



**GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF POLICE COMPLAINTS**

February 23, 2017

Sent by Hand Delivery and Electronic Mail (PDF)

The Honorable Charles Allen
Chair, Committee on the Judiciary & Public Safety
Council of the District of Columbia
1350 Pennsylvania Avenue, N.W. Suite 109
Washington, DC 20004

Dear Chairman Allen:

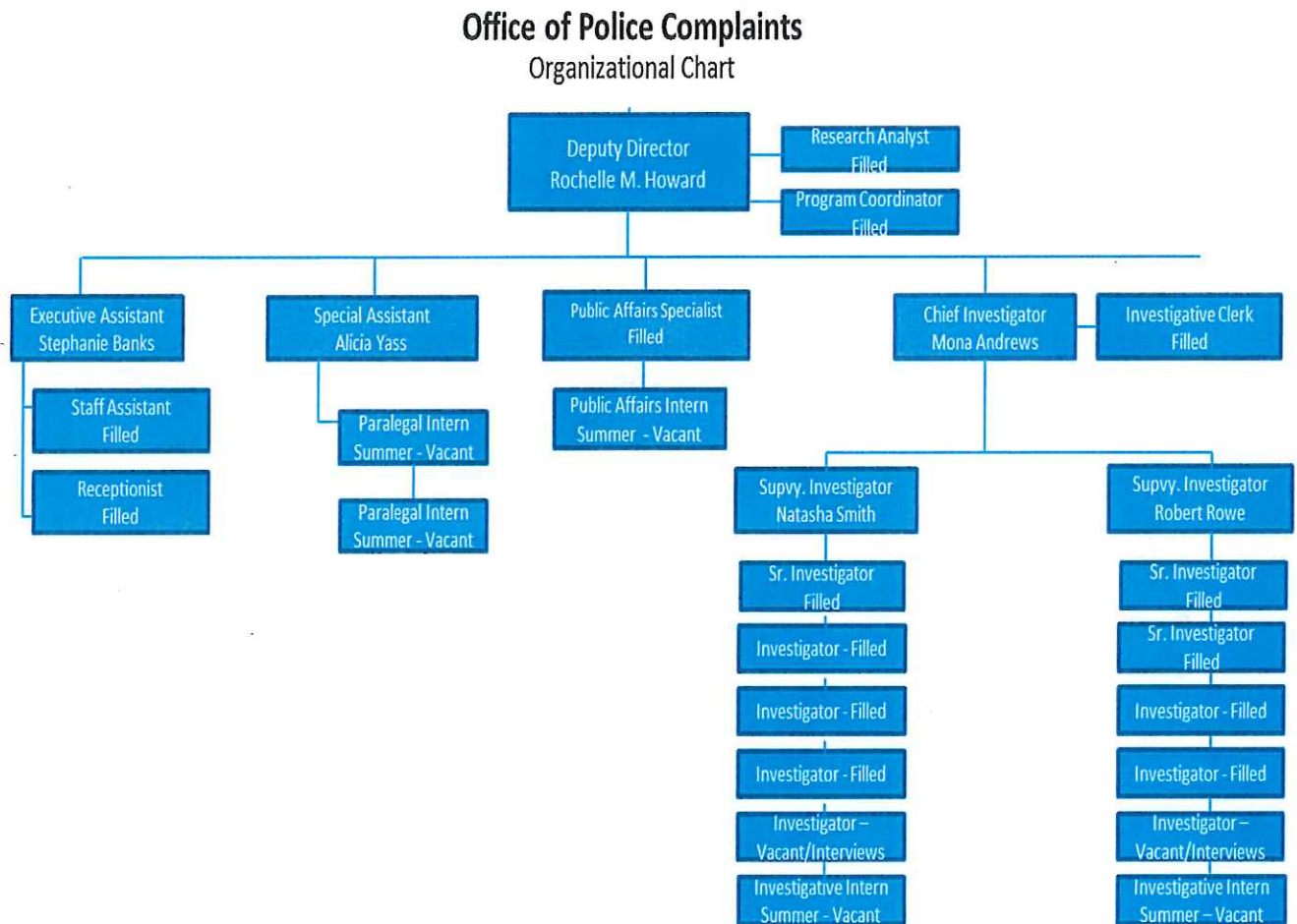
I am writing on behalf of the Office of Police Complaints (OPC) in response to your letter of January 30, 2017, in which you asked that OPC submit answers to your questions in advance of the annual performance oversight hearing for this agency on March 2, 2017. Included below are responses to each question.

Sincerely,

Michael G. Tobin
Executive Director

General Questions

1. Please provide a current organizational chart for the agency, including the number of vacant, frozen, and filled FTEs in each division or subdivision. Include the names and titles of all senior personnel and provide the date that the information was collected on the chart.



- a. Please provide an explanation of the roles and responsibilities for each division and subdivision.

Investigations Division: Includes 14 staff members (1 Chief Investigator, 2 Investigation Managers, 10 Investigators, and 1 Investigative Clerk) that manage investigations and other case management responsibilities. There is a year-round intern program that includes Fall and Spring investigative academic interns and 2 Summer paid interns.

Executive Division: Includes 9 staff members (Executive Director, Deputy Director, Special Assistant, Research Analyst, Public Affairs Specialist, Program Coordinator, Executive Assistant, Staff Assistant, and Receptionist) that manage the day-to-day operations of the agency, customer service, public relations, FOIA and subpoenas, complaint examination hearings, policy and review, and communications with other district agencies and the city administrators. This Division also administers the mediation and complaint examination programs through independent contractors who act as neutral mediators and neutral complaint examiners. There is a year-round intern program that includes Fall and Spring legal academic interns and 2 Summer paid interns.

b. Please provide a narrative explanation of any changes made during the previous year.

OPC added a new FTE for a Research Analyst position.

2. Please provide a current Schedule A for the agency which identifies all employees by title/position, current salaries, fringe benefits, and program. The Schedule A should also indicate if the positions are continuing/term/temporary/contract and whether they are vacant or frozen positions.

a. For each vacant position, please provide the status of the agency's efforts to fill the position, as well as the position number, title, program number, activity number, grade, salary, and fringe associated with each position. Separate salary and fringe. Please also indicate whether the position must be filled to comply with federal or local law.

b. For each filled position, please provide the employee's length of service with the agency.

OPC does not have any positions that must be filled to comply with federal or local law.

Prog Code	Act Code	F, V, Frozen	Service Length	Pos Num	Pos Title	Employee	Grade	Step	Salary	Fringe	FTE	Reg/Temp/Term
1000	1085	F	7 yrs	69594	Clerical Assistant	Smith, Nydia	6	7	42,627.00	21,149.18	1	Reg
1000	1090	F	13 yrs	21018	Executive Assistant	Banks, Stephanie	12	10	89,992.00	18,540.60	1	Reg
1000	1090	F	5 yrs	2790	Staff Assistant	Ryan, Kimberly	11	5	64,160.00	23,883.60	1	Reg
1000	1090	F	1 yr	73080	Deputy Director	Howard, Rochelle	11	1	123,361.00	22,364.68	1	Reg
1000	1090	F	2 yrs 3 mos	195	Executive Director	Tobin, Michael	11	1	196,033.00	25,016.68	1	Term
2000	2010	F	3 mos	1219	Program Analyst	Weber, Christopher	11	3	60,506.00	10,650.90	1	Reg
2000	2010	F	4 yrs	42322	Investigator	Rau, Jessica	12	3	74,711.00	13,447.98	1	Reg
2000	2010	F	14 yrs	3494	Investigator	Lawrence, Anthony	12	8	85,626.00	17,026.36	1	Reg

