

**Third Report of the Independent Reviewer  
Covering April 1, 2014 – August 8, 2014 and First Year  
Compliance Assessment**

**The Agreement between the United States Department of  
Justice and the University of Montana Regarding the  
University of Montana Police Department's<sup>1</sup> Response to  
Sexual Assault**

Respectfully Submitted By:

*Thomas R. Tremblay*

Thomas R. Tremblay, Independent Reviewer  
Tom Tremblay Law Enforcement Consulting & Training  
December 3, 2014

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<sup>1</sup> The University of Montana Office of Public Safety (OPS) recently changed their name to the University of Montana Police Department (UMPD) and will be referred to as UMPD throughout this report. The department's name change has no impact on the terms of, or the obligations imposed by, the Agreement between the University of Montana and the DOJ.

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## INTRODUCTION

On May 9, 2013, the University of Montana and the United States Department of Justice (“DOJ”) (collectively, “the Parties”) entered into an [Agreement](#) regarding the University of Montana (the “University”) Office of Public Safety’s (OPS), now UMPD, response to sexual assault.

The Parties entered into the Agreement and the University agreed to undertake the following measures for improvement that are generally listed below to fulfill the terms of the Agreement:

- Assess and Modify Sexual Assault Policies and Protocols
- Provide Initial and On-going Sexual Assault Response and Investigations Training
- Review of Policies and Training to Ensure that Terms of the Agreement are Included in MPD Policies and Training
- Enhance Investigation of Non-Stranger and Alcohol-or-Drug Facilitated Sexual Assault
- Enhance Victim-Centered Response to Sexual Assault
- Ensure Close Supervision and Internal Oversight of All Sexual Assaults
- Enhance Coordination with Law Enforcement and Community Partners to Improve the Reporting and Participation Experience for Victims of Sexual Assault
- Assess and Enhance Data Collection and Reporting for Improved Analysis of Sexual Assault Cases
- Establish External Review of (Felony) Sexual Assault Cases to be Conducted by a Panel of Qualified Representatives
- Participate in Community-Conducted Sexual Assault Response Safety and Accountability Audit with the City of Missoula (the “City”) and Missoula Police Department (MPD)
- Independent Oversight by Selected Independent Reviewer (the “Reviewer”) to Assess and Report Whether the Requirements of the Agreement Have Been Implemented

Thomas R. Tremblay was jointly selected by the Parties as the Independent Reviewer (Reviewer) to oversee the terms of this Agreement with the understanding that the University / UMPD bear the burden of demonstrating compliance with the Agreement.

The Agreement stipulates that the Reviewer shall continue in the role as described in the Agreement until the University / UMPD demonstrate compliance with the entire Agreement. The Parties anticipate that compliance with the Agreement can be demonstrated no later than June 30, 2015.

Compliance as defined in the Agreement requires both sustained compliance with all material requirements of the Agreement, sustained and continuing improvement in the response to and investigation of reports of sexual assault, as demonstrated pursuant to the outcome measures determined by the Independent Reviewer.

The Reviewer and the University signed a contract for service on May 29, 2013 to begin the independent review process.

The first report of the Reviewer was released November 6, 2013; the second report of the Reviewer was released June 10, 2014. [Both reports can be found on the website.](#)

This report is the third report from the Reviewer and covers the period between April 1, 2014 and August 1, 2014. This report also includes an assessment of the first year of progress towards compliance with the Agreement.

## **OVERVIEW OF FIRST YEAR**

The Reviewer is pleased to report that at the end of the first year of the Agreement, there is information and evidence that the Agreement is having its intended effect, which is to improve UMPD's response to reports of sexual assault.

Throughout the first year of the Agreement, UMPD has demonstrated considerable effort to comply with the majority of the terms of the Agreement. As of August 8, 2014, UMPD is in full compliance with seventeen of the twenty-four requirements of the Agreement, partial compliance with six requirements of the Agreement, and pending partial compliance with one requirement of the Agreement (see Compliance Graph on pages 18 – 28).

While progress on implementation of the Agreement continues, UMPD must eventually achieve compliance with all terms of the Agreement, including the following requirements with which they have not yet achieved full compliance: Close Supervision and Internal Oversight; Coordination with Law Enforcement and Community Partners; Data Collection and Analysis; and the Community Conducted Sexual Assault Response Safety and Accountability Audit, which is in progress.

In addition, in order to achieve full compliance with the Agreement, UMPD must demonstrate that the changes it has already made will be sustained and continuing; UMPD must demonstrate both sustained compliance with all material requirements of the Agreement, including those with which it has already achieved initial compliance, and sustained and continuing improvement in the overall response to, and investigation of, reports of sexual assault.

Of note, UMPD efforts on data collection, analysis, and reporting will require additional effort and focus throughout the next review period. The University and UMPD efforts to date have been directed at improving its mechanisms for collecting data on reports of sexual assault. This effort has been necessary, but in the first year of the Agreement UMPD has been unable to demonstrate a plan for implementation of the data collection, analysis, and reporting requirement that will result in complete and timely data collection and analysis.

