

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

UNITED STATES OF AMERICA,

Plaintiff,

v.

Civil No. 12-2039 (FAB)

COMMONWEALTH OF PUERTO RICO, *et*
al.,

Defendants.

ORDER

The Agreement for the Sustainable Reform of the Puerto Rico Police Department ("Agreement") requires the Commonwealth to ensure that the Puerto Rico Police Department (PRPD) implement policies and an organizational structure to conduct integrity audits that identify and investigate officers who engage in misconduct or otherwise unprofessional conduct.¹ The critical paragraph on this topic is paragraph 157 of the Agreement, which reads as follows:

PRPD shall develop and implement a plan for organizing and executing regular, targeted, and random integrity audits. The integrity audits will be used to identify and investigate officers engaging in misconduct including, but not limited to, unlawful stops, searches, seizures (including false arrests), excessive uses of force, potential criminal behavior, racial or ethnic profiling, and bias against lesbian, gay, bisexual, and transgendered persons, or any other form of misconduct. These operations shall also seek to identify officers

¹ See generally, Section X.- SUPERVISION AND MANAGEMENT, subsection E.- Internal Audits and Interagency Feedback, paragraphs 154 - 158 of the Agreement.

who discourage the filing of a complaint, fail to report misconduct or complaints, or otherwise undermine PRPD's integrity and accountability systems. SPR shall have the oversight responsibility within PRPD for these operations. SPR shall use relevant EIS data and other relevant information in selecting targets for integrity audits.

Compliance with paragraph 157 is a vital step in PRPD becoming an organization capable of proactively identifying and correcting its errors and omissions. Because of the critical nature of paragraph 157, the Office of the Special Master (OSM) has provided continuous technical assistance to the PRPD since mid-2021 to support compliance with paragraph 157. Paragraph 157 requires PRPD to develop and implement a comprehensive plan to organize and execute regular, targeted, and random integrity tests. This requirement is structured in three phases:

1. development of a policy,
2. training of personnel, and
3. full implementation of an Integrity Testing Unit (ITU).

To date, PRPD remains non-compliant in all three phases.² Despite repeated engagement, technical guidance, and submission of multiple policy drafts, PRPD has not finalized a policy aligned with established best practices and OSM recommendations. Prior commitments made by PRPD to approve a policy by January 2024,

² See Docket No. 3000-1, Thirteenth Report of the Federal Monitor (CMR-13) at page 182, indicating non-compliance with every single component of paragraph 157.

select and train personnel by December 2024, and fully implement the ITU by June 2025 have not been met.

Continued delays in policy development and implementation risk undermining the intent of paragraph 157 and the broader reform effort. The OSM's recommendations – supported by the Monitor and consistent with national best practices – have consistently emphasized the need for a dedicated, independent, and operationally secure integrity-testing program, including an appropriate organizational structure, off-site operational capability, and clear procedural safeguards.

Despite focused attention from the Monitor Team and the OSM for nearly five years, the Court has taken the extraordinary measure of addressing, in detail, the failure to comply with this specific paragraph. PRPD's prolonged unwillingness to adhere to this aspect of the Agreement and the specific guidance from the Monitor Team and the OSM, is completely unacceptable. The Court strongly admonishes PRPD that anything short of strict adherence to this order will not be tolerated.

The Court reaffirms the OSM's authority and responsibility to oversee, coordinate, and provide technical assistance regarding PRPD's compliance with paragraph 157 of the Agreement. The OSM shall continue to serve as the primary coordinating entity for the development, implementation, and operationalization of the ITU,

including policy development, staffing recommendations, training guidance, implementation oversight, and coordination among the parties throughout all phases of compliance.

Accordingly, the following is ORDERED:

Policy Development: PRPD shall, within 30 days of this Order, submit a revised Integrity Tests Policy (OG-649) that:

- Fully incorporates the OSM's prior recommendations;
- Clearly defines the purpose, scope, and practical application of integrity tests;
- Establishes a dedicated Integrity Testing Unit with appropriate structural safeguards to ensure independence, confidentiality, and effectiveness;
- Does not deviate from previously provided OSM guidance without prior consultation and approval.

Personnel Selection and Staffing: PRPD shall, within 60 days of policy approval:

- Identify, vet, and select personnel for assignment to the Integrity Testing Unit in accordance with OSM-recommended criteria;
- Submit a detailed organizational chart outlining unit structure, staffing levels, reporting relationships, and roles and responsibilities.

Training: PRPD shall, within 90 days of the selection and staffing of personnel, complete specialized training for all personnel assigned to the ITU, including scenario-based integrity testing methodologies, operational security, and investigative protocols.

Full Implementation: PRPD shall achieve full operational implementation of the Integrity Testing Unit no later than March 31, 2027, including:

- Establishment of a secure and off-site operational environment to safeguard confidentiality and investigative integrity;
- Deployment of procedures for conducting random, targeted, and routine integrity tests.

Establishment of Working Group: PRPD shall establish an Integrity Tests Working Group within 15 days of this Order, which shall:

- Meet on a regular basis (at a minimum bi-weekly);
- Include representatives from the Reform Office, Superintendent's Office, SARP Executive Management, the Monitor's Office, and the OSM;
- Serve as the primary coordinating body to oversee policy finalization, implementation progress, staffing, training,

operational readiness, and resolution of outstanding issues related to compliance with paragraph 157;

- Include active participation by the OSM during all stages of policy revision, planning, staffing, and implementation of the Integrity Testing Unit.

The OSM shall provide the Court with periodic feedback and status updates regarding PRPD's progress toward compliance with paragraph 157, including assessments of policy development, staffing, training, implementation benchmarks, and adherence to the requirements of this Order.

The development and implementation of a credible integrity-testing program are cornerstones of police accountability and reform. Without immediate, structured action and enforceable timelines, PRPD risks continued non-compliance with paragraph 157 and overall progress of the reform required by the Agreement. This order is necessary to ensure accountability, establish clear expectations, and move PRPD toward full and sustainable compliance.

IT IS SO ORDERED.

San Juan, Puerto Rico, May 13, 2026.

s/ Francisco A. Besosa
FRANCISCO A. BESOSA
SENIOR UNITED STATES DISTRICT JUDGE