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2000	2010	F	12 years	13878	Supervisory Investigator	Andrews, Mona	14	1	110,999.00	25,527.32	1	Reg
2000	2010	F	5 yrs	75267	Investigator	Hatchell, Denise	12	5	79,077.00	9,966.84	1	Reg
2000	2010	V	*	295	Investigator	Start 3/6/17	11	5	64,160.00	11,548.80	1	Reg
2000	2010	F	15 yrs	48812	Supervisory Investigator	Smith, Natasha	13	1	97,277.00	22,746.62	1	Reg
2000	2010	F	4 yrs	48814	Supervisory Investigator	Rowe, Robert	13	1	95,860.00	26,649.48	1	Reg
2000	2010	F	1 yr 8 mos	71978	Investigator	Sutton, Danielle	11	6	65,987.00	8,491.60	1	Reg
2000	2010	F	11 mos	70897	Investigator	Trinh, Ethan	9	2	48,693.00	9,716.72	1	Reg
2000	2010	F	1 yr	74895	Investigator	Murphy, Lindsey	9	4	51,709.00	10,417.16	1	Reg
2000	2010	F	5 mos	45458	Investigator	Keyes, Victoria	9	3	50,201.00	9,036.18	1	Reg
2000	2010	F	4 mos	78179	Investigator	Aguilar, Hansel	9	7	56,233.00	10,803.78	1	Reg
2000	2010	V	*	34841	Investigator	Start 3/6/17	9	5	53,217.00	9,579.06	1	Reg
2000	2010	F	2 mos	70918	Clerical Assistant	Clark, Chauntini	7	5	44,491.00	3,930.68	1	Reg
2000	2010	V	—	4941	Clerical Assistant	Summer Intern	5	1	7,956.00	-	.25	Temp
2000	2010	V	—	2513	Clerical Assistant	Summer Intern	5	1	7,956.00	-	.25	Temp
3000	3010	F	9 yrs	12551	Public Affairs Specialist	Cleveland, Nykisha	11	8	69,641.00	15,485.86	1	Reg
3000	3010	V	—	2977	Clerical Assistant	Summer Intern	5	3	8,509.00	-	.25	Temp
4000	4010	F	7 mos	36669	Special Assistant	Yass, Alicia	14	4	104,995.00	14,277.38	1	Reg
4000	4010	F	2 mos	91227	Research Analyst	Graham, Matt	12	3	74,711.00	13,447.98	1	Reg
4000	4010	V	—	1858	Paralegal Assistant	Summer Intern	9	1	11,796.00	-	.25	Temp
4000	4010	V	—	34881	Paralegal Assistant	Summer Intern	9	1	11,796.00	-	.25	Temp

3. Please list all employees detailed to or from your agency, if any. For each employee identified, please provide the name of the agency the employee is detailed to or from, the reason for the detail, the date of the detail, and the employee's projected date of return.

The agency does not have any detailed employees.

4. Please provide the Committee with:

- a. A list of all employees who received or retained cellphones, personal digital assistants, or similar communications devices at agency expense in FY16 and FY17, to date;**

Employee	Position Title	Cellphone	IPad	FY16	FY17
Michael Tobin	Executive Director	X	X	X	X
Mona Andrews	Chief Investigator	X		X	
Stephanie Banks	Executive Assistant	X		X	X
Agency	Field Phone	X		X	
Agency	Field Phone	X		X	
Agency	Field Phone	X		X	
Ethan Trinh	Investigator		X	X	X
Robert Rowe	Supv. Investigator		X	X	X
Denise Hatchell	Sr. Investigator		X	X	X
Anthony Lawrence	Sr. Investigator		X	X	X
Jessica Rau	Sr. Investigator		X	X	X
Victoria Keys	Investigator		X	X	X
Lindsey Murphy	Investigator		X	X	X
Danielle Sutton	Investigator		X	X	X
Nykisha Cleveland	Public Affairs Specialist		X	X	X
Alicia Yass	Special Assistant		X	X	X
Daniel Costello-Essig *	Investigator		X	Portion of FY16	
Sergio Ledezma *	Investigator		X	Portion of FY16	
Ora Darby *	Sr. Investigator		X	Portion of FY16	
Natasha Smith	Supv. Investigator		X		Portion of FY17

- b. A list of all vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned, as well as a description of all vehicle accidents involving the agency's vehicles in FY16 and FY17, to date;**

Vehicle Type	Tag Number	Dates	Accident(s)
2014 4-door Honda Civic Hybrid	DC 8843	FY16	None
2014 4-door Honda Civic Hybrid	DC 10492	FY16	None

Vehicle Type	Tag Number	Dates	Accident(s)
2014 4-door Honda Civic Hybrid	DC 8843	FY17 to date	None
2014 4-door Honda Civic Hybrid	DC 10492	FY17 to date	None

- c. A list of employee bonuses or special award pay granted in FY16 and FY17, to date;**

The Office of Police Complaints had no employee bonuses or special pay granted in FY16 and FY17 to date.

- d. A list of travel expenses, arranged by employee for FY16 and FY17, to date, including the justification for travel; and**

Employee	Position Title	Total Expense	Location/Dates	Justification
Michael Tobin	Executive Director	\$1997.94	Riverside, CA 10/4 – 8/15	2015 NACOLE Conference
Mona Andrews	Chief Investigator	\$2027.27	Riverside, CA 10/4 – 8/15	2015 NACOLE Conference
Natasha Smith	Investigator Manager	\$1937.07	Riverside, CA 10/4 – 8/15	2015 NACOLE Conference
Anthony Lawrence	Senior Investigator	\$1937.07	Riverside, CA 10/4 – 8/15	2015 NACOLE Conference
Catherine Twigg	Investigator	\$2007.07	Riverside, CA 10/4 – 8/15	2015 NACOLE Conference
Sergio Ledezma	Investigator	\$2027.27	Riverside, CA 10/4 – 8/15	2015 NACOLE Conference
Nykisha Cleveland	Public Affairs Specialist	\$1692.08	Riverside, CA 10/4 – 8/15	2015 NACOLE Conference
Paul Ashton	Agency Board Member	\$2048.67	Riverside, CA 10/4 – 8/15	2015 NACOLE Conference
Michael Tobin	Executive Director	Donation	Panama City, Panama 2/14-16/2016	State Department requested
Rochelle Howard	Deputy Director	\$486.11	New York, NY 4/21 – 23/16	NACOLE Academic Symposium

Denise Hatchell	Senior Investigator	\$312.49	New York, NY 4/21 – 23/16	NACOLE Academic Symposium
Catherine Twigg	Investigator	\$302.49	New York, NY 4/21 – 23/16	NACOLE Academic Symposium
Michal Bilick	Program Coordinator	\$312.49	New York, NY 4/21 – 23/16	NACOLE Academic Symposium
Alicia Yass	Special Assistant	\$1497.33	Albuquerque, NM 9/25 – 29/16	2016 NACOLE Conference
Rochelle Howard	Deputy Director	\$1566.34	Albuquerque, NM 9/25 – 29/16	2016 NACOLE Conference
Denise Hatchell	Senior Investigator	\$1476.61	Albuquerque, NM 9/25 – 29/16	2016 NACOLE Conference
Jessica Rau	Investigator	\$1506.01	Albuquerque, NM 9/25 – 29/16	2016 NACOLE Conference
Anthony Lawrence	Senior Investigator	\$1442.34	Albuquerque, NM 9/25 – 29/16	2016 NACOLE Conference
Paul Ashton	Agency Board Member	\$1603.29	Albuquerque, NM 9/25 – 29/16	2016 NACOLE Conference
Michael Tobin	Executive Director	\$1440.33	Albuquerque, NM 9/25 – 29/16	2016 NACOLE Conference

- Travel expenses for 2015 NACOLE Conference in Riverside, CA were paid with FY15 funds.

Travel for FY17 to date

Employee	Position Title	Total Expense	Location/Dates	Justification
Mona Andrews	Chief Investigator	\$1515.16	Las Vegas, NV 10/17 – 24/16	2016 IAPro Conference

- Travel expenses for 2016 IAPro Conference in Las Vegas, NV were paid with FY16 funds.

- e. A list of the total overtime and workers' compensation payments paid in FY16 and FY17, to date, including the number of employees who received overtime and workers' compensation payments.