UMPD reports that they are still working on a plan for data collection, analysis, and reporting that will result in complete and timely data collection and analysis.

While the Reviewer has received statements and reviewed information in the first year indicating that UMPD is working more closely with the University Title IX Office, Dean of Students, Residence Life, and the University Council on Student Assault (USCA), the University and UMPD agree that Montana law hinders their ability to openly share information.

The University and UMPD report that information sharing, data collection, and analysis is hampered by the restrictions of the Montana Criminal Justice Information Act (CJIA)<sup>2</sup>. The University and UMPD report that efforts are underway to find a legal means to improve information sharing between the University and law enforcement response to sexual assault, while still respecting the confidentiality rights of students. This effort includes consultation with the Montana Office of the Attorney General, which has been encouraged by the Reviewer.

For the first year of the Agreement, the Reviewer has conducted well over 200 hours of combined remote review services, consultation, and on site compliance visits in Missoula. The compliance visits included a complete review of documentation regarding the progress to date on the terms of the Agreement.

The review services and consultation were specific to the terms of the Agreement and have included: sexual assault case reviews and analysis, policy reviews, training, compliance assessments, and interviews with community members, community service organizations, criminal justice partners, and department personnel.

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<sup>2</sup> In accordance with Montana law, OPS reports that they are a Confidential Criminal Justice Agency. As such OPS is prohibited from sharing information with the University because they are not a Confidential Criminal Justice Agency in accordance with Montana law. See Montana Criminal Justice Information Act of 1979, Title 44, Chapter 5; subsection 44-5-103(3) MCA (definition of confidential criminal justice information); subsection 44-5-103(7) MCA (definition of criminal justice agency).

Throughout the first year of the Agreement, the Reviewer interviewed a number of community members, community service organizations, criminal justice partners, campus partners, and department personnel. Community partners agreed that the Agreement is having its intended effect, but feel that the real measurement will be what happens after the Agreement ends.

Community partners also pointed to the positive impact of new leadership at UMPD. All generally agree that the communication, coordination, and relationship among the community partners is enhanced as a result of new leadership and UMPD efforts to implement the Agreement.

All interviewed also generally agree that UMPD efforts have not only led to improved communication, coordination, and relationships, these efforts have also resulted in a higher level of public confidence in the professionalism of the department. While reports of sexual assault to UMPD have been limited, community partners report positive impressions and observations of UMPD capabilities to respond to and investigate sexual assault cases.

This first year summary indicates that the Agreement is having its intended effect to improve UMPD response to sexual assault. While UMPD has made significant advancements collaborating with community and campus partners, as reported in previous Reviewer reports, there is a need for continued improvement in coordination between UMPD and the University Administration.

Additional challenges were also identified during the April – August 2014 reporting period that will require attention during the second year of the Agreement. The challenges facing UMPD in the coming year, the details of the work conducted and observed by the Reviewer, and UMPD efforts and compliance progress are documented throughout this report.

**Work Conducted / Observed by the Independent Reviewer April 1 – August 8, 2014:**

During the seventeen week observation period the Reviewer has conducted over sixty-five hours of remote reviewing activity and consultation, and over sixty-six hours of on-site review activity and consultation during two separate site visits to Missoula, MT.

The first site visit during this reporting period occurred July 9 – 12, 2014 and included UMPD case reviews and observation of the External Review Panel (ERP) case reviews. The second site visit occurred August 3 – 8, 2014 and included a compliance assessment of UMPD' efforts to fulfill the terms of the Agreement. The results of compliance assessment are included in the Compliance Graph on pages 18 – 28.

During the August 3 – 8, 2014 site visit, the Reviewer met with numerous community partners and University personnel to discuss UMPD efforts. As during previous compliance visits, all community partners generally agreed that UMPD is putting considerable effort into fulfilling the terms of the Agreement to further improve their capabilities, response, and investigations in sexual assault cases.

In meetings with the Missoula City / County Crime Victim Advocate Program (CVA) staff, and the Missoula YWCA staff, they reported that UMPD is more active and engaged with off-campus community partners than ever before.

The Reviewer met with University personnel from the University Administration and Title IX Office, the Student Advocacy Resource Center (SARC), Office for Sexual Assault Prevention, and the Office of Residential Life. All reported that relationships with UMPD are the best they have ever been. All specifically recognized the new leadership of UMPD Chief Marty Ludemann, the continued efforts of Captain Ben Gladwin, the new efforts of Officer Shannon Parsons, and others.

All University personnel interviewed reported that UMPD efforts and the level of engagement on campus by all UMPD staff is obvious. University personnel interviewed pointed out that UMPD has invested a great deal of effort in sexual assault training for all UMPD employees.

This sexual assault training effort has also included involvement in joint training with other campus departments and bystander intervention training with students. Campus partners also spoke favorably regarding continued advancements of the community relations officer program for all residence halls, and consistent attendance by UMPD staff at meetings including student conduct, behavioral intervention and threat assessment, and Title IX case assessment and reviews.

