



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

February 8, 2016

*Send by Hand Delivery and Electronic Mail (pdf.)*

The Honorable Kenyan McDuffie  
Council of the District of Columbia  
Committee on the Judiciary  
1350 Pennsylvania Avenue, N.W.  
Washington, DC 20004

Dear Councilmember McDuffie:

I am writing on behalf of the Office of Police Complaints (OPC) in response to your letter of January 10, 2016, in which you asked that OPC submit answers to your questions and provide documents in advance of the annual performance oversight hearing for this agency on February 11, 2016. Included below are responses to each request. The requested documents are also attached.

**1. Please provide, as an attachment to your answers, 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. Also provide the date that the information was collected on the chart.**

See Attachment A

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

Investigations: this division has 14 staff members that handle, investigations, other case management responsibilities and, mediations/adjudication. There is also a year-round intern program.

Administration: this division has 7 staff from the executive director to receptionist. We handle the day to day operations of the agency, customer service, public relations and communications with other district agencies and the city administrators. We also have an intern program.

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

Not Applicable

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

See Attachment B

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

Position	Position No.	Program No.	Activity No.	Position Grade	Position Salary	Fringe Benefits	Federal/Local Law
Investigator (2) Posted & 1 selection made	00074895 00070987	Investigation	2010	9/4 11/1	50,203.00 53,585.00	12,292.00 10,608.00	N
Deputy Director Selection made	00073080	Performance Management	1090	ES10	116,482.00	23,064.00	N
Attorney Advisor Not posted as yet	00036669	Policy Recommendation Vacant as of 1/16	4010	14/10	116,320.00	14,805.00	N

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

See Attachment B

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.

There have been no detailed employees to or from the agency.

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 FY15 and FY16, to date;

Employee	Position Title	Equipment	Location/Dates
Michael Tobin	Executive Director	Cellphone	FY 15
Christian Klossner	Deputy Director	Cellphone Laptop	FY 15
Stephanie Banks	Executive Assistant	Cellphone	FY 15
Mona Andrews	Chief Investigator	Cellphone	FY 15

These positions requires that the employee be available when away from the office during work and non-working hours.

Employee	Position Title	Equipment	Location/Dates	Justification
Michael Tobin	Executive Director	Cellphone	FY 16	See above justification
Christian Klossner*	Deputy Director	Cellphone Laptop	FY 16	See above justification
Stephanie Banks	Executive Assistant	Cellphone	FY 16	See above justification
Mona Andrews	Chief Investigator	Cellphone	FY 16	See above justification
Denise Hatchell	Senior Investigator	iPad	FY 16	Investigation Tool
Catherine Twigg	Investigator	iPad	FY 16	Investigation Tool
Anthony Lawrence	Senior Investigator	iPad	FY 16	Investigation Tool
Jessica Rau	Investigator	iPad	FY 16	Investigation Tool
Ora Darby	Senior Investigator	iPad	FY 16	Investigation Tool
Danielle Sutton	Investigator	iPad	FY 16	Investigation Tool
Sergio Ledezma	Investigator	iPad	FY 16	Investigation Tool
Daniel Costello-Essig	Investigator	iPad	FY 16	Investigation Tool
Robert Rowe	Supr. Investigator	iPad	FY16	Investigation Tool

\*Employee resigned effective 10/9/15 and returned all equipment.

- 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 FY15 and FY16, to date;

Vehicle Type	Tag Number	Dates	Accident(s)
2014 4-door Honda Civic Hybrid	DC 8843	FY 15	None
2014 4-door Honda Civic Hybrid	DC 10492	FY 15	None

Vehicle Type	Tag Number	Dates	Accident(s)
2014 4-door Honda Civic Hybrid	DC 8843	FY 16	None
2014 4-door Honda Civic Hybrid	DC 10492	FY 16	None

c. A list of employee bonuses or special award pay granted in FY15 and FY16, to date;  
 No Employees received bonuses or special awards in FY 15 and FY 16 to date.

d. A list of travel expenses, arranged by employee for FY15 and FY16, to date, including the justification for travel; and

