition, the Court, on its own initiative and its sole discretion, may replace the Monitor or any member of the Monitor's team for failure to adequately perform the duties required by this Agreement.*

**CAG Response to Paragraphs 446-453**

CAG is ready to participate and concurs with the processes spelled out in the referenced paragraphs, which are primarily controlled by the Parties and the Court.

### **C. Compliance Reviews**

#### **CD Paragraph 454**

*The Monitor will conduct Compliance Reviews. The purpose of a “Compliance Review” is a review to determine compliance with the Material Requirements of this Agreement. Compliance Reviews shall be conducted in a reliable manner based on accepted and trustworthy means and methods. Any statistical analysis used as part of a Compliance Review must conform to statistical techniques that are accepted in the relevant field. The Monitor shall provide the City, BPD, and DOJ with the underlying analysis, data, methods, and source of the information relied upon in the Reviews.*

#### **CD Paragraph 455**

*The Compliance Reviews to be conducted pursuant to this Agreement shall be specifically set forth in the Monitoring Plan*

#### **CAG Response to Paragraphs 454 and 455**

This is a very important part of the Monitor’s responsibilities and one which requires transparency in design of auditing tools as well as application and analysis of the results of using them to assess compliance. This will consume a major portion of the initial Monitoring Plan design phase and will include consultation with the Parties as each compliance standard and supporting outcome measure is developed. CAG has used a variety of standards in its current and previous consultancies that include both qualitative and quantitative values. Where tangible results such as the number of forms completed met established policy requirements, as percentage such as =>95% will be used. In others, where things like satisfaction with the way the individual was handled, a more qualitative approach will be used. The second example might be the interpretation and analysis of comments back from a citizen survey.

In all cases, CAG will supply the rationale and basis for the standard as well as the analysis format that will be used to evaluate it. The Monitoring Plan will include reporting products and as noted elsewhere, CAG can provide the Parties with incremental reporting on paragraph compliance through its data system, using the same established standards.

### **D. Outcome Assessments**

#### **CD Paragraph 456**

*In addition to Compliance Reviews, the Monitor will conduct Outcome Assessments as specified in this section of the Agreement to measure whether BPD’s revised practices and procedures are achieving the purposes of this Agreement and are having an overall beneficial effect on policing in Baltimore. Outcome Assessments shall be conducted in a reliable, cost-effective manner based on accepted and trustworthy means and methods. Any statistical analysis used as part of an Outcome Assessment must conform to statistical techniques that are accepted in the relevant field. The Monitor shall provide the City, BPD, and DOJ with the underlying analysis, data, methods, and source of the information relied upon in the Assessments.*

#### **CD Paragraph 457**

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*For at least the first three years of this Agreement, the Monitor will be responsible for conducting the Outcome Assessments required by this section. During this period, BPD will work with the Monitor and DOJ to develop the capacity to conduct these assessments on its own. Beginning three years from the Effective Date or as soon as practicable thereafter, BPD will begin performing the assessments and report these results to the Monitor and DOJ for review. Should the Monitor find that Outcome Assessments not included in this section of the Agreement are necessary to determine whether the City and BPD are achieving Full and Effective Compliance, Court approval will be required.*

### **Paragraph 458**

*BPD will develop a plan, in consultation with the Monitor to conduct these or similar assessments following the termination of the Consent Decree. BPD will publish the plan for continuing assessments on BPD's website.*

### **CAG Response to Paragraphs 457 and 458**

As noted in our discussion on Technical Assistance, we plan to work closely with the BPD Compliance Unit both with the development of the compliance standards, assessment tools, outcome measurements, and reporting products, as well as the use of same throughout the life of the CD. This should position the BPD to assume this role on a continuing basis once the CD has terminated. Such assumption is a critical component in continuing the BPD forward movement toward policing excellence and sustainability of the reform efforts.

### **CD Paragraph 459**

*a. An annual Community Survey that assesses the satisfaction of the community with BPD's:*

- i. Overall police services;*
- ii. Trustworthiness;*
- iii. Engagement with the community;*
- iv. Effectiveness;*
- v. Responsiveness;*
- vi. Interaction with Youth;*
- vii. Misconduct investigation and discipline systems; and*
- viii. Interactions with African Americans, Hispanic Americans, LGBT, and other significant and distinct groups within the community;*

### **CAG Response to Paragraph 459-a Annual Community Survey**

**Ensuring the voice of the community is heard is a critical metric of success for any reform initiative.** Our Team of professionals is committed to creating mechanisms to ensure the vast and diverse communities and neighborhoods of Baltimore have an active voice in this process. Our team of experts will work with the BPD, Community and Neighborhood Stakeholders, DOJ, City Officials and Attorneys to create a repository of questions that will glean from the community their perspectives and overall observations regarding the reforms on annual basis.

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The questions will be ultimately crafted and finalized by our team of experts with extensive experience in developing assessment tools, conducting focus groups, creating surveys and facilitating civic and community engagement meetings.

The questions will be categorized by the specific areas identified in the CD and that have been reported by the BPD to be in various stages to include but not limited to: implemented, started and/or announced, or planned in the past 12 months.

The areas will include at a minimum:

Overall police services;

Trustworthiness;

Engagement with the community;

Effectiveness;

Responsiveness;

Interaction with Youth;

Misconduct investigation and discipline systems; and

Interactions with African Americans, Hispanic Americans, LGBT, and other significant and distinct groups within the community;

**As important as developing the annual survey is the collection of a base-line assessment of community views in the same areas listed above prior to the first year of the CD.** Our Team will request, analyze and review data from the BPD, DOJ, City and Community Groups to develop an initial survey tool to gather the community perceptions prior to implementation of the reforms and since the announcement of the CD.

This will allow everyone to have a mental and physical dashboard of where the BPD started and how far they have come based upon a consistent and accurate measurement that will be shared and accessible throughout the CD period.

### **Collection and Transparency**

**A survey is only as good as the data that is ultimately collected from the participants.** To create opportunities for a demographically representative sampling of Baltimore citizens the outreach must connect with grassroots organizations and stakeholders that can help identify those communities that are often not reached by traditional survey methods.

Our team will work with identified community stakeholders from groups already identified that have demonstrated ties to the community; and we will seek out underrepresented communities as well, to encourage participation and feedback throughout the CD process.

Our team will also utilize a varied collection methodology to include paper and pencil, internet, social media applications, and individual interviews for persons needing assistance answering surveys and those with limited access to on-line technology. Our team will also have the surveys distributed at town hall forums and facilitated community meetings that will be held throughout the city.

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The results of the survey will be shared on the CD webpage and through a survey dashboard and distributed back to the community representatives; and through grassroots organizations with access to stakeholders. Additionally, our team will work with the BPD to have a survey report compiled and hold a question and answer session to share the results of the survey and outline next steps.

### **Real-time Collection of Survey Data (Quarterly Reports/Dashboard)**

There are several tools/applications out there that can assist with the survey; we have an established partnership with a national survey and social media platform to assist with creating a city wide program for gathering feedback on a regular basis that can also be compiled in the annual data reporting; however the collection could be daily, weekly, or monthly and go directly to a repository we will analyze on a quarterly basis and populate on the dashboard. Seattle uses a similar platform for their community feedback and has had some successful use of collection and analysis for a monitoring environment, community input, transparency, and outreach.

### **CD Paragraph 459- b**

*b. An annual analysis of response times for calls of service, accounting for the type of call, in each police district and different neighborhoods within Baltimore;*

### **CAG Response to Paragraph 459-b**

Members of the team have conducted Police Department Calls for Service data analysis for over 25 years and have produced in excess of 100 management study reports with detailed analysis of this data from distribution of personnel geographically and temporally, as well as response time assessment based on type of call. Statistical analysis that has been used are generally accepted policing practice process and formulas as well as data collection protocols. Data is extracted for a desired period from Computer Aided Dispatch data sets and organized by different data fields depending on the analysis being performed.

For example, data might be organized by date sequence and then type of call for service, with mathematical formulas applied to four specific time stamps generally found within most CAD systems; date and time call received by 911, dispatched to the responding unit, responding unit arrival on the scene and when the unit cleared the scene. Response times can be obtained from the first three, while workload data can come from the last three (e.g., how much time was spent handling the call.) Data is also obtained from other CAD fields such as location of the call (street address, beat, zone, Census Tract, or identified community boundaries [if coded in the system]). If the community boundary is not part of the CAD data, then some translations would have to be added after extract to geog-code this to the included street address or other identifying data.

Most agencies segregate dispatch priorities based on the type of call, with crimes in progress and crimes with potential injury to citizens being given the highest priority. CAG would assess the CD required data. Our team has done this type of analysis for numerous departments and is poised to assist with looking at BPD data in compliance with the needed reforms and the CD.

### **CD Paragraph 459-c**



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- c. To assess whether Arrests made by BPD officers are supported by probable cause, based on constitutional policing practices, and consistent with this Agreement, an annual analysis of:*
- i. The rate at which Arrests are found to lack probable cause or otherwise violate the Fourth Amendment by BPD supervisors, and in any court commissioner data made available to BPD;*
  - ii. The frequency of civilian complaints to OPR and CRB alleging unlawful Arrests, the disposition of such complaints, and the quality of BPD's complaint investigations;*

**CAG Response to Paragraph 459-c**

CAG will monitor this data throughout the year and match our results and conclusions with that of the BPD. By monitoring the quality of the request, the rates of rejection and the absence of probable cause continuously we can make problems known to the BPD earlier than waiting for an annual review and depending on whether it is supervisory, accountability, or training related, pass on our observations and recommendations of changes to the process or training actions. We intend on coordinating with the District Courts to ensure that the information from their portion of the process is available.

As part of the quality control of the arrest process, complaints associated with those arrests will be correlated to the BPD and Monitor's evaluations of compliance and used to measure compliance quality. Part of this evaluation of the complaints will be a review of the body worn camera footage associated with the incident. Finally, based on outcomes from the OPR and CRB reviews, we will assess the quality of the investigations, against a standardized and pre-approved auditing tool.

**CD Paragraph 459-d**

*To assess whether officers are using force lawfully; using tactics that minimize the need to use force; modulating their use of force appropriately in response to changing circumstances; and critically analyzing, learning from, and holding officers accountable for uses of force, the Monitor will conduct an annual:*

- i. Analysis of use of force incidents, broken down by Reportable Force type, District, type of Arrest; race, ethnicity, age, and gender of the subject; and, if indicated at the time force was used, the subject's perceived mental health or medical condition, use of drugs or alcohol, or the presence of a disability;*
- ii. Analysis of force complaints, including: number of force complaints and rate of complaints compared to reported uses of force, broken down by geographic area, Reportable Force type, and race, ethnicity, gender, and age of complainant;*

**CAG Response to CD Paragraph 459-d**

Initial efforts will focus on the collection and review BPD policies and guidelines concerning the use of deadly and less lethal force. While many may have already been approved for use, we will want to verify they comply with the Supreme Court's decisions in *Garner* and *Graham*, both of which were reaffirmed by the Supreme Court in *Mendez* on May 30, 2017. It is important to see if this last case has generated any need for modification.

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It is hopeful that these policies will identify the types of weapons and devices issued and used by/BPD officers. We will review associated training materials for sufficiency and appropriateness. During this review, we will check to see if the concept of threat assessment and de-escalation has been integrated into force policies and associated training materials. Moving on, we will conduct supervisory review and investigation requirements for use of force reporting and after review of the investigation of force usage that if already in place, whether consideration should be given to the establishment of a Use of Force Assessment Unit (UFAU), Performance Review Board (PRB), and Special Investigations Response Team (SIRT) or Force Investigation Team (FIT).

Coordination of these bodies and with the Office of Professional Responsibility (OPR) is a critical issue because of the likelihood of overlap and duplication. We will also assess use of force reporting for appropriateness and compliance. We would determine if the process for review of use of force was in place and was it working.

### **CD Paragraph 459-e**

*e. To assess whether BPD officers make Stops and Detentions based on community policing principles that protect the constitutional rights of Baltimore residents the Monitor will conduct analysis of data showing the rate at which officers' Stops and Detentions uncover evidence of criminal activity;*

### **CD Paragraph 459-f**

*f. To assess whether BPD officers conduct Searches, Frisks, and Strip Searches consistent with constitutional requirements and the provisions of this Agreement, the Monitor will conduct analysis of data showing:*

- i. The rate at which Frisks result in officers recovering a weapon;*
- ii. The rate Searches yield evidence of illegal weapons or contraband.*

### **CD Paragraph 459-g**

*g. To assess whether BPD delivers police services without an unnecessary disproportionate impact on individuals based on Demographic Category, the Monitor will conduct analysis of data showing:*

- i. The breakdown of pedestrian and vehicle Stops by race, gender, and ethnicity, accounting for the demographics of the individuals residing in the area, crime rates, calls for service, or other relevant facts and circumstances;*
- ii. The outcome of pedestrian and vehicle Stops, including warnings, Citations, and Arrests, broken down by race, gender, and ethnicity, for each police district and the City as a whole, accounting for relevant facts and circumstances surrounding officers' decisions to make the Stops;*
- iii. The percentage of Frisks or Searches that result in seizure of contraband, and the nature of the contraband seized, controlling for available data on facts and circumstances surrounding the Frisk or Search, broken down by race, gender, and ethnicity;*

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*iv. The proportion of Arrests for misdemeanor offenses specified in Paragraph 61(a)-(f) broken down by race, gender, and ethnicity, that result in one of the following determinations after booking: released without charge; released based on identity issue; declined to charge; and lack of probable cause;*

**CAG response to CD Paragraph 459-e thru g**  
**Stops and Detentions (Frisk/Searches)**

This area addresses two major focuses; 1) the process, constitutionality and results of executing stops, frisks, and searches, and 2) the perceptions of the subjects stopped as to how they were treated by the police. While the first can be measured through interview forms, incident and arrest reports, and seizures from the incident (data point sources within the police business model and CD requirements), the second requires qualitative interaction with the subjects of these police actions and the general perceptions that result within the community.

In response to the first focus, CAG proposes to utilize the documentation specified within the CD and other police data sources as needed to evaluate the effectiveness of the stops, the justification for them, and their validity within the Constitutional framework. This would result in quantitative data that can be used to evaluate the process. The foundation of criminal procedure is ensuring stops and seizures are based upon the constitutional foundation of the rights of citizens to be free from unreasonable police interference.

Many of the communities in Baltimore feel that constitutional freedoms have not been afforded to them, and the BPD must be vigilant to ensure patrol officers, and command staff know every interaction is an opportunity to change that past.

Our team will review the relevant policies, SOP's and processes outlined within the CD to provide insight on the actual policy intent in order to measure the impact on officer behavior and community contacts. The same review will be conducted to see if the policies are in line with industry best practices, legal standards, and promising practices for implementing community oriented policing (COP) and Procedural Justice into daily officer engagement with citizens and contact. If policies have already been approved by the parties, CAG will utilize this review to further understand the process and apply those findings to the development of the compliance standards.

Interactions with the police on a daily basis are the starting point for re-building community trust. Every officer that stops and detains a person establishes a perspective on policing with that individual. To respond to the second focus, our team will assist the BPD with understanding the critical nature of utilizing community policing principles at every stage of citizen interactions, and how procedural justice principles can increase positive perspectives of police community interactions versus negative perceptions.

Our team has had years of monitoring, teaching, advising through technical assistance and implementing community policing plans in cities under oversight as well as those seeking to

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increase trust within communities that have been identified to have disproportionate contacts with police.

### **Collection and Measurement**

Our team will work with the BPD, Communities, DOJ, and City Officials to create a collection tool (Next Door or Other Application; On-Line portal) that will allow citizens to provide timely and immediate feedback on interactions with officers in the communities they serve. One of the concerns with data in this area has been the lack of official paperwork from community contacts; so, our team will monitor that aspect within the department, and ensure (Field Contact Forms) are being completed and all proper data points are being reported daily.

The Monitoring team will also create a survey tool limited in scope to daily interactions with the police (stops, detentions, frisks) that can gather community feedback which can be compared to officer collected data on the same, to assess the numbers of contacts, and the perspectives from those stopped on the officers' interactions with them.

The survey should be distributed in various ways: officers, via mail after FCF are submitted, mail if a ticket or arrest resulted, a card with a link to an on-line version of the survey, informational meetings, at community centers, and places of worship, at other governmental organizations, and public facilities, libraries, etc.

Part of the monitoring, will be to review, and analyze those contact forms to see if there are variances in communities, and identify trends that reflect the demographic make-up of the city. This review will assess all stops for an identified period and analyze data related but not limited to: race, gender, ethnicity, neighborhood and outcome of the contacts.

Additionally, our team will look at any trends in those stops that resulted in an arrest, the reason for the arrests, the eventual outcome of the arrests, and levels of cases that were prosecuted, adjudicated or dismissed and the reasons.

Part of the monitoring role will be to make sure the community knows what is being reviewed and how they can assist with providing data and have a voice in determining what success looks like in their own communities as it relates to police interactions and contacts. To facilitate that educational piece our monitoring team will host listening sessions, and town hall style dialogues to share information with communities, gather information, concerns, and level set expectations. This will help facilitate the sharing of information and set up transparency and accountability for the BPD on the data the monitoring team will be seeking and sharing with the community.

The data reviews will be conducted quarterly to allow for trends and areas identified for improvement to have a more immediate impact on officer behavior, if training, or policy reviews need to occur, it shouldn't wait until the end of a year before it can be adjusted. The compilation of the findings will be reported annually as well, with any notations of changes in policy, process, or procedures that may impact the variances in the data.

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The Monitoring team is comprised of attorneys, judges, police, and academics that have all assessed data both quantitative and qualitative as it relates to police and citizen interactions. The team has looked at voluminous (field contact cards, police reports, arrests reports, citizen complaints, use of force files, and court documents) to identify trends and data points.

Additionally, the team has also conducted community interviews, polls, focus groups, and engagement conversations to gather perspectives on interactions not always captured by the data in police and court files. This experience and knowledge of best practices on assessing beyond the paper to ensure a complete picture of how the reforms are being implemented daily will be used.

**CD Paragraph 459-h**

*h. To assess whether people with behavioral health disabilities or in crisis are receiving reasonable modifications, the Monitor will conduct analysis of data showing:*

- i. The number of people subject to Emergency Petitions who were eligible for community-based services;*
- ii. The number of referrals by BPD to community mental health services or to a hospital emergency room; and*

**CAG Response to CD Paragraph 459-h**

CAG will collect all available BPD policies, information on alternative mental health services, and lists of Non Governmental Organizations (NGO) and community services that could be used by BPD as an alternative to Emergency Petitions (EP). In addition to the development of the list, the CAG will recommend creation of a crisis intervention working group throughout the CD process to help create mechanisms and training as needed to increase understanding of the need within the City and the Department to better serve this population effectively.

CAG will also review and evaluate BPD training directed at first responder handling of persons in mental health crisis. Using both the policy guidelines and the supporting training, CAG will evaluate its suitability to responding to this service delivery area. Using that data, and designed and approved audit tool, CAG will review all of the BPD EP records for compliance to policy, as well as evaluate if other options could have been used. CAG will report out its CD compliance evaluative results including trend comparisons to determine if existing or improved policies and training have resulted in an acceptable allocation of alternative service recommendations and placements as opposed to the State authorized EP process.

**CD paragraph 459-i**

*i. To assess whether officers interact appropriately with Youth in a manner that accounts for their individual characteristics, the Monitor will conduct analysis of the rate of police interactions with Youth, including Stops, Searches, and Arrests, that result in officers using force;*

**CAG Response to CD Paragraph 459-i**

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Using similar concepts as noted in our response to CD Paragraphs 459-e-g, CAG will add an outreach component that includes, schools, community centers, universities, youth advocacy groups, grassroots organizations, and the public defender's office to establish a communication pathway to gather data from impacted youth and their families.

CAG will also work with the Mayor's Youth Advisory council as well as establish a secondary communications channel via a **CD Youth Advisory Committee** that can be used as a POC and liaison to various youth organizations and communities that the monitoring team may not be able to connect with and/or open lines of communication – their counterparts may be better suited to serve as a champion for the monitoring team to open doors and gain their trust.

We will also have specific youth listening sessions and educational activities that garner youth input and ideas on reform implementation for youth and police trust building. Also, engage youth on social media on-line platforms to encourage collection of timely data from their interactions with police.

As a millennial generation, they are prone to using on-line platforms to communicate and report incidents so the team will have to harness that energy into a tool that can capture real time their views and use the data to engage the youth and show their voices are important to how the BPD changes the way they do police work. This channel can also help build understanding for the work of the CD.

Information gained from these communications channels, coupled with review of police generated stop reports or forms, will be matched against use of force reports to determine if the force was appropriate for the situation and compliant with CD approved police policy and practices.