FY16

Employee	Overtime	Workers' Compensation
Andrews, Mona	\$1017.28	0
Cleveland, Nykisha	\$674.78	0
Howard, Dienna	\$90.67	0
Lawrence, Anthony	\$279.78	0

Ledezma, Sergio	\$591.06	0
Murphy, Lindsey	\$108.61	0
Porter, Forestine	\$447.39	0
Ryan, Kimberly	\$181.83	0
Twigg, Catherine	\$544.24	0

Total in Overtime: \$3935.64

Number of employees received overtime: 9

FY17 to date

Employee	Overtime	Workers' Compensation
Banks, Stephanie	\$346.12	0
Clark, Chauntini	\$171.12	0
Lawrence, Anthony	\$329.33	0
Murphy, Lindsey	\$198.88	0
Rau, Jessica	\$287.35	0
Rowe, Robert	\$368.69	0
Trinh, Ethan	\$187.28	0
Weber, Christopher	\$232.72	0

Total in Overtime: \$2121.49

Number of employees received overtime: 8

5. Regarding the use of communication devices:

- a. What procedures are in place to track which individuals or units are assigned mobile devices (including, but not limited to smartphones, laptops, and tablet computers)? Please include how the usage of these devices is controlled.
- b. How does your agency limit the costs associated with its mobile devices?
- c. For FY16 and FY17, to date, what was the total cost including, but not limited to, equipment and service plans for mobile communications and devices?

The agency uses the citywide usage pool for data and minutes for all agency devices. New devices are purchased through the RTS system which affords us the best prices available. Other devices will be upgraded or replaced in accordance with our established contract renewal timeline, resulting in free, or low cost replacement devices.

Devices	FY16 to FY17 cost to date
Smartphone (3)	\$2,345.00
Apple iPads (16)	\$6,510.00 (14 Months)
Mobile Phones (Field) (3)	\$931.56
VPN (7) to (2) - 35.00 per Year	$35.00 \times 7 = \$245.00$ (FY 17) $35.00 \times 2 = \$70.00$
Total Spent FY16 to FY17 to date	\$10,110.56

6. For FY16 and FY17, to date, please list all intra-District transfers to or from the agency.

FY 2016 Intra-District Summary - BUYER			
OFFICE OF POLICE COMPLAINTS			
SELLING AGENCY	DESCRIPTION OF SERVICES PROVIDED	FUNDING SENT	FUNDING DUE
The Office of Contracting and Procurement	Purchase Cards	96,436	0.00
Office of the Chief Technology Officer	Telephone RTS	3,500	0.00
Department of Public Works	Fleet Maintenance	2,430	0.00
TOTAL		102,366	0.00
FY 2016 Intra-District Summary - SELLER			
N/A			
BUYING AGENCY	DESCRIPTION OF SERVICES PROVIDED	FUNDING RECEIVED	FUNDING OWED
TOTAL		0	0
FY 2017 Intra-District Summary - BUYER			
OFFICE OF POLICE COMPLAINTS			
SELLING AGENCY	DESCRIPTION OF SERVICES PROVIDED	FUNDING SENT	FUNDING DUE
The Office of Contracting and Procurement	Purchase Cards	56,000	0.00
Department of Public Works	Fleet Maintenance	2,430	0.00
Office of the Chief Technology Officer	Telephone RTS	3,409	0.00
TOTAL		61,839	0.00
FY 2017 Intra-District Summary - SELLER			
N/A			
BUYING AGENCY	DESCRIPTION OF SERVICES PROVIDED	FUNDING RECEIVED	FUNDING OWED
TOTAL		0	0

7. For FY16 and FY17, to date, please identify any special purpose revenue funds maintained by, used by, or available for use by the agency. For each fund identified, provide: (1) the revenue source name and code; (2) the source of funding; (3) a description of the program that generates the funds; (4) the amount of funds generated by each source or program; (5) expenditures of funds, including the purpose of each expenditure; and (6) the current fund balance.

To date, OPC neither maintains, uses, nor has available to use any special purpose revenue funding during FY16 and FY17 to date.

8. For FY16 and FY17, to date, please list any purchase card spending by the agency, the employee making each expenditure, and the general purpose for each expenditure.

Authorized Agency Cardholders	Limits Per		Purpose	Purchases FY16
	Per Day	Per Month		
Stephanie Banks	\$5,000.00	20,000.00	Office Support, Memberships, Dues, Training	\$27,114.83
Kimberly Ryan	\$5,000.00	20,000.00	Office Supplies, Training, Travel, Memberships, Subscriptions	\$69,315.63
				Total \$96,430.46
				Purchase FY17 to date
Stephanie Banks	\$5,000.00	20,000.00	Memberships, Dues, Training, Office Support	\$1,363.17
Kimberly Ryan	\$5,000.00	20,000.00	Office Supplies, Office Support, Training, Subscriptions	\$14,991.53
				Total \$16,354.70

9. Please list all memoranda of understanding ("MOU") entered into by your agency during FY16 and FY17, to date, as well as any MOU currently in force. For each, indicate the date on which the MOU was entered and the termination date.

To date, OPC has not entered into any MOUs during FY16 and FY17.

10. Please list the ways, other than MOU, in which the agency collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in FY16 and FY17, to date.

OPC is periodically consulted by other jurisdictions across the country regarding issues concerning police oversight, police misconduct, law enforcement policies and procedures, and our mediation program.

OPC also periodically hosts international agency representatives through the U.S. State Department and non-governmental organizations in nation-building programs to improve police oversight and law enforcement procedures in other countries.

Locally, OPC has informal relationships with the federal law enforcement agencies that have concurrent jurisdiction in the District for purposes of conducting our misconduct investigations. OPC is a regular participant and active partner in the National Association for Civilian Oversight of Law Enforcement (NACOLE).

11. Please list all currently open capital projects, including an update on all capital projects under the agency's purview in FY16 and FY17, to date, and the amount budgeted, actual dollars spent, and any remaining balances. In addition, please provide:

To date, OPC has not opened any capital projects in FY16 and FY17.

- a. An update on all capital projects begun, in progress, or concluded in FY15, FY16, and FY17, to date, including the amount budgeted, actual dollars spent, and any remaining balances.**

Not Applicable.

- b. An update on all capital projects planned for FY17, FY18, FY19, FY20, FY21, and FY22.**

To date, there are no capital projects planned for FY17, FY18, FY19, FY20, FY21, and FY22.

- c. Do the capital projects begun, in progress, or concluded in FY15, FY16, or FY17, to date, have an impact on the operating budget of the agency? If so, please provide an accounting of such impact.**

Not Applicable.

12. Please provide a list of all budget enhancement requests (including, but not limited to, capital improvement needs) for FY16 and FY17, to date. For each, include a description of the need and the amount of funding requested.

To date, OPC had no budget enhancements for FY16 and FY17. We are evaluating are staffing needs in response to the effect on complaint volume of body worn camera and

changes in the laws governing OPC operations.

13. Please list, in chronological order, every reprogramming in FY16 and FY17, to date, that impacted the agency, including those that moved funds into the agency, out of the agency, and within the agency. Include the revised, final budget for your agency after the reprogrammings for FY16 and FY17. For each reprogramming, list the date, amount, rationale, and reprogramming number.

OFFICE OF POLICE COMPLAINTS					
FY 2016 REPROGRAMMING LIST					
LOCAL			Starting Budget		\$2,291,634
FISCAL YEAR	FUND	DATE	DESCRIPTION	AMOUNT	
2016	0100	4/20/2016	Reduction in PS due to salary lapse of deputy director, and three resignations	(\$69,890)	
			Increase in Overtime budget	\$3,890	
			Increase in NPS to Mediation and Attorney contracts and training for Investigators	\$66,000	
2016	0100	7/6/2016	Reduction in PS due to salary lapse of two unanticipated resignations	(\$59,000)	
			Increase in Overtime budget	\$6,000	
			Increase in NPS to purchase general office supplies, tablets for use by Investigators, computer equipment	\$53,000	
			Final Budget	\$2,291,634	

OFFICE OF POLICE COMPLAINTS					
FY 2017 REPROGRAMMING LIST					
LOCAL			Starting Budget		\$2,449,188
FISCAL YEAR	FUND	DATE	SOAR DOC #	DESCRIPTION	AMOUNT
2017	0100				\$0
			Final Budget		\$2,449,188

14. Please list each grant or sub-grant received by your agency in FY16 and FY17, to date. List the date, amount, and purpose of the grant or sub-grant received.

To date, OPC has not received any grants or sub-grants for FY16 and FY17.

15. How many FTEs are dependent on grant funding? What are the terms of this funding? If it is set to expire, what plans, if any, are in place to continue funding the FTEs?

OPC has no FTEs dependent on grant funding.