It is reported that these efforts have not only improved communication and relationships, they have also resulted in increased confidence and positive impressions of UMPD professionalism and commitment to policing and public safety.

Some challenges were identified during the August 3 – 8 compliance visit and discussed with UMPD during the exit briefing on August 7, 2014. Those challenges are as follows:

- There have been limited reports of sexual assault to UMPD since the start of the Agreement. While there is some indication that sexual assault reporting to UMPD is up in 2013 compared to 2012, University personnel indicate that students are more likely to report sexual assault / sexual misconduct to confidential resources such as the Student Advocacy Resource Center on campus, or to Title IX for sexual misconduct administrative investigations. University personnel report that students are offered the option to report to UMPD, but students are reluctant to report and engage in the criminal justice system. It is reported by some victim advocacy services that students avoid reporting to the criminal justice system because of the potential for media coverage. Victims report concerns for the way previous victims have been treated during criminal proceedings and the way victims have been portrayed by the media. UMPD, the Missoula Police Department (MPD), and their community partners are discussing these concerns and are encouraged to initiate a community conversation with local press / media that will include balancing the freedom of the press with this community concern.

- University personnel providing services to sexual assault victims also report that victims do not understand the University responsibility for conducting timely warnings following the report of a sexual assault / misconduct case. Victim advocacy services report that some student victims are reluctant to report sexual assaults to the University because information in timely warnings creates concerns regarding the confidentiality of reporting. The Reviewer encourages the University to examine this concern and determine if this can be addressed further during student sexual assault awareness, education, and prevention programs.
- Based on the University's and UMPD's understanding of Montana law, UMPD is a "criminal justice agency" and thus can only share criminal justice information with other organizations defined as criminal justice agencies under Montana law<sup>3</sup>. UMPD believes that Montana law limits the amount of information that it can share with the University administration about crimes reported to UMPD, because the University administration is not a "criminal justice agency," as defined by Montana law. Without such information sharing between OPS and the University, the University may be hampered in their efforts to fulfill their Title IX obligations and to fully support student victims. While there is information that UMPD and the Title IX office are working more closely together since the Agreement, the criminal justice information sharing concern needs to be resolved. The Reviewer has encouraged the University to seek guidance from the DOJ, Department of Education (DOE), and the Montana Office of the Attorney General to fully resolve this issue. Progress and efforts will be examined further during upcoming compliance visits.
- Data collection and analysis of Sexual Assault / misconduct cases in accordance with the Agreement should be conducted regularly to help determine patterns, identify concerns, and design prevention and response strategies based on the data and analysis. UMPD and the University must put considerable effort into this during the final year of the Agreement.

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<sup>3</sup> See Montana Criminal Justice Information Act of 1979, Title 44, Chapter 5; subsection 44-5-103(3) MCA (definition of confidential criminal justice information); subsection 44-5-103(7) MCA (definition of criminal justice agency).

- Completing a survey instrument to collect data from victims of sexual assault to obtain feedback on the treatment of victims from both victims and advocates. UMPD is working with MPD, the University of Montana Department of Sociology, and community partners to develop the survey instrument. While no fault of UMPD, this effort has taken longer than expected and UMPD and MPD should move forward with an abbreviated survey if necessary so data can be collected as soon as possible.
- Completion of the Community – Conducted Sexual Assault Response Safety and Accountability Audit. UMPD is working with MPD on the Community Safety and Accountability Audit Team. The Audit team has been selected and the work has begun. The Audit Team has set an aggressive timeline and target date of December 2014 to complete the audit and determine next steps. While initial progress reports are positive, it is understood that the target date can be modified by the Audit Team to ensure a complete and thorough audit.

UMPD has demonstrated a significant commitment and effort to meeting the majority of the requirements of Agreement. UMPD will have to address all requirements of the Agreement and the challenges noted above during the final year of the Agreement.

### **Work Conducted / Observed by the Independent Reviewer Year 1 of the Agreement:**

For the first year of the Agreement, the Reviewer has conducted well over 200 hours of combined remote review services, consultation, and on site compliance visits in Missoula. The compliance visits included a complete review of documentation regarding the progress to date on the terms of the Agreement. The progress to date is listed in the compliance graph on pages 19 – 28 of this report.

The review services and consultation were specific to the terms of the Agreement and have included: sexual assault case reviews and analysis, policy reviews, training, compliance assessments, and interviews with community members, community service organizations, criminal justice partners, University departments and personnel, and UMPD department personnel.

During this review period and throughout the first year of the Agreement, UMPD has demonstrated a considerable effort to comply with the majority of the terms of the Agreement. UMPD improved policies, protocols, collaboration, and increased training are the best examples of this to date.

As documented in previous reports these efforts have resulted in a new sexual assault response and investigations policy that is routinely reviewed and evaluated for effectiveness. UMPD has documented plans to update the policy annually to ensure best practices are maintained. The [Policy](#) can be found on the UMPD website.