### **CD Paragraph 459-j**

*j. To assess whether members of the public are able to express themselves freely, observe and record law enforcement, and engage in lawful public demonstration and protests without intimidation or retaliation by police, the Monitor will conduct analysis of:*

- i. The number of Citations and arrests requiring supervisor approval under the First Amendment section of this Agreement, broken down by police district and arrest charges;*
- ii. Complaints in which a person claims he or she was not permitted to observe, record, criticize, or protest police activity, or was retaliated against for such conduct and the disposition of such complaints;*

### **CAG Response to CD Paragraph 459-j**

Using the above citation in section 459-j-i, CAG will review these citations, linking them on a continuing basis to the areas and police districts where these incidents take place and evaluate both the investigation conducted by the BPD to the complaints. In addition, we will review and evaluate the supervisor evaluation of the request for citation for compliance with BPD policy and CD requirements. Finally we anticipate that complaints filed in this area of concern will also play a role in determining if the CD requirements are having an effect. The combination of each in the

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analysis will be determined in conjunction with the compliance standards and the outcome measures. We would suggest that a longitudinal review might be better indicator of impact and changes that have resulted.

**CD Paragraph 459-k**

*k. To assess whether BPD responds to sexual assault in a nondiscriminatory manner that complies with the Constitution and federal law, and improves the safety and security of sexual assault victims in Baltimore, the Monitor will conduct an annual review of:*

- i. Number of sexual assault reports made to BPD;*
- ii. Rate of victim participation in BPD sexual assault investigations;*
- iii. Clearance rate in sexual assault cases; and*
- iv. Rate of declination of sexual assault cases referred to the Baltimore City State's Attorney's Office for prosecution;*

**CAG Response to Paragraph 459-k**

Victims of crime seek the assistance of the police to protect them from future harm, investigate criminal acts and catch the perpetrator. When crimes as horrendous as sexual assault and murder go unsolved, the community feels unsafe, betrayed, and often re-victimized by the process. Our monitoring team has worked with victims of sexual assault and observed the trauma they have endured and the struggle to report the incident and re-tell their stories.

Police departments have a duty to serve all victims of crime with respect, dignity and a sense urgency to solve their cases. The nuances of sexual assault cases cannot be understated, officers that respond to calls, and interview victims of sexual assault should be trained to understand the dynamics of those cases.

Our monitoring team will review the policy, procedures, and processes for responding to calls for domestic violence, sexual assaults, and the training officers have received specific to sexual assault investigations, victims of crime, interviewing survivors, and collection of evidence. If the BPD policy and training is not in line with industry best practices, the monitoring team will provide technical assistance and/or coordinate recommendations for appropriate training programs to create a more capable police force when dealing with sexual assault cases.

Our team will review cases on a quarterly basis to assess at a minimum: calls for service, reports of sexual assaults, arrests, complaints, clearance rates, and prosecutions of the cases. During the review attention will be paid to the demographics of the calls for service, race, gender, ethnicity, neighborhoods, and other pertinent data to see if there are trends in terms of investigating, and closure of cases.

Additionally, our team will conduct outreach and polls of citizens regarding interactions with the police for assault cases, domestic and sexual. Similar outreach techniques can be used; however, discretion will be practiced protecting the identity of victims and anonymity as needed to create a safe space to report their experiences. Because of the sensitivity of the trauma, our team will

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collaborate and work with victim service providers and community advocacy groups for victims of sexual assault to set up mechanisms for gathering feedback.

The monitoring team will work with the prosecutor's office to (conduct a gap analysis) to identify and determine any gaps that can be remedied by the police during their interactions, and investigations that can assist the prosecutors with ultimately holding perpetrators accountable and securing convictions. The monitoring team will recommend creation of a cross functional committee for sexual assault cases to include but not limited to: (SANE Nurses, Social Workers, Victim Advocates, Prosecutors and Counselors) and the Police to meet regularly to exchange ideas and best practices for investigating, and prosecuting sexual assaults.

The monitoring team will work with victim organizations, and social service organizations to create mechanisms for education and outreach to victims of sexual assault. A special effort will be made to have outreach on various Baltimore colleges and universities to address (sexual assaults) on campus or that involve students as well. This outreach is to encourage and ensure victims know their voices are important to creating reforms that will best serve their needs and create a place of safety.

### **CD Paragraph 459-1**

*1. To assess whether BPD effectively trains officers and provides them with the skills and knowledge necessary to conduct their law enforcement activities in accordance with policy, law, and this Agreement, the Monitor will conduct an annual review of:*

*i. Rates of completion of approved training and performance assessments of evaluative aspects of training;*

### **CAG Response to CD Paragraph 459-1-i**

CAG will review current curricula associated with CD areas and if it responds to those areas and does so using appropriate adult learning criteria and techniques; e.g., is student focused not teacher focused. Further we will determine if the materials include hands on application of the skills learned that are evaluated by qualified instructors. The rates of completion versus non-completion will be assessed and matched to assignments where these skills are critical to successful job performance. CAG will apply industry standard Instructional Systems Design (ISD) and ADDIE principles to these curricula reviews and is available to assist BPD in these areas as needed. CAG has provided Technical Assistance in its current CD consultancy to improve these competencies in the participating agency.

In addition to the review of current curricula, our team will compare the level of requirements for recruits, in-service, and command training currently in place and assess if the courses are in line with other training standards nationally and/or in departments the size of Baltimore. This analysis will not only look at the topics covered but the amount of time given to areas BPD Officers may need to enhance to better police their communities, while building trust and mutual understanding.



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ii. Qualitative measurements of the adequacy of training, including assessments by officers, feedback from instructors, and evaluations by civilian reviewers;

**CAG Response to Paragraph 459-i-ii**

CAG will assist BPD with developing level two and three training evaluations that will measure completion, comprehension, and understanding of practical application.

iii. Qualitative and quantitative assessments of the FTO program, including the availability of sufficient numbers of eligible FTOs and officer complaints filed against FTOs; and

iv. The frequency that training deficiencies are identified through investigations, internal reviews, complaints, disciplinary proceedings, civilian oversight, or other mechanisms;

**CD Paragraph 459-m**

*m. To assess whether BPD is providing effective supervision of officers, the Monitor will conduct an annual review of the number of supervisory interventions initiated through the EIS, and on a sampling basis a qualitative analysis of the quality of those interventions;*

**CAG Response to Paragraph 459-m**

CAG will assess supervisory interventions within the EIS and review the quality of those interventions. Proper use of the EIS is critical to the agency's interventions of continued violations of Constitutional safeguards by officers. Our team will pull a random sampling of EIS cases on a regular basis to audit the proper steps that are dictated by policy and procedures. In conducting this review we will assess both the EIS policy and implementation of that policy, the training that supports the policy and relate to the success or failure of the interventions. Should modifications to any be needed, we will submit those changes to the Parties for review in accordance with other paragraphs of this agreement.

**CD Paragraph 459-n**

*n. To assess whether BPD is effectively holding officers accountable, the Monitor will conduct an annual review of the separate OPR and CRB quarterly public reports and underlying data as necessary, examining data on complaints, misconduct allegations, misconduct investigations, and officer discipline.*

**CAG Response to Paragraph 459-n**

For the CD changes in officer behavior to be effective, supervisors must hold officer's accountable for their actions. CAG will review appropriate OPR and CRB data to determine the completeness and quality of complaint investigations as well as to determine their compliance with BPD policy. The team will also look at any trends that may arise from matters such as lower level complaints that should be measured as potential indicators of more systemic problems. We will also compare this data to the citizen survey data for any possible correlation or indicators of disconnects between the conclusions from both reviews. Timeliness of resolutions also has an impact on the ability of the investigative conclusions and recommended penalties or counseling to be effective so we will also review that. This will also include analysis of impediments to the process and reporting.

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### **CD Paragraph 460 Data Collection**

*In conducting these Outcome Assessments, the Monitor should, to the extent practicable, use any relevant data collected and maintained by BPD prior to conducting separate data collections. In the absence of available BPD-collected data, the Monitor may rely on data collected by the Monitor, and information concerning civil liability of BPD, its officials, officers, employees, agents, assigns, or successors, provided that it has determined, and the Parties agree, that this information is reasonably reliable and complete. In reporting on the Outcome Assessments, the Monitor shall provide the City, BPD, and DOJ with its methodology, underlying analysis and the source of the information relied upon, including, but not limited to, data collected and maintained by BPD, information concerning civil liability of BPD, its officials, officers, agents, or employees, interviews, surveys, including the Community Survey, or public source material.*

### **CAG Response to Paragraph 460**

CAG has developed outcome measures in previous monitoring projects and management studies that use agency data to support success or failure rates of the expected outcomes. For example if one is measuring the impacts of changed policies, training and oversight of use of force with an outcome measure that reflects increases or decreases in the number of excessive use of force complaints or litigation filed against the agency, then data from several sources is necessary; the police agency from its OPR data bases for the reporting and investigation of complaints, data concerning when and what was changed in training protocols, changes in the level of supervisory and managerial oversight and accountability, as well as the jurisdiction or in this case the City, solicitor or City attorney's office who would be the normal recipient of the litigation. Indirect perception or actual data could also result from interaction with community groups and properly constructed questions used in the citizen surveys.

To set up such an outcome measurement, data from the baseline data collection becomes the starting point and a continuous effort at collection (in many cases the by-product of the Compliance Monitoring data collection and monitoring efforts) of relevant data can produce both incremental and longitudinal evaluations of outcome measures.

### **CD Paragraph 461- 467 Monitoring Plan**

#### **CD Paragraph 461-a**

*a. Provide an overview for how BPD will reach Full and Effective Compliance with all Material Requirements of the Agreement within five years. This overview will include a specific schedule and deadlines for the upcoming year of the Agreement and a general schedule for successive years, including those deadlines for subsection (e), below, that will extend beyond the first year of the Agreement;*

#### **CD Paragraph 461-b**

*b. Set forth a review and approval process for all BPD actions that are subject to review and approval by DOJ and or the Monitor, including reasonable deadlines, a period for consultation; a mechanism for extending deadlines; and provisions describing the consequences for failing to meet the deadlines, including but not limited to notice to the Court and the public of missed deadlines;*

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**CAG Response to Paragraph 461-b**

Working in conjunction with the Parties, we will establish a protocol for review of BPD policy and required actions under this agreement and establish a schedule (including the process for modifying such schedule) that includes suspense dates for completion. This will be completed in conjunction with the establishment of the compliance standards for achievement. We would also suggest that the training which supports these policies or actions also be reviewed at the same time for consistency. Failure to complete CD required actions or compliance with approved policy will result in Court and public notification of such failures and the process for same will be included in the Monitor's approval and review protocol.

**CD Paragraph 61-c**

*c. Clearly delineate how the Material Requirements of the Agreement will be assessed for Full and Effective Compliance so that it is clear when and how Full and Effective Compliance may be achieved;*

**CAG Response to Paragraph 461-c**

CAG, as noted elsewhere in this application, will as part of the Monitoring Plan development, include detailed statements of the Compliance Standards (what constitutes compliance and how that will be assessed including required documentation) for each paragraph and sub-paragraph of the agreement. These standards will also include the underlying data used and the analysis applied to arrive at the monitor's conclusions regarding compliance achievement. These standards with associated protocols and explanation, are stored in our database and will provided along with the individual paragraph and sub-paragraph status and status dates, in our semi-annual reports as an appendix. This information is also available ad hoc as part of special reports or inquires from the Parties or as part of public reporting as deemed to be public information under this agreement.

**CD Paragraph 461-d**

*d. Describe any Outcome Assessments or Compliance reviews that will be used to assess Full and Effective compliance with the Agreement, including a general description of the methodology and whether any requirements will be assessed collectively or separately;*

**CAG Response to Paragraph 461-d**

Compliance Standards identify levels of performance that equate to meeting the Material Requirements of the CD, while Outcome Measures tell us how effective meeting these standards were in terms of changing behavior, perceptions, and satisfaction with the manner in which the BPD provide policing services to the citizens. Since ultimately the CD is designed to generate behavior change and improved policing styles, the outcome measure tell us if that has happened. Both must be carefully linked and one must be able to directly correlate one to the other for any analysis to be accurate. CAG will provide those linkages as they develop the two measures and begin to report out the results of the monitoring effort.

**CD Paragraph 461-e**

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*e. Establish a schedule for conducting all Outcome Assessments and Compliance reviews, taking into account that the data and technology necessary to conduct the assessments or reviews may be currently unavailable;*

### **CAG Response to Paragraph 461-e**

CAG will, while developing the Compliance Standards, identify the time period when, based on available initial information, that it is anticipated the BPD will achieve compliance. During this development all required data will be identified and that data not currently available will be discussed and recommendations for its collection provided. If possible, CAG will identify alternative data elements, reconfigured fields or combination of fields, and/or data sources for the needed information.

### **4CD Paragraph 61-f**

*f. Establish a process for sharing the results of all Outcome Assessments and Compliance Reviews with the Parties, including all source data and information, analysis, and a complete and detailed explanation of any conclusions;*

### **CAG Response to Paragraph 461-f**

As noted in our section on the content of the semi-annual reports, we include all requirements of this paragraph in such reports, generally as an appendix, but also in context of compliance discussions within the body. Details as to sources and underlying analysis will usually be in the referenced appendix.

### **CD Paragraph 461-g**

*g. Clearly delineate the roles and responsibilities of the Monitor's team members, including identifying a Deputy Monitor with authority to act in the Monitor's absence, lead members who have primary authority for each section of this Agreement and achieving Full and Effective Compliance with that section, and specifying whether they or any team member (besides the Monitor and Deputy Monitor) has approval authority for BPD actions;*

### **CAG Response to Paragraph 461-g**

See our responses in Section III of this application (and specifically Table 1) for information on team member roles and responsibilities.

### **CD Paragraph 461-h**

*h. Establish a protocol for communication, engagement, and problem solving with BPD and DOJ;*

### **CAG Response to Paragraph 461-h**

CAG team members have extensive experience mentoring and training personnel with problem solving techniques. We currently conduct such active communication channels with our other consultancies and maintain a problem solving approach with both DOJ and the CD police agency. We have partnered with the Parties to resolve problems moving the agency toward compliance. As part of our initial meetings with BPD personnel we will offer our assistance where necessary to establish such channels within this CD and will strive to further enhance

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these from a problem solving standpoint. As stated elsewhere, we operate from a real time status reporting position and we believe continued updating of both DOJ and BPD as to the status of compliance will support continued open dialog and forward movement.

**CD Paragraph 461-i**

*Establish a method of communicating with the public and receiving public input, which shall include quarterly in-person meetings in different Baltimore neighborhoods;*

**CAG Response to Paragraph 461-i**

See our response to Paragraphs 14 and 474 for details on our liaison program.

**CD Paragraph 461-j**

*Specify any documents that must be preserved pursuant to the Agreement beyond the requirements of applicable retention policies.*

**CAG Response to Paragraph 461-j**

See our response to Paragraph 482 for details on this requirement.

**CD Paragraphs 462-464**

**CAG Response to Paragraphs 462-464**

No response needed as describes the process for approval of the monitoring plan. CAG concurs with the process as specified and will comply with requirements.

**CD Paragraph 465**

*For each subsequent year of the Agreement, the Monitor shall revise and update the Monitoring Plan pursuant to the process described above. The Monitor will initiate the development of the Monitoring Plan for the upcoming year at least 90 days before the previous year's Monitoring Plan will conclude.*

**CD Paragraph 466**

*Where the Monitor and the Parties agree, and subject to Court approval, the Monitor will refrain from conducting a Compliance Review or Outcome Assessment of a requirement of this Agreement previously found to be in compliance by the Monitor where the outcome intended by the requirement has been achieved.*

**CAG Response to Paragraphs 465-466**

CAG concurs that if the Court has approved compliance and directs no further monitoring is required, that paragraph will not be further monitored. However, should the Court not enter such an order, CAG would continue periodic quality control checks, both at the Compliance and Outcome levels, to verify continued compliance. We would conduct these checks based on several factors, which include, but are not limited to, review of BPD reports and data, outside data flows such as booking or States Attorney rejection rates, community survey results or individual community input indicating potential break down of previous compliance activity.

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CAG would certainly discuss these issues, when observed, with the Parties before conducting further monitoring to verify or discount the data indicators.

### **CD Paragraph 467**

*At least 60 days prior to the initiation of any Outcome Assessment or Compliance Review required by the Monitoring Plan, the Monitor will submit a description of the proposed methodology for the Outcome Assessment or Compliance Review to the Parties. The Parties and the Monitor will have 30 days to meet and confer about the proposed methodology. If, at the end of this period, any Party continues to have comments or concerns, the Party will submit the comments or concerns regarding the proposed methodology to the Monitor within 20 days. Within 10 days, the Monitor will modify the methodology as necessary to address any concerns or will inform the Parties in writing of the reasons it is not modifying its methodology as proposed. If any party objects to the Monitor's decision, the Party may petition the Court for review.*

### **CAG Response to Paragraph 467**

CAG intends, in the initial development of the Monitoring Plan to identify the methodology by which we will assess Compliance with the Material requirements. We have used both qualitative and quantitative standards in past Consent Decree projects, all of which were backed up by our proprietary data management system, which tracks both pending suspense actions and compliance along with historical records at the paragraph and sub-paragraph levels. The establishment of such standards is based on methodology that differs between the type of compliance and the supporting documentation or observations that support compliance. CAG anticipates inclusion of the required methodology explanations as part of the Monitoring plan, in all probability within an attached Appendix.

### **CD Paragraph 468 Monitor Recommendations and Technical Assistance**

*The Monitor may make recommendations to the Parties regarding measures necessary to ensure timely Full and Effective Compliance with this Agreement and its underlying objectives. Such recommendations may include a recommendation to change, modify, or amend a provision of the Agreement; a recommendation for additional training in any area related to this Agreement; or a recommendation to seek Technical Assistance. Any such recommendation to change, modify, or amend a provision of the Agreement must be in writing and must comply with the requirements to modify the Agreement as described in Paragraph 494 of this Agreement. In addition to such recommendations, the Monitor may also, at the request of the DOJ or BPD and based on the Monitor's reviews, provide Technical Assistance consistent with the Monitor's responsibilities under this Agreement.*

### **CAG Response to Paragraph 468**

CAG, as noted in other paragraph responses, has made recommendations for Technical Assistance in its current CD consultancy and will continue to do so with this agreement as appropriate and/or requested by the Parties. Consistent with the Monitor's duties, we may also recommend changes to the agreement and request they be reviewed in accordance with other provisions for same within the agreement. We do, however, note that requests for changes to the agreement will only be made after a thorough review of all possible other options.

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**CD Paragraphs 469-470 Comprehensive Re-Assessment**

**CD Paragraph 469.**

*Two years after the Effective Date, the Monitor will conduct a Comprehensive Re-assessment (“Comprehensive Re-assessment” or “Re-assessment”) to determine whether and to what extent the Material Requirements of this Agreement have been achieved, and any modifications to the Agreement that are necessary for continued achievement in light of changed circumstances or unanticipated impact (or lack of impact) of the requirement. This Reassessment also will address areas of greatest achievement and the requirements that appear to have contributed to this success, as well as areas of greatest concern, including strategies and Technical Assistance, for accelerating Full and Effective Compliance. The Monitor shall file the Comprehensive Re-assessment with the Court no later than 30 months from the Effective Date. At least 60 days prior to filing the Comprehensive Re-assessment, the Monitor will submit the Re-assessment to the Parties in draft form for review and comment by the Parties, and meet with the Parties to discuss the Re-assessment. The Parties shall have 30 days from receiving the draft Comprehensive Re-assessment to provide comments and objections. The Monitor will make any revisions that it deems appropriate in light of the Party’s comments and file the Comprehensive Re-assessment, any written comments received from the Parties that the Parties request be filed with the Comprehensive Re-assessment, and the Monitor’s response with the Court. These documents will be a public record, and they shall also be posted on the Monitor’s website.*

*Based upon this Comprehensive Re-assessment, the Monitor will also recommend modifications to the Agreement that are necessary to achieve the purposes of this Agreement. These recommendations shall be filed with the Court and posted on the Monitor’s website at the same time the Comprehensive Re-Assessment is due. Where the Parties agree with the Monitor’s recommendations, the Parties will submit such stipulation to the Court and request approval. The Court may, at the Court’s discretion, allow public comment regarding suggested modifications. This provision in no way diminishes the Parties’ ability to modify this Agreement, subject to Court approval, as set out in Paragraph 494 of this Agreement.*

*Nothing in this Agreement will empower the Monitor to unilaterally modify the terms of this Agreement.*

**CD Paragraph 470.**

*These Comprehensive Re-assessments will be conducted every two years while the Agreement is in place.*

**CAG Responses to Paragraphs 469-470**

CAG notes its previous responses that included our intention to have real time status data available and part of our semi-annual reports. This data will also form the basis for the two year re-assessment, among other criteria. The re-assessment will be comprehensive and include information from a variety of sources as well as CAG conclusions regarding compliance forecasts for the next two years. The re-assessment will identify compliance achievements as well as areas of concern in light of the Monitoring Plan timelines (CAG will maintain a category for same, as well as areas of concern, within our database). In the case of concerns, we will

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identify any appropriate TA or other solutions to counter the interdiction to the scheduled compliance. Such recommendations will be followed-up for subsequent improvements and potential compliance.