**Travel for FY 15**

Employee	Position Title	Total Expense	Location/Dates	Justification
Christian Klossner	Acting Executive Director	\$1629.48	Seattle, WA 10/9/14 – 10/15/14	Seattle's Office of Professional Accountability and Seattle University of Law (ACLU of Washington)
Christian Klossner	Deputy Director	\$641.20	Riverside, CA 1/29/15 – 2/1/15	NACOLE Mid-Winter Conference
Forestine Porter	Attorney Advisor	\$1414.13	Austin, TX 11/12/14 – 11/15/14	NACOLE – ILEAA Training Conference
Michael Tobin	Executive Director	\$2022.61	Riverside, CA 10/4/15 – 10/8/15	NACOLE Conference
Mona Andrews	Chief Investigator	\$2081.27	Riverside, CA 10/4/15 – 10/8/15	NACOLE Conference
Natasha Smith	Investigator Manager	\$1981.07	Riverside, CA 10/4/15 – 10/8/15	NACOLE Conference
Catherine Twigg	Investigator	\$2111.07	Riverside, CA 10/4/15 – 10/8/15	NACOLE Conference
Anthony Lawrence	Senior Investigator	\$1937.07	Riverside, CA 10/4/15 – 10/8/15	NACOLE Conference
Sergio Ledezma	Investigator	\$2081.27	Riverside, CA 10/4/15 – 10/8/15	NACOLE Conference
Nykisha Cleveland	Public Affairs Specialist	\$1720.88	Riverside, CA 10/4/15 – 10/8/15	NACOLE Conference
Paul Ashton	Board Member	\$2129.07	Riverside, CA 10/4/15 – 10/8/15	NACOLE Conference

**Travel for FY 16**

<b>Employee</b>	<b>Position Title</b>	<b>Total Expense</b>	<b>Location/Dates</b>	<b>Justification</b>
Michael Tobin	Executive Director	Donation	Panama City, Panama	State Department requested date 2/14-16/2016

**e. A list of the total overtime and workers' compensation payments paid in FY15 and FY16, to date, including the number of employees who received overtime and workers' compensation payments.**

**FY15**

<b>Employee</b>	<b>Overtime</b>	<b>Workers' Compensation</b>
Ledezma, Sergio	\$5,566.03	0
Andrews, Mona	\$4,191.48	0
Cleveland, Nykisha	\$3,171.97	0
Rowe, Robert	\$3,151.60	0
Twigg, Catherine	\$2,218.68	0
Porter, Forestine	\$2,138.51	0
Hatchell, Denise	\$1,795.58	0
Lawrence, Anthony	\$1,422.70	0
Ryan, Kimberly	\$1,192.72	0
Smith, Nydia	\$548.72	0
Claffey-Smith, Katelyn	\$424.99	0
Sutton, Danielle	\$313.99	0
Howard, Dienna	\$207.16	0
Costello-Essig, Daniel	\$152.75	0
Fox , Stephen	\$137.10	0
Rau, Jessica	\$122.93	0
Banks, Stephanie	\$113.44	0
Mills, Peter	\$103.04	0
Tobin, Michael	0	0
Klossner, Christian	0	0
Bilick, Michal	0	0
Darby, Ora	0	0
Smith, Natasha	0	0

Number of employees received overtime: 18

**FY16**

Employee	Overtime	Workers' Compensation
Porter, Forestine	\$447.39	0
Twigg, Catherine	0	0
Tobin, Michael	0	0
Sutton, Danielle	0	0
Smith, Nydia	0	0
Smith, Natasha	0	0
Ryan, Kimberly	0	0
Rowe, Robert	0	0
Rau, Jessica	0	0
Ledezma, Sergio	0	0
Lawrence, Anthony	0	0
Klossner, Christian	0	0
Howard, Dienna	0	0
Hatchell, Denise	0	0
Darby, Ora	0	0
Costello-Essig, Daniel	0	0
Cleveland, Nykisha	0	0
Bilick, Michal	0	0

Number of employees received overtime: 1

**5. With regard to 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)?**
- b. Please include how the usage of these devices is controlled.**

The standard is for all agency equipment to be signed out/in on an as needed basis or by acknowledgment agreement and returned on exit from the agency.

**c. How does your agency limit the costs associated with its mobile devices?**

We use the citywide usage pool for data and minutes for all devices. New devices are purchased in accordance with contract renewals, resulting in free or low-cost device replacements.

**d. For FY15 and FY16, to date, what was the total cost including, but not limited to, equipment and service plans for mobile communications and devices?**

<b>Devices</b>	<b>FY 2015 and FY16 Cost to Date (02/23/15 thru 2/3/16)</b>
Smartphones (4)	\$2,255.00 to date
Field Mobile Phones (3)	\$660.00 to date
VPN (7)	FY15 -7 VPN @ 25.00 = \$175 FY16- 7 VPN @ 35.00 = \$245.00
Air Card for Laptops (1)	After 3/2015 Not Applicable
<b>Total spent to date for FY15 and FY 16</b>	<b>\$4,309.00 to date</b>

**6. For FY15 and FY16, to date, please list all intra-District transfers to or from the agency.**

See Attachment C

**7. For FY15 and FY16, 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; and (5) expenditures of funds, including the purpose of each expenditure.**

To date, OPC neither maintains, uses, nor has available to use any special purpose revenue funding during fiscal year 2015.