- 16. Please list all pending lawsuits that name the agency as a party. Identify which cases on the list are lawsuits that potentially expose the District of Columbia to significant financial liability and/or will result in a change in agency practices, and the current status of the litigation. Please provide the extent of each claim, regardless of its likelihood of success. For those identified, please include an explanation about the issues involved in each case.**

Pending lawsuits identified in previous reports have been dismissed with no financial liability or change in agency practices.

- 17. Please provide the total number of administrative complaints or grievances that the agency received in FY16 and FY17, to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received.**

To date, OPC has had no administrative complaints or grievances in FY16 and FY17

- 18. Please list and describe any ongoing investigations, audits, or reports on the agency or any employee of the agency, or any investigations, studies, audits, or reports on the agency or any employee of the agency that were completed during FY16 and FY17, to date.**

To date, there are no ongoing or completed investigations, audits, or reports for FY16 and FY17.

- 19. Please describe any anticipated spending pressures for the remainder of FY17. Include a description of the pressure, the estimated amount, and any proposed solutions.**

At this time, OPC does not anticipate spending pressures for the remainder of FY17. However, the fiscal impact of the Neighborhood Engagement Achieves of Results (NEAR) Act of 2015 is not fully realized. The NEAR Act expanded OPC's jurisdiction by allowing complainants 90 days, instead of 45 days, to file a complaint; and designated OPC as the sole processor of complaints in the District. OPC is analyzing whether this expansion has affected the volume of work or expenses to a degree that it would create spending pressures in future operations.

20. Please provide a copy of the agency's FY16 performance plan. Please explain which performance plan objectives were completed in FY16 and whether they were completed on time and within budget. If they were not, please provide an explanation.

FY16 Objectives

Division	Objective
Investigations	Resolve police misconduct complaints in an impartial, timely, and professional manner
Outreach	Promote positive community-police interactions through public education and awareness.
Policy Management	Enhance OPC's mission to improve public confidence and community trust by reviewing current policies and training and issuing policy recommendations to the Mayor, the District Council, MPD, and DCHA.

FY16 KPIs

Objective: Resolve police misconduct complaints in an impartial, timely, and professional manner

Measure	Target	Freq	Q1	Q2	Q3	Q4	Total	KPI Status	KPI Barriers
Percent of investigations completed by the agency within six months	60	Q	54.54	73.02	67.24	83.12	69.5	Met	
Percent of Complaint Examiner decisions issued within 120 days	80	Q	100	100	100	100	100	Met	

Objective: Promote positive community-police interactions through public education and awareness.

Measure	Target	Freq	Q1	Q2	Q3	Q4	Total	KPI Status	KPI Barriers
Number of outreach activities sponsored or attended by OPC	24	Q	7	7	12	6	32	Met	
Percent of complaints resolved through mediation	9	Q	15	11.94	13.11	11.69	12.9	Met	

FY16 Initiatives

Title: Maintain OPC's training program for investigators.

Description: OPC's effectiveness is tied in significant measure to its ability to resolve fairly and promptly police misconduct complaints filed with the agency. In FY15, OPC arranged numerous 'brown-bag' lunch presentations, sent all non-probationary members of the investigative unit who had not already attended to the Reid Technique of Interviewing and Interrogation workshop, had every investigator attend training at the MPD academy, and had several members of the unit become eligible for oversight practitioner credentialing by enrolling in training provided by the National Association for Civilian Oversight of Law Enforcement (NACOLE). This has increased OPC staff members' knowledge and enthusiasm for their work, and helped decrease OPC's staff vacancy rate while also ensuring that the investigators are as well trained as possible. OPC will continue to provide at least four in-house continuing education sessions that will teach investigators about new issues and trends in the field of police accountability and citizen review and provide updates on current legal precedent. In addition, OPC will provide advanced skills trainings in investigative techniques by identifying external training opportunities, including the Reid workshop and having additional agency staff members obtain oversight practitioner credentialing from NACOLE. Together, these sessions and the training will ensure that investigators are aware of and understand emerging issues so that they may promptly identify material facts, quickly determine the proper course of an investigation, and have the necessary skills to obtain all relevant evidence in order to resolve most citizen complaints within six months of being filed with the agency. This initiative will be achieved by September 30, 2016.

Complete to Date: Complete

Status Update: OPC conducted 11 in-house education sessions in FY16 expanding investigators' knowledge of new issues, trends, and external collaborative partnerships. OPC sent 2 new investigators to the Reid Workshop. OPC sent 7 employees to the National Association of Civilian Oversight of Law Enforcement (NACOLE); 4 of the 7 employees presented at the conference.

Title: Integrate body-worn camera footage into OPC's investigative policies and procedures

Description: MPD's general order governing body-worn cameras grant OPC direct access to the footage. OPC worked with MPD to obtain and implement this access, and currently utilizes it for investigations of police misconduct. OPC is developing policies that incorporate video footage into the investigative process, and has found that using the new technology raises new logistic and investigative issues. In FY16, OPC will formalize its investigative policies and procedures as they relate to body-worn cameras, with an eye toward ensuring that the videos are used in a way to promote timely and accurate investigative outcomes. These policies will be finalized by September 30, 2016

Complete to Date: Complete

Status Update: MPD has deployed 100% of body worn cameras to patrol officers. OPC has full and direct access to the BWC footage to aid in investigations to assist with timely and accurate investigations.

Title: Explore the creation of a permanent conciliation program.

Description: OPC's statute authorizes the agency to conduct conciliation, which is a form of alternative dispute resolution whereby a complainant can discuss allegations of misconduct with the officer or officers involved in the interaction. Such a program promotes better relations and understanding between complainants and officers, and allows OPC to more quickly and cost effectively resolve complaints that would otherwise require a full investigation. OPC has completed a pilot program to gauge how conciliation could work at the agency. In FY15, OPC conducted an assessment of the pilot effectiveness and developed a reformatted program to even better achieve the goals of the conciliation program. By September 30, 2016, OPC will complete a second pilot conciliation program, as well as take steps to determine how the agency can implement such a program permanently.

Complete to Date: 0-24%

Status Update: The second conciliation pilot program has not been completed. we are still in discussions with the MPD Interim Police Chief to identify an

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MPD representative to participate in this program.

If Incomplete, Explanation: To execute the conciliation program, MPD would need to provide a representative to participate in the conciliations. With the transitions to an Interim Police Chief, we are still in discussions with MPD to identify that representative.

Title: Conduct OPC outreach efforts throughout the District.

Description: OPC provides a forum, independent of MPD and DCHA, for members of the public to address police misconduct concerns. Vital to the agency's mission is increasing the public's awareness of the agency, the services it provides, and the role it plays in community-police interactions. To accomplish this, the agency has conducted outreach events almost since the agency opened its doors in 2001. The number of events has risen over the years, and the agency has conducted 20 or more such sessions in each fiscal year from FY08 through FY15. By September 30, 2016, OPC plans to conduct at least 24 of these events, with at least one such session in each of the District's eight wards.

Complete to Date: Complete

Status Update: OPC conducted and participated in more than 30 outreach events and activities throughout the Washington, D.C. metropolitan area with at least one in each of the District's eight wards. These outreach events and activities included presentations to the public about the agency's mission, jurisdiction, and complaint process.

Title: Expand OPC's Community Partner Program.

Description: OPC launched its new Community Partnership program on February 27, 2015. The purpose of the program is to collaborate with a wide range of organizations, government agencies, social service providers, neighborhood associations, and advocacy groups to better support the community in accessing information about the agency. Organizations that are identified as 'Community Partners' will have OPC brochures and complaint forms readily available for anyone who walks into their offices. Individuals that wish to file a complaint concerning police misconduct will be able to initiate the process through their local community organization. OPC currently has nine community partners, and will seek to expand the program to a total of at least 15 by September 30, 2016.

Complete to Date: Complete

Status Update: OPC expanded its Community Partnership Program to 15 organizations. The purpose of the program is to collaborate with a wide range of community organizations, government agencies, social service providers, neighborhood associations, and advocacy groups to provide the public with greater access to information about OPC.

Title: Review and analyze complaints of police misconducts.

Description: During Fiscal Year 2016, OPC staff members will review each complaint investigation to looking at not just patterns or trends that bear further review, but also individual instances that illustrate the need for action by MPD and DCHA. Where appropriate, the agency will issue policy recommendations for specific changes. These reviews will occur throughout the fiscal year, concluding on September 30, 2016.