It will also indicate best practices that have evolved from compliance with CD requirements. Further it will also identify and make recommendations for any changes to the CD and process those changes in accordance with this paragraph's schedule.

The final document will be posted to the Monitor's website in accordance with stipulated redaction and or comments from the Parties.

### **CD Paragraph 471.**

*The Monitor will file with the Court and post to the Monitor's website semiannual written reports covering the reporting period that will include:*

*a. The progress made by the City and BPD under the Monitoring Plan, as well as an overall assessment of the City's and BPD's progress to date in complying with the Agreement;*

### **CAG Response to Paragraph 471-a**

CAG currently provides quarterly reports in its current monitoring engagement, as well special reports or "white papers" on issues of special interest. As noted elsewhere in this application, we maintain a proprietary database that maintains updated and current records of compliance and outcome measures. This database is capable of ad-hoc and preformatted report production at any time and for any period. CAG will use this database to produce progress analysis of compliance pending the semi-annual report. Data from this system will also be available within the semi-annual report and its appendices on a variety of data points and paragraph compliance responses.

*b A description of the work conducted by the Monitor during the reporting period;*

### **CAG Response to Paragraph 471-b**

As noted in paragraph 471-a above, CAG will roll up six months worth of monitoring into the semiannual report, provide both paragraph level compliance and outcome measure analysis and impact conclusions, as well as comment on on-going initiatives

*c. The methodology and specific findings for each Compliance review conducted, redacted as necessary for privacy concerns and legal compliance. An un-redacted version will be filed under seal with the Court and provided to the Parties;*

### **CAG Response to Paragraph 471-c**

As previously noted, the Monitoring Plan will have the Compliance Standards and Outcome Measures (including underlying protocols and analysis processes), previously agreed to by the Parties, listed as an appendix to the reports. This appendix will also include the current status of each paragraph and sub-paragraph, as well as timelines for compliance. ACG stipulates to the reactions required and the posting of a redacted version on the website and an un-redacted version with the Court.



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*d. The methodology and specific findings for each Outcome Assessment conducted;*

**CAG Response to Paragraph 471-d**

Information concerning the methodology used to evaluate the Outcome Measures is stored in the CAG database and will be included in the compliance status or outcome measure status report appendix. Any changes to these evaluation protocols will be updated to the system after they have been approved by the Parties.

*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;*

**CAG Response to Paragraph 471-e**

The report will include projected work for the next six months, along with Monitor observations of challenges and concerns regarding compliance.

*f. For all Material Requirements of the Agreement, the extent to which the requirements have been: (1) incorporated into implemented policy; (2) trained at the levels set forth in this Agreement for all relevant BPD officers; (3) reviewed or audited by the Monitor in determining whether BPD has reached Full and Effective Compliance, including the date of the review or audit and the data and materials relied upon for the review or audit; and (4) found by the Monitor to have reached Full and Effective Compliance, and the date of this finding;*

**CAG Response to Paragraph 471-f**

The report will include a listing of policies impacted or changed by the CD; training modified as a result and conducted current status and how status was evaluated at Full Compliance (including the date of the review/audit, and materials or documentation used to determine compliance. As noted in other paragraph responses this data is maintained in the CAG database and is updated as compliance is achieved or not achieved.

*g. For all Material Requirements of the Agreement, the report will provide the Monitor's recommendations regarding necessary steps to achieve Full and Effective Compliance;*

**CAG Response to Paragraph 471-g**

We will include in our reports any recommendations for action by the BPD to achieve compliance, as well as any recommendations for Technical Assistance or procedural modifications.

*h. For all Material Requirements of the Agreement, the report will provide the extent to which the Monitor has provided Technical Assistance; and*

**CAG Response to Paragraph 471-h**

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*i. An appendix listing each requirement of the Agreement that the Monitor reviewed and stating whether the requirement has reached “Full and Effective Compliance,” is “In Progress,” or is “Not Started.”*

### **CAG Response to Paragraph 471-i**

The previously referenced semi-annual report appendix will contain this information.

### **CD Paragraph 472.**

*The Monitor will provide a copy of semi-annual reports to the Parties in draft form at least 30 days prior to Court filing and public release of the reports to allow the Parties to comment on the reports. The Monitor will also post the final reports, along with comments by the Parties that the Parties request be posted, and the Monitor’s response, if any, to its website and will establish an electronic mechanism for receiving public feedback on the reports.*

### **CAG Response to Paragraph 472**

CAG concurs with and stipulates to this paragraph requirements.

## **I. Communication between the Monitor, the Parties, the Court, and the Public**

### **CD Paragraph 473.**

*The Monitor will maintain regular contact with the Parties in order to ensure effective and timely communication regarding the status of the implementation of and compliance with this Agreement. To facilitate this communication, the Monitor shall hold regular status teleconferences and in-person meetings with the Parties on a schedule agreed upon by the Parties and the Monitor.*

### **CAG Response to Paragraph 473**

CAG proposes weekly conference calls with the key members, (especially the BPD Compliance Unit) of the Parties to discuss compliance matters pertinent to the project. CAG has a toll free line for these calls. We also suggest monthly larger meeting for general updating of progress of current compliance issues for the past month and focus on the next month, all predicated by the timelines of the Monitoring Plan or, in the case of non-compliance, issues affecting the compliance. Again, the CAG conference lien is available for all of these meeting, although CAG plans on having a representative physically present during the monthly meetings. Other, ad hoc meetings can be scheduled as needed and scheduled meetings will be listed as part of the annual Monitoring Plan.

### **CD Paragraph 474.**

*The Monitor will meet interested community stakeholders on a regular basis to discuss the BPD’s progress under the Agreement, to explain the Monitor’s reports, to inform the public about the Agreement implementation process, and to hear community perspectives of police interactions. The Monitor will designate a member of the team as a community liaison, who will serve as a point of contact to community members.*

### **CAG Response to Paragraph 474**

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We intend, as discussed elsewhere in this application to have local liaison personnel assigned to the identified community groups and those personnel will engage in face to face meetings on a regular basis. This on-site team and function will have oversight from the Deputy Monitor, who will also periodically participate in these meetings. The Deputy Monitor is local to the Baltimore City area. We also intend on utilizing technology such as webinars to further expand this coverage and this activity will have prominent placement on our website.

Our team as mentioned in our engagement section will host periodic facilitated community listening sessions and informational sessions as needed when significant measures are revealed and community perspectives are sought. Additionally the technology that will be incorporated will also allow for timely information exchange and updates to community and for receiving “real time” feedback from them relating to police community perceptions on interactions.

**CD Paragraph 475.**

*The Monitor will meet with BPD officers on a routine basis to inform them about the Agreement implementation process and to hear their questions, concerns, and suggestions regarding its implementation. The Monitor will designate a member of the team as an officer liaison, who will serve as a point of contact to officers, including the Fraternal Order of Police, Vanguard, Hispanic Officers Law Enforcement Association, and other officer associations. Rank and file BPD officers may report misconduct, including retaliation, to the Monitor either anonymously or on the record. The Monitor will not investigate these reports, but will convey information regarding the complaint to Internal Affairs without revealing the officer’s identity if anonymity has been requested, and may track the complaint investigation to ensure it is handled appropriately.*

**CAG Response to Paragraph 475**

CAG has vested this responsibility with the Deputy Monitor who will establish appropriate liaison with the identified groups and schedule the required meetings. We further stipulate to the paragraph requirement to not investigate any complaint and to pass them on to the appropriate entity. We further state that we will have a complaint and/or compliment link on our website for individuals to use for similar actions via that venue. We have a similar restriction in our current CD consultancy and have no issues with compliance.

**J. Public Statements, Testimony, Records, and Conflicts of Interest**

**CD Paragraph 476.**

*Except as required or authorized by the terms of this Agreement, by the Parties acting together, or by authorization of the Court, the Monitor, will not make any public statements or issue findings with regard to any act or omission of the Parties or their agents, representatives, or employees; or disclose non-public information provided to the Monitor pursuant to the Agreement.*

**CAG Response to Paragraph 476**

CAG stipulates and agrees with the content of this paragraph, but also takes note of the requirement for publishing, among other documents, items noted in other paragraphs for posting on its CD website authorized exceptions.

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**CD Paragraph 477.**

*The Monitor, may testify as to its observations, findings, and recommendations before the Court with jurisdiction over this Agreement, but will not testify in any other litigation or proceeding with regard to any policy or practice, act or omission of the City, BPD, or any of their officials, officers, agents, or employees related to this Agreement or regarding any matter or subject that the Monitor may have received knowledge of as a result of its performance under this Agreement. This paragraph does not apply to any proceeding before the Court related to performance of contracts or subcontracts for monitoring this Agreement.*

**CAG Response to Paragraph 477**

CAG stipulates and agrees with the content of this paragraph.

**CD Paragraph 478.**

*Unless such conflict is waived by the Parties, the Monitor will not accept employment or provide consulting services that would present a conflict of interest with the Monitor's responsibilities under this Agreement, including future retention (on a paid or unpaid basis) by any current or future private litigant or claimant, or such litigant's or claimant's attorney, in connection with a claim or suit against the City, BPD or their officials, officers, agents, or employees. The Monitor will not enter into any contract with the City, BPD, or the United States while serving as the Monitor unless the Monitor first discloses the potential contract to the Parties and the Parties agree in writing to waive any conflict. If the Monitor resigns from its position as Monitor, the former Monitor may not enter into any contract with the City, BPD, or the United States on a matter related to the Agreement without the written consent of the Parties while the Agreement remains in effect. If the DOJ wishes to hire a member of the monitoring team to assist in a separate investigation or matter that does not involve the City or the BPD, or their departments, officials, officers, agents or employees, it will notify the Monitor, the City, and BPD in advance of the hiring and discuss any potential conflicts of interest.*

**CAG Response to Paragraph 478**

CAG stipulates and agrees to the content of this paragraph.

**CD Paragraph 479.**

*The Monitor will not be permitted to represent or work for any individual or organization in any criminal, civil or administrative matter adverse to the City or BPD or the United States, including any individual or organization designated as a witness, consultant, victim, defendant, subject, target, or person of interest, for the duration of the monitorship.*

**CAG Response to Paragraph 479**

CAG stipulates to agreement with the content of this paragraph.

**CD Paragraph 480.**

*The Monitor is an agent of the court and not a state or local agency, or an agent thereof, and accordingly the records maintained by the Monitor will not be deemed public records subject to public inspection. The Monitor will not be liable for any claim, lawsuit, or demand arising out of*

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*and substantively related to the Monitor's performance pursuant to this Agreement brought by non-parties to this Agreement.*

**CAG Response to Paragraph 480**

CAG concurs with the content of this paragraph and will only publish those records deemed public regarding Monitor activity on its website.

**K. Consent Decree Implementation Unit**

**CD Paragraph 481.**

*During the United States' investigation, BPD formed an inter-disciplinary unit, the Compliance, Accountability, and External Affairs Division, to facilitate the investigation ("Compliance Unit"). BPD agrees to maintain this unit to facilitate implementation of this Agreement, and to hire and retain individuals, or reassign current BPD employees, with the skills and abilities necessary to ensure that the Agreement is implemented in a timely manner. The Compliance Unit will serve as a liaison between the BPD and the Monitor and will assist with the implementation of and compliance with this Agreement. At a minimum, this unit will: coordinate the BPD's compliance and implementation activities; facilitate the provision of data, documents, materials, and access to the BPD personnel to the Monitor and the DOJ, as needed; ensure that all data, documents, and records required by this Agreement are maintained in an usable format; and assist in assigning implementation and compliance related tasks to BPD personnel, as directed by the Police Commissioner or the Commissioner's designee.*

**CAG Response to Paragraph 481**

CAG could not agree more this paragraph of the Consent Decree, as we believe that the continued operation of this Compliance Unit during the life of the Consent Decree is essential for orderly exchange of correspondence, information, recommendations and open communications between the Monitor and the BPD. In our current Consent Decree operations, a similar office functions within the monitored department that provides these services. Our technical staff, as well as functional area specialists have utilized the services of this unit with great success and believe a unit for this CD is a critical success factor.

**L. Access and Confidentiality**

**CD Paragraph 482.**

*As specified in this Agreement, BPD will collect and maintain all data and records necessary to document implementation of the Agreement and assess compliance. These data and records include documentation of Stops, Searches, Arrests, uses of force, training records, documentation of sexual assault investigations, internal and external complaints, complaint investigations, and supporting documentation, and other documentation required by the Agreement and specified in the Monitoring Plan. To the extent that these data and records are routinely purged according to a document retention schedule, BPD will notify the Monitor and DOJ of the schedule for all relevant data and records and the Monitor and the Parties will develop a protocol for maintaining the data and records that balances the burden of maintaining*

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*the data and records on BPD with the need to maintain the data and records to adequately assess compliance.*

**CAG Response to Paragraph 482**

CAG will identify, within the Monitoring Plan, a protocol or process that responds to the concerns raised in Paragraph 482. CAG further agrees to maintain certain records needed for compliance documentation beyond State mandated retention, as agreed to by the Parties. These records will be stored in a secure location with restricted access and disposed of when no longer needed or directed by the Court. In the event it is determined that the Monitor will retain these records beyond the expiration date of the CD, agreements with the Parties and the Court will be executed by CAG.

**CD Paragraph 483.**

*To facilitate their work pursuant to this Agreement, the Monitor and DOJ may conduct on-site visits and assessments with reasonable prior notice to BPD and, when necessary to assess compliance, may conduct on-site visits and assessments without prior notice to BPD, although such circumstances should be rare. The Monitor and DOJ will have access to all necessary individuals, facilities, and documents, which will include access to Agreement-related trainings, meetings, and reviews, such as critical incident reviews, use of force review, materials documenting stops, searches, arrests, and uses of force, citizen complaints of officer misconduct and public trial boards. The Monitor will have access to protected employee personnel records, including misconduct complaints and investigations, and non-public trial boards or other disciplinary hearings, and DOJ will have access to the same information in compliance with state and federal law. The role of the Monitor and DOJ during these visits and assessments is solely to observe and monitor. To avoid unnecessary confusion, distraction, duplication of effort, and undue burdens on BPD, the and otherwise seeking access to BPD or its individuals, facilities, and documents. BPD will notify the Monitor and the DOJ as soon as practicable, and in any case within 24 hours, of any critical firearm discharge, in-custody death, or arrest of any officer.*

**CAG Response to Paragraph 483**

We usually provide, in our current CD consultancy, two week notice of any on-site visits by team members as well as similar notice to training activities. However in the case of training activities we also are provided the training materials, if not previously reviewed, 30 days in advance of training classes to facilitate a review for CD compliance. We do otherwise concur with the contents of Paragraph 483.

**CD Paragraph 484.**

*BPD, through the Compliance Unit, will ensure that the Monitor and DOJ have timely, full and direct access to all BPD staff, employees, critical incident crime scenes, and facilities that the Monitor and DOJ reasonably deem necessary to carry out their duties under this Agreement. The Monitor and DOJ will cooperate with the BPD to access people and facilities in a reasonable manner that minimizes interference with daily operations.*

**CAG Response to Paragraph 484**

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CAG intends to work out access protocols and time spans during the initial startup period. In our current CD consultancy, we have been issued photo-ids with card key access on them to facilitate movement to needed areas of the agency commensurate with our CD monitoring requirements. For example we have building and office access to the CD Compliance Unit.

**CD Paragraph 485.**

*Upon reasonable notice and request, the City and BPD will ensure that the Monitor and DOJ have access to all documents and data that the Monitor and DOJ reasonably deem necessary to carry out their duties under this Agreement, except any documents or data protected by the attorney-client or other recognized privileges, or, as to DOJ, where disclosure is prohibited by law. Should the City or BPD decline to provide the Monitor or DOJ access to documents or data based on privilege, or as to DOJ, other legal prohibition, the City or BPD will inform the Monitor and the DOJ that they are withholding documents or data on this basis and will provide the Monitor and the DOJ with a log describing the documents or data and the basis for withholding. If the Monitor or DOJ disagrees with the basis for withholding the Monitor or the DOJ may request that the Court, or the Court may sua sponte, order an in camera review of the protected material to make a determination on disclosure.*

**CAG Response to Paragraph 485**

CAG stipulates to the requirements of this paragraph.

**CD Paragraph 486.**

*The Monitor and the DOJ will provide BPD, through the Compliance Unit, with reasonable notice of a request for copies of documents. Upon such request, BPD will provide in a timely manner copies (electronic, where readily available) of the requested documents to the Monitor and the DOJ.*

**CAG Response to Paragraph 486**

The CAG database includes within it receipt of documents logging and filing process as well as issuance of a receipt for the transmittal back to the owner or submitter of the documents. CAG prefers electronic transmission of documents to extent possible; if paper copies are required, they may be received for by the on-site CAG staff.

**CD Paragraph 487.**

*The Monitor and DOJ will have access to all records and information relating to criminal investigations of BPD officers as permissible by law. The Monitor and DOJ will have access to all documents in criminal investigation files that have been closed by BPD after the Effective Date as permissible by law. The Monitor and DOJ also will have reasonable access to all arrest reports, warrants, and warrant applications initiated after the Effective Date whether or not contained in open criminal investigation files as permissible by law.*

**CAG Response to Paragraph 487**

CAG prefers its own remote access to needed database to the extent possible. This would include the OPR case management database, BPD RMS system, Central Booking data system, State District Court citation or case records, etc; specific ones to be negotiated during the initial start

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up period. CAG, in its current CD consultancy, has remote access to the monitored agency's OPR (IAPro), policy and training management systems (Power DMS) and other CD databases. We have read only access, so we cannot change or modify a record, but do have ad hoc and pre-constructed reporting capabilities. This has reduced requests to the agency for this report or this set of records, as we can view and print them remotely. There is very little cost to the agency for this access (A VPN is generally used for in house systems and user accounts for cloud services) and is cost effective in reducing requests that agency personnel would have to respond to.

We agree to the CD stipulated access to Criminal Investigative records and will further identify any other access that may be needed during the implementation start-up meetings we have scheduled.

### **CD Paragraph 488.**

*The Monitor and the DOJ will maintain all non-public information provided by the City and BPD in a confidential manner. Other than as expressly provided in this agreement, this Agreement will not be deemed a waiver of any privilege or right BPD or the City may assert, including those recognized at common law or created by statute, rule or regulation, against any other person or entity with respect to the disclosure of any document.*

### **CAG Response to Paragraph 488**

CAG agrees to and will comply with the handling of non-public information obtained during its Monitorship.

### **Additional Paragraph Responses**

#### **Paragraphs 416-418 Coordination with Baltimore School Police**

##### **CAG Response to Paragraphs 416-418**

This paragraph requires that the BPD conduct an assessment of the MOU between BPD and the Baltimore School Police (BSP), who, under the MOU, have full peace officer jurisdiction off school property, where they have primary jurisdiction. This assessment will include an analysis of information that BSP makes available to BPD concerning the frequency with which BSP officers exercise law enforcement powers pursuant to the MOU; calls, incidents, stops, arrests, and uses of force involving officers from BSP exercising law enforcement powers pursuant to the MOU. Based upon the results the BPD will make any needed adjustments to the MOU and/or working policies.

As the actions of the BSP off campus can impact the relationships and perceptions of citizens, the results of this assessment may have or indicate impacts on the CD progress. CAG will assist, if requested by BPD, with the development of the assessment, using approved CD audit and survey tools, and will review the results for impacts on compliance by BPD with the CD. CAG will also liaison with the BSP to provide briefings, understand their operations, consider changes to Monitoring focuses and include results of this review in appropriate monitoring reports. CAG acknowledges that the BSP is not covered by the CD and thus the monitor has no direct authority to act in relation to their operations. We approach this from a position of mutual interest and sharing of best practices that can benefit the BPD and the City, as well as the BPS.



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**Paragraphs 419-429 Recruitment, Hiring and Retention**

**CAG Responses to Paragraphs 419-429**

These paragraphs require that the BPD develop and after Monitor approval, implement under a time line established within the Monitoring Plan, “a written Recruitment Plan that includes clear goals, objectives, and action steps for attracting and retaining a quality work force that reflects the diversity of the Baltimore community.” CAG will, in preparing the Monitoring Plan, include this requirement and spell out concrete suspense dates for completion of the plan, which will include items specified in Paragraph 421.

CAG will assist the BPD with their subsequent in-depth review of hiring practices, as specified under paragraph 424 and 425, including the background investigations using paragraph 425 as guidance. CAG will assist BPD in the design of this review and will assess the results for any needed modifications. CAG has staff with extensive experience on such reviews and will utilize applicable national standards and databases as source information or checkpoints.