A department wide training plan specific to sexual assault was developed and is being followed with continued plans for sexual assault training throughout the Agreement. UMPD has provided information on their policy and training plan to at least six other campus police departments around the country as excellent examples for other departments to follow.

The Reviewer continues to monitor all reports of sexual assault received by UMPD. UMPD has demonstrated improved communication and coordination with MPD regarding information sharing during sexual assault investigations conducted jointly by UMPD and MPD.

## **First Year (2013) Data Collection and Analysis of UMPD / University Sexual Assault / Misconduct Reporting**

During the August 2014 compliance visit, UMPD and the University had not conducted analysis of their criminal sexual assault reporting data in comparison with the data on Title IX / Administrative investigations of sexual misconduct. Prior to the release of this report, UMPD and the University were able to provide some initial analysis that they conducted. Data and information from prior to the Agreement in calendar year 2012 was compared with data and information from the first year of the Agreement in calendar year 2013.

The University and UMPD report that they have enhanced their data collection capabilities in 2013 to be able to collect and retrieve more accurate data and they are sharing as much information regarding sexual assault as legally permissible given their understanding of the restrictions imposed by the Montana CJIA.

The University and UMPD are tracking all reports of sexual assault involving students regardless of location and this includes all reports of sexual assaults, Sexual Intercourse Without Consent (SIWOC),<sup>4</sup> and all reports of sexual harassment. In 2013 the University and UMPD also began tracking stalking, dating violence, and domestic violence reports.

The University and UMPD recognized the need to improve the reporting processes for victims of sexual assault and that is also a requirement of the Agreement. The University and UMPD demonstrated enhanced efforts regarding education and outreach about sexual violence and reporting options during 2012 and 2013 in an effort to increase reporting. The campus provides outreach and training to students, faculty and staff about Title IX reporting requirements and the University's responsibilities under Title IX. UMPD and the Title IX Office work closely together on a day to day basis to ensure that student victims are provided with resources and choices for reporting as well as to monitor and address campus safety issues. Further analysis of these efforts should be documented by the University and UMPD.

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<sup>4</sup> Sexual Intercourse Without Consent is the Montana statutory term for rape.

While the data is limited, initial analysis by UMPD and the Reviewer suggest that these efforts did result in increased reporting of sexual assault, SIWOC, and sexual harassment cases to UMPD in 2013 as compared to 2012. Sexual Assault reporting to UMPD went from two reports in 2012, to seven reports in 2013. In a separate category SIWOC reporting went from two reports in 2012 to four reports in 2013. Sexual harassment reports to UMPD increased from zero in 2012 to ten cases in 2013. (See tables below).

While the data is limited, initial analysis of sexual assault, SIWOC, and sexual harassment cases reported to the University Title IX Office in 2013, as compared to 2012 reflect a slight decline in sexual assault and SIWOC cases, but a significant increase in sexual harassment reporting. Sexual assault reporting to Title IX went down from fifteen reports in 2012 to eleven reports in 2013. SIWOC cases went down from seven cases in 2012 to six cases in 2013. Sexual harassment reporting saw a substantial increase from four cases in 2012 to 22 cases in 2013. (See tables below.)

**Calendar Year 2012 Reports**

<b>Category</b>	<b>UMPD</b>	<b>Title IX</b>
Sexual Assaults	2	15
SIWOC	2	7
Sexual Harassment	0	4

**Calendar Year 2013 Reports**

<b>Category</b>	<b>UMPD</b>	<b>Title IX</b>
Sexual Assaults	7	11
SIWOC	4	6
Sexual Harassment	10	22

Improved efforts to collect, retrieve, and analyze additional data will be evaluated in future Reviewer reports.

## **External Review Panel (ERP)**

UMPD has worked with the Missoula Police Department (MPD) and community partners to help develop the External Review Panel (ERP).

In accordance with the DOJ Agreement, section IV 15 – 17, UMPD is required to create an External Review Panel (ERP) to review cases of sexual assault that occur on campus and are reported to UMPD as criminal investigations.

During the ERP planning process, MPD, UMPD, the Reviewer, and DOJ agreed to have the ERP review only felony cases. However, the ERP may still review misdemeanor sexual assault cases if UMPD, the ERP, or the Reviewer determines there is a need to review particular misdemeanor cases.

The ERP is made up of community partners with experience in Sexual Assault Victim and Survivor Advocacy. The ERP protocol is overseen by Attorney Anne Munch (Anne Munch Consulting Inc.). The ERP provides feedback to UMPD on their review of cases reported to UMPD in an effort to improve UMPD' response, investigations, and services to sexual assault victims.

The ERP first met on September 18, 2013, for initial training about the proposed protocols for the ERP review and guidance about implementation of the review protocols. This initial training was conducted by Anne Munch and observed by the Reviewer and DOJ. The ERP's first case reviews took place on September 19, 2013, with oversight by Anne Munch.