Complete to Date: Complete

Status Update: OPC issued 1 policy recommendation in FY2016 highlighting specific changes MPD can make to comply with the Final Report of the President's Taskforce on 21st Century Policing.

Title: Engage with MPD in reviewing the Final Report of the President's Task Force on 21st Century Policing and identifying best practices to implement in the District.

Description: OPC will review the Task Force report, analyze the issues as they affect the District, and collaborate with MPD to adjust current policies and training, as well as create additional policies and training, to ensure District policing meets the standards set out in the report. This collaboration will be carried out

through monthly meetings, policy research and development, and public reporting of changes made. These efforts will occur throughout the fiscal year, concluding on September 30, 2016. and No. 8195;

Complete to Date: Complete

Status Update: OPC published a report on September 30, 2016 recommending changes MPD has already made and can make to incorporate the Final Report of the President's Taskforce on 21st Century Policing.

21. Please provide a copy of your agency's FY17 performance plan as submitted to the Office of the City Administrator.

Office of Police Complaints FY2017

Agency Office of Police Complaints

Agency Code FH0

Fiscal Year 2017

Mission The mission of the Office of Police Complaints (OPC) is to increase public confidence in the police and promote positive community-police interactions.

- 2017 Strategic Objectives

Objective Number	Strategic Objective
1	Resolve police misconduct complaints in an impartial, timely, and professional manner
2	Promote positive community-police interactions through public education and awareness.
3	Enhance OPCs mission to improve public confidence and community trust
4	Create and maintain a highly efficient, transparent and responsive District government.**

2017 Key Performance Indicators

[illegible]

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Performance Management- Employee Performance Plan Completion	✓			Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017	Forthcoming October 2017
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2017 Operations

Operations Header	Operations Title	Operations Description	Type of Operations
1 - Resolve police misconduct complaints in an impartial, timely, and professional manner (5 Activities)			
INVESTIGATION	Conduct monthly case reviews with investigators		Daily Service
INVESTIGATION	Manage and monitor complaint examiner compliance	Merit determination should be completed within 120 days from assignment.	Daily Service
TRAINING AND EMPLOYEE DEVELOPMENT	Conduct complaint examiner In-Service Training	This will be a new operations for FY17	Key Project
TRAINING AND EMPLOYEE DEVELOPMENT	Investigator participating in continual professional development		Key Project
INVESTIGATION	NEAR Act Compliance		Key Project
2 - Promote positive community-police interactions through public education and awareness. (2 Activities)			
OUTREACH	Communicate with civic groups, government organizations, schools, advisory boards, etc. to schedule outreach events		Daily Service
OUTREACH	Communicate with a wide range of organizations, government agencies, social service providers, neighborhood associations, and advocacy groups to create partnerships		Daily Service
3 - Enhance OPCs mission to improve public confidence and community trust (3 Activities)			
POLICY RECOMMENDATION	Review all OPC complaints received to determine trends and/or patterns		Daily Service
POLICY RECOMMENDATION	Research policing best practices		Daily Service
POLICY RECOMMENDATION	Conduct regular meetings with MPD leadership to discuss policy change recommendations		Daily Service

2017 Workload Measures

Measure	New Measure/ Benchmark Year	Add Historical and Target Data (FY17)	Numerator Title	Units	Frequency of Reporting	FY 2014	FY 2015	FY 2016 Actual
1 - Conduct monthly case reviews with investigators (1 Measure)								
Number of meetings held	✓		Number of meetings held	Number of meetings held	Quarterly	Not available	Not available	New Measure
1 - Investigator participating in continual professional development (4 Measures)								
Number of presentations completed	✓		Number of presentations completed	Number of presentations completed	Quarterly	Not available	Not available	New Measure
Number of new investigators attending Reid Training			Number of new investigators attending Reid Training	Investigators	Quarterly	Not available	Not available	2
Number of investigators attending annual MPD professional development training			Number of investigators attending annual MPD professional development training	Investigators	Quarterly	Not available	Not available	10
Number of investigators attending at least 2 external training sessions			Number of investigators attending at least 2 external training sessions	Investigators	Quarterly	Not available	Not available	10
1 - Manage and monitor complaint examiner compliance (1 Measure)								
Number of complaint examiner decisions processed			Number of complaint examiner decisions processed	decisions	Quarterly	Not available	Not available	30

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2 - Communicate with a wide range of organizations, government agencies, social service providers, neighborhood associations, and advocacy groups to create partnerships (1 Measure)								
Number of community partnerships created	<input type="checkbox"/>		Number of community partnerships created	Number of community partnerships created	Quarterly	Not available	Not available	15
2 - Communicate with civic groups, government organizations, schools, advisory boards, etc. to schedule outreach events (1 Measure)								
Number of outreach events held	<input type="checkbox"/>		Number of outreach events held	Number of outreach events held	Quarterly	Not available	Not available	32
3 - Conduct regular meetings with MPD leadership to discuss policy change recommendations (1 Measure)								
Number of meetings held with MPD	<input checked="" type="checkbox"/>		Number of meetings held with MPD	Number of meetings held with MPD	Quarterly	Not available	Not available	New Measure
3 - Research policing best practices (1 Measure)								
Number of policy recommendations issued	<input checked="" type="checkbox"/>		Number of policy recommendations	recommendations	Quarterly	Not available	Not available	New Measure
3 - Review all OPC complaints received to determine trends and/or patterns (2 Measures)								
Number of complaints received	<input type="checkbox"/>		Number of complaints received	Complaints	Quarterly	Not available	Not available	105
Number of contacts	<input type="checkbox"/>		Number of contacts	Contacts	Quarterly	Not available	Not available	166

2017 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date
INVESTIGATION (2 Strategic initiative-operation links)		
Develop NEAR Act Procedures	The Neighborhood Engagement Achieves Results Act of 2015 was enacted on June 30, 2016. The Act expanded OPC's jurisdiction to include additional referral options, made OPC the sole receiver of complaints, allows for OPC to audit MPD and DCHAPD's, and requires OPC to report on all of use of force data by December 2017.	12-30-2017
Body Worn Camera Processes	Develop policies and procedures that incorporate body worn camera footage into investigation processes.	09-30-2017
OUTREACH (1 Strategic Initiative-Operation Link)		
Protest Monitoring	OPC's statutory authority dictates that our office monitor MPD's interactions with First Amendment Assembly participants. OPC will develop procedures to have teams of First Amendment Assembly observers present at Inauguration Day 2017 (January 20, 2017) to ensure that no First Amendment Assembly participants' rights are violated.	03-31-2017
POLICY RECOMMENDATION (1 Strategic Initiative-Operation Link)		
Research Analysis	With the implementation of the NEAR Act and the President's Task Force on 21st Century Policing Final Report, data reporting and transparency in data are a main component of better policing. OPC will hire a Research Analyst to develop new opportunities in data reporting of OPC's data and MPD's data to provide additional recommendations for better policing practices.	12-30-2017

22. Please provide the number of FOIA requests for FY16 and FY17, to date, submitted to your agency. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time, the estimated number of FTEs required to process requests, the estimated number of hours spent responding to these requests, and the cost of compliance.

Fiscal Year	Number Received	Granted	Partially Granted	Denied	Pending	Average response time (days)	Estimated number of FTEs	Estimated number of hours spent	Cost of Compliance
FY16	253	0	49	150	0	11	1	216	\$7,231.68
FY17 to date	41	0	9	26	3	13	1	11	\$56.56

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23. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or contracted for during FY16 and FY17, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee.

To date, OPC has published its FY16 Annual Report. Reports generated on MPD policy and practices are listed separately in response to agency question 17 below.

24. Please separately list each employee whose salary was \$100,000 or more in FY16 and FY17, to date. Provide the name, position number, position title, program number, activity number, salary, and fringe. In addition, state the amount of any overtime or bonus pay received by each employee on the list.