Finally, BPD will review its retention policy, practices and procedures to see if they are in line with national standards for officer engagement, career development and succession planning.

**Paragraph 12** (links back to 461)

*The Monitor must develop and implement annual monitoring plans for implementing the Consent Decree. The Monitor must develop the monitoring plan within 90 days of appointment by the Court. (Further identified in paragraph 11 of RFA and Paragraphs 461 thru 467 of referenced Agreement)*

**CAG Response to Paragraph 12**

CAG will develop the initial Monitoring Plan within the CD prescribed period and update it on an annual basis. See CAG response to Paragraph 13 below for additional information on the Plan components.

**Paragraph 13**

*At minimum, the Monitoring Plans shall include the following:*

- a. An overview for how BPD will reach Full and Effective Compliance with all Material Requirements of the Consent Decree within five years, including a schedule with specific deadlines for the upcoming year and a general schedule for successive years;*
- b. A review and approval process for all BPD actions that are subject to review and approval by DOJ and or the Monitor;*
- c. An explanation for how the Monitor will assess compliance with the material requirements of the Consent Decree;*
- d. A description of outcome assessments and compliance reviews that will be used to assess compliance with the Consent Decree, including a general description of the methodologies used;*

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*e. A schedule for conducting all outcome assessments and compliance reviews, taking into account that the data and technology necessary to conduct the assessments or reviews may be currently unavailable;*

*f. A process for sharing the results of all outcome assessments and compliance reviews with the parties, including all source data and information analysis, and a complete and detailed explanation of any conclusions;*

*g. Delineation of the roles and responsibilities of the Monitor's team members, including identifying a Deputy Monitor with authority to act in the Monitor's absence, lead members who have primary responsibility for each section of the Consent Decree, and specifying whether the Monitor has delegated approval authority to a team member in their area of primary responsibility;*

*h. A protocol for communication, engagement, and problem solving with BPD and DOJ; and i. Identification of any documents that must be preserved beyond the requirements of applicable retention policies.*

### **CAG Response to Paragraph 13**

Central to successful monitorship of the CD is the Monitoring Plan and its linked progress roadmap for compliance toward the end goal of full compliance. It will be a combination of Compliance Standards, agreed to by the Parties and substantiated with a description of the underlying evaluative process, associated with the paragraphs and sub-paragraphs, as well as Outcome Measures that indicate if the changes, resultant of compliance with the CD Material Requirements, have in fact enacted change. Evaluations of this change require both analysis and review of either qualitative or quantitative measures; the Plan will include suspense or proposed compliance dates that the Parties and the Monitor have established and agreed upon.

CAG will maintain, as part of its database, the compliance standards, protocols for evaluation, and current status and prognosis for compliance for each Material Requirement of the CD. These will be translated into status report appendices included with the semi-annual reporting requirements. In addition to the mandated reports, CAG will produce periodic status updates and selected white papers that describe the underlying standard and evaluative process for selected paragraphs in an effort to share this information with the Parties. In addition to the scheduled interaction with the Parties, CAG will also describe in the Plan how changes to the standards, outcome measures, policies of the BPD and others, or the CD itself will be discussed and processed, all in a transparent and team approach to resolution.

As noted in other sections dealing with Technical Assistance, CAG will include periodic updates or meetings with the Parties that will share this information in a transparent and open discussion environment that encourages mutual understanding of how the Monitor determines compliance and any issues or roadblocks thereto. The Plan (as does this application in Section III) will clearly identify the Deputy Monitor and Focus Area Team Leaders, all with delegated authority for compliance decisions.

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Finally the plan will have clear timelines for compliance, recite the compliance standard and needed documentation or analysis, for each paragraph and sub-paragraph, along with the status at the time the Plan was developed. Longitudinal trend line charts will supplement this assessment on a monthly basis, with summary round-up for the semi-annual report, and year end status for the next Monitoring Plan. This will be shared equally with the Parties on a regular basis and portions, that are considered public, shared with the community and the public via our website and local representatives. Documents required for compliance and retention, will be identified within the Monitoring Plan and the CAG project SOP. The Monitoring Plan itself will be posted on the CAG CD website.

**Paragraph 14**

*The Monitor must communicate with the public and receive public input, which shall include quarterly in-person meetings with different Baltimore neighborhoods. The Monitor shall also maintain a public website and will post its proposed budget and accounting to that website. The Monitor is also expected to conduct outreach to and maintain open channels of communication with BPD officers and organizations representing officers.*

**CAG Response to Paragraph 14**

CAG, as part of its annual monitoring plan, will include public input and interaction sessions with neighborhood groups and leaders. CAG intends to have on-site liaison personnel, sourced from within the local neighborhoods, as supplemental staff to ensure that this line of communication is available more than the minimum required by the CD; in fact we intend on multi-engagements during each month with resident staff and CAG team members attending the monthly face to face meeting.

CAG also intends on maximizing the use of technology to open lines of communication via our website and in on-line meetings to further provide input. We see this as a central component of the CD and critical to enhancing the public perception of inclusion in the process. We will also factor into many of our review and analysis projects additional community input as part of the process. CAG will have a full time presence in the City supplied office space and communications access at that location to further community input or questions. This presence will be able to handle most inquires but can also reach a team member at any time to obtain further guidance and answers for the inquiring citizen.

**Paragraph 15**

*The Monitor shall provide technical assistance to the City and BPD, including recommending strategies to ensure that the City and the BPD are effectively implementing the Consent Decree.*

**CAG Response to Paragraph 15**

CAG has a rich history of using Technical Assistance (TA) to assist a monitored agency gain compliance with a particular component of or the entire CD itself. We have recommended use of outside sources and support to provide training, develop surveys, data systems development needed for compliance evaluations, staffing and changes to organizational structure (e.g., audit units, where none existed), and the re-organization and/or development of written directive

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systems. In some cases CAG has also delivered the TA where that was deemed to be the most cost effective and expedient method.

We always based such recommendations on a through, all points evaluation of the situation or problem, review of all possible alternatives from both cost and process views, selection of the top one or two possible choices, and a plan for execution to the recipients, thus allowing them to be party to the change and ultimately be the ones selecting the course of action. This allows for buy-in and follow through as “their initiative”, another words “ownership” as opposed to “imposition”.

After the change has been adopted or the TA provided, CAG conducts follow-on evaluations of the results and in some cases has made further recommendations for alternations after real world experience. A process similar to the previous is repeated to ensure that the recommendations of TA are institutionalized. CAG then provides follow-on evaluation of the impacts and reports back to the agency as well as the Parties through either special or semi-annual reporting options.

In all cases, the use of TA or recommendations for change are focused upon the main goal of compliance with the CD and ultimately better service delivery in conformance with Constitutional policing and improvements in quality of life for the citizens.

### **Paragraph 16**

*The Monitor shall make recommendations to the Parties regarding measures necessary to ensure Full and Effective Compliance with the Consent Decree, which may include recommendations to change, modify, or amend a provision of the Consent Decree, recommendations for additional training in an area unrelated to the Consent Decree, or a recommendation to seek technical assistance.*

### **CAG Response to Paragraph 16**

Integral to the monitoring function are recommendations to the monitored agency for changes in policy, procedure, training, or operations. In some cases the recommendations are fostered by changes in governing laws, while in others actions of the agency to its current and approved policy has been found counter-productive to achievement of compliance in another component of the CD. Finally, changes can be the result of demands from the public to provide the particular service differently. In each case, CAG weighs the alternatives to continuing in the current direction with both the CD and common sense and if change is needed, provides a clear rationale for the change, a documented alternative process, and support for the agency in making the change.

In some cases, CD requirements written a year or several years before, as well as the manner in which the requirements are organized or sequenced within the CD may be found to be hampering compliance for the monitored agency. CAG will provide the Court with a report of the situation, rationale for change, the change itself, and a revise schedule for compliance with the requested change. If approved, CAG will then facilitate that change through assistance or guidance to the monitored agency.

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In both situations, recommending change will only occur after all alternatives have been evaluated and options balanced against continuing in the current format.

**Paragraph 17** (This may duplicate the section in Paragraph 11 on reports)

*The Monitor shall formulate outcome measures and compliance assessments and conduct qualitative and quantitative assessments of progress under the Consent Decree.*

*The Monitor shall regularly produce reports to the public and the Court. These reports shall include, but are not limited to:*

- a. A description of the work conducted by the Monitor during the reporting period, including the extent to which the Monitor provided technical assistance;*
- b. A projection of the work to be completed during the upcoming reporting period;*
- c. BPD and the City's progress implementing the Consent Decree;*
- d. Any obstacles to effective implementation;*
- e. The methodology and specific findings for each outcome assessment conducted; and*
- f. An appendix listing each requirement of the Consent Decree that the Monitor reviewed and stating whether the requirement has reached full and effective compliance, is in progress, or is not yet started.*

**CAG Response to Paragraph 17**

See Paragraph 11 for discussion on semi-annual reporting and following in Paragraph 18..

**Paragraph 18**

*The Monitor shall regularly produce reports to the public and the Court. These reports shall include, but are not limited to:*

- a. A description of the work conducted by the Monitor during the reporting period, including the extent to which the Monitor provided technical assistance;*
- b. A projection of the work to be completed during the upcoming reporting period;*
- c. BPD and the City's progress implementing the Consent Decree;*
- d. Any obstacles to effective implementation*
- e. The methodology and specific findings for each outcome assessment conducted; and*

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*f. An appendix listing each requirement of the Consent Decree that the Monitor reviewed and stating whether the requirement has reached full and effective compliance, is in progress, or is not yet started.*

### **CAG Response to Paragraph 18**

CAG, in its current monitoring consultancy, produces reports on a quarterly basis, the draft of each on the day the quarter being reported ends, with a final two weeks later. These reports address all of the components of Paragraph 18 and more, such as special studies or Court ordered progress goals for each quarter, which have been mutually set by the Parties. Given the short time frames between the covered report and the quarter, CAG relies upon its proprietary data system to maintain real time data upon which the reports are generated. For example, if the area reported upon is based on OPR cases reviewed, the reviews are entered into the database both qualitatively and quantitatively (data points with the case that address compliance steps). These data points are then evaluated against established standards and charts and/or text reports are generated for each paragraph or sub-paragraph within the report. In other cases, the paragraphs may be requiring a survey or audit be conducted and that CAG evaluate the results. This analysis and subsequent conclusions are also entered and text extracts used within the quarterly report development process.

CAG also includes a section on current accomplishments and both recommendations for compliance or specific work for the next quarter. Examples include assessments of paragraph and sub-paragraph compliance, in both text and graphic formats, along with longitudinal trend analysis against goals or expected compliance levels.

Finally, as the status of each paragraph and sub-paragraph (and in this particular case, the individual action steps needed to gain compliance thereto) are maintained within the database a variety of appendices are produced each quarter that reflect those statuses from different viewpoints or displayed priorities or formats. The same process will be used within this CD and similar appendices will be produced. In addition, CAG will provide descriptive indicators of present inhibitors to compliance, analysis, including recommendations for future effort by the City and the BPD to gain CD compliance. In addition, since the data is maintained real time, CAG has great flexibility in its reporting formats and content, thus can respond to special requests by the Parties

### **Paragraph 19**

*Two years after the date the Consent Decree is entered by the District Court of Maryland, and every two years thereafter, the Monitor shall conduct a comprehensive reassessment to determine whether and to what extent the material requirements of the Consent Decree have been achieved. This re-assessment shall include areas of greatest achievement as well as areas of greatest concern, as well as strategies and technical assistance for achieving compliance.*

### **CAG Response to Paragraph 19**

Using the Monitoring Plan components and the CAG database, this assessment can be produced at the status level quite quickly. However, in-depth analysis as to the reasons or situations that are preventing compliance will require some further analysis of the stored data as well as review

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of previous semi-annual reports. Additionally, follow-on surveys may also be required to adequately understand results of changes in behavior of the BPD as perceived by the serviced citizens. As always, CAG will ensure that best practices as well as interdictions to quality performance are noted and commented on, including the production of suggested changes in process or CD requirements.

**Paragraph 20**

*The Monitor shall prepare and submit annual budgets for monitoring the Consent Decree.*

**CAG Response to Paragraph 20**

CAG agrees to submit annual budgets as required by the CD. See also Section VI of this application.

**Paragraph 21**

*The Monitor shall regularly communicate with the Parties regarding the status of the implementation of the Consent Decree..*

**CAG Response to Paragraph 21**

As noted elsewhere in this application CAG uses a continuous and cumulative monitoring approach to compliance evaluation and builds its evaluation of outcome impacts on a reporting frequency basis (semi-annual). Because our data is live and updated shortly after evaluations are conducted, we can provide the Parties with progress reports on an ad-hoc basis. In addition, as many of the Material Requirements require that proper evaluation of compliance requires interaction with the BPD, and subsequent updating to the Parties, CAG will ensure that lines of communication are not only open but continuously in use throughout the life of the CD. This communication will start with implementation and end with full compliance and achievement of policing excellence.

**Paragraph 22**

*The Monitor shall, on a regular basis, meet with community members and BPD officers to inform them about the Consent Decree implementation process and to listen to their questions, concerns, and suggestions regarding its implementation.*

**CAG Response to Paragraph 22**

CAG has designed its response to the monitoring requirements with an increased attention to the community groups and citizens which are part of the service population of the BPD. Their voices and needs are important ingredients to the manner in which the BPD provides services and as such are “informal parties” to the CD and its goals. CAG will provide two communications with these identified groups and ensure that the monitoring process is as transparent as the CD allows. It is our intent to communicate with these groups on a regular basis commensurate with the issues under review and evaluation, as well as during the initial developmental stages to ensure their input. See also the Paragraphs 474 and 14 of this application that details the community survey.

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### **Paragraph 23**

*The Monitor shall make public statements only to the extent permitted by the terms of the Consent Decree, and shall testify in proceedings only as provided in the Consent Decree.*

### **Paragraph 24**

*The Monitor shall maintain the highest ethical standards*

### **CAG Response to Paragraphs 23-24**

CAG and its team members, have always approached all consulting or consent decree work from a position that it is a privilege that comes with a responsibility for the highest possible ethical standards. Further we respect and will adhere to the limitations of the CD regarding public statements.

### **Paragraph 25**

*Pursuant to the criteria listed at Paragraph 443 of the Consent Decree, responses to the RFA shall specify, in detail, the qualifications for Monitor candidates*

### **Paragraph 26**

*These qualifications include, but are not limited to, expertise in the following areas:*

*a. Monitoring, auditing, evaluating, or otherwise reviewing performance of organizations such as law enforcement agencies, including experience monitoring settlements, consent decrees, or court orders;*

*b. Law enforcement practices, including community policing and engagement; use of force and force investigations; practices for conducting and reviewing pedestrian and vehicle stops, frisks, searches, and seizures; practices for conducting and reviewing arrests; crisis intervention and de-escalation techniques; bias-free policing, First Amendment protected speech and public assembly and related rights; intake, investigation, and adjudication of complaints of officer misconduct; civilian oversight; police-youth interactions; and policy development and officer and staff training;*

*c. Assessing legal sufficiency and compliance with constitutional and other legal requirements;*

*d. Familiarity and understanding of local issues and conditions, including local experience and expertise with Baltimore's diverse communities, and issues and challenges facing those communities;*

*e. Criminology and statistical analysis, including internal and external benchmarking techniques, internal and external benchmarking techniques, and other relevant statistical methods;*

*f. Familiarity with federal, state, and local laws;*



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*g. Evaluating organizational change and institutional reform, including by applying qualitative and quantitative analyses to assess progress, performance, and outcomes;*

*h. Working with government agencies, including municipalities, elected officials, civilian oversight bodies, collective bargaining units, and other stakeholders interested in policing issues;*

*i. Engaging effectively with diverse community stakeholders to promote civic participation, strategic partnerships, and community policing;*

*j. Mediation and dispute resolution, especially mediation of police complaints and neighborhood mediation;*

*k. Use of technology and information systems, including data collection and management, and analytical tools, to support and enhance law enforcement practices;*

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

*m. Writing complex reports for dissemination to diverse audiences;*

*n. Providing formal and informal feedback, technical assistance, training, and guidance to law enforcement agencies;*

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

*p. Municipal budgets and budgeting processes;*

*q. Completing projects within anticipated deadlines and budgets; and*

*r. Any other qualifications the Monitor candidates believe are pertinent to fulfilling the duties of Monitor under the Consent Decree.*

**CAG Response to Paragraphs 25 and 26**

See section \_\_\_ of this application for the CAG response.

**Paragraph 27**

*Monitor candidates shall demonstrate an ability to work collaboratively with the City, BPD, and DOJ to enable BPD to reach compliance with the Consent Decree, and the ability to do so in a cost-effective manner.*

**CAG Response to Paragraph 27**

See Section VII of this application for the CAG response.

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**Paragraph 28**

*The Monitor shall be responsible for proposing and maintaining a budget for the work to be performed under the Consent Decree.*

**CAG Response to Paragraph 28**

See Section III for response to these requirements.

**Paragraph 29**

*The Parties have agreed that monitoring costs shall not exceed \$1.475 million per year. Under the Consent Decree, the Court has the discretion to increase the cap on monitoring expenses by a specific amount for a specific year at the Monitor's request. To grant the request, the Court must find that the increase is necessary for the Monitor to fulfill its duties under the Agreement and is not due to a failure in planning, budgeting, or performance by the Monitor.*

**CAG Response to Paragraphs 28-29**

See section VI of this application for the CAG response.

### **III. PERSONNEL & CURRENT TIME COMMITMENTS (RFA 34)**

CAG will mobilize a team easily recognizable for its diversity, in many dimensions: years of pertinent and practical law enforcement, community advocacy, and consent decree monitoring experience; judicial service and legal expertise; technological assets; collaborative skills; local and national community and professional service; and above all its commitment to the spirit and letter of constitutional policing and the Community-BPD-DOJ agreement.

We have been scrupulous in forming this Team; proceeding within the framework of a series of design principles that ensure that capacity is and will remain present to accomplish every monitoring obligation set forth in the Consent Decree cost-effectively and to help all Parties meet their own individual and collective obligations. Some of the Design Principles are:

- Independent Monitoring Experience.
- Familiarity with Baltimore’s issues and history, police and neighborhoods.
- On-the-ground real world experience in law enforcement and community advocacy settings.
- General and specific Consent Decree relevant knowledge and technical competencies.
- Demonstrable collaboration skills, inside the Team and within the entire spectrum of essential stakeholders.
- Respect and recognition among their professional peers.
- Availability to focus on and invest in the project.
- A passion for and commitment to public trust, constitutional policing, transparency and accountability of government agencies and their members.

We believe we have been successful in executing our design.

#### **The Team Members (34a)**

CAG has carefully tailored a Team of respected, experienced, and innovative consent decree monitors, law enforcement professionals, and community and victim-serving advocates. The Team has been carefully constructed to ensure that talent and experience is present to ensure that every material requirement of the RFA and Consent Decree will be met effectively and productively. Team Members are:

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- Charles Gruber Monitor – Team Leader
- Emory Plitt Deputy Monitor
- Chet Epperson Policy & Practices Expert
- Frank Fernandez Policy & Practices Expert
- Grande Lum Policy & Practices Expert
- Philip Lynn Policy & Practices Expert
- Jerome Needle Policy & Practices Expert
- Marshall Nelson Policy & Practices Expert
- Danielle Outlaw Policy & Practices Expert
- Susan Riseling Policy & Practices Expert
- Aaron Thompson Policy & Practices Expert
- Marcia Thompson Policy & Practices Expert
- Palmer Wilson Policy & Practices Expert

In assembling the Team we have opted for deep on-the-ground experience to guarantee presence of capacity in problem identification and solving, police reform, change management, and demonstrable commitment to constitutional policing.

**Relevant Background (34b)**

The following summaries provide snapshots of the career experience of proposed Team Members. Amplifying biographical information is presented in Qualifications and displayed in the Qualifications Summary Matrix..