The protocol for the ERP's case reviews (ERP Protocol) was revised and finalized, incorporating input from ERP members, Anne Munch, DOJ, MPD, and the Reviewer, in December 2013. The ERP provides feedback to UMPD command staff in accordance with the ERP Protocol, which includes a list of criteria to assess the investigation's "Comprehensiveness" and "Possible Indicators of Bias."

For each of these criteria, the ERP members provide color coded feedback using the following categories:

**Green:** Well received by ERP member. No indication of problems, a good case example.

**Yellow:** Concerning to the ERP member. Some problems identified that need attention by way of future training or individual work with the detective or officer, but do not require the case to be reopened.

**Orange:** Unacceptable to the ERP member. Identified problem(s) that require immediate attention and follow up work including reopening the case if necessary.

At the conclusion of the case review, the ERP member considers all the color coded feedback for that particular case and then gives each case an overall color coding:

- “Green”: Excellent case, little to no concern.
- “Yellow”: Good case, room for improvement.
- “Orange”: Significant concern about the case.

To date there have been four ERP case review sessions, but there have been a limited number of sexual assaults reported to UMPD since the independent review began in May of 2013. As a result, there has been limited review and observation by the ERP, and the Reviewer, of UMPD’ response to reports of sexual assault. The cases that have been reviewed are discussed below.

It should be noted that UMPD and MPD have a Memorandum of Understanding (MOU) regarding response and investigation of sexual assault cases on campus that are reported to law enforcement. The MOU stipulates that UMPD will initially respond to all sexual assault reports on campus, but that MPD will investigate all felony sexual assault cases, and UMPD will investigate all misdemeanor sexual assault cases.

The July, 2014 ERP session involved the review of two UMPD responses to reports of sexual assault cases. The ERP coded both cases as “green” cases, meaning the ERP saw “little to no concern with the UMPD response.”

UMPD has developed an internal protocol to ensure the ERP feedback and recommendations are shared with supervisors and individual officers. The feedback and recommendations will be considered for future policy updates, training, and employee development. If necessary cases can be reexamined or reopened. UMPD will also monitor the ERP feedback and case coding data to help measure the effectiveness of the training and the UMPD policy.

For the duration of the Agreement the ERP will continue case reviews as UMPD case load requires. The Reviewer recognizes external case reviews of sexual assault cases as a promising practice for law enforcement and will encourage UMPD to continue external review following termination of the Agreement.

### **Case Reviewers by the Reviewer**

The Reviewer is also conducting case reviews independent of the ERP. In the limited number of UMPD cases that have been reviewed by the Reviewer, the Reviewer has noted responses consistent with the UMPD policy and the training that UMPD personnel received.

It is important to note that the Reviewer is only reviewing campus sexual assault cases that are reported to UMPD, and not campus sexual assault cases that are investigated by the University as administrative investigations in accordance with Title IX.

The Reviewer will continue to conduct case reviews of sexual assault cases reported to UMPD for the duration of the Agreement.

**Assessment of Progress to Date on the Requirements of the Agreement:**

The following compliance graph shows all the requirements of the Agreement and the work that UMPD has accomplished to date (April 1, 2014).

The compliance graph uses compliance definitions to categorize the status of each requirement of the Agreement.

The compliance definitions are as follows:

**Pending compliance:** Current plans for implementation but not yet implemented in approved policy / SOP, training, or actual practice

**Partial Compliance:** Plans for compliance have been implemented, reflected in approved policy / SOP, and training, but not yet observed in actual practice

**Compliance:** Plans for compliance have been implemented in approved policy/SOP and training, and evidence of actual practice

**Sustained Compliance:** Found by the Reviewer to have been fully implemented in practice based on a qualitative assessment showing MPD achieved the desired outcomes for the area covered by the Agreement

**University of Montana UMPD – DOJ Agreement Action Items – Deadlines – Compliance**

Pending compliance, **Partial compliance**, **Compliance**, **Sustained compliance**

DOJ ACTION ITEM	PROPOSED ACTION	DEADLINE	COMPLIANCE
I.	Recitals	N/A	N/A
II	Definitions and Abbreviations	N/A	N/A
III.A.	<b>Improving UMPD’ Response to Sexual Assault</b>	Jun 15, 2015	<p><b>Compliance / Date found to be in compliance by Reviewer, August 7, 2014.</b></p> <p>Sustained Compliance may be achieved following sustained compliance for all Section III requirements.</p>
III.A.2. III. A.2. a - i	Develop detailed victim-centered sexual assault response policy that incorporates the requirements of the agreement and comports with best practices and current professional standards. UMPD’ sexual assault policy should include guidance on responding to sexual assault and incorporate the requirements of the International Association of Chiefs of Police Model Policy on Investigating Sexual Assault and include the details of III.A.2. a. – i.	Jan 1, 2014	<p><b>Compliance / Date found to be in compliance February 25, 2014</b></p> <p><b>Policy Review to be completed February 25, 2015</b></p> <p>Sustained compliance may occur following analysis and review of policy outcomes.</p>