OFFICE OF POLICE COMPLAINTS										
FY 2016 LIST OF EMPLOYEE(S) SALARY OF \$100,000 OR MORE										
Agency Code	FY	Program Number	Activity Number	Employee Name	Position Number	Position Title	Salary	Fringe	OT Pay	Bonus Pay
FH0	16	1000	1090	Tobin, Michael	00000195	Executive Director	\$190,323.00	\$13,108.68	\$0.00	\$0.00
FH0	16	1000	1090	Howard, Rochelle	00073080	Deputy Director	\$116,483.00	\$26,467.48	\$0.00	\$0.00
FH0	16	2000	2010	Andrews, Mona	00013878	Supervisory Investigator	\$107,766.00	\$24,452.74	\$0.00	\$0.00
FH0	16	4000	4010	Yass, Alicia	00036669	Special Assistant	\$101,937.00	\$19,056.96	\$0.00	\$0.00
AGENCY GRAND TOTAL							\$516,509.00	\$83,085.86	\$0.00	\$0.00

OFFICE OF POLICE COMPLAINTS										
FY 2017 LIST OF EMPLOYEE(S) SALARY OF \$100,000 OR MORE										
Agency Code	FY	Program Number	Activity Number	Employee Name	Position Number	Position Title	Salary	Fringe	OT Pay	Bonus Pay
FH0	17	1000	1090	Tobin, Michael	00000195	Executive Director	\$196,033.00	\$25,016.68	\$0.00	\$0.00
FH0	17	1000	1090	Howard, Rochelle	00073080	Deputy Director	\$123,361.00	\$22,364.68	\$0.00	\$0.00
FH0	17	2000	2010	Andrews, Mona	00013878	Supervisory Investigator	\$110,999.00	\$25,527.32	\$0.00	\$0.00
FH0	17	4000	4010	Yass, Alicia	00036669	Special Assistant	\$104,995.00	\$14,277.38	\$0.00	\$0.00
AGENCY GRAND TOTAL							\$535,388.00	\$87,186.06	\$0.00	\$0.00

25. Please list in descending order the top 25 overtime earners in your agency in FY16 and FY17, to date, if applicable. For each, state the employee's name, position number, position title, program number, activity number, salary, fringe, and the aggregate amount of overtime pay earned.

FY16

Employee	Pos Num	Pos Title	Prog Num	Act Num	Salary	Fringe	Amount
Andrews, Mona	00013878	Chief Investigator	2000	2010	\$107,766.00	\$24,761.88	\$1,017.28
Cleveland, Nykisha	00012551	Public Affairs Specialist	3000	3010	\$67,613.00	\$14,677.78	\$674.78
Ledezma, Sergio (Resigned)	00070898	Investigator	2000	2010	\$62,291.00	\$20,905.82	\$591.06
Twigg, Catherine (Resigned)	00082621	Investigator	2000	2010	\$62,291.00	\$20,930.00	\$544.24
Porter, Forestine (Resigned)	00036669	Attorney Advisor	4000	4010	\$119,811.00	15,731.30	\$447.39
Lawrence, Anthony	00003480	Investigator	2000	2010	\$83,133.96	\$16,049.54	\$279.78
Ryan, Kimberly	00024773	Staff Assistant	1000	1090	\$60,517.00	\$23,176.66	\$181.83
Murphy, Lindsey	00074895	Investigator	2000	2010	\$50,202.88	\$5,066.62	\$108.61
Howard, Dienna (Resigned)	00070918	Clerical Assistant	2000	2010	\$47,146.06	11,422.84	\$90.67

FY17 to date

Employee	Pos Num	Pos Title	Prog Num	Act Num	Salary	Fringe	Amount
Rowe, Robert	00048814	Supervisory Investigator	2000	2010	\$95,860.00	\$26,649.48	\$368.69
Banks, Stephanie	00021018	Executive Assistant	1000	1090	\$89,992.00	\$18,540.60	\$346.12
Lawrence, Anthony	00003480	Investigator	2000	2010	\$85,626.00	\$17,026.36	\$329.33
Rau, Jessica	00042322	Investigator	2000	2010	\$74,711.00	\$13,447.98	\$287.35
Weber, Christopher	00001219	Program Analyst	2000	2010	\$60,506.00	10,650.90	\$232.72
Murphy, Lindsey	00074895	Investigator	2000	2010	\$51,709.00	\$10,417.16	\$198.88
Trinh, Ethan	00070897	Investigator	2000	2010	\$48,693.00	\$9,716.72	\$187.28
Clark, Chauntini	00070918	Clerical Assistant	2000	2010	\$44,491.00	\$3,930.68	\$171.12

26. For FY16 and FY17, to date, please provide a list of employee bonuses or special award pay granted that identifies the employee receiving the bonus or special pay, the amount received, and the reason for the bonus or special pay.

To date, there were no bonuses or special award pay granted in FY16 and FY17.

- 27. Please provide each collective bargaining agreement that is currently in effect for agency employees. Please include the bargaining unit and the duration of each agreement.**

OPC is non-union and has no collective bargaining agreements in effect.

- 28. If there are any boards or commissions associated with your agency, please provide a chart listing the names, confirmation dates, terms, and wards of residence of each member. Include any vacancies. Please also attach agendas and minutes of each board or commission meeting in FY16 or FY17, to date, if minutes were prepared. Please inform the Committee if the board or commission did not convene during any month.**

Board Member	Confirmation Date	Term	Ward of Residence
Paul Ashton, Chairperson	October 4, 2016	January 12, 2019	Ward 1
Kurt Vorndran	January 12, 2006	Term ended January 12, 2014; Serving until seat filled	Ward 3
Jamila Burley	February 2, 2016	January 12, 2018	Ward 1
Bobbi Strang		Initial partial term ended on January 12, 2017; Nominated for a new term by Mayor Bowser	Ward 5
MPD Member		Vacant	

- 29. Please list all reports or reporting currently required of the agency in the District of Columbia Code or Municipal Regulations. Provide a description of whether the agency is in compliance with these requirements, and if not, why not (e.g. the purpose behind the requirement is moot, etc.).**

The FY16 Budget Support Act of 2015 requests a report to the Council on the effectiveness of MPD's Body-Worn Camera Program by February 1st of each year. The agency is working with MPD on a comprehensive study of this analysis in collaboration with the Executive Office of the Mayor of the District of Columbia Government The Lab@DC and the University of Arizona. The control group study ended on December 15, 2016 and it is now in the data gathering and analysis stage. It is anticipated that the study will have very high reliability and validity indicators and will be one of the most comprehensive body worn camera studies, to date, in the United States.

The Neighborhood Engagement Achieves Results Act of 2015 (NEAR) requires a report on MPD's use of force data each December 31 beginning in 2017. With the hiring of our Research Analyst on January 23, 2017, OPC has begun collaborating with MPD to obtain the necessary data for analysis for this report.

30. Please list each contract, procurement, lease, and grant awarded, entered into, extended and option years exercised, by your agency during FY16 and FY17, to date. For each contract, please provide the following information, where applicable:
- The name of the contracting party;
 - The nature of the contract, including the end product or service;
 - The dollar amount of the contract, including budgeted amount and actually spent;
 - The term of the contract;
 - Whether the contract was competitively bid;
 - The name of the agency's contract monitor and the results of any monitoring activity; and
 - Funding source.

Vendor	Nature of Contract	Encumbrance Amount	Term of Contract	Competitive Bid	Contract Monitor	Fund Source	FY
Center for Dispute Settlement	Mediation	\$53,025.00	10/1/15 – 09/30/16	Exempt from competition per D.C. Code § 2-354.13 (3)	James Webb	0100	16
		\$12,000.00					17
Hamilton-Ryker IT Solutions	Software Maintenance	\$3,000.00	10/1/15 – 09/30/16	N	James Webb	0100	16
Reed Elsevier, Inc. Lexis Nexis	Online Research	\$2,400.00	10/1/15 – 09/30/16	N	James Webb	0100	16
		\$2,400.00					17
MVS	Copier Maintenance	\$3,564.00	10/1/15 – 09/30/16	N/CBE	James Webb	0100	16
		3,942.00					17
Park America	Parking Spaces for Agency Cars and Director	7,590.00	10/1/15 – 09/30/16	N	Juva Hepburn	0100	16
		12,420.00					17
Keybridge Mediation Services	Mediation	\$15,000.00	6 Month	Exempt from competition per D.C. Code § 2-354.13 (3)	James Webb	0100	17
CI Technologies, Inc.	IT Support Licensing & upgrades of proprietary software	\$2,550.00	10/1/15 – 09/30/16	N	James Webb	0100	16
		\$2,601.00					17

- 31. Please provide a list of any additional training or continuing education opportunities made available to agency employees. For each additional training or continuing education program, please provide the subject of the training, as well as the number of agency employees that were trained.**

OPC employees attend NACOLE training symposiums on investigations, police policies and procedures, and civilian oversight; training at The Graduate School which provides continual career, skill, management, and professional development training; legal training on constitutional issues, search and seizure, freedom of information act training at the D.C. Bar Association, and specialized investigative technique training at the REID Institute:

Graduate School – 4 employees
DC Bar – 1 employee
REID – 2 employees

- 32. Does the agency conduct annual performance evaluations of all its employees? Who conducts such evaluations? What steps are taken to ensure that all agency employees are meeting individual job requirements?**

The agency does conduct annual performance evaluations for all of its employees in accordance with the standard practices of the District of Columbia Human Resources Department. These annual performance evaluations are conducted by the Executive Director, Deputy Director, Executive Assistant, the Chief Investigator, and the two Supervisory Management Investigators.