**TABLE 1  
Career Experience Snapshot**

<b>MONITOR &amp; DEPUTY</b>	<b>BACKGROUND</b>
<b>Chuck Gruber, M.A.</b>	<ul style="list-style-type: none"> <li>• Police executive and justice professional over 30 years.</li> <li>• Chief of Police – 4 cities.</li> <li>• U.S.D.O.J. Civil Rights Division Monitor – 16 years.</li> <li>• Principal Monitor – U.S. Virgin Islands Consent Decree.</li> <li>• U.S.D.O.J. Patterns &amp; Practices Investigator and Monitor – Oakland, CA; Cincinnati, OH; Miami, FL; New Orleans, LA; and 7 other cities.</li> <li>• Past President – IACP and Illinois Chiefs Association.</li> </ul>
<b>Emory Plitt, J.D.</b>	<ul style="list-style-type: none"> <li>• 40 year/career as Judge, Attorney General (Asst.), and Counsel.</li> <li>• Judge, District Court of Maryland and Hartford County – 23 years.</li> <li>• Assistant A.G., State of Maryland, 19 years (Criminal Appeals Division).</li> <li>• Chair, Correctional Reform Section, State Bar Association of Maryland.</li> <li>• Judicial Committees – Family Law, Pre-Trial, Public Awareness, Correctional Reform, (Partial).</li> <li>• U.S.D.O.J. Consultant – National Institute of Corrections.</li> <li>• Speaker, Trainer – Baltimore City &amp; County Police Academies; Maryland State Police Academy, Maryland Police Training Commission, FJI; Case Western Reserve</li> </ul>

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	<p>University Law School.</p> <ul style="list-style-type: none"> <li>● Chair, Legal Officers Section, IACP.</li> </ul>
<b>COMPLIANCE LEADS</b>	<b>BACKGROUND</b>
<b>Chet Epperson, M.B.A.</b>	<ul style="list-style-type: none"> <li>● Over 35 years of professional police experience.</li> <li>● Retired from Rockford, Illinois Police Department in 2015. Served 9.5 years as Chief of Police.</li> <li>● Appointed in July 2015 to the New Orleans Police Consent Decree Monitoring Team. Special emphasis to police use of force, officer-involved shootings, policy development, and other assigned tasks from the Monitor.</li> <li>● Appointed in December 2015 to the U.S. Virgin Islands Police Consent Decree Monitoring Team. Special emphasis to the police use of force, officer-involved shootings, formation and development of a Force Investigation Team for serious uses of force, policy development, and other assigned tasks from the Monitor.</li> <li>● Serves as a Hearing Officer for the State of Illinois Attorney Registration Disciplinary Board.</li> <li>● Assists Illinois Association Chiefs of Police with State-wide police chief organizational accountability/ force management.</li> <li>● Serves as police expert for plaintiff and defendant litigation involving officer use of force, excessive force, and officer-involved shootings.</li> <li>● Serves as a consultant for National Incident Based Reporting (NIBRS).</li> <li>● Board Member for Americans for Effective Law Enforcement (AELE).</li> <li>● Board Member for International Association Chiefs of Police Human and Civil Rights Committee.</li> </ul>
<b>Frank Fernandez, M.A.</b>	<ul style="list-style-type: none"> <li>● Currently Public Safety Director, Coral Gables, FL.</li> <li>● 30 year police and justice professional.</li> <li>● U.S.D.O.J., Civil Rights Division Consent Decree Monitor – 6 cities (?)</li> <li>● Chief of Police, Hollywood, FL.</li> <li>● Deputy Chief – Operations, Miami, Florida Police Department.</li> <li>● Over 20 major city police agency evaluations, assessments, and benchmarking studies.</li> <li>● Numerous citizen, community line of duty recognitions and awards, including from the Latino community.</li> </ul>
<b>Grande Lum, J.D.</b>	<ul style="list-style-type: none"> <li>● Currently Director of the Divided Community Project at the Ohio State University Moritz College of Law</li> <li>● Formerly Director of the Community Relations Service at U.S.D.O.J.</li> <li>● Chair, Community Engagement and Education Subcommittee for the Human and Civil Rights Committee (IACP)</li> <li>● Lecturer at Law and Research Fellow at Stanford Law School</li> <li>● Designed and managed dispute resolution, facilitation, mediation, communications, cultural professionalism, community engagement and conflict management consulting and training.</li> <li>● Published author on law-enforcement-community relations, mediation, negotiation and dispute resolution.</li> </ul>
<b>Phil Lynn, M.A.</b>	<ul style="list-style-type: none"> <li>● Over 30 years as a police and justice professional specializing in public policy development and operations and management evaluations and reform.</li> <li>● Director – National Model Policy Center (IACP &amp; BJA) 1986-2016.</li> <li>● Developed 130 national police policy standards and best practices critical and sensitive areas such as force application and control, officer conduct and discipline, early warning system, technology, including video cameras, and internal affairs.</li> <li>● Principal investigator for over 30 police policy practice studies.</li> <li>● Published author of papers on Office-Involved Shootings, Public Recording (Videos)</li> </ul>

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	<p>of Police Behavior, Protecting Children of Arrested Parents, Police Recognition (of) and Response to Persons with Autism &amp; Related Challenges.</p> <ul style="list-style-type: none"> <li>● Administrator, Police Investigations Committee (IACP).</li> <li>● Chair, IACP Law Enforcement Policy Center Board.</li> </ul>
<b>Jerry Needle, M.P.A.</b>	<ul style="list-style-type: none"> <li>● Over 30 years in police practices evaluation, innovation, and reform.</li> <li>● Director of Programs &amp; Research, IACP.</li> <li>● Directed, conducted over 200 comprehensive evaluations of organizations, staffing, policies and practices.</li> <li>● Designed, managed dozens of funded police research, development, and training projects: Community Oriented Policing; Post 9-11 Policing; Homeland Security; Youth Services, including alternatives to incarceration; Re-entry; Police-Correction Partnerships; School Safety; Youth Groups; Race &amp; Police.</li> <li>● Managed the National Model Policy Center; Testing &amp; Evaluation Search Center; Education &amp; Training Center.</li> <li>● D.O.J. Monitor for Virgin Islands Consent Decree.</li> </ul>
<b>Marshall Nelson, M.A.</b>	<ul style="list-style-type: none"> <li>● Designed innovative and successful minority recruitment programs.</li> <li>● Executive and command positions in the Shreveport &amp; Caddo Parish LA Police Departments.</li> <li>● Member IACP Civil Rights Committee (7 years).</li> <li>● Implemented Campus Oriented Policing Program at Southern University.</li> <li>● Evaluated racial profiling and developed bias-based policing measures (Caddo Parish).</li> <li>● Reorganized human resources system; recruitment specialist (Caddo Parish).</li> </ul>
<b>Danielle Outlaw</b>	<ul style="list-style-type: none"> <li>● Currently Deputy Chief of Police, Oakland Police Department.</li> <li>● 19 year career with Oakland Police Department.</li> <li>● Police Accountability Consultant – U.S.D.O.J. (Chicago C.D.).</li> <li>● Major responsibility for implementing court-ordered C.D. in Oakland Police Department.</li> <li>● Strong community-police consensus building record.</li> <li>● Designed innovative and successful minority recruitment programs.</li> <li>● Vice President – NOBLE (San Francisco Chapter)</li> </ul>
<b>Susan Riseling</b>	<ul style="list-style-type: none"> <li>● Currently Executive Director of IACLEA (Campus Law Enforcement Administration).</li> <li>● 25 years as Chief of Police – University of Wisconsin System (26 campuses, 184,000 students, 29,000 staff).</li> <li>● IACP Executive Committee (V.P.) (6 years).</li> <li>● Chair of IACP Civil Rights Committee (6 years).</li> <li>● President, Wisconsin Chiefs of Police Association.</li> <li>● Career-long focus on sexual assault, child abuse, juvenile justice, and use of force best policy and practices.</li> <li>● President and Founding Member of NAWLEE (National Association of Women Law Enforcement Executives).</li> </ul>
<b>Aaron Thompson, Ph.D.</b>	<ul style="list-style-type: none"> <li>● Currently Interim President, Executive Vice-President and Chief Academic Officer, Kentucky State College.</li> <li>● 25 years professional academic, consulting, publishing, with focus on leadership, social and organizational change, and cultural diversity.</li> <li>● Certified law enforcement trainer.</li> <li>● Professional consulting services over _____ law enforcement agencies and law</li> </ul>

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	<p>enforcement standards councils.</p> <ul style="list-style-type: none"> <li>• Teaching focus: (Fill in with CD-pertinent topics.)</li> </ul>
<b>Marcia Thompson, J.D.</b>	<ul style="list-style-type: none"> <li>• 25 years professional experience in civil rights, community engagement, and police related matters.</li> <li>• D.O.J. Collaborative Reform Initiative in Baltimore, MD.</li> <li>• Currently V.P. of ADR Advantage, Inc., providing neutral intervention services to organizations and committees through mediation, conflict management, and collaborative problem-solving.</li> <li>• General Counsel – NOBLE (National Organization of Black Law Enforcement Executives.)</li> <li>• Social Justice/Criminal Justice Professor – Bowie State University.</li> <li>• Attorney Consultant (13 years) Resolving Conflict Institute. Worked with USEEOF, HUD, IACP, FLETC.</li> <li>• DEA (6 years) – Intelligence Research Specialist.</li> <li>• Civil Rights Committee – IACP.</li> </ul>
<b>Palmer Wilson, B.A.</b>	<ul style="list-style-type: none"> <li>• Over 30 years law enforcement field experience, operations evaluation, training, and technology application and innovation.</li> <li>• Montgomery County Maryland Department of Police: Director (Lt.), Office of Inspections; Senior Management Officer in charge of Inspectional Services; Policy; Operational Audits; Accreditation (ALEA); and cutting-edge technology system.</li> <li>• D.O.J. Monitor for U.S. Virgin Islands Consent Decree.</li> <li>• Senior Program Analyst, U.S.D.O.J., International Criminal Investigative Training Assistance Program.</li> <li>• Senior Consultant, IACP. Lead analyst on more than 20 (?) comprehensive management studies, specializing in staffing and deployment and internal affairs assessment.</li> <li>• Lieutenant Colonel, U.S. Army Military Police Corps (Ret)</li> <li>• Nationally recognized in training design and delivery. Certified.</li> <li>• Two Superior Performance Awards from D.O.J. for Academy Development Program &amp; Community Policing Transition.</li> </ul>

**The Team: Internal Organization (34c)**

With consideration for maximizing common understanding among all Parties of how the Monitoring Team is doing its work, organization of the CAG Team, distribution of responsibilities, and day-to-day operations will mirror the structure, pattern, and material requirements of the Consent Decree. We propose one lead for each grouping of Paragraphs in each substantive systematic issue and compliance requirements area upon which the Consent Decree is so meticulously constructed. Within each compliance requirement area, a lead/expert will have vertical responsibility for all activities required to properly fulfill the monitoring role and promote BPD progress, including objectives setting, scheduling, data collection, evaluation, outcome measurement, compliance recommendations, public and BPD engagement, and reporting. This approach establishes clear lines of authority and responsibility, internal

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accountability, and promotes cost-effective operations. Leads will be directed and their work integrated by the Chief Monitor, assisted by a Deputy.

Chart 2 displays our initial organization and assignment plan. Leads are in bold – alternates are not. By nature, charts and tables present a static picture. Operationally, CAG will employ (always has employed) a consensus style. Our experiences show that blending the strengths of the entire team, issue-by-issue, and activity-by-activity, produces the most productive monitoring product.

Please note that our proposed Deputy Monitor has been designated for the on-location presence, being a resident of Havre de Grace, Maryland. Three proposed members reside in Montgomery County, Maryland.

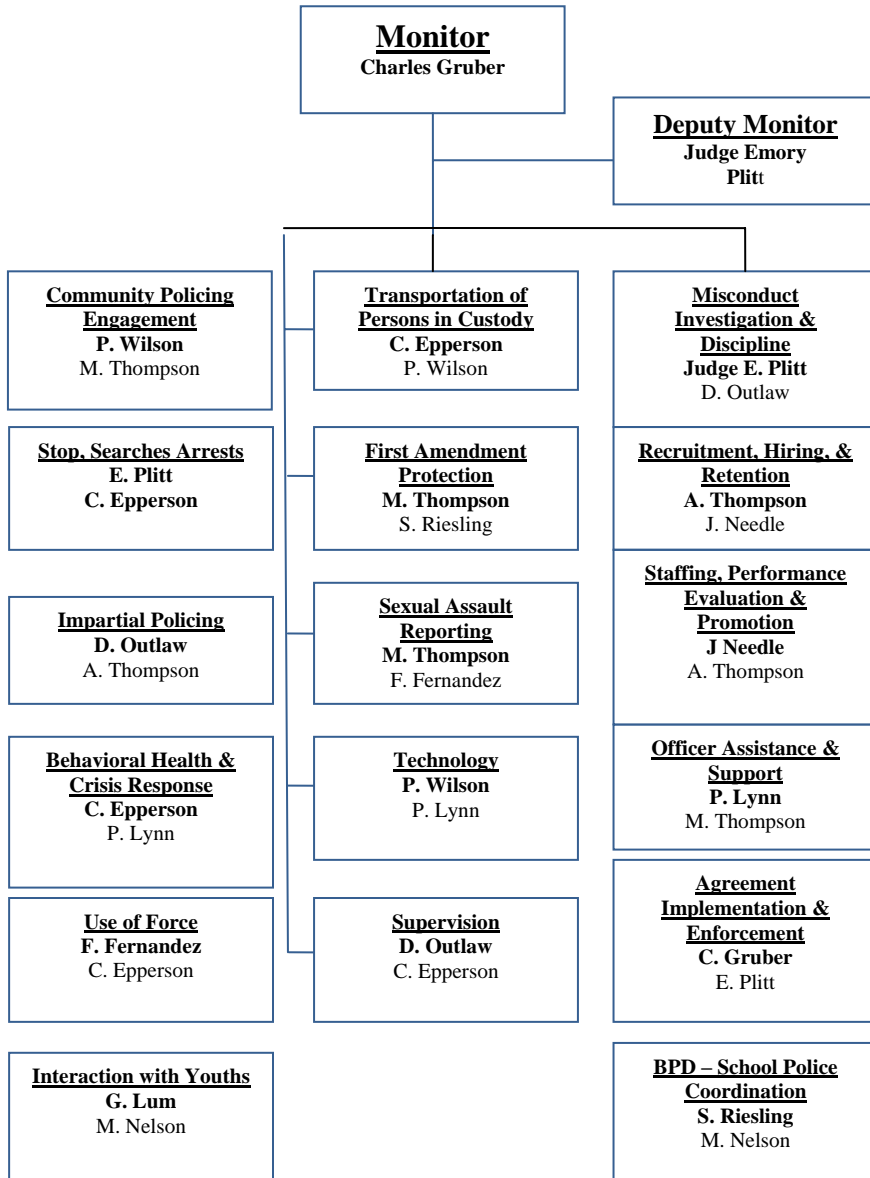
Finally, as noted elsewhere, we intend to work with the Parties to supplement staffing with local and regional professionals as situations warrant and as required by the Consent Decree, for the Community Surveys, for example.



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**CHART 2  
Monitoring Team Organization**



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**Current Employment/Time Commitments (34d)**

Table 2 itemizes current employment and projects to which proposed Team members are committed. The Monitor and Deputy Monitor have an availability factor of 67% and 90% respectively, with the Monitor's availability perhaps increasing measurably early in 2018. We have one Team member available 90%; one at 70%; one at 60%; and one at 50%. Six of our proposed professionals are available 50% or more of their time, most more than 60%.

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**TABLE 2  
Other Professional Commitments**

<b>Team Member</b>	<b>Other Employment, Projects, and Professional Undertakings</b>
Charles Gruber	U.S. Virgin Islands Police Consent Decree (25%) Expert Witness Pattern & Practice Review for DOJ (5%) Expert Witness Civil Litigation (2%) State of Illinois Chief's Assn. Use of Force expert (1%)
Judge Plitt	Executive Director/Americans for Effective Law Enforcement (AELA) (10%)
Chet Epperson	New Orleans Police Consent Decree (25%) U.S. Virgin Islands Police Consent Decree (25%) Expert Witness for police use of force (5%) NIBRS Consultant (1%)
Frank Fernandez	Public Safety Director City of Coral Gables, Florida Department (70%)
Grande Lum	Divided Community Project (66%) Accordance (5%) Stanford Law School (5%) Nextdoor Senior Advisor (3%) JuriLytics Senior Advisor (1%) My90 Senior Advisor (1%)
Phil Lynn	Consulting Engagement (10%)
Jerry Needle	U.S. Virgin Islands Consent Decree (30%)
Marshall Nelson	Chief, Southern University Police Department (80%)
Danielle Outlaw	Deputy Chief, Oakland Police Department (70%)
Susan Riseling	Executive Director, IACLEA (70%)
Aaron Thompson	Council on Postsecondary Education (75%) Speaking and other consulting (5%)
Marcia Thompson, Esq.	Training, Consulting Work, and DOJ (PSOB) Hearing Officer (50%)
Palmer Wilson	U.S. Virgin Islands Consent Decree (40%)

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**Women-Owned Minority-Owned Business (34e)**

One member of our Team Does Business As a Woman's Owned enterprise. Several others are eligible for Minority Owned status and are willing to register as such in the State of Maryland.

**IV. QUALIFICATIONS – STAFF (RFA 35)**

Measured by professional expertise and specialties, concentrated consent decree compliance background, race, gender, and commitment to the goals of the CD, our Team has the diversity to match up well with Baltimore’s requirements. Table 3 is a visual that documents, by the expertise areas enumerated in Paragraph 26, a-r and Paragraph 27, the knowledge, and skills proficiencies of CAG’s Team members. The Summary evidences presence of capacity in every competence and experience area called for, and beyond, and demonstrates depth as well. The Biographical Statements which follow the Qualifications Table present for further examination, more complete portraits of the career, capacities, and credentials of proposed Team members.

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**TABLE 3  
Qualifications Summary**

REQUIREMENTS:		C. Graber	E. Pigt	C. Epperson	P. Fernandez	G. Lurie	P. Lynn	J. Needte	M. Nelson	D. Outlaw	S. RiseJing	A. Thompson	M. Thompson	P. Wilson
KNOWLEDGE • SKILLS • EXPERIENCE														
<input type="checkbox"/>	<b>The Issues</b>													
	- Understanding of/Experience with BPD Community/Neighborhood Issues, Conditions, Challenges (¶26,d)	✓		✓		✓						✓	✓	✓
<input type="checkbox"/>	<b>CD Monitoring &amp; Compliance Evaluation Experience (¶26,a; 8-</b>	✓		✓	✓			✓		✓		✓	✓	✓
<input type="checkbox"/>	<b>Community Engagement</b>			✓		✓			✓	✓	✓		✓	
	- Engaging Effectively with Diverse Community Stakeholders (¶14,			✓		✓			✓	✓	✓		✓	
	- Mediation & Dispute Resolution Police-Neighborhoods (26,j)					✓			✓	✓		✓	✓	
	- Effective Collaboration-Governments, Labor Organizations & Other Police Stakeholders (¶21)	✓	✓	✓		✓		✓	✓	✓	✓		✓	✓
<input type="checkbox"/>	<b>Legal Foundation &amp; Capacity</b>	✓	✓	✓		✓							✓	✓
	- Constitutional Policing Principles (¶26, c; 26, f)	✓	✓	✓		✓							✓	✓
	- Assessing Legal Sufficiency & Constitutionality of Police Practices & Behaviors (¶26, c; 26, f)		✓	✓									✓	✓
	- Familiarity with U.S., Maryland & Local Laws (¶26,c; 26,f)												✓	✓
<input type="checkbox"/>	<b>Organization &amp; Police Practices Assessment &amp; Evaluation</b>						✓	✓					✓	✓
	- Organizational Performance Evaluation (¶26,a; 26,b; 26,e; 26, o)						✓	✓					✓	✓
	• Leadership (¶26, a, b)	✓		✓			✓	✓	✓		✓	✓	✓	✓
	• Objectives Setting & Measurements (¶26, a, b)	✓		✓			✓	✓	✓		✓	✓	✓	✓
	• Bias-free Policing/Procedural Justice (¶26, a, b)	✓	✓	✓			✓	✓	✓	✓	✓	✓	✓	✓
	• Community Policing Engagement (¶26, a, b)	✓		✓		✓	✓	✓	✓			✓	✓	✓
	• Youth & Special Populations Engagement (¶26, a, b)	✓		✓		✓		✓	✓	✓			✓	✓
	• Use of Force (¶26, a, b)	✓	✓	✓		✓	✓			✓			✓	✓
	• Stops, Frisks, Search, Seizures (¶26, a, b)	✓	✓	✓		✓	✓			✓			✓	✓
	• Arrest Review (¶26, a, b)	✓	✓	✓		✓	✓			✓			✓	✓
	• Crisis Intervention, De-escalation (¶26, a, b)			✓		✓	✓		✓	✓	✓	✓	✓	✓
	• Citizen Complaints & Civilian Oversight (¶26, a, b)	✓		✓			✓			✓		✓	✓	✓

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**TABLE 3**

**Qualifications Summary Continued)**

REQUIREMENTS:	<i>C. Gruber</i>	<i>E. Platt</i>	<i>C. Epperson</i>	<i>P. Fernandez</i>	<i>G. Lume</i>	<i>P. Lynn</i>	<i>J. Needie</i>	<i>M. Nelson</i>	<i>D. Ortlaw</i>	<i>S. Rising</i>	<i>A. Thompson</i>	<i>M. Thompson</i>	<i>P. Wilson</i>
<b>KNOWLEDGE • SKILLS • EXPERIENCE</b>													
• EIP, Internal Affairs/Officer Misconduct, Discipline (§126, a, b)	✓	✓	✓			✓	✓					✓	
• Policy Review & Development (§126, a, b)	✓	✓	✓			✓	✓					✓	✓
• Training (§126, a, b)	✓		✓			✓	✓				✓	✓	✓
• Staffing & Deployment (§126, a, b)			✓				✓						✓
□ <b>Institutional Reform &amp; Transformation</b>													
– Application Development of Effective, Evidence-based Police Practice Improvement Policies (§126,g)	✓		✓			✓	✓	✓	✓			✓	✓
– Technology, Information Systems, & Analytical Tools to Enhance Police Policies (§126,k)			✓				✓					✓	✓
– Organizational Transformation-Culture Principles & Practices	✓		✓		✓		✓	✓	✓	✓	✓	✓	✓
– Outcome Measurement & Assessment, Quantitative & Qualitative (§13, d-f; 17; 26,e)			✓				✓	✓			✓	✓	✓
□ <b>Assets &amp; Experience</b>													
– Working with Government Agencies (§126,l)	✓	✓	✓		✓	✓	✓	✓	✓	✓	✓	✓	✓
– Management of Complex Projects, Budget Control, Meeting Deadlines (§126,a; 28))	✓		✓		✓	✓	✓			✓		✓	✓
– Court Testimony (§126,i)	✓	✓	✓									✓	✓
– Preparing Complex Reports for Diverse Audiences (§126,m)			✓		✓		✓				✓	✓	
– Providing Formal & Informal Feedback, Technical Assistance, Training to Police Agencies (§126,n)	✓		✓		✓		✓				✓	✓	✓
– Language Skills, Working with Limited English Proficiency Individuals (§14)			✓										
– Other (Pertinent to Fulfilling Monitor’s Responsibilities)	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓

## **CAG Consulting Response to Request for Monitor Application for the Baltimore Police Department Consent Decree**

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### **Charles A. Gruber**



Charles A. Gruber was a police chief in four cities, each a reform setting in which he prioritized community policing and constitutional practices. In Quincy, Illinois, 1976-1986, he worked with minority communities to establish communications techniques that brought community policing to the community for the first time.