**8. For FY15 and FY16, to date, please list any purchase card spending by the agency, the employee making each expenditure, and the general purpose for each expenditure.**

<b>Authorized Agency Cardholders</b>	<b>Limits per</b>		<b>Purpose</b>	<b>Purchases FY 2015</b>
	<b>Per Day</b>	<b>Per Month</b>		
Stephanie Banks	5,000	20,000	Office Supplies Training Memberships Subscription Recruiting	\$8,637.70
Kimberly Ryan	5,000	20,000	Office Supplies Travel Training Memberships Subscription Recruiting	\$66,689.19 Total

Authorized Agency Cardholders	Limits per		Purpose	Purchases FY 2016 to Date
	Per Day	Per Month		
Stephanie Banks	5,000	20,000	Office Supplies, Membership, Dues, Training	7,159.00
Kimberly Ryan	5,000	20,000	Office Supplies Travel Training Memberships Subscription	11,381.00 Total

**9. Please list all memoranda of understanding (MOU) entered into by your agency during FY15 and FY16, to date, as well as any memoranda of understanding currently in force. For each, indicate the date entered and the termination date.**

To date, OPC has not entered into any MOU's during fiscal year 2015 or 2016.

**10. Please list the ways, other than memoranda of understanding, in which the agency collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in FY15 and FY16, to date.**

The OPC is periodically consulted by other jurisdictions across the country on issues concerning police oversight, police misconduct, and law enforcement policies and procedures. The 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, the OPC has informal relationships with the federal law enforcement agencies that have concurrent jurisdiction in the District, for purposes of conducting our misconduct investigations. The OPC is a regular participant and active partner in the national organization of civilian oversight agencies and in December 2015 the District was host to a national symposium on police oversight in conjunction with the University of the District of Columbia School of Law.

**11. Please list all currently open capital projects, including an update on all capital projects under the agency's purview in FY15 and FY16, to date, including the amount budgeted, actual dollars spent, and any remaining balances. In addition, please provide:**

There has been no capital projects opened in fiscal years 2015 or 2016.



- a. An update on all capital projects begun, in progress, or concluded in FY14, FY15, and FY16, to date, including the amount budgeted, actual dollars spent, and any remaining balances.
- b. An update on all capital projects planned for FY16, FY17, FY18, FY19, FY20, and FY21.
- c. Do the capital projects begun, in progress, or concluded in FY14, FY15, or FY16 to date have an impact on the operating budget of the agency? If so, please provide an accounting of such impact.

At this time there are no capital projects planned for FY 16.

12. Please provide, as an attachment, a list of all budget enhancement requests (including, but not limited to, capital improvement needs), for FY15 and FY16, to date. For each, include a description of the need and the amount of funding requested.

The OPC had no budget enhancements for FY15 or FY16 to date.

13. Please list, in chronological order, every reprogramming in FY15 and FY16, 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 reprogramming's for FY15 and FY16. For each reprogramming, list the date, the amount, the rationale, and the reprogramming number.

See Attachment D

14. Please list each grant or sub-grant received by your agency in FY15 and FY16, 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 in fiscal year 2015 or 2016.

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?

OPC has no employees dependent on grant funding.

16. Please list all pending lawsuits that name the agency as a party. Please identify which cases on the list are lawsuits that potentially expose the city 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.

District of Columbia Court of Appeals No. 14-CV-1015; Fraternal Order of Police V. District of Columbia Public Employee Relations Board and District of Columbia Office of Police Complaints (Intervener). This case is an appeal from a ruling of the Public Employee Relations Board (PERB) that found OPC is not obligated, statutorily or otherwise, to bargain with FOP, and that OPC is not a party to the FOP collective bargaining agreement. FOP appealed the decision to the Superior Court, which affirmed the decision of PERB. FOP now appeals the adverse finding of PERB and the Superior Court to the Court of Appeals. Oral argument was held on February 3, 2016.

**17. Please provide the total number of administrative complaints or grievances that the agency received in FY15 and FY16, 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.**

The OPC had no administrative complaints or grievances in FY 15 or FY16 to date.

**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 FY15 and FY16, to date.**

There are no ongoing or completed investigations, audits, or reports for FY 2015 or 2016.

**19. Please describe any anticipated spending pressures for FY16. Include a description of the pressure, the estimated amount, and any proposed solutions.**

OPC does not anticipate any spending pressure for fiscal year 2016.