Agency Operations

- 1. Please describe any initiatives that the agency implemented in FY16 or FY17, to date, to improve the internal operations of the agency or the interaction of the agency with outside parties. Please describe the results, or expected results, of each initiative.**

In FY16, OPC launched the availability of an online complaint form which now allows community members to file a complaint through our website and upload all relevant documents. From FY16Q3 (when the online complaint form launched) through FY17Q1, OPC received an average of 55 complaints per quarter via the online complaint form. OPC also noticed a dramatic decrease in faxed, mailed, and emailed complaint submissions. The online complaint form allows OPC to receive complaints sooner and with all necessary documents attached.

Additionally in FY16, OPC implemented full access to MPD body worn camera footage. This investigative tool was fully deployed to patrol officers on December 15, 2016 and a study of its effects is currently underway.

2. What are the agency's top five priorities? Please explain how the agency expects to address these priorities in FY17.

(1) Improve community trust in MPD.

OPC maintains and improves community trust in our police departments by holding police officers accountable for misconduct with an effective community member complaint program and by providing a reliable system of police policy review. Modifications in its statutory authority in FY16 have enhanced OPC's mission and will assist our police forces in improving public safety. The modifications will reduce the case load of community member complaints investigated by MPD by shifting this function primarily to OPC, resulting in a cost savings by utilizing OPC civilian investigators and freeing MPD investigators for direct crime reduction assignments; increasing the time limit for community members to file a complaint; provide a neutral, unbiased, and independent monitoring and public reporting function for all misconduct complaints and use of force incidents, together with useful and objective review and recommendations for training and policy improvements in these areas. The statutory authority changes also provide a means to rapidly resolve some misconduct complaints by direct referral of the officer for specific retraining or immediate supervisor intervention.

(2) Maintain a high rate of timely completion of investigations.

OPC has significantly decreased the amount of time necessary to conduct a thorough, complete investigation over the past year. Timely investigations are essential for a reliable community member complaint investigation program. OPC will continue monitoring its internal operations to ensure that the gains experienced in completing investigations will continue through FY17.

(3) Expand community outreach of OPC.

In FY16, OPC launched a new outreach effort, the Community Partner Program. This program collaborates with a wide range of community organizations, government agencies, social service providers, and advocacy groups to provide the public with greater access to information and services provided by OPC. In FY17, OPC plans to continue expanding the reach of this program with more partner agencies and organizations throughout the District.

(4) Fully integrate police body worn camera footage into the OPC investigative and policy functions.

With the December 15, 2016 deployment of body worn cameras to all patrol officers in MPD, OPC will continue to develop and integrate this new technology into its investigation processes. Immediate and unrestricted access to the body worn camera footage has already aided in investigations.

(5) Continue to expand OPC's mediation program.

OPC strives to have more complaints resolved through mediation each year. In FY16, OPC eliminated its single mediation contractor system and partnered with additional, more diverse, and highly qualified mediators in an effort to expand the program. In FY16, OPC resolved 13 percent of all cases through its mediation program as compared to 10.5 percent resolved in FY15. The mediation program is used as a direct tool to help foster more community trust in the District police forces.

3. Please list each new program implemented by the agency during FY16 and FY17, to date. For each initiative please provide:

- a. A description of the initiative;**
- b. The funding required to implement to the initiative; and**
- c. Any documented results of the initiative.**

In FY17, OPC received approval for the creation of a Research Analyst position which will enhance and expand the agency's data analysis and reporting program. The funding requirement to implement this program for FY17 is approximately \$90,000. The program has initiated research projects in the areas of use of force, citizen complaints, policy analysis, and body worn cameras.

4. How does the agency measure programmatic success? Please discuss any changes to outcomes measurement in FY16 and FY17, to date.

OPC measures and evaluates programmatic success by its key performance indicators (KPIs). In addition to the existing four FY16 KPIs:

- (1) percent of investigations completed by the agency in 6 months;
- (2) percent of complaint examiner decisions issued within 120 days;
- (3) number of outreach activities sponsored or attended by OPC; and
- (4) percent of complaints resolved through mediation;

in FY17, OPC added two new KPIs to measure our programmatic success:

- (1) the percent of complaint examiners trained; and
- (2) the percent of policy recommendation reports published.

Most significantly, for the first time since FY11, OPC has exceeded all of its KPIs for FY16.

5. Please list the task forces and organizations of which the agency is a member.

OPC is a member of the National Association for Civilian Oversight Law Enforcement (NACOLE). OPC is participating with NACOLE, the Police Foundation, and the Department of Justice to produce a best practices guide for civilian oversight of law enforcement. OPC's Executive Director is a non-voting member of the MPD Use of Force Review Board and a voting member of the Police Officer Standards and Training Board.

- 6. Please explain the impact on your agency of any legislation passed at the federal level during FY16 and FY17, to date, which significantly affected agency operations. If regulations are the shared responsibility of multiple agencies, please note.**

OPC was not affected by any federal laws passed in FY16 or FY17 to date.

- 7. Please describe any steps the agency took in FY16 and FY17, to date, to improve the transparency of agency operations.**

OPC continuously updates its website and social media accounts to ensure the public is aware of any outreach activities, announcements, published policy recommendations, and employment opportunities. Additionally, with the new Research Analyst position, OPC aspires to publish more frequent data analysis reports. OPC also continues to expand our community partnerships that are aware of our services and refer community members to our office.

- 8. Please identify all electronic databases maintained by your agency, including the following:**

- a. A detailed description of the information tracked within each system;**
- b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system; and**
- c. Whether the public can be granted access to all or part of each system.**

OPC has used IAPro as an internal case management system for the complaints received since approximately 2004. IAPro was recently updated in January 2017 with a system-wide update. The public cannot access IAPro.

- 9. Please provide a detailed description of any new technology acquired in FY16 and FY17, to date, including the cost, where it is used, and what it does. Please explain if there have there been any issues with implementation.**

In FY16, OPC acquired iPads for all investigators to aid in their investigative tasks. The iPads are used to record interviews in the office and in the field, preserve documentary, photographic, video, and other evidence to then directly upload this evidence within OPC's case management system (IAPro). Investigators use the iPads to take photographs during field investigations or during protest monitoring events and message between investigators while in the field or during protest monitoring events. The cost of this procurement was \$8,397.95 to date.

- 10. Is the agency working on any new policy recommendations? If so, please provide a detailed explanation of how the agency plans to complete the development of these policy recommendations during the remainder of FY17.**

Potential policy recommendations currently review include consent search procedures and written report procedures and supervisory review.

11. In FY15, FY16, and FY17, to date:

- a. How many individuals contacted OPC to inquire about filing a complaint?
- b. How many complaints were received?
- c. How many complaints were closed?
- d. How many full investigative reports were completed?
- e. How many were adjudicated?
- f. How many were successfully mediated?
- g. How many cases were referred to an independent hearing examiner?
- h. How many of those cases resulted in a hearing?
- i. How many complainants were represented by counsel in those hearings?