As Chief of Police in Shreveport, Louisiana, 1985-1990, Chief Gruber was responsible for identifying institutional racism as a practice in the Shreveport Police Department. Because of his leadership during intensely difficult civil unrest, the African American community awarded Chief Gruber the Paul Lynch Award for promoting racial harmony, the first non-African to ever receive that award. Chief Gruber also received the Liberty Bell Award from the Shreveport Bar Association for providing outstanding community service under very intense conditions.

As chief in Elgin, Illinois, from 1990-1998, he developed the Resident Officer Program of Elgin (ROPE). Police officers lived in decaying neighborhoods of the City of Elgin and helped identify problems, solutions and to rebuild and support the people that lived there. This award-winning community policing program went nationwide.

As President of the International Association of Chiefs of Police (IACP) in 1989, because of experiences in Quincy and Shreveport dealing with and protecting citizen's civil rights, he directed the IACP to form a committee to raise awareness of the responsibilities of the police to protect citizen's civil and human rights. That committee continues to operate today. Chief Gruber wrote and lectured extensively on the importance of a police chief's responsibility which includes working several years with the Department of Justice and the IACP to develop the first book directed at police chiefs, *Protecting Civil Rights: A Leadership Guide for State, Local, and Tribal Law Enforcement*, September 2006.

In 1990 Chief Gruber founded *Charles A. Gruber Consulting*, a private company that services law enforcement agencies and the communities they serve. Specialties are community policing; use of force; supervisor accountability; expert witnesses, law enforcement management; criminal justice education; state and federal grant compliance; and issues relating to law enforcement personnel and promotional proceedings.

Chief Gruber has been at the center of DOJ patterns and practices consent decree and settlement movement for the past 16 years, serving currently, as Independent Monitor for the United States Virgin Islands reform effort and as (2010-2013) and a member of the Court-appointed team to monitor City of Oakland compliance with its Settlement Agreement (2003-2009). Since 2001, he has been selected by the U.S.D.O.J., Civil Rights Division to participate in civil rights investigations in ten (10) cities, including Cincinnati, OH; Miami, FL; New Orleans, LA; and Seattle, WA. Accordingly, Chief Gruber has unsurpassed experience and proficiency in every aspect of CD-focused monitoring, including cultural and practices reform and managing a project of extreme complexity.



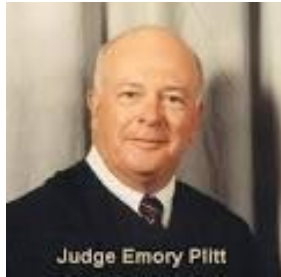
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Chief Gruber was selected as a contributor to the preparation of *National Guidelines for Police Monitors*, a milestone D.O.J. document.

Chief Gruber has a Bachelor's Degree from Elmhurst College and an M.A. in Police Administration from the University of Illinois.

**Emory A. Plitt, Jr.**



Judge Emory A. Plitt, Jr. is retired from the Maryland Circuit Court (Harford County). He also served as a judge of the Maryland District Court (Administrative Judge Harford County). He was born and raised in Baltimore City and resided there for a number of years. Prior to appointment to the bench he served as the County Attorney for Harford County. He resides in Havre de Grace, Maryland just northeast of Baltimore.

Judge Plitt is a member of the bar of the United States Supreme Court, The United States Court of Appeals for the Fourth Circuit and the trial bar of the United States District Court for the District of Maryland. He has been the compliance monitor in *United States vs. Maryland State Police* (Judge Edward Northrup) and a series of prison conditions cases (Judge Alexander Harvey).

For more than 20 years Judge Plitt served as an Assistant Attorney General responsible for the Maryland State Police and the Maryland Department of Public Safety and Corrections. He was responsible for establishment of the internal affairs units of the Maryland State Police and the Division of Corrections, and for all legal matters of all 24 Maryland sheriff's offices. He was counsel to both the Maryland Chiefs of Police Association and the Maryland Sheriff's Association.

Judge Plitt currently serves as part time Executive Director of Americans For Effective Law Enforcement (AELE) a 501c3 law enforcement educational organization. In this capacity he is responsible for four monthly publications provided to the law enforcement community at no charge and is the course director for nationally recognized four day seminars on Discipline & Internal Affairs and Use of Force. He edits and authors large portions of the books used in the workshops

Judge Plitt is a life member of the International Association of Chiefs of Police and former chair of its Legislative Committee and Legal Officers Section. He is currently a member of its Professional Standards Committee.

Judge Plitt has lectured in over 200 workshops and educational programs on discipline and internal affairs and use of force for such organizations as the IACP, Case Western Reserve University, FBI National Academy, Southwestern Law Enforcement Institute, University of Colorado, and many others including the Baltimore County, Prince Georges County and Baltimore City Police Departments

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Judge Plitt has served as a member of many State of Maryland boards and commissions including the Police and Correctional Training Commissions, the Correctional Standards Commission, Executive Committee of the Maryland Judicial Conference, and many others.

In his years experience in law enforcement he regularly reviewed and advised on the use of force by law enforcement personnel, arrests, search and seizure, and internal investigations and discipline.

University of Maryland, B.S. and his Juris Doctor (J.D.) from the University of Baltimore Law School

### **Chet Epperson**



Chief Chet Epperson is a 33-year veteran of the Rockford, Illinois Police Department. He was promoted through the ranks of that department and appointed Chief of Police in 2006, retiring in 2015.

A proponent of problem-oriented policing, Chief Epperson was responsible for establishing enduring, positive relationships between the department and the Rockford community. Chief Epperson enhanced relationships with community groups who were dis-enfranchised from the police department. Under Chief Epperson's leadership, several community-based initiatives were formulated in his nine years as police chief: Kennedy Drug Market Intervention; two federally funded Weed-n-Seed Neighborhoods; Citizen Police Academy; Chief's Advisory Board; Youth Explorer Post; Establishing Neighborhood Organizations.

Chief Epperson was called upon for an independent and outside administrative investigation for a fatal officer-involved shooting. The investigation was conducted by two former police monitors and civil rights attorneys. The investigation, report, and recommendations were made public. The department implemented the recommendations within two years and without any outside court intervention. The recommendations and changes in operations allowed for the creation of a multi-jurisdictional task force to investigation officer-involved shootings and serious uses of force. The number of excessive force incidents and complaints significantly dropped and one year there were no reported complaints. The change in practices, allowed for enhanced training for police officers; safety and wellness standards; an open transparent community relationship.

Chief Epperson's experience and philosophy in Rockland prepared him perfectly for U.S.D.O.J. consent decree work. Accordingly, he current serves in important roles with the Independent Monitoring Team for the U.S. Virgin Islands and the City of New Orleans. His duties, for both monitors, are to work with court-appointed teams of professionals and police, government, and community stakeholders to foster compliance with material requirements of consent decrees. His concentrations and responsibilities are directed to police use-of-force, shootings, citizen and

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internal complaints and investigations, and standards for constitutional policing policies and practices. Chief Epperson also serves as an independent use of force expert in civil litigation.

Chief Epperson serves as a Board Member for Americans for Effective Law Enforcement (AELE) and as a member of the International Association Chiefs of Police (IACP) Human & Civil Rights Committee as Chairman of Hate Crimes Sub Committee. Chief Epperson also assists as a consultant in police organizational operations. At the Illinois Association Chiefs of Police, he co-developed, presented, and consults for police chiefs in the State of Illinois on organizational accountability – use of force operations.

Chief Epperson received his B.A. and his M.B.A. in Public Administration from Rockford University.

### **Frank G. Fernandez**



Frank G. Fernandez is currently the Director of Public Safety (Police, Fire/Rescue & EMS), and Assistant City Manager of the City of Coral Gables, Florida. He also oversees Human Resources; Rick Management, Labor Relations, & Information departments; experience and capacities of direct relevance for the Baltimore engagement.

He began his law enforcement career with the City of Miami Police Department, in 1985, rising to the position of Deputy Chief and Chief of Operations (2003-2010). He oversaw to the continuous improvement of services and the enhancement of public confidence by reducing crime as well as the fear of crime. Between 2003 and 2010 MPD Part 1 Crimes dropped by 30 percent. At the helm of the Field Operations Division, Deputy Chief Fernandez was entrusted with leading the patrol component of the agency, encompassing over 1,000 police officers to include, District-level Patrol, the Specialized Operations Section, Communications, Community Relations, and the Office of Emergency Management and Homeland Security. He successfully completed a major reorganization of the Miami Police Department immediately upon his appointment in order to effectively allocate manpower while ensuring accountability at all levels.

Deputy Chief Fernandez was a board member of the Citizens Crime Watch of Miami-Dade County. He is the recipient of several MADD (Mothers Against Drunk Driving) Awards of Distinction, the National Latino Peace Officers Association's 204 Chief's Leadership Award, and the nationally recognized Police Executive Research Forum's Gary P. Hayes Award, among others.

In 2010, he was appointed Assistant City Manager and Director of Public Safety for the City of Hollywood, Florida. Subsequently, he was also appointed Chief of Police. The Hollywood's Police and Fire Departments had a combined budget of approximately \$108.6 million, which includes 564 full-time sworn/certified positions and 219 full-time non-sworn positions, making up more than 60 percent of the city's workforce and overall budget. During his tenure, he led numerous large-scale policy, procedural, and structural reforms across multiple departments which provided transparency, operational effectiveness, and accountability. He strategically

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implemented several crime reduction and community initiatives that reduced crime in 2013 by 13 percent and 2 percent overall in 2014.

Chief Fernandez served as an expert police consultant to the United States Department of Justice, Civil Rights Division for over nine years. He investigated allegations of civil rights violations by officers and provided technical expertise in reforming six police departments across the country: New Orleans; Puerto Rico Police Department; East Haven Police Department; Albuquerque; the Maricopa County Sheriff's Office in Arizona; and most recently the Chicago Police Department. He focused on identifying departmental failures to adhere to proper and generally acceptable police practices, policies and procedures in the field of tactical operations (SWAT/SRT); K-9 operations; patrol operations; narcotics enforcement; immigration enforcement operations (ICE 287g); internal affairs investigations and use of force investigations. With respect to reforming police departments, he assisted with new policy development and provided expertise testimony in the recent federal court case related to the immigration enforcement by the Maricopa's Sheriff's Office.

Chief Fernandez received his B.A. from Barry University and his M.A. from Nova Southeastern University.

### **Grande Lum**



Grande Lum is Director of the Divided Community Project (DCP) at the Ohio State University Moritz College of Law, where he also serves as a Distinguished Practitioner in Residence. DCP's mission is to strengthen communities so they can transform community division into positive action. DCP's initiatives include establishing programs in advance of civil unrest. Mr. Lum is also a Lecturer at Law and Research Fellow at Stanford Law School. Mr. Lum currently serves as the chair of the Community Engagement and Education Subcommittee for the International Association of Chiefs of Police's Human and Civil Rights Committee and is a Senior Advisor to Nextdoor, a social network company.

Previously, Mr. Lum was nominated by President Barack Obama and confirmed by the Senate in 2012 as the Director of the Community Relations Service (CRS), an agency within the Department of Justice. Mr. Lum guided CRS during a time when race and law enforcement reemerged as a critical national priority. CRS focuses on preventing and resolving racial and ethnic tensions, and in restoring stability and harmony. In addition, CRS also works with communities to employ strategies to prevent and respond to alleged violent hate crimes committed on the basis of actual or perceived race, color, national origin, gender, gender identity, sexual orientation, religion or disability. During his tenure, Mr. Lum expanded services in the areas of Transgender and Law Enforcement interaction, anti-Muslim hate crime prevention, Intellectual Disabilities and Restorative Practices.

Before joining CRS, Mr. Lum was a clinical professor at the University of California Hastings School of the Law, where he directed the Center for Negotiation and Dispute Resolution. Mr. Lum implemented the law school's alternative dispute resolution curriculum, the largest (by

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student enrollment) in the country. He led the Center to first US News Report top law school dispute resolution program ranking in 2010. Mr. Lum previously founded the training firm Accordence, where he remains Senior Advisor. He was also Director of the Historically Underutilized Business Zone (HUBZone) Program in the United States Small Business Administration. The HUBZone program provides federal government contracting assistance to businesses located in disadvantaged areas including poor urban and rural areas, Native American reservations, and military base closure areas.

In 2016, Mr. Lum received The Mediation Society's Outstanding Contribution to the Field Award. The Society of Asian Federal Officers honored him as its *Person of the Year* for 2014. While he was CRS Director, CRS received the American Bar Association Dispute Resolution Section *Lawyer as Problem Solver Award* in 2014 and the Association of Conflict Resolution *Peacemaker Award* in 2013.

During his career, Mr. Lum has mediated labor-management contract issues and conflicts involving differences such as race and religion. In addition he has facilitated educational reform and change initiatives. He authored *The Negotiation Fieldbook* and *Tear Down the Wall: Be Your Own Mediator in Conflict*.

Mr. Lum received his B.A. from the University of California at Berkeley, and his J.D. from Harvard Law School.

### Philip L. Lynn



Philip L. Lynn built and directed the National Law Enforcement Policy Center from its inception in 1986 to 2016. Funded by the Bureau of Justice Assistance, and hosted by the International Association of Chiefs of Police (IACP), the Center is the premier and primary source of best practice policies, available to American law enforcement. The Center typically had over 1000 subscribing agencies.

A recognized expert in law enforcement policy, procedures and best practices, he has extensive knowledge of law enforcement operations, management, and programs. He has led the development, evaluation, and continuous updating of more than 130 model policies and best policing practices in areas of critical importance to law enforcement agencies and to the Baltimore reform effort. These include use of force; force investigations; force reporting; officer conduct and disciplinary procedures; training; unbiased policing; early personnel warning systems; citizen complaint processing and investigation; agency risk management; canine deployment; and crisis intervention. All policies are supported by White Papers which supplement and explain the models with legal context and evidence-based research and evaluations.

Of additional direct pertinence to the Baltimore reform effort, Mr. Lynn has served as principal editor of *“Officer-Involved Shootings: A Guide for Law Enforcement Leaders.”* Original works include: *“National Model Policy, Instructors Guide & Video Training Program”* (USDOJ, COPS); *“Training Curriculum on Recognition & Response to Persons Affected by Autism &*

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*Related Disabilities*”; “*A Guide for Protecting Children of Arrested Parents*” (USDOJ-BJA); Model Policy on Excited Delirium; and IACP’s governing policy on “Handling mental health Subjects.”{“

He has provided policy review technical assistance and development directly to such agencies as The Pentagon Police, U.S. Department of Justice, and numerous state and local law enforcement agencies. He has conducted policy development training throughout the United States for more than 1300 law enforcement executives and to the FBI National Academy, with emphasis on high risk policies, and has prepared agencies for the policy review aspects of CALEA’s national accreditation program. Mr. Lynn has also authored more than 350 training documents providing best practices and procedures on a broad range of policing topics.

Mr. Lynn has conducted dozens of “on-the-ground” policy and practices evaluations for federal, state, and local police agencies including Montgomery County, MD; Minneapolis, MN; Milwaukee, WI; Fairfax County, VA; and State Police agencies of Delaware, Virginia, Georgia, Colorado, and New Hampshire.

Mr. Lynn served as Director of Information Services for the National Sheriff’s Association. He was the editor and producer of *The National Sheriff*, and *Sheriff’s Roll Call*, the Association’s magazine and newsletter. He serviced, simultaneously, as NSA’s public information officer.

Mr. Lynn earned his B.A. in Psychology and M.A. in Justice at The American University in Washington, D.C.

### **Jerome A. Needle**



Jerome A. Needle has served with CAG Consulting, as the Independent Monitor for the United States Virgin Islands Consent Decree, as Project Manager for the past four years. His primary concentrations have been on research, outcome measurement, and preparation of major compliance reports; primarily Quarterlies that are submitted to the U.S. District Court. He works with all team members on a broad range of activities beyond those specified.

Mr. Needle served in executive capacities at the International Chiefs of Police for 27 years, 20 of those as Director of Programs & Research. In this role, he had principal responsibility for IACP’s field consulting operations and leadership responsibility for policy-oriented government and foundation grants, training, national summits, and IACP Annual Conference plenary sessions and education workshops. He directed the National Enforcement Model Policy Center; the Community Policing consortium; the IACP Center of Social Media; the Executive Search & Testing Center; and for a number of years IACP’s Research Center. He provided Headquarter support for and served as liaison to a series of IACP Sections and Committees including Community Policing, Investigations, Police Administration, and Mid-Size Cities. Special projects for the Board and Executive Committee included Race & Police, which culminated in major publications and conference plenaries (two).

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As Director, Mr. Needle managed and conducted over 200 comprehensive and problem-specific police management and operations studies, evaluation, and assessments, which in objectives, methodologies and complexity mirror the requirements of the Baltimore Consent Decree. New Orleans, LA, Cleveland, OH, Buffalo, NY, Miami Beach, FL, Tulsa, OK, Austin, TX, and a broad range of federal agencies are just a sample of communities and agencies served.

National-scope, government-funded best practices research, policy and program innovations numbered in the dozens. U.S.D.O.J.-funded (OJP, PJA, COPS, OJJDP) problem, policy, and practice projects directed and conducted by Mr. Needle focused on many topics of relevance for Baltimore Consent Decree compliance requirements: Problem Solving Policing; Victim's Rights; Commercial Exploitation of Children; Recruitment; Hiring Distressed Cities; Volunteers to Police Services (VIPS); Hate Crimes; Youth Services – Child Protection and Children Who Witness; School Safety; Proliferation of Gangs; At-Risk Youth (Military); Children Exposed to Violence; and Community Policing On-Line.

Important works funded by the IACP concentrated on: Legitimacy/Procedural Justice and Race & Police.

Mr. Needle received his B.S. in Political Science from Temple University and his M.P.A. from the Wharton School of the University of Pennsylvania.

### **Danielle Outlaw**



Deputy Chief Danielle Outlaw began her career with the Oakland Police Department, as an Oakland Police Explorer. As she rose through the ranks to Deputy Chief, she worked in various assignments throughout the Oakland Police Department, including Patrol, Community Services, the Office of Chief of Police, the Criminal Investigation Division, Internal Affairs and the Office of Inspector General. During her tenure as Deputy Chief, she has led the Bureau of Risk Management, Bureau of Field Operations – Two and the Bureau of Services. Deputy Chief Outlaw has presented on various topics including Race and Policing, Women in Law Enforcement, De-Escalation and Investigation of Use of Force, Building Community Relationships after Controversy, Video Recording in Policing and Early Intervention Systems, and has been asked to provide technical assistance in areas of police accountability and risk management.