**20. Please provide, as an attachment, a copy of the agency's FY15 performance plan. Please explain which performance plan objectives were completed in FY15 and whether or not they were completed on time and within budget. If they were not, please provide an explanation.**

See Attachment E

**21. Please provide, as an attachment, a copy of your agency's FY16 performance plan as submitted to the Office of the City Administrator.**

See Attachment F

**22. Please provide the number of FOIA requests for FY15 and FY16, to date. 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, and the estimated number of hours spent responding to these requests.**

**FY15**

Number of FOIA requests - 222

Number of requests granted - 5

Number of requests partially granted - 26

Number of requests denied - 183

Number of request pending – 0

Average response time – 14 days

Estimated number of FTEs required to process requests – 1.0

Estimated number of hours spent responding to these requests – 190

**FY16 to date**

Number of FOIA requests - 52  
 Number of requests granted - 0  
 Number of requests partially granted - 3  
 Number of requests denied - 24  
 Number of request pending – 17  
 Average response time – 15 days  
 Estimated number of FTEs required to process requests – 1.0  
 Estimated number of hours spent responding to these requests – 20

**23. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared, or contracted for, during FY15 and FY16, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee.**

There are no studies, research papers, or reports prepared by or on behalf of OPC during FY 2015 and FY 2016. Reports generated on MPD policy and practice is listed separately in response to Agency Operations Question #9.

**Personnel**

- 1. Please separately list each employee whose salary was \$110,000 or more in FY15 and FY16, 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.**

See Attachment G

- 2. Please list in descending order the top 25 overtime earners in your agency in FY15 and FY16, to date. 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.**

Employee	Position #	Position Title	Program #	Activity #	Salary	Fringe	Amount
Porter, Forestine	00036669	Attorney Advisor	4000	4010	\$116,320.00	17,488.00	\$2,138.51
Hatchell, Denise	00075267	Sr. Investigator	2000	2010	77,464.14	9,900.02	\$1,795.58
Lawrence, Anthony	00003480	Sr. Investigator	2000	2010	\$79,031.73	15,648.28	\$1,422.70
Ryan, Kimberly	00024773	Staff Assistant	2000	2010	\$56,813.98	19,394.00	\$1,192.72

Smith, Nydia	00069594	Clerical Assistant	1000	1090	\$39,020.00	19,394.70	\$548.72
Claffey-Smith, Katelyn	00070987	Investigator	2000	2010	\$57,413.48	11,367.87	\$424.99
Sutton, Danielle	00071978	Investigator	2000	2010	\$62,200.00	11,957.72	\$313.99
Howard, Dienna	00070918	Clerical Assistant	2000	2010	\$45,774.00	8,303.62	\$207.16
Costello-Essig, Daniel	00034841	Investigator	2000	2010	\$58,754.00	11,854.18	\$152.75
Fox, Stephen	00069541	Investigator	2000	2010	\$58,754.00	14,652.75	\$137.10
Rau, Jessica	00000295	Investigator	2000	2010	\$63,923.00	7,589.66	\$122.93
Banks, Stephanie	00021018	Executive Assistant	1000	1090	\$78,654.00	15,573.74	\$113.44
Mills, Peter	00034841	Investigator	2000	2010	\$53,585.00	11,367.87	\$103.04
Tobin, Michael	00000195	Executive Director	1000	1090	\$184,780.00	32,218.51	0
Klossner, Christian	00073080	Deputy Director	1000	1090	\$116,482.70	23,063.57	0
Bilick, Michal	00001219	Program Analyst II	2000	2010	\$57,031.00	11,633.29	0
Darby, Ora	00042322	Sr. Investigator	2000	2010	\$72,480.00	9,297.86	0
Smith, Natasha	00048812	Investigator Manager	2000	2010	\$89,022.90	20,348.12	0

FY16

Employee	Position #	Position Title	Program #	Activity #	Salary	Fringe	Amount
Porter, Forestine	00036669	Attorney Advisor	4000	4010	\$119,811.00	15,731.30	\$447.39

3. For FY15 and FY16, to date, please provide a list of employee bonuses or special award pay rated that identifies the employee receiving the bonus or special pay, the amount received, and the reason for the bonus or special pay.

There were no bonuses or special award pay granted in FY15 and FY16 to date.

**4. 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.**

The Office of Police Complaints is non-union.

**Agency Operations**

1. What are your top five priorities for the agency? Please provide a detailed explanation for how the agency expects to achieve or work toward these priorities in FY16 and FY17.

**(1) Improve community trust in the Metropolitan Police Department.**

The OPC maintains and improves community trust in our police departments by holding police officers accountable for misconduct with an effective citizen complaint program and by providing a reliable system of police policy review. The OPC intends to improve upon its current model of civilian oversight in FY 2016 and FY 2017 by pursuing modifications in its statutory authority that will enhance its mission and assist our police forces in improving public safety. These modifications will require modest changes in operations at nominal taxpayer cost, while providing the potential for increases in community trust that cannot be achieved under the current statutory scheme. The modifications may include reducing the case load of citizen complaints investigated by MPD in favor of 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; granting OPC the authority to provide a neutral, unbiased, and independent monitoring and public reporting function for all misconduct complaints, use of force, officer-involved shooting, and death in custody incidents, together with useful and objective review and recommendations for training and policy improvements in these areas; and providing 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.**

The 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 citizen complaint investigation program. The OPC will continue monitoring its internal operations to ensure that the gains experienced in completing investigations will continue for FY 2016 and FY 2017.