<p><b>III.B.</b></p>	<p><b>Sexual Assault Response Training</b></p>	<p>Nov 1, 2013</p>	<p><b>Compliance / Date of compliance November 1, 2013</b></p> <p>February 14, 2014 developed original training plan.                  August 1, 2014 updated training plan submitted.</p> <p>Sustained compliance will be achieved following analysis and measurement of outcomes for two year training plan.</p>
<p>III.B.3.</p>	<p>UMPD shall provide initial and ongoing annual in-service training to all UMPD officers, detectives, and recruits about law enforcement response to sexual assault. This initial and annual in-service training shall ensure that all UMPD officers and detectives understand and can perform their duties pursuant to the Agreement, and shall reflect and incorporate any developments in applicable law, best practices, and professional standards. Annual in service training shall address any training need identified throughout the previous year. The initial and in-service training shall be of sufficient length and scope to include details of III.B.4-7.</p>	<p>Sep 30, 2013</p>	<p><b>Compliance / Date of compliance November 1, 2013.</b></p> <p>February 14, 2014 developed original training plan.                  August 1, 2014 updated training plan submitted.</p> <p>Sustained Compliance may be achieved following analysis and measurement of outcomes for the training plan, as well as addressing training needs identified throughout the previous year.</p>
<p>III.B.4.</p>	<p>This training shall include presentations by victims of sexual assault, if available, or presentations which adequately convey victims' experiences and shall include victims' advocates in order to provide officers with the unique perspectives of those who have been victimized by sexual assault and/or those who work with sexual assault survivors.</p>	<p>Sep 30, 2013</p>	<p><b>Compliance / Date found in compliance November 1, 2013</b></p> <p>February 14, 2014 developed original training plan</p> <p>August 1, 2014 updated training plan submitted.</p> <p>Sustained Compliance may be achieved following analysis and measurement of outcomes for the training plan, as well as addressing training needs identified throughout the previous year.</p>

<p>III.B.5.a.– d.</p>	<p>UMPD shall provide additional in-depth training in sexual assault investigations to all UMPD detectives who conduct such investigations. The training shall include the details of III.5. a. – d.</p>	<p>Aug 9, 2013</p>	<p><b>Compliance / Date found in compliance August 9, 2013</b></p> <p>February 14, 2014 developed original training plan.                  August 1, 2014 updated training plan submitted.</p> <p>Sustained Compliance may be achieved following analysis and measurement of outcomes for two year training plan.</p>
<p>III.B.6.</p>	<p>UMPD personnel who provide direct supervision of officers who respond to reports of sexual assault and detectives who investigate sexual assault allegations shall receive training on how to review sexual assault response and investigations for comprehensiveness and to detect indications of bias, including how to implement the supervisory reviews and responsibilities contained in this agreement.</p>	<p>Nov 1, 2013</p>	<p><b>Compliance / Date of compliance November 1, 2013</b></p> <p>Supervisory training completed and included joint training with MPD.</p> <p>February 14, 2014 developed original training plan.                  August 1, 2014 updated training plan submitted.</p> <p>Sustained Compliance may be achieved following analysis and measurement of outcomes from the two year training plan.</p>
<p>III.B.7.</p>	<p>Training pursuant to the Agreement shall be provided in accordance with best practices and include adult-learning methods that incorporate role-playing scenarios and interactive exercises, as well as traditional lecture formats. Training shall also include testing and/or writings that indicate that UMPD personnel taking the training comprehend the material taught.</p>	<p>Nov 1, 2013</p>	<p><b>Compliance / Date found in compliance November 1, 2013</b></p> <p>February 14, 2014 developed original training plan. Plan includes these requirements.                  August 1, 2014 updated training plan submitted.</p> <p>Sustained Compliance may be achieved following analysis and measurement of outcomes for the two year training plan.</p>

<p><b>III.C.</b></p>	<p><b>Review of Policies and Training</b></p>	<p>Jun 15, 2015</p>	<p><b>Compliance / Date found in compliance February 25, 2014</b></p> <p>Sustained Compliance may be achieved following sustained compliance of all Section III. C. requirements.</p>
<p>III.C.8.</p>	<p>Each of the requirements of this agreement shall be incorporated into UMPD policy, and all applicable UMPD officers and employees shall be trained on how to meet the requirements of this agreement. UMPD shall submit new and revised policies and protocols related to sexual assault and/or the terms of the Agreement, and all curricula for trainings developed pursuant to this agreement, to the Independent Reviewer and DOJ for review and comment prior to implementation and/or training delivery.</p>	<p>Jun 15, 2015</p>	<p><b>Compliance / Date found in compliance February 25, 2014</b></p> <p>Sustained Compliance may be achieved following analysis and measurement of outcomes.</p>
<p>III.C.9.</p>	<p>UMPD sexual assault related policies shall be publicly available.</p>	<p>Jan 1, 2014</p>	<p><b>Compliance / Date found in compliance February 25, 2014.</b></p> <p>Publicly available on UMPD website.</p> <p>Sustained Compliance may be achieved following posting of updated policies throughout the agreement.</p>