Deputy Chief Outlaw is the recipient of the Oakland Black Officers' Association Trailblazer Award, the Holy Names High School Alumnae Association Citation for Service and the 2015 Police Executive Research Forum (PERF) Gary P. Hayes Award. She currently serves as the Vice President of the San Francisco Bay Area National Organization of Black Law Enforcement Executives (NOBLE) Chapter, is a member of the University of San Francisco (USF) International Institute of Criminal Justice Leadership Advisory Board and the International Association of Chiefs of Police (IACP) Civil Rights Committee. She also demonstrates civic advocacy through Alpha Kappa Alpha Sorority, Incorporated. Deputy Chief Outlaw earned a Bachelor of Arts in Sociology from the University of San Francisco and a Master of Business Administration from Pepperdine University. She is also a graduate of the PERF Senior

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Management Institute for Police and the Major Cities Chiefs Association Police Executive Leadership Institute.

Of special relevance to the Baltimore project, Deputy Chief Outlaw utilized innovative and collaborative recruiting and training strategies to lead the production of one of the largest graduating academy classes in Oakland Police Department history. Oakland's diversity was reflected in the recruiting class, as many of the graduates speak a second language, including Spanish, Tongan, Farsi, Punjabi, Pashto, Vietnamese, Polish, Italian, Arabic and Samoan. Through balance of strategic thinking and analytical skills, restructured the Force Review Board, Executive Force Review Board and use of force investigation processes; ensuring formality, structure and meaningful investigation of officers' uses of force. Consequently, received prestigious national award for innovative contribution to the law enforcement industry and the Department achieved compliance in each respective task of the Negotiated Settlement Agreement (NSA – Delphine Allen, et al., vs. City of Oakland, et al.), which led to a remarkable decrease in officer-involved shootings, other uses of force and complaints against Department personnel.

Deputy Chief Outlaw received her B.A. in Sociology from the University of San Francisco and her M.B.A. from Pepperdine University.

### **Marshall W. Nelson**



Marshall W. Nelson is an innovative and highly qualified leader in law enforcement. With over 48 years of experience, as a seasoned executive with practical knowledge in all areas critical to leading any organization towards 21<sup>st</sup> Century Policing. He has proven management acumen in the area of human resource management, strategic planning, tactical deployment, criminal investigations, policy development, internal affairs, special operations and homeland security. He is a decisive leader and change agent, who methodically assesses organizational effectiveness and strategically resolves critical incidents and crime trends.

Southern University Police Department/Chief – Strategies & Special Operations (11/20/01 – Present). Chief Nelson oversees all administrative, regular and tactical deployment of all sworn personnel by serving our main and satellite campuses of an average of approximately 3,000 diverse students, faculty, staff and visitors in a highly populated urban area.

Chief Nelson implemented Interactive Campus Oriented Policing (ICOP), by engaging the student body in partnership with all internal entities, especially our Student Government Association, Student Center Board, Faculty Senate etc., along with our immediate neighborhood and the community at large daily and by hosting National Night Out.

Caddo Parish Sheriff's Office / Captain (03/18/91 – 08/20/91). As Captain, he re-organized Human Resources integrating sworn personnel and overhauled its workflow; promotional system; advanced and incorporated best practices into training through research and development



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in the crafting of appropriate policies. He managed the background investigations process per hiring guidelines, i.e. Decision Rules & POST; coordinated all recruitment trips and related job fairs locally and beyond; and provided oversight of the grievance process of all employees.

Caddo Parish Sheriff's Office / Assistant Chief of Operations Bureau (09/01/91 – 09/01/99). As Commander of Field Operations Bureau, he had oversight of daily operations of Patrol-Uniform Deputies; Investigations-Crimes Against Persons/Property including Youth; Vice and Narcotics; Crime Scene Technicians; Central Records; Dispatchers (911); Search & Rescue; Dog Handlers (K-9s); Volunteer-Reserve Deputies; Off Duty-Event Employment; Bomb Squad and Tactical (SRT) Response Team. Two Hundred plus subordinates.

He strategically decentralized the Patrol Division by creating Sub-Stations and assigning of deputies who lived in the areas giving them ownership and the ability to execute Community Policing; relocated Criminal Investigations and provided structure to assigned duties.

He oversaw technology upgrades, maintained MOU's along with data collection of information that lead to decision making regarding racial profiling and other bias based policing measures. He created internal controls for an increased level of accountability.

He was responsible for the deployment of personnel to proactively fight crime through the Productivity Action Accountability Sessions (PAAS) designed prior to CompStat -- utilizing criminal activities relative to crimes occurring by methods, time of day, day of week and locations.

Shreveport Police Department / Captain (07/06/68 – 03/16/91). As Commander of Criminal Investigations, he was responsible for total and complete investigation of all Crimes Against Persons/Property including Youth; Vice and Narcotics (Homicides, Rape, Robberies, Burglaries, Prostitution, Illegal Gambling, Thefts and Possession, Sales and Distribution of Narcotics). Sixty-Seven (67) Subordinates.

As Commander of Patrol Watch, he responsible for an entire shift of uniformed officers, administrative and deployment duties. He served as Chairman of the Employees Grievance Committee, as well as a member of the Training Advisory Board. He gave further assistance to superiors in Community Affairs, often serving in their stead, however, in demand as a keynote speaker or representative. Eighty-Eight (88) Subordinates.

As Lieutenant, Commander of Internal Affairs Bureau, he directed investigations of internal and external complaints of agency personnel. Additionally, his duties included administrative review of departmental disciplinary matters, jointly with City Legal Officers and Risk Management Personnel.

Chief Nelson is a Life Member of the National Organization of Black Law Enforcement Executives (NOBLE); a former member of the International Association of Chiefs of Police (IACP) serving more than seven (7) years on its Civil Rights Committee; National Sheriff's Association (NSA); Police Executive Research Forum (PERF); American Management

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Association (AMA); and is a graduate of the Command College of the Institute for Law Enforcement Administration – formerly the Southwestern Law Enforcement Institute of Plano, Texas.

Chief Nelson received his B.S. in Organization Management from Wiley College and his M.B.A. from NOVA Southeastern University.

### **Susan Riseling**



Susan Riseling currently serves as the Executive Director of the International Corrections of Campus Law Enforcement Administration (IACLEA). This position oversees all aspects of managing a 3,200 member international association dedicated to public safety on university and college campuses. The position is tasked with government relations, accreditation, professional reviews, periodical magazines, website development, hosting trainings, annual conference, news digests and a far-reaching array of membership services.

From 2003-2016 she served as Chief of Police/Associate Vice Chancellor, of the University of Wisconsin-Madison, Extension, and System. In this position, she continued to act as Chief of Police for the University of Wisconsin-Madison and Extension. She was also tasked with responsibility for consultation with the other 25 University of Wisconsin System campuses located throughout the state. The University System had approximately 184,000 students 29,000 staff and faculty making it the largest state agency in Wisconsin. The major focus of this position involved handling the issues of a post September 11<sup>th</sup> nature.

Responsibilities included:

- Administration of 155 employees which included police officers, security officers, dispatchers, office administration staff in addition to 35 student volunteers who provided EMT services.
- Administration of an approximate \$10 million budget. Oversight of an \$8 million camera project.
- Full service police agency with mounted, motorcycle, bicycle, canine and police extraction response units in addition to regular patrol cars/foot.
- Detective unit that investigated criminal and internal affairs, serve on the FBI JTTF, and on County- wide Narcotics Task Force. Part of state-wide meth lab team. Founding member of County-wide narcotics and gang enforcement team (DCN&GTF).
- State certified evidence technicians and police instructors.
- Emergency Management function and Continuity of Operations Planning for the entire University.
- Directed the University Response Plan, Emergency Operations Center and Incident Command Systems.
- Infrastructure Security, Access Control, Nuclear Reactor Security, Select Agent Research Security and Animal Research Security

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From 1991-2016 she served as Chief of Police for the Main Campus in Madison. Director Riseling also serves and has served as:

President and Founder of The Riseling Group, LLC - This company provides management reviews, strategic plan development, group facilitation, investigations, Title – IX and Clery expertise, human resource consulting, background assessments, threat evaluations, executive searches, facilitation and mediation services, leadership training, hot topic white paper development, wide range of law enforcement and emergency management services and training (June of 2015 to Present).

Senior Partner and Founder of Decision Makers, LLC – This company provided management reviews, strategic plan development, investigations, human resource consulting, threat evaluations, leadership training, wide range of emergency management services and training (December 2007- June of 2015).

Associate Director - Police Department SUNY Stony Brook. The University had a total enrollment of 17,000 students, 9,000 teaching, research and support staff. The campus is located on 1,100 acres and has approximately 100 buildings, one of which is a 530 bed hospital. Responsibilities included the supervision of 65 police officers, 37 building guards, 180 student employees, 11 locksmiths, 8 traffic enforcement officers and 10 clerical staff. Administration of a \$4 million budget (November 1989 to March 1991).

Director Riseling received her B.A. in Criminal Justice from the University of Maryland. At the University of Maryland College Park, Director Riseling has earned 30 credits toward an M.A. in Criminology and has completed course work and research for her thesis.

### **Aaron Thompson**



Aaron Thompson is the Interim President of Kentucky State University and the Executive Vice President for the Kentucky Council on Postsecondary Education. Dr. Thompson has over 28 years of leadership experience in higher education and business. He is also a Professor of Sociology in the Department of Educational Leadership and Policy Studies at Eastern Kentucky University. Dr. Thompson has a Ph.D. in Sociology with concentrations on Organizational Behavior and Race and Gender relations. Dr. Thompson has researched, taught, consulted and published in areas of diversity, leadership, ethics, multicultural families, race and ethnic relations, student success, unconscious bias, retention, cultural competence and organizational design.

Dr. Thompson's law enforcement consulting portfolio includes work for the police departments of Chicago, IL; Columbus, MD; Danville, KY; Rockford, IL; Richmond, KY; Evanston, IL; and Louisville, KY. Also, the Illinois Law Enforcement Training & Standards Board; Kentucky Law Enforcement Council. Work focused on citizen review boards; diversity training; ethics training; internal affairs assessments; generational differences; race relations; diversity recruitment and retention; and sexual harassment.

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Dr. Thompson has served with the Civil Rights Division of the U.S. Department of Justice working with municipalities coming into compliance with agreements set forth by governmental agencies and the wider community. An example of this is an agreement with the Richmond, Kentucky Police Department, City of Richmond and the African American Community of Richmond. Dr. Thompson assisted in design and implementation of a set of protocols (i.e., Citizens Advisory Board, anti-bias training) as a part of a consent agreement. He also has been called upon for his expertise in building community relations with law enforcement and community constituents (Columbia, Missouri, Rockford, Illinois, Evanston Illinois, and Louisville, Kentucky). His expertise has ranged from doing community assessments, racial profiling, building professional standards, human relations training.

Dr. Thompson has over 50 publications and numerous research and peer reviewed presentations. He has given more than 800 workshops, seminars and invited lectures in areas of race and gender diversity, living an unbiased life, overcoming obstacles to gain success, creating a culturally competent organization, and a variety of other topics.

Finally, is his work for client-serving non-profit and community-serving organizations: Alliance for Substance Abuse Protection, Carnegie Center for Literacy and Learning, Center for Rural Development; Community Partnership, Division of State and Mental Health; FDIC Bank Examiners; Fun City Playground Project; Hope's Wings, Kentucky Association of Gerontology, Kentucky Humanities Council; Kentucky Nursing Association; Kentucky Society of Certified Public Managers, National American Association of Summer Sessions; Ohio Literacy Institute; Parent Link (Missouri); Pattie A. Clay Hospital; Planned Parenthood, Practical Parenting Partnerships (Missouri); the Jobs Center (Missouri); and YMCA, YMCA Association of Professional Directors.

Dr. Thompson received his B.A. in Political Science & Sociology from Eastern Kentucky University, his M.A. and his Ph.D. in Sociology from the University of Kentucky.

### **Marcia K. Thompson, Esq.**



Marcia K. Thompson is an attorney and law enforcement consultant with over 20 years working in the criminal justice field. She started her career in federal law enforcement intelligence with the Drug Enforcement Administration (DEA). During her tenure at DEA, she also served as a collateral duty EEO Counselor and helped to develop and implement a diversity recruitment initiative for the DEA Intelligence Division. She won an award for the success of that initiative.

Mrs. Thompson has practiced law as a prosecutor in both criminal and civil courts, and has handled complex litigation in both state and federal courts. She has extensive experience with monitoring compliance with court orders and show cause hearings as a prosecutor and has first chair experience as a defense attorney in hearings and trials in both civil and criminal courts.

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Mrs. Thompson has served as an advisor to law enforcement organizations on Civil Rights and law enforcement issues for over 15 years. She has been an active member of the IACP Civil Rights Committee for over 10 years and has provided insight and guidance on timely and novel civil rights and human rights matters impacting law enforcement nationally (bias-free policing, tasers, use of force; stop and frisk; constitutional policing; procedural justice; hate crimes; affinity group protections). Mrs. Thompson has also served as General Counsel and advisor to the National Organization of Law Enforcement Executives (NOBLE) for many years. In both capacities, she provided a legal perspective and civil rights lens on law enforcement, community policing and criminal justice matters.

Mrs. Thompson was a professor for almost 10 years at Bowie State University and taught criminal justice, social justice, civil rights, conflict resolution, juvenile analysis, criminology, criminal law, constitutional law, criminal procedure, evidence, trial/advocacy practice, victimology, rule of law, mediation, police management, intelligence/public records and ethics.

Mrs. Thompson is a trained neutral and certified collaborative problem solver. She is a Supreme Court of Virginia certified mediator. She has mediated community, workplace, criminal and civil matters throughout the United States. She is a mentor mediator, which allows her to train others to become certified mediators. She has provided problem solving and conflict resolution training to both private organizations and the public sector to include law enforcement. Mrs. Thompson also serves as an EEOC certified workplace investigator and is often asked to conduct fact finding on federal administrative matters. She also serves as a federal hearing officer within the Department of Justice and drafts determinations.

Mrs. Thompson has conducted large facilitated dialogues with community on police and other related public services in cities to include but not limited to: Washington, DC; New Orleans, LA; Chicago, IL; and Baltimore, MD. Mrs. Thompson has provided advisory and consulting services to law enforcement organizations nationally for over 15 years. She has conducted law enforcement assessments, collaborative reform, technical assistance and/or compliance work at various departments to include but not limited to: Gainesville Police Department; Virgin Islands Police Department; Denver Sheriff Department; Boulder Police Department; and the Baltimore Police Department.

Mrs. Thompson received her Bachelor of Arts in Criminal Justice from Michigan State University and her Juris Doctorate from George Mason University School of Law. She is licensed to practice law in the Commonwealth of Virginia.

### **Palmer D. Wilson**



Palmer D. Wilson currently serves in dual roles for CAG's U.S. Virgin Islands Consent Decree Monitoring project as a Police Practices Expert and Technical Manager. His principal areas of concentration are Training, and Policy. A unique and innovative contribution has been the development of IMT Data System, the management information system that services the entire compliance effort and CAG's administrative operations. The

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software, which will be used to support the Baltimore monitoring engagement, documents and manages court-ordered goals and paragraph compliance reporting, monitoring updates, citizen complaints and force case activity, and a range of evaluations and outcome measurements.

He has developed compliance action plans, monitoring plans, prepared complex project reports and evaluations, and testified in U.S. District Court. Mr. Wilson provides technical assistance to VIPD personnel regarding audit and evaluation, inspections, software development, training and organizational change. This is his fourth year as a Virgin Islands Monitoring Team member.

Mr. Wilson's 25 year career as a member of the 1400 member Montgomery County Maryland Police Department included a series of senior executive positions including Director (Lieutenant) of the Office of Staff Inspections, Office of the Chief; CALEA Accreditation Manager; Commander, Planning and Policy Management, and Commander of the In-Service Training Section. Field Operations assignments included Sergeant, Detective Sergeant, Detective Corporal, and Patrol Officer.

Montgomery Police Department experience of direct relevance for the Baltimore project include: reviews and audits of all functional units; development of cutting-edge Use of Force & Pursuit reporting systems; authoring/reviews of over 150 policies; coordination of agency-wide Community Policing initiatives; development of community focused problem-oriented policing initiative that resulted in a multi-year strategic plan for implementation; restructured academy curriculum and training delivery systems, to include modularized, skills-based training. Finally, he created a comprehensive auditing and inspections system that reviewed over 65 separate units within the police department for compliance with Constitutional requirements, State, and County laws and regulations, over 150 department polices and individual unit Standard Operating Procedures (SOPs) on a bi-annual basis; a first for the department. In his role as Commander, Planning and Policy management, he played a role in all department program and grant development, internal initiatives, coordination with the County's Executive and Legislative branches, and development of department budgets at the agency chief executive level.

From 1996-2000, Mr. Wilson served as a Senior Program Analyst for the U.S.D.O.J.'s Criminal Division's International Criminal Investigative Training Assistance Program (ICITAP). As a senior level training specialist his responsibilities were to Coordinate, review, and approve all ICIT AP training programs; establish curriculum development procedures; conduct analysis of ICIT AP supported country training capacities; conduct special studies and evaluations of existing US based law enforcement management, operations and training programs. Programs developed resulted in the award of two DOJ Superior Performance awards for excellence in development of law enforcement programs and delivery of technical assistance; one in the development of a all level agency community policing program and the other a comprehensive training academy management .

Mr. Wilson has had an active law enforcement consulting career, the primary experience for the work to be done in Baltimore being 15 years as a Senior Consultant to the International Association of Chiefs of Police (IACP), completing a range of assignments on comprehensive management and operations studies, almost 25 over the course of 15 years (2000-2016). His

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specialties were/are organization, resource allocation and deployment, risk management, internal affairs, strategic planning, computer systems and operations equipment and technology.

Mr. Wilson has a B.A. in Criminology from the University of Maryland, has done graduate work at the American University, is a graduate of a number of officer and command level U.S. Military Police programs, and has a range of professional certifications including many as an instructor (mentor) in instructional systems design, as well as recognition as an expert witness in both the Federal and State court systems..He is a retired Lt. Colonel from the U.S. Army Military Police Corps.

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**V. PRIOR EXPERIENCE & REFERENCES (RFA 36)**

The Statements above indicate that members of the Team have completed, literally, hundreds of professional engagements of relevance to the material requirements of the Consent Decree. To convey our Organizational Qualifications, we single out for consideration a sub-set, primarily DOJ – Civil Rights Division projects that match-up directly to the requirements sought for the Baltimore Independent Monitor, a total of 18 engagements. These are summarized in Table 4, Organizational Experience & References.

Appraisals of the professional suitability and subject matter expertise of proposed Team members can be obtained from the references that follow.