**(3) Expand community outreach of OPC.**

This past year the 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 FY 2016 and FY 2017 OPC plans to further expand the reach of this program with more partner agencies and organizations throughout the District.

**(4) Fully integrate police body-worn cameras into the OPC investigative and policy functions as full deployment to MPD is implemented.**

With the pending deployment of body-worn cameras to all patrol officers in MPD, the OPC will develop and integrate this new technology into its investigation processes and scale up the use from the current pilot program. Immediate and unrestricted access to the body-worn camera footage has already aided in investigations, and the impact of the implementation of full deployment of cameras will be a FY 2016 and FY 2017 priority.

**(5) Improve the methods available to OPC to resolve misconduct complaints.**

The OPC is integrating body-worn cameras and new investigation procedures into its complaint resolution program. In addition, recommended statutory changes pertaining to the resolution of specific misconduct complaints that are delineated in the response to question #1 above, including rapid resolution and direct referral of some complaints to MPD supervisors will greatly enhance OPC operations and its ability to provide a viable citizen complaint system.

**2. 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.**

The OPC is reviewing several potential policy issues that currently require additional research prior to a decision to make a formal recommendation. These potential areas include mechanisms of police conduct and operations recognized by the President's Task Force on 21<sup>st</sup> Century Policing as issues in need of improvement by many police forces in the United States. The OPC is reviewing the Task Force recommendations as they apply to the Metropolitan Police Department to determine and prioritize improvements in policy, training, and internal operations. The OPC is also reviewing potential recommendations concerning the viability of assisting MPD in reviewing and obtaining national accreditation of its policies and procedures. In addition, OPC has established an informal working group with MPD that meets and confers on a regular basis to discuss policy, training, and operational issues that can be implemented in rapid fashion and without the necessity for the time and resources needed for publication of a formal policy recommendation.

**3. In FY14, FY15, and FY16, to date, how many people contacted OPC to inquire about filing a complaint? See chart below**

	FY 2014	FY 2015	FY 2016 to Date (1/27/16)
Number of contacts from the public inquiring about filing a complaint	1095	1420	411
Complaints Received	389	407	116
Complaints Closed	442	526	156

**a. How many complaints were received? See chart above.**

**b. How many complaints were closed? See chart above.**

**4. In FY14, FY15, and FY16, to date, how many full investigative reports were completed? See chart**

	FY 2014	FY 2015	FY 2016 to Date (1/27/16)
Investigative Reports completed	279	324	99
Adjudicated cases	8	11	9
Mediated/Conciliated cases	29	43	14

**a. How many were adjudicated? See chart above.**

**b. How many were successfully mediated? See chart above.**

**5. In FY14, FY15, and FY16, to date, how many cases were referred to an independent hearing examiner? See chart below**

	Fiscal Year 2014	Fiscal Year 2015	Fiscal Year 2016 (To date 1/27/16)
Cases referred to an independent hearing examiner	6	15	17
Cases that resulted in administrative hearing	1	3	7
Cases where complainants were represented by counsel	1	3	7

- a. How many of those cases resulted in a hearing? See chart above
- b. How many complainants were represented by counsel in those hearings? See chart above

**6. (a) In FY15, FY15, and FY16, to date, how many decisions sustaining police misconduct allegations were forwarded to MPD? See chart below**

	Fiscal Year 2014	Fiscal Year 2015	Fiscal Year 2016 (To date 1/27/16)
Sustained police-misconduct decision that were forwarded to MPD	8	8	9
Outcomes of sustained cases referred to MPD for discipline	2- Official Reprimand 3- Letter of Prejudice 2- PD 750  1-MPD rejected merits determination- no discipline imposed	1- Five Day SWOP 1- Two Day SWOP 1- One Day SWOP 2- Official Reprimand  3- Pending	MPD has not yet reported discipline for any of these cases
Final Review Panel upholds original Complaint Examiner decision	1 FRP held- and decision was upheld	0 held	*An allegation for one case was reversed by a final review panel; however, the sustained finding for the main allegation was not reversed.

- (b) What were the outcomes of cases referred to MPD in FY14? FY15, and FY16, to date? See chart above
- (c) How many cases were upheld by a final review panel? See chart above



**7. 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. Is this the ideal caseload?**

OPC's current average caseload per investigator is eight. This caseload has allowed us to reach and maintain our agency bench marks.