<p><b>III.D.</b></p>	<p><b>Investigating Alcohol or Drug Facilitated and Non-Stranger Sexual Assault</b></p>	<p>Jun 15, 2015</p>	<p><b>Compliance / Date found in compliance Nov 1, 2013</b></p> <p>Incorporated in policy and ongoing efforts to ensure that these requirements are included in annual training.</p> <p><b>Sustained Compliance</b> may be achieved following analysis and measurement of outcomes for two year training plan.</p>
<p>III.D.10.</p>	<p>UMPD shall enhance and improve policy, training, and oversight to ensure that officers: 1) recognize the prevalence of non-stranger and alcohol-or drug facilitated sexual assault, and relative infrequency of false reporting, and 2) accordingly take all appropriate investigative steps when investigating non-stranger sexual assault, sexual assault facilitated by alcohol or drugs, and sexual assault involving victim who were incapacitated at the time of the assault or otherwise unable or unwilling to clearly describe the assault.</p>	<p>Jun 15, 2015</p>	<p><b>Compliance / Date of compliance November 1, 2013.</b></p> <p>Incorporated in policy and ongoing efforts to ensure that these requirements are included in annual training.</p> <p><b>Sustained Compliance</b> may be achieved following analysis and measurement of outcomes for two year training plan.</p>
<p><b>III.E.</b></p>	<p><b>Victim-Centered Response to Sexual Assault</b></p>	<p>Jun 15, 2015</p>	<p><b>Compliance / Date found in compliance August 8, 2014.</b></p> <p>Sustained Compliance may be achieved following sustained compliance of all Section III, E. requirements and further observations of UMPD response.</p>

<p>III.E. 11 a-g</p>	<p>UMPD shall enhance and improve policy, training, and oversight to ensure victim-centered practices in the areas of sexual assault response, interviews, and investigations in order to increase the likelihood of victims' continued participation with law enforcement; improve the experience for victims; and strengthen sexual assault investigations. These practices include the details of III.E.11. a-g</p>	<p>Jun 15, 2015</p>	<p><b>Compliance / Date of compliance June 10, 2014</b></p> <p>Incorporated in policy and ongoing efforts to ensure that these requirements are included in annual training.</p> <p><b>Sustained compliance</b> may be achieved following analysis and measurement of impacts.</p>
<p><b>III.F.</b></p>	<p><b>Close Supervision and Internal Oversight</b></p>	<p>Jun 15, 2015</p>	<p><b>Partial Compliance; ongoing effort.</b></p> <p>Close supervision and internal oversight has been demonstrated and efforts are continuing. This section requires completion of victim survey to achieve compliance.</p> <p>Sustained Compliance may be achieved following sustained compliance of all Section III, F. requirements.</p>
<p>III.F.12. a-g</p>	<p>UMPD shall establish and implement measures to ensure close supervision and internal oversight of all sexual assault cases investigations including details of III.F.12 a-g</p>	<p>Jun 15, 2015</p>	<p><b>Partial Compliance; ongoing effort.</b></p> <p>Close supervision and internal oversight has been demonstrated and efforts are continuing. This section requires completion of victim survey to achieve compliance.</p> <p>Compliance / Sustained Compliance to be determined by Reviewer following analysis and measurement of outcomes.</p>

<p><b>III.G.</b></p>	<p><b>Coordination with Law Enforcement and Community Partners</b></p>	<p>Jun 15, 2015</p>	<p><b>Partial Compliance, ongoing effort.</b></p> <p>Communication, coordination, and collaboration with community partners is much improved.</p> <p>Continued effort with University Administration required</p> <p>Compliance / Sustained compliance may be achieved following sustained compliance of all Section III, F. requirements.</p>
<p>III.G.13. a-d</p>	<p>To improve the reporting and participation experience for victims of sexual assault, UMPD shall increase and improve its communication, coordination, and collaboration with community and law enforcement partners, including the University, MPD, prosecutors, and University, community, and system advocates. UMPD shall include details of III.G.a-d.</p>	<p>Jun 15, 2015</p>	<p><b>Partial compliance / ongoing effort.</b></p> <p>This section requires improvement of communication between UMPD and the University Administration regarding lawful sharing of criminal justice agency information obtained by UMPD. UMPD and the University Administration are working on MOU.</p> <p>MOU with MPD / MCAO for case is in effect. Continued monitoring of MOU required.</p> <p>Compliance / Sustained Compliance may be achieved following analysis and measurement of outcomes.</p>