**Team Member**

**Team Member References**

**Charles Gruber**

Hon. Judge James Zagel  
U.S. District Court Judge  
U.S. District Court Northern District of Illinois  
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Hon. Tammie Gregg, Esquire  
Deputy Chief Civil Litigation Section  
Counsel to AAG Office of Justice Programs  
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**Chet Epperson**

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**Grande Lum**

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Will Johnson  
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<u>Team Member</u>	<u>Team Member References</u>	
<b>Philip Lynn</b>	Daniel Rosenblatt Executive Director (ret.) International Association of Chiefs of Police rsnblt@me.com 703-203-1080	Steven Flaherty Superintendent Virginia State Police Steve.Flaherty@vsp.virginia.gov 804-674-2087
	Michael Graham Assistant Sheriff (ret.) Los Angeles County Sheriff's Office MDGraham@att.net 310-291-3884	
<b>Jerome Needle</b>	Jim McMahon Managing Partner Lee, McMahon & Rosenblatt LLC jwm1943@gmail.com 703-577-4362	
<b>Marshall Nelson</b>	Nelson Cameron, Esquire 675 Jordan Street Shreveport, LA 71101 318-226-0111	
<b>Danielle Outlaw</b>	Darrel Stephens Executive Director Major Cities Chiefs' Association stephens@majorcitieschiefs.com 704-996-5437	Robert White Police Chief Denver, Colorado Police Department robert.white@denvergov.org 303-210-5320
<b>Susan Riseling</b>	Jeff Rynearson Deputy Chief South Bend Indiana Jrynears@southbendin.gov	Sunny Schnitzer PERF Sexual Assault Project & Baltimore City Sexual Assault Review SSchnitzer@everytown.org
<b>Aaron Thompson</b>	Randy Boehm Former Police Chief of Columbia Missouri 573-864-7401	Larry Brock Former Police Chief of Richmond Kentucky 859-314-3344
<b>Marcia Thompson</b>	Joe McMillan Nuclear Regulatory Deputy IG (Past NOBLE President) jmcMil2314@aol.com 301-455-5629	Ken Bouche Chief Operations Officer Hillard Heintze Kenneth.bouche@hillardheintze.com 312-869-8500
<b>Palmer D. Wilson</b>	<b>Gary Barr</b> <b>Acting Director</b> <b>International Criminal Investigative</b> <b>Training and Assistance Program</b> <b>Criminal Division, USDOJ</b>	

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443-618-1847

[Gary.barr@usdoj.gov](mailto:Gary.barr@usdoj.gov)

**TABLE 4  
ORGANIZATIONAL EXPERIENCE & REFERENCES**

Project	Description	Reference
<p>United States Department of Justice, Civil Rights Division</p> <p>The Virgin Islands Police Department</p>	<p>CAG serves as the District Court-Appointed Independent Monitor for the V.I.P.D. Consent Decree compliance work. Four members of the proposed Baltimore Team are responsible for continuing monitoring, compliance measurement, technical assistance, assessment of 101 paragraphs of the Consent Decree, policy and training assistance, quarterly progress reporting, research-based evaluation, technology support, budgeting and controls.</p> <p>CAG has served as the Independent Monitor since 2014. Prior to that Chief Charles Gruber served for five years as a Police Practice Expert (PPE) with a firm that previously held the Independent Monitor interest.</p>	<p>Judge Curtis Gomez U.S. District Court (340) 774-1800</p> <p>Carol Jacobs (Assistant Attorney General, AAG) (340-774-5666.)</p> <p>Delroy Richards Commissioner of Police (340-514-0626)</p>
<p>United States Department of Justice, Civil Rights Division</p> <p>The Cincinnati Ohio Police Department</p>	<p>Consultant and member of DOJ investigation team studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations by the Cincinnati Police Department.</p> <p>Investigate the policies, procedures, and practices of the Cincinnati Police Department to identify the strengths and weaknesses of critical aspects of their policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force</p>	<p>Chief AUSA Ms. Shanetta Cutlar, (202-353-5476)</p> <p>Assistant Deputy Chief AUSA Ms. Tammi Gregg, (301-752-9645)</p> <p>United States Department of Justice Civil Rights Division Special Litigation Section 601 D Street, NW Washington, D.C. 20004</p>

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	<p>cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in</p> <p>proving compliance with Consent Decree mandates.</p>	
<p>United States Department of Justice, Civil Rights Division</p> <p>Providence, Rhode Island Police Department</p>	<p>Consultant and member of DOJ investigation team studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations by Providence Police Department.</p> <p>Investigate the policies, procedures, and practices Of this police agency to identify strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in proving compliance with consent decree mandates.</p>	<p>Chief AUSA Ms. Shanetta Cutlar, (202-353-5476)</p> <p>Assistant Deputy Chief AUSA Ms. Tammi Gregg, (301-752-9645)</p> <p>United States Department of Justice Civil Rights Division Special Litigation Section 601 D Street, NW Washington, D.C. 20004</p>
<p>United States Department of Justice, Civil Rights Division</p> <p>Schenectady, New York Police</p>	<p>Consultant and member of DOJ investigation team studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations by Schenectady Police Department.</p> <p>Investigating the policies, procedures, and practices of this</p>	<p>AUSA Cathleen S. Trainor (301-906-1917) <a href="mailto:cathleen.trainor@usdoj.gov">cathleen.trainor@usdoj.gov</a></p> <p>United States Department of Justice</p>

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<p>Department</p>	<p>police agency to identify strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li>   <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in proving compliance with Consent Decree mandates.</p>	<p>Civil Rights Division Special Litigation Section 601 D Street, NW Washington, D.C. 20004</p>
<p>United States Department of Justice, Civil Rights Division</p> <p>Austin, Texas Police Department</p>	<p>Consultant and member of DOJ investigation team studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations by the Austin Police Department.</p> <p>Investigate the policies, procedures, and practices of this agency to identify strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> </ul>	<p>AUSA Corey Sander (202)305-329 <a href="mailto:corey.sander@usdoj.gov">corey.sander@usdoj.gov</a></p> <p>AUSA Jonas Geissler (703)869-8618 <a href="mailto:jonas.geissler@usdoj.gov">jonas.geissler@usdoj.gov</a></p> <p>United States Department of Justice Civil Rights Division Special Litigation Section 601 D Street, NW Washington, D.C. 20004</p>

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	<ul style="list-style-type: none"> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in proving compliance with Consent Decree mandates.</p>	
<p style="text-align: center;">United States Department of Justice, Civil Rights Division</p> <p style="text-align: center;">The Puerto Rico Police Department</p>	<p>Consultant and member of DOJ investigation team studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations by the Puerto Rico Police Department.</p> <p>Investigate the policies, procedures, and practices of The Puerto Rico Police Department to identify the strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in proving compliance with Consent Decree mandates.</p>	<p style="text-align: center;">Chief Jonathon Smith (202)274-5583 <a href="mailto:Jonathon.smith2@edc.edu">Jonathon.smith2@edc.edu</a></p> <p style="text-align: center;">Deputy Chief AUSA Luis Saucedo (202)598-0482 <a href="mailto:luis.saucedo@usdoj.gov">luis.saucedo@usdoj.gov</a></p> <p style="text-align: center;">United States Department of Justice Civil Rights Division Special Litigation Section 601 D Street, NW Washington, D.C. 20004</p>
United States	Consultant and member of DOJ investigation team	AUSA Corey Sander

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<p>Department of Justice, Civil Rights Division</p> <p>The Maricopa County, Arizona Sheriff's Police</p>	<p>studying, reporting, and recommending remediation to alleged racial profiling, use and other civil rights violations by the Maricopa County, Arizona Sheriff's Department</p> <p>Investigate the policies, procedures, and practices of The Maricopa County, Arizona Sheriff's Police agency to identify strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in proving compliance with Consent Decree mandates.</p>	<p>(202)305-329 <a href="mailto:corey.sander@usdoj.gov">corey.sander@usdoj.gov</a></p> <p>AUSA Jonas Geissler (703)869-8618 <a href="mailto:jonas.geissler@usdoj.gov">jonas.geissler@usdoj.gov</a></p> <p>United States Department of Justice Civil Rights Division Special Litigation Section 601 D Street, NW Washington, D.C. 20004</p>
<p>United States Department of Justice, Civil Rights Division</p> <p>The New Orleans, Louisiana Police Department</p>	<p>Consultant and member of DOJ investigation team studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations by The New Orleans, Louisiana Police Department</p> <p>Investigate the policies, procedures, and practices of The New Orleans, Louisiana Police Department to identify strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson</li> </ul>	<p>Deputy Chief AUSA Christy Lopez (301) 873-5577 <a href="mailto:christy.lopez@law.georgetown.edu">christy.lopez@law.georgetown.edu</a></p> <p>AUSA Laura Coon (202)353-5052 <a href="mailto:Laura.coon@usdoj.gov">Laura.coon@usdoj.gov</a></p> <p>United States Department of Justice Civil Rights Division Special Litigation Section</p>

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	<p>plans</p> <ul style="list-style-type: none"> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in proving compliance with Consent Decree mandates.</p>	<p>601 D Street, NW Washington, D.C. 20004</p>
<p>United States Department of Justice, Civil Rights Division</p> <p>The Seattle, Washington Police Department</p>	<p>Consultant and member of DOJ investigation team studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations by The Seattle, Washington Police Department</p> <p>Investigate the policies, procedures, and practices of The Seattle, Washington Police Department to identify strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force</p>	<p>Deputy Chief Laura Coon (202)353-5052 Personal (202)271-5412 <a href="mailto:laura.coon@usdoj.gov">laura.coon@usdoj.gov</a></p> <p>AUSA Michael Diaz (206)553-4067 <a href="mailto:michael.diaz@usdoj.gov">michael.diaz@usdoj.gov</a> United States Attorney Office, Seattle, Washington</p> <p>United States Department of Justice Civil Rights Division Special Litigation Section 601 D Street, NW Washington, D.C. 20004</p>

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	<p>cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in proving compliance with Consent Decree mandates.</p>	
<p>United States Department of Justice, Civil Rights Division</p> <p>The Portland, Oregon Police Department</p>	<p>Consultant and member of DOJ investigation team studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations by The Portland, Oregon Police Department.</p> <p>Investigate the policies, procedures, and practices of The Portland, Oregon Police Department to identify strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in proving compliance with Consent Decree mandates.</p>	<p>Deputy Chief Laura Coon (202)353-5052 Personal (202)271-5412 <a href="mailto:laura.coon@usdoj.gov">laura.coon@usdoj.gov</a></p> <p>AUSA Jonas Geissler (703)869-8618 <a href="mailto:jonas.geissler@usdoj.gov">jonas.geissler@usdoj.gov</a></p> <p>United States Department of Justice Civil Rights Division Special Litigation Section 601 D Street, NW Washington, D.C. 20004</p>
<p>United States Department of Justice, Civil Rights Division</p>	<p>Consultant and member of DOJ investigation team studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations by Miami Florida Police Department</p>	<p>Deputy Chief Laura Coon (202)353-5052 Personal (202)271-5412 <a href="mailto:laura.coon@usdoj.gov">laura.coon@usdoj.gov</a></p>



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<p>Miami Florida Police Department</p>	<p>Investigate the policies, procedures, and practices of Miami Florida Police Department to identify strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Providing court testimony</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in proving compliance with Consent Decree mandates.</p>	<p>AUSA Cathleen S. Trainor (301-906-1917) <a href="mailto:cathleen.trainor@usdoj.gov">cathleen.trainor@usdoj.gov</a></p> <p>United States Department of Justice Civil Rights Division Special Litigation Section 601 D Street, NW Washington, D.C. 20004</p>
<p>Independent Monitoring Team Appointed by the US District Court Northern District of California Co-Monitor</p>	<p>Co-Monitor of negotiated Settlement Agreement between the City of Oakland, California and private plaintiffs pertaining to pattern and practice claims of excessive force and other civil right violations against the Oakland Police Department</p> <p>Studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations by Oakland California Police Department</p> <p>Investigate the policies, procedures, and practices of Oakland California Police Department to identify strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p>	<p>Kelly Evans ESQ (510)967-1422 <a href="mailto:Evans.m.kelli@gmail.com">Evans.m.kelli@gmail.com</a></p> <p>Christy Lopez ESQ (301) 873-5577 <a href="mailto:christy.lopez@law.georgetown.edu">christy.lopez@law.georgetown.edu</a></p> <p>John Burris ESQ (510)928-5392 <a href="mailto:burris@pacbell.net">burris@pacbell.net</a></p> <p>James Chanin ESQ (510)848-4752 <a href="mailto:jbcofc@sbcglobal.net">jbcofc@sbcglobal.net</a></p>

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	<ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer involved shootings and deadly force.</li> </ul> <p>Among the work products produced, was the auditing review and assessments of use of force cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate and assist departments in proving compliance with settlement agreement mandates.</p>	
<p>Municipal Governments Consulting Services:</p> <ul style="list-style-type: none"> <li>• Carpentersville, Illinois</li> <li>• Riverwoods, Illinois</li> <li>• Arlington Heights, Illinois</li> <li>• Morton Grove, Illinois</li> <li>• Wayne, Illinois</li> <li>• Rockford, Illinois</li> </ul>	<p>Performed independent review of these communities to alert municipal authorities to any pattern and practice activities that could be identified to eliminate civil claims of excessive force and other civil right violations</p> <p>Studying, reporting, and recommending remediation to alleged excessive use of force and other civil rights violations</p> <p>Investigate the policies, procedures, and practices to identify strengths and weaknesses of critical aspects of policing practices; offer recommendations for systemic and/or procedural changes.</p> <p>Provided:</p> <ul style="list-style-type: none"> <li>• technical assistance</li> <li>• Providing Training and development of lesson plans</li> <li>• Providing formal and informal feedback</li> <li>• Providing court testimony</li> <li>• Identifying evidence based police practices</li> <li>• developing, reviewing, and assuring policy sufficiency</li> <li>• Organizing, participating, providing guidance in civilian oversight of police</li> <li>• Use of force, assessment, review</li> <li>• Investigation and accountability including officer</li> </ul>	<p>Patrick Hayes ESQ (815)289-1880</p>

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	<p>involved shootings and deadly force.</p> <p>Among the work products produced, was the auditing review and assessments of use of force cases and civilian complaints.</p> <p>Chief Gruber led and participated in the development of all analytical evaluation tools, measures and protocols, and reporting systems, necessary to evaluate their own police departments.</p>	
<p>Developed and authored a training program <i>Investigating Use of Force for Field Supervisors</i> designed to teach supervisors how to review, investigate, analyze, and report force use by their subordinates</p> <p>Developed and authored comprehensive training program <i>Organizational Accountability Force Management</i></p>	<p>Taught this class throughout The United States and adjacent nations since 2003 having taught thousands of police supervisors how to accomplish a reliable assessment of force use</p> <p>Taught this class throughout The United States and adjacent nations since 2005 to provide police chiefs and other senior level police executives with tools to develop a comprehensive force management accountability system</p>	<p>Joe Buckley President John E. Reid &amp; Associates, Chicago, Illinois (312)583-0700 x19 <a href="mailto:jbuckley@reid.com">jbuckley@reid.com</a></p>

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**VI. BUDGET (RFA 37)**

**TABLE 5**

**CHARLES A. GRUBER CONSULTING, LLC – BALTIMORE CONSENT DECREE**

Name	Role	YEAR 1	YEAR 2	YEAR 3	TOTAL	YEAR 4	YEAR 5	TOTAL
		Cost	Cost	Cost	3 Years	Cost	Cost	5 Years
Charles Gruber	Monitor	\$ 175,000.00	\$ 189,000.00	\$ 189,000.00	\$ 553,000.00	\$ 189,000.00	\$ 189,000.00	\$ 931,000.00
Emory Plitt	Deputy Monitor	\$ 135,000.00	\$ 155,250.00	\$ 155,250.00	\$ 445,500.00	\$ 155,250.00	\$ 155,250.00	\$ 756,000.00
Chet Epperson	Team Member	\$ 117,187.50	\$ 131,250.00	\$ 131,250.00	\$ 379,687.50	\$ 131,250.00	\$ 131,250.00	\$ 642,187.50
Frank Fernandez	Team Member	\$ 42,187.50	\$ 33,750.00	\$ 33,750.00	\$ 109,687.50	\$ 33,750.00	\$ 33,750.00	\$ 177,187.50
Jerry Needle	Team Member	\$ 32,812.50	\$ 36,750.00	\$ 36,750.00	\$ 106,312.50	\$ 36,750.00	\$ 36,750.00	\$ 179,812.50
Grande Lum	Team Member	\$ 46,875.00	\$ 37,500.00	\$ 37,500.00	\$ 121,875.00	\$ 37,500.00	\$ 37,500.00	\$ 196,875.00
Marshall Nelson	Team Member	\$ 18,750.00	\$ 12,500.00	\$ 12,500.00	\$ 43,750.00	\$ 12,500.00	\$ 12,500.00	\$ 68,750.00
Danielle Outlaw	Team Member	\$ 18,750.00	\$ 12,500.00	\$ 12,500.00	\$ 43,750.00	\$ 12,500.00	\$ 12,500.00	\$ 68,750.00
Sue Riseling	Team Member	\$ 18,750.00	\$ 12,500.00	\$ 12,500.00	\$ 43,750.00	\$ 12,500.00	\$ 12,500.00	\$ 68,750.00
Aaron Thompson	Team Member	\$ 46,875.00	\$ 37,500.00	\$ 37,500.00	\$ 121,875.00	\$ 37,500.00	\$ 37,500.00	\$ 196,875.00
Marcia Thompson	Team Member	\$ 93,750.00	\$ 75,000.00	\$ 75,000.00	\$ 243,750.00	\$ 75,000.00	\$ 75,000.00	\$ 393,750.00
Palmer Wilson	Team Member	\$ 117,187.50	\$ 131,250.00	\$ 131,250.00	\$ 379,687.50	\$ 131,250.00	\$ 131,250.00	\$ 642,187.50
Multiple Staff Members	Technical Expert	\$ 22,500.00	\$ 22,500.00	\$ 22,500.00	\$ 67,500.00	\$ 22,500.00	\$ 22,500.00	\$ 112,500.00
Outreach Workers	Technical Expert	\$ 22,500.00	\$ 21,375.00	\$ 21,375.00	\$ 65,250.00	\$ 21,375.00	\$ 21,375.00	\$ 108,000.00
								\$ -
<b>LABOR SUBTOTAL</b>		<b>\$ 908,125.00</b>	<b>\$ 908,625.00</b>	<b>\$ 908,625.00</b>	<b>\$ 2,725,375.00</b>	<b>\$ 908,625.00</b>	<b>\$ 908,625.00</b>	<b>\$4,542,625.00</b>
<b>Other Direct Costs (ODC)</b>	<i>Subcontractor:</i>							
	University - TBD	\$ 75,000.00	\$ 75,000.00	\$ 75,000.00	\$ 225,000.00	\$ 75,000.00	\$ 75,000.00	\$ 375,000.00
	Community Surveys	\$ 335,000.00	\$ 335,000.00	\$ 335,000.00	\$ 1,005,000.00	\$ 335,000.00	\$ 335,000.00	\$1,675,000.00
	Travel (long distance)	\$ 124,000.00	\$ 124,000.00	\$ 124,000.00	\$ 372,000.00	\$ 124,000.00	\$ 124,000.00	\$ 620,000.00
	Data Services	\$ 6,000.00	\$ 6,000.00	\$ 6,000.00	\$ 18,000.00	\$ 6,000.00	\$ 6,000.00	\$ 30,000.00
	Video Conferencing	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 7,500.00	\$ 2,500.00	\$ 2,500.00	\$ 12,500.00
	Website	\$ 7,500.00	\$ 7,500.00	\$ 7,500.00	\$ 22,500.00	\$ 7,500.00	\$ 7,500.00	\$ 37,500.00
	Incidentals, Taxi, Parking, Transit	\$ 15,000.00	\$ 15,000.00	\$ 15,000.00	\$ 45,000.00	\$ 15,000.00	\$ 15,000.00	\$ 75,000.00
<b>ODC SUBTOTAL</b>		<b>\$ 565,000.00</b>	<b>\$ 565,000.00</b>	<b>\$ 565,000.00</b>	<b>\$ 1,695,000.00</b>	<b>\$ 565,000.00</b>	<b>\$ 565,000.00</b>	<b>\$2,825,000.00</b>
<b>TOTAL ESTIMATED COST</b>		<b>\$ 1,473,125.00</b>	<b>\$ 1,473,625.00</b>	<b>\$ 1,473,625.00</b>	<b>\$ 4,420,375.00</b>	<b>\$ 1,473,625.00</b>	<b>\$ 1,473,625.00</b>	<b>\$7,367,625.00</b>

**VII. COLLABORATION & COST EFFECTIVENESS (RFA 38)**

“No one stakeholder or organization owns the Consent Decree but all have a responsibility to see it to a successful conclusion with-in 3 years.” Charles A Gruber Consulting has throughout its many contracts sought to build consensus with “all” parties and stakeholders for an agreement. Doing that has given us a perspective that carries us through many of the challenging times all stakeholders have throughout the term of a consent decree. When is the city’s position more reliable than the community’s, than a segment of the community, or that of the monitor? How are these disagreements on a policy, a response, an incident, or a decision, responded too by any stakeholder? Our work has always held that each stakeholder has a right to their position and understanding of the goals of the consent decree and that each has a responsibility to listen to each other and find a way to meet in the middle (if possible) and to resolve differences. Ultimately, if the monitor cannot settle or find agreement then the court will make the determination for the parties. Our goal is to carry forward the spirit of the paragraphs for all the parties and stakeholders recognizing that the Baltimore City Police must carry out constitutional policing practices and under difficult and often fast-moving conditions making decisions that often are seen through a very different lens.

Implementing and institutionalizing constitutional policing practices within any large organization is not for the faint of heart. It is hard work that must be undertaken by all the parties and stakeholders with eyes wide open and acceptance that not everything desired is going to happen quickly nor without being contested by some other party to the consent decree. Balancing interests, building consensus, openly discussing difficult issues, and facing emotional and hurtful feelings are part of the work forward.

When the parties have met and mutually determined a course for the future bodes well that progress can be made. The hard work is in the details and implementation. That is the work of institutionalizing the reforms successfully for all the parties and stakeholders. We understand the who, what, how, why, and where of this agreement and are prepared to assist all the parties and stakeholders to reach not only the goals outlined in each paragraph but most important the spirit which is embodied within those paragraphs to reach mutually set objectives.

**VIII. POTENTIAL CONFLICTS OF INTEREST (RFA 39)**

CAG is not aware of any conflict of interest for any member of the proposed Team.

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**IX. CONFLICT EXPLANATION (RFA 40)**

Not Applicable

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**X. CONTRACT DISCLOSURES (RFA 41)**

Not Applicable



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**XI. WORK CONFLICT (RFA 42)**

Every member of the CAG Team will be held accountable for  
complying with the prohibitions of this Paragraph.

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**XII. UNDERSTANDING OF RFA (RFA 43 & 44)**

All members have read and understand the CD  
and are willing to be bound thereby.

**XIII. PUBLIC DISCLOSURE (RFA 45)**

We agree to have the Application made public.