**8. 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.

**9. Please list each report published by your office in FY14, FY15, and FY16, to date.**

**2016**

- OPC Monitoring of the "Justice or Else" Rally October 10, 2015 published on October 23, 2015;
- FY 2015 Annual Report, published on January 13, 2016.

**2015**

- OPC Monitoring of the National Action Network's "Justice for All" March on December 13, 2014, published December 19, 2014
- Ensuring the Accuracy of Address Information in Warrants Executed by MPD Officers, published on April 10, 2015
- Proper and Timely Training of DCHA OPS Officers on Contacts, Stops, and Frisks, published on May 11, 2015
- Business Cards Revisited: Improving Identification Requirements for MPD Officers, Published on May 21, 2015
- Improving MPDs Policy on the Use of Chokeholds and Other Neck Restraints, published on August 10, 2015
- FY 2015 Mid-Year Report.

**2014**

- FY 2013 Annual Report;
- MPD Enforcement of the District's Window Tint Law, published November 21, 2013;
- Enhancing Police Accountability Through An Effective On-body Camera Program for MPD Officers, published May 8, 2014.

**10. Please describe the relationship between OPC and the Office of Unified Communications. Is there currently a backlog of outstanding records requests?**

OPC now uses an online program through RemedyForce to submit requests to OUC electronically, allowing these requests to be made more quickly and more directly. This system, combined with increased mutual communication and intra-agency training, has resulted in a shorter turnaround time to fulfill requests and a complete elimination of backlogged requests for OUC documents.

**11. (a) Please list all current members of the Police Complaints Board. For each member, include their appointment date, term status, a brief description of their credentials, and if the position is vacant, include the date the position became vacant.**

<b>Board Member</b>	<b>Appt. Date</b>	<b>Term status</b>
Kurt Vorndran, Chairperson	1/12/06	Term ended 1/12/14, serving until reappointed or seat filled
Asst. Chief Patrick Burke	1/12/06	Term ends 1/12/15, serving until reappointed
Iris Chavez	1/5/12	Term ended 1/12/15
Karl Fraser	1/12/06	Term ended 1/12/14
Margaret Moore	6/27/07	Term ended 1/12 /15
Paul Ashton	1/20/15	Terms ends 1/20 /17

Please see attachment H for description of board member credentials.

**(b) Additionally, please list the dates the Board met in FY15.**

FY 2015 Board Meeting Dates

October 2, 2014

November 13, 2014

January 22, 2015

March 19, 2015

May 28, 2015

September 17, 2015

**12. How does the OPC process for police oversight of citizen complaints compare to processes in other jurisdictions?**

When comparing how the process for police oversight in the District compares to the 150-plus other agencies around the United States that focus on independent review of the police, it is helpful to view such offices along a continuum. On one end of the continuum are “investigative” models. These agencies are primarily staffed by non-police investigators handling citizen complaints of police misconduct. On the other end of the spectrum are “auditor” or “monitor” models. These agencies tend to review cases being investigated by the internal affairs unit of a police department, and such offices often are empowered to select which cases they will review. Depending on available resources and staffing, auditors/monitors are sometimes able to examine systemic problems within a police department and issue policy recommendations proposing reforms. In the middle of the spectrum are “hybrid” offices that perform some combination of investigation and monitoring functions, with varying degrees of authority and jurisdiction.

While OPC operates largely as an investigative model agency (with 15 of its 22 staff members working in the investigative unit), OPC is actually a hybrid model in that the agency, under the statutory authority conferred to it by the District Council, also issues policy recommendations, mediates some cases, performs community outreach, and periodically monitors large protests.

The comparison of operational functions among oversight agencies is a relatively simple exercise. The difficulty arises when attempting to determine which type of agency is more effective in performing its mission. Mission effectiveness of oversight agencies typically is dependent upon proper budget and personnel allocations, along with an appropriate level of statutory authority. OPC performs its mission in an effective manner within its statutory confines. However, OPC is also significantly restricted by the current statutory framework, limiting its ability to assist MPD with improving community trust and providing for public safety in the District. The OPC has experienced and trained

personnel that are eager and capable of helping to build bridges between the community and MPD, but the current statutes limit agency effectiveness. In FY 2016 and FY 2017, OPC will work with the community, District Council, and MPD to improve upon the current model of civilian oversight by implementing statutory modifications that will enhance our ability to provide effective citizen oversight in our nation's capital.

**Additional Information**

Please see attachment I for FY 15 and FY 16 Budget Versus Actual Spending By Program.

Thank you for the opportunity to address these inquires. I look forward to providing any additional information at the performance oversight hearing. Please contact me if any further information is desired or any other questions arise.