FY	15	16	17 to date
Individuals contacted OPC	1420	1448	551
Complaints Received	407	438	196
Complaints Closed	526	468	178
Full Investigation Reports Completed	324	265	88
Full Investigation Reports Adjudicated	11	30	3
Mediated	43	37	12
Referred to Hearing Examiner	15	26	2
Referred to Hearing Examiner and Resulted in Hearing	3	6	0
Complainants Represented by Counsel in Hearing	3	6	0

12. In FY15, FY16, and FY17, to date, how many decisions sustaining police misconduct allegations were forwarded to MPD?

FY15	FY16	FY17 to date
10	25	3

13. How many subject officers have been referred to MPD and HAPD for policy training in FY16 and FY17, to date?

FY16	FY17 to date
3	7

14. What were the outcomes of cases referred to MPD in FY15, FY16, and FY17, to date? How many cases were upheld by a final review panel?

FY15

No final review panels requested by MPD in FY 2015.

Complaint Number	Discipline Determination
12-0507 & 13-0023	No Action Taken by MPD
14-0122	5 Day SWOP
14-0132	35 Day SWOP
14-0155	Official Reprimand
14-0078	1 Day SWOP
13-0022	Official Reprimand
12-0473	2 Day SWOP
13-0190	Official Reprimand

FY16

One final review panel was held for OPC Case No 14-0078. The final review overturned one sustained allegation; the other sustained allegation in the complaint was not reviewed by the final review panel.

Complaint Number	Discipline Determination
13-0166	PD 750; Official Reprimand
13-0255	Official Reprimand; Educational-Based Development
13-0308	4 Day SWOP
13-0331	Pending
14-0058 & 14-0064	Pending
14-0093 & 14-0094	Educational-Based Development
14-0176	Pending
14-0185	N/A
14-0216	PD 750
14-0285 (Conciliated)	N/A
14-0290	3 Day SWOP
14-0291	5 days SWOP; Official Reprimand
14-0312, 14-0313, & 14-0314	Official Reprimand; Educational-Based Development; 1 Day in Abeyance & 1 Day Leave Forfeiture

14-0379	Official Reprimand
15-0039	PD 750
15-0047	Pending
15-0084	Official Reprimand
15-0179	5 Day SWOP
15-0197	Pending
15-0241	Official Reprimand; 1 Day in Abeyance
15-0280	1 Day Leave Forfeiture; 2 Days in Abeyance
15-0322	1 Day in Abeyance; 1 Day Leave Forfeiture
15-0383	Pending
16-0020	Pending
16-0053	Educational-Based Development
16-0148 & 16-0149	Pending

FY17 to date

There is one final review panel currently pending, OPC Case No. 16-0020, which was referred to MPD on September 16, 2016, and the final review panel request was sent to OPC on January 13, 2017. No disciplinary action information has been received yet from MPD for FY17Q1.

15. What is OPC's current average caseload for investigators? Please include actual cases investigated rather than all cases OPC intakes but does not investigate or refers elsewhere. Does this caseload reflect best practices?

OPC's current average active caseload for investigators is 10. Yes, this caseload is in line with best practices.

16. If a complainant disagrees with the dismissal of his or her complaint, what recourse, if any, does he or she have with OPC?

OPC's dismissal determinations are final. Complainants can pursue civil remedies.

17. Please list each report published by your office in FY15, FY16, and FY17, to date.

FY15

- OPC Monitoring of the National Action Network's "Justice for All" March
- Ensuring the Accuracy of Address Information in Warrants Executed by MPD Officers
- Proper and Timely Training of DCHA OPS Officers on Contacts, Stops, and Frisks
- Business Cards Revisited: Improving Identification Requirements for MPD Officers
- Improving MPD's Policy on the Use of Chokeholds and Other Neck Restraints

FY16

- 21st Century Policing

FY17 to date

- Ensuring MPD Policies and Procedures are Current
- Language and Conduct
- Notice of Infraction for Excessive Idling
- First Amendment Assembly Observer Reports

18. The “Neighborhood Engagement Achieves Results Act of 2016”, or the “NEAR Act”, made OPC the sole authority to dismiss, conciliate, mediate, or adjudicate a citizen complaint. Prior to the law’s passage, MPD was also tasked with adjudicating citizen complaints. Please provide an update on the transition process, including any implementation challenges.

In December 2016, MPD began forwarding complaints it receives alleging officer misconduct within OPC’s jurisdiction to OPC. In the FY17Q1, MPD referred 18 complaints to OPC for further action. Administrative challenges with the referral process are resolved on a rolling basis as the process is adjusted to accommodate an increased case load.

19. The NEAR Act also enhanced the monitoring and auditing functions of OPC. Specifically, it expanded OPC’s authority to audit citizen complaints as well as all use of force incidents. Please provide the Committee with an update on OPC’s plans to fulfill this mandate in FY17.

Designating OPC as the primary entity responsible for initial processing of complaints allows OPC to better understand and report on community-police relations. Since the passage of the NEAR Act on June 30, 2016, the number of complaints referred to OPC from MPD has increased from about two to three per quarter to 18 in FY17Q1, providing OPC a more comprehensive understanding of complaint activity in the District.

The NEAR Act has also allowed OPC to create a new position for a Research Analyst. That position has been filled, and will allow OPC to better analyze trends in complaints and police activity. Thanks to this addition, OPC has recently begun analyzing complaints data more thoroughly than in the past, and will be able to provide more sophisticated, in-depth information to the Council on all activities under its purview beginning this fiscal year.

OPC will also analyze data on use of force incidents from MPD, which OPC has not had access to in the past. Much of the data necessary to analyze use of force trends is captured in the Body-Worn Camera study discussed below (see question 20). Trends in use of force incidents will be discussed as part of the body worn camera study, but will also be analyzed separately. By the end of the 2017 calendar year, OPC plans to have protocols in place for regularly receiving data on use of force incidents that will allow the agency to monitor, audit, and report on trends in MPD use of force.

- 20. The “Fiscal Year 2016 Budget Support Act of 2015” requires OPC to provide a report to the Council on the effectiveness of MPD’s Body-Worn Camera Program, including an analysis of use of force incidents, by February 1st of each year. Please provide the Committee with an update on the status of this reporting requirement.**

OPC is working in conjunction with The Lab@ DC and MPD in their large-scale study of the effects of the deployment of body worn cameras. This study will assess the effects of body worn cameras on use of force and community member complaints.

Police data for this study was collected between June 28, 2015 and December 15, 2016. The Lab@ DC and MPD are currently engaged in stakeholder engagement activities. The analysis phase of this project will begin in the first week of March 2017 with the report to follow.

- 21. Please discuss any community outreach conducted in FY16 and FY17, to date, and any planned outreach for the remainder of FY17.**

FY16

OPC participated in more than 30 outreach events and activities throughout the District metropolitan area with at least one in each of the District’s eight wards. The agency provided more outreach to the immigrant community and individuals with limited English proficiency, including participating in a Know Your Rights fair at Briya Public Charter and a community services fair at Washington English Center. OPC also continued to work with several District government agencies to increase its public awareness and promote positive community-police interactions. OPC and the District Office of Human Rights collaborated to provide a joint training targeted toward those in the District who are experiencing homelessness. In continuing with its outreach efforts to students, OPC presented to and conducted its Student Interactive Training program at various schools and colleges in the District area, including Dunbar, Eastern, and School without Walls high schools, American University, American University Washington College of Law, and the University of Maryland College Park. Additionally, OPC’s Executive Director Michael G. Tobin participated as a panelist for a number of organizations discussing the importance of improving community trust through effective civilian oversight of law enforcement.

FY17 to date

OPC has conducted 10 outreach events throughout the District. These outreach events included presentations to returning citizens, community leaders and community members, clergy, law enforcement officials, and high school and law school students. By the end of the fiscal year, OPC plans to conduct at least 24 outreach events and activities.

22. How many complaints did the agency receive relating to the Presidential Inauguration and the events surrounding the Inauguration? What is the status of any complaints received?

There have been 17 contacts to OPC that did not result in a formal complaint. OPC has received 5 complaints regarding the events surrounding the Presidential Inauguration. OPC is currently investigating 4 of these complaints and is waiting for additional information from the complainant in the other complaint.

23. In the FY17 budget, the Council provided OPC with funds to hire a research analyst. Has this position been filled?

Yes; the research analyst started employment on January 23, 2017.