

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 75-3096-CIV-HIGHSMITH

UNITED STATES OF AMERICA,

Plaintiff,

vs.

CITY OF MIAMI, and
FRATERNAL ORDER OF
POLICE, MIAMI LODGE 20,

Defendants.
_____ /

**NOTICE OF COMPLIANCE AND 24TH REPORT TO
THE DEPARTMENT OF JUSTICE (MAY 2007)**

Defendant, City of Miami ("CITY") hereby notifies the Court of its compliance with the May 4, 1999, Order of this Court regarding the development of new hiring procedures for the classifications of Police Officer and Police Lieutenant and states the following:

1. On May 4, 1999, the Court issued an Order, *inter alia*, superseding the 1977 Consent Decree with respect to certain positions in the CITY's Police Department. The Order related in part to the implementation of selection devices for the classifications of Police Officer and Police Lieutenant. In that regard, paragraph C(4) of the Order states:

4. Commencing four (4) months after the entry of this Order and every four months until its expiration, the CITY shall submit a report to this Court, the United States and amicus Lawyer's Committee describing in detail the steps the CITY has taken in the development of these new selection devices. In this report, the CITY shall indicate: the progress made during the preceding four (4) months toward the development of new selection procedures (including, but not limited to, a summary of any analyses done by experts and/or consultants); a summary of the analyses to be completed in the next four (4) months toward the development of lawful selection procedures; and the likelihood that the selection

development requirements and deadlines imposed by this Order will be met.

2. Accordingly, CITY files the following report demonstrating its progress in developing new selection devices for Police Officer and Police Lieutenant.

**24TH REPORT TO THE UNITED STATES
DEPARTMENT OF JUSTICE DATED MAY 2007**

Police Officer

During the preceding four months:

- (a) Phase 1 of an ongoing criterion-related validation study linking the entry-level Police Officer examination to training performance and job performance continued.
 - Received training performance data from an additional 97 individuals hired previously by the Miami Police Department. The remaining training performance data will be added once the individuals successfully complete the Police Training Academy and the data is received.
- (b) The September 2006 eligibility register was exhausted in January 2007, and the CITY finalized the eligibility register from the December 2006 test administration on January 29, 2007.
- (c) The CITY complied with all terms of the May 1999 Order for the DOJ to receive all raw test data. The data file, a copy of the eligibility register and results file were submitted to the DOJ on February 1, 2007.
- (d) On January 8, 2007, the recruitment for Police Officer commenced, including internet, print and radio/media advertising. The recruitment closed on February 9, 2007. An Examination Preparation Guide, Physical Agility Test manual and Self-Study Training Packet were offered to each applicant at the time of application and also available for download from the CITY's official website.
- (e) During the period of January 11 to February 14, 2007, the CITY offered nine (9) free examination training sessions of at least one (1) hour in length to Police Officer candidates in order to assist interested individuals with examination preparation. Of the 195 candidates who registered for this training, 100 actually attended.
- (f) Seven (7) candidates were selected for hire from the January 2007 eligibility register. In accordance with the requirements set forth in the Federal Order, notification of the certification of candidates and selection of new hires were submitted to the DOJ, without objection.

- (g) The Police Officer entry-level examination was administered in March 2007 to 208 eligible applicants who appeared to take the examination.
- (h) The Miami Police Department continued to process candidates for hire from the January 2007 Police Officer eligibility register.

Police Lieutenant

During the preceding four months:

- (a) The CITY (Miami Police Department) commenced the processing of candidates for hire from the September 2006 Police Lieutenant Eligibility register.
- (b) In March, the Police Lieutenant Final Report with all appendices was provided on CD to the DOJ for the DOJ Expert Consultant in accordance with the terms of the May 1999 Order.
- (c) Three (3) candidates were selected for hire from the September 2006 eligibility register. In accordance with the requirements set forth in the Federal Order, notifications of the certification of candidates and selection of new hires were submitted to the DOJ without objection.

The following is anticipated in the next four months:

- (a) Certification and hiring will continue from the January 2007 Police Officer eligibility register as needed, until its exhaustion or termination.
- (b) The CITY will finalize the eligibility register from the March 2007 Police Officer test administrations; this includes compliance with the terms of the May 1999 Order for the DOJ to receive all requested demographic information and raw scores, scoring formulae and procedures, and a copy of the eligibility register.
- (c) The process of certifying and hiring for Police Officer from the new eligibility register (from the March 2007 test administration) is expected to commence.
- (d) In accordance with Section A, Part 7, of the Order, notification of the examination content is expected to be sent to community organizations in May 2007 so that, if desired, they could develop training programs for the August 2007 examination.
- (e) The recruitment for Police Officer is expected to commence in May 2007, including internet, print and radio/media advertising. The recruitment is expected to close in June 2007. An Examination Preparation Guide, Physical Agility Test manual and

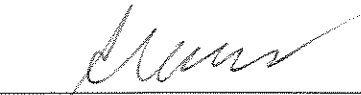
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Self-Study Training Packet will be offered to each applicant at the time of application and also available for download from the CITY's official website.

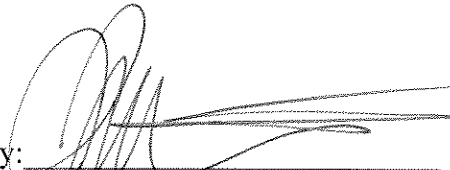
- (f) During the period of May to June 2007, the CITY is expected to offer at least nine (9) free examination training sessions of at least one (1) hour in length to Police Officer candidates in order to assist interested individuals with examination preparation.
- (g) The CITY is expected to administer the Police Officer entry-level examination in August 2007 to eligible applicants who appear to take the examination.
- (h) Certification and hiring will continue from the September 2006 Police Lieutenant Eligibility register as needed, until its exhaustion or termination.
- (i) The CITY will finalize a Request for Letters of Interest in order to select a permanent Expert Consultant replacement.
- (j) Phase 1 of the criterion-related validation study for the position of Police Officer will continue. Specifically, the acquisition of remaining training performance scores for additional hires will conclude. This is a long-term study of the relationship between the Police Officer entry-level examination and performance data.

By:



OK ROSALIE MARK, Director
City of Miami
Dept. of Employee Relations

By:



MIMI V. TURIN
Assistant City Attorney
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Certificate of Service

I hereby certify that on May 11, 2007, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF. I also certify that the foregoing document is being served this day on all counsel of record or pro se parties identified on the attached Service List in the manner specified, either via transmission of Notices of Electronic Filing generated by CM/ECF or in some other authorized manner for those counsel or parties who are not authorized to receive electronically Notices of Electronic Filing.

s/ Mimi V. Turin 

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SERVICE LIST

**United States versus City of Miami, et al.
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United States District Court, Southern District of Florida**

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