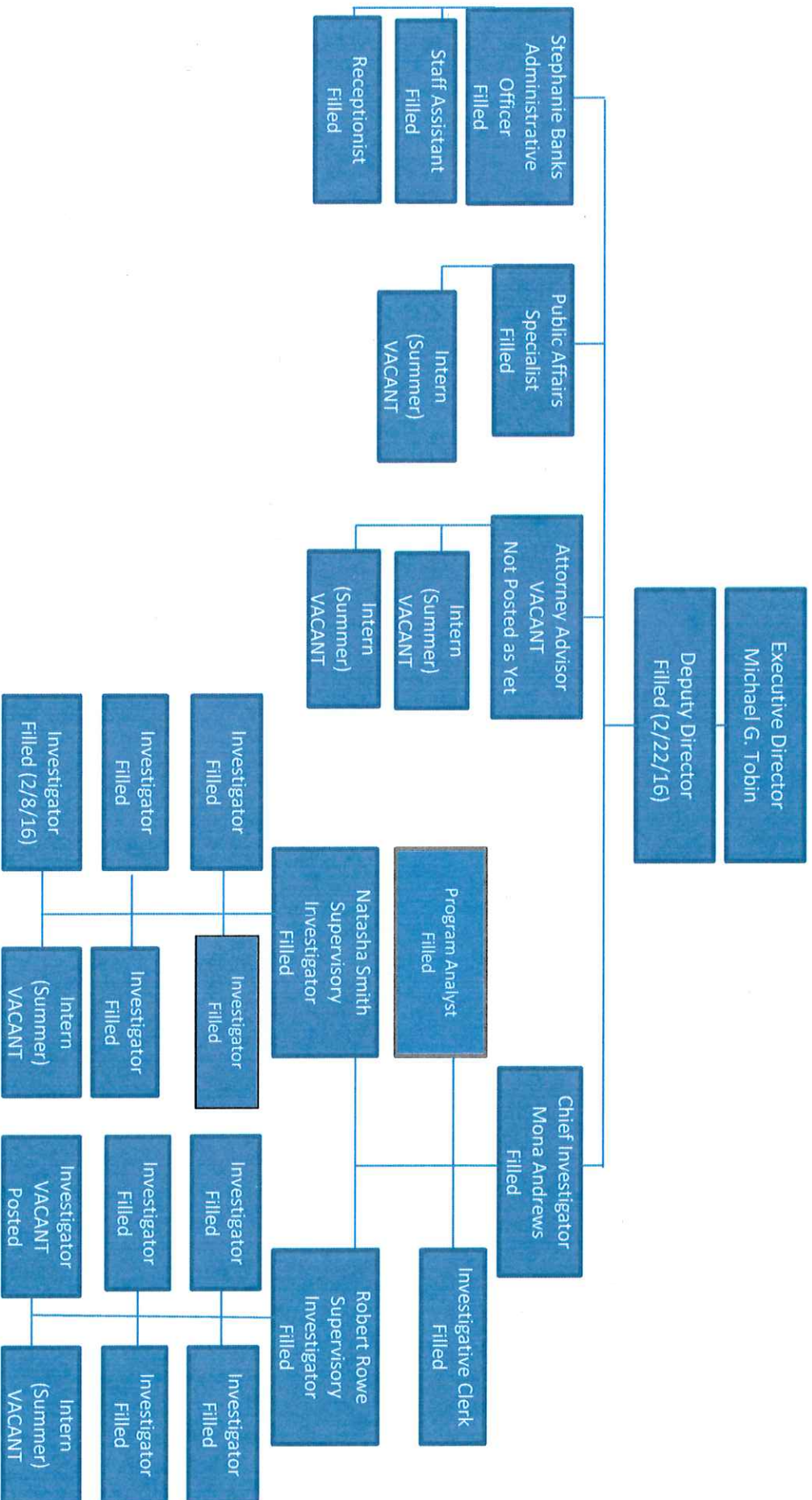
Sincerely,

A handwritten signature in black ink, appearing to read "Michael Tobin", written over a horizontal line.