<p><b>III.H.14.</b></p>	<p><b>Data Collection and Reporting</b></p>	<p>Jun 15, 2015.</p>	<p><b>Pending Compliance;</b> ongoing effort.</p> <p>Data analysis not complete at time of August 2014 compliance visit.</p> <p>Further effort required. Monitoring to continue during next compliance visit.</p> <p><b>Compliance / Sustained Compliance</b> will be based on further analysis and measurement of outcomes.</p>
<p>III.H.14. a-c</p>	<p>To identify shortcoming, assess improvement, and increase community confidence in the University’s response to sexual assault, UMPD shall enhance its data collection, analysis, and reporting and shall include details of III.H.14. a-c.</p>	<p>Jun 15, 2015</p>	<p><b>Pending compliance;</b> ongoing effort. Attendance at Automated Report Management Systems (ARMS) Record Management 2014 conference March 19-21 to help create data collection specific to agreement.</p> <p>Evaluation of Maxient system software for student conduct and comparison with ARMS to determine best system for data collection for Title IX investigations and criminal reports.</p> <p>Developed new program in ARMS to help collect sexual assault crime report data. Program begins August 4, 2014.</p> <p>UMPD Chief meets weekly with Title IX Coordinator to ensure communication and coordination.</p> <p><b>Compliance / Sustained Compliance</b> to be determined by Reviewer based on further analysis and measurement of outcomes.</p>

<p><b>IV.</b></p>	<p><b>External Review of Sexual Assault Cases</b> (In conjunction with MPD)</p>	<p>Jun 15, 2015</p>	<p><b>Compliance / date of compliance September 2013.</b></p> <p>ERP has reviewed sexual assault cases involving UMPD response. UMPD coordinating review of cases with MPD.</p> <p>Ongoing effort to continue ERP reviews as case load requires. ERP to continue to develop to ensure feedback is consistent and valued.</p> <p><b>Sustained Compliance</b> may be achieved following analysis and measurement of outcomes and feedback from ERP.</p>
<p>IV.15-17</p>	<p>The parties shall jointly select and establish a group of qualified representatives, including experienced sexual assault prosecutors, legal providers, experienced sexual assault investigators, and/or advocates, to serve as an external review group for sexual assault cases. Beginning, August 9, 2013 (three months after effective date of agreement) the external review group shall review, on a semi-annual basis, all reports of sexual assault received by UMPD, and all investigations of those reports opened by UMPD since the Effective Date. Thereafter, this external review group shall review all reports of sexual assault received by UMPD and investigations of those reports opened by UMPD, since the external review group's last such review including details of IV.15-17</p>	<p>Aug 9, 2013                  Sep 18, 2013</p>	<p><b>Compliance / Date of compliance September 18, 2013.</b></p> <p>Ongoing effort to ensure that ERP feedback and recommendations are shared with supervisors and incorporated into policy updates, training, and employee development, and to re-open or reexamine cases where warranted.</p> <p>Compliance / Sustained Compliance may be achieved following analysis and measurement of outcomes and feedback from ERP.</p>

<p><b>V.</b>  V.18.</p>	<p><b>Community-Conducted Sexual Assault Response Safety and Accountability Audit</b>                  (In conjunction with MPD) The University shall participate in and cooperate with any effort by the City of Missoula to organize and lead a sexual assault safety and accountability audit designed to assess how Missoula City, Missoula County, and the University of Montana respond to and collaborate to address sexual assault, with focus on enhancing victim safety, support, and participation in the law enforcement process.</p>	<p>Jun 15, 2015</p>	<p>Partial compliance on August 8, 2014, ongoing efforts.</p> <p>Janet Donahue selected as Chair of the committee to help lead the audit. CPT Gladwin and Detective Croft assigned as UMPD liaisons.</p> <p>Audit now in progress with expected completion date of December 2014.</p>
<p><b>VI.</b></p>	<p><b>Independent Oversight</b></p>	<p>Current / ongoing</p>	
<p><b>VII.</b></p>	<p><b>Agreement Implementation and Enforcement</b></p>	<p>Current / ongoing</p>	
<p><b>VIII.</b></p>	<p><b>Termination of the Agreement</b></p>	<p>Jun 15, 2015</p>	<p><b>Pending “Full and Sustained Compliance”</b></p>

**Conclusion:**

UMPD has continued to cooperate fully and professionally with the Reviewer in their efforts to fulfill the terms of the Agreement.

Throughout the first year of the Agreement, UMPD has demonstrated considerable effort to comply with the majority of the terms of the Agreement. As of August 8, 2014, UMPD is in full compliance with seventeen of the twenty-four requirements of the Agreement, partial compliance with six requirements of the Agreement, and pending compliance with one requirement of the Agreement.

UMPD' efforts on data collection, analysis, and reporting will require additional effort and focus throughout the next review period. UMPD and the University must also work to improve communication and coordination and fully resolve the information sharing challenges they face.

Sexual assault case reviews by the Reviewer and the ERP will continue. UMPD is following their training plan, the victim survey is nearing completion, and the community safety and accountability audit is in progress, with an expected completion date of December 2014. Continued progress towards compliance on the remaining requirements of the Agreement is expected.

The Reviewer looks forward to the work ahead and the continued commitment of UMPD, the University, and the community of Missoula.