Michael Tobin  
Executive Director

# **Attachment A**

# Office of Police Complaints Organizational Chart



Michael G. Tobin, Executive Director  
February 4, 2016

# **Attachment B**

OFFICE OF POLICE COMPLAINTS  
FY 2016 SCHEDULE A

Agency Code	Fiscal Year	Program Code	Activity Code	Filled, Vacant or Frozen	Position Title	Employee Name	Hire Date	Grade	Step	Salary	Fringe	FTE	Reg/Temp/ Term	Position Number	Filled by Law Y/N
FHO	16	1000	1085	F	Clerical Assistant	Smith, Nadia	09/28/09	6	7	41,385.00	19,552.67	1.00	Reg	69594	N
FHO	16	1000	1090	F	Executive Assistant	Banks, Stephanie	08/11/03	12	8	83,134.00	16,333.89	1.00	Reg	21018	N
FHO	16	1000	1090	F	Staff Assistant	Ryan, Kimberley	11/21/11	11	4	60,517.00	21,931.58	1.00	Reg	24773	N
FHO	16	1000	1090	V	Deputy Director			11	1	119,968.00	21,594.24	1.00	Reg	73080	N
FHO	16	1000	1090	F	Executive Director	Tobin, Michael	11/23/14	11	1	190,323.00	24,299.08	1.00	Term	195	N
FHO	16	2000	2010	F	Program Analyst	Billick, Michal	04/22/15	11	3	58,743.00	10,573.74	1.00	Reg	1219	N
FHO	16	2000	2010	F	Investigator	Rau, Jessica	10/14/13	11	7	65,839.00	8,668.00	1.00	Reg	295	N
FHO	16	2000	2010	F	Investigator	Lawrence, Anthony	07/29/02	12	8	83,134.00	16,049.54	1.00	Reg	3480	N
FHO	16	2000	2010	F	Supervisory Investigator	Andrews, Mona	12/13/04	14	1	103,621.00	24,475.62	1.00	Reg	13878	N
FHO	16	2000	2010	F	Investigator	Hatchell, Denise	01/17/12	12	5	76,774.00	10,378.51	1.00	Reg	75267	N
FHO	16	2000	2010	F	Investigator	Darby, Ora	12/31/12	12	5	76,774.00	9,725.00	1.00	Reg	42322	N
FHO	16	2000	2010	F	Supervisory Investigator	Smith, Natasha	08/13/01	13	1	91,694.00	20,867.00	1.00	Reg	48812	N
FHO	16	2000	2010	F	Investigator	Rowe, Robert	02/25/13	13	1	91,243.00	29,264.00	1.00	Reg	48814	N
FHO	16	2000	2010	F	Investigator	Sutton, Danielle	06/01/14	11	6	60,517.00	5,114.00	1.00	Reg	71978	N
FHO	16	2000	2010	F	Investigator	Ledezma, Sergio	05/05/14	11	4	60,517.00	13,869.00	1.00	Reg	70898	N
FHO	16	2000	2010	F	Investigator	Lindsey Murphy	02/08/16	9	4	50,203.00	9,036.54	1.00	Reg	74895	N
FHO	16	2000	2010	F	Investigator	Essig, Daniel	06/01/15	11	4	60,517.00	22,814.00	1.00	Reg	34841	N
FHO	16	2000	2010	F	Investigator	Twigg, Catherine	01/13/14	11	3	58,743.00	20,282.00	1.00	Reg	82621	N
FHO	16	2000	2010	F	Clerical Assistant	Howard, Dianna	01/30/12	7	8	47,146.00	11,423.00	1.00	Reg	70918	N
FHO	16	2000	2010	V	Investigator			11	3	58,743.00	10,573.74	1.00	Reg	69541	N
FHO	16	2000	2010	F	Clerical Assistant	Summer Intern		5	1	7,723.46	-	0.25	Temp	2513	N
FHO	16	2000	2010	V	Clerical Assistant	Summer Intern		5	1	7,723.46	-	0.25	Temp	4941	N
FHO	16	2000	2010	V	Clerical Assistant	Cleveland, Nykisha	07/23/07	11	8	67,613.00	14,384.24	1.00	Reg	12551	N
FHO	16	3000	3010	F	Public Affairs Specialist	Summer Intern		5	1	7,723.46	-	0.25	Temp	2977	N
FHO	16	4000	4010	V	Attorney Advisor	Summer Intern		14	10	119,811.00	15,731.30	1.00	Reg	36669	N
FHO	16	4000	4010	V	Clerical Assistant	Summer Intern		9	1	11,454.00	-	0.25	Temp	1858	N
FHO	16	4000	4010	V	Clerical Assistant	Summer Intern		9	1	11,454.00	-	0.25	Temp	34881	N
AGENCY GRAND TOTAL										\$ 1,776,585.38	\$ 326,825.15	23.25			



# **Attachment C**



# **Attachment D**

**OFFICE OF POLICE COMPLAINTS**

**FY 2015 REPROGRAMMING LIST**

LOCAL					Starting Budget	\$2,241,298
FISCAL YEAR	FUND	DATE	DESCRIPTION	AMOUNT		
2015	0100	7/17/2015	Reduction in PS due to salary lapse of new agency director, and four resignations			(\$97,587)
			Increase in Overtime budget			\$23,287
			Increase in NPS to purchase general office supplies, tablets for use by Investigators, computer equipment			\$74,300
<b>Final Budget</b>						<b>\$2,241,298</b>

**OFFICE OF POLICE COMPLAINTS  
FY 2016 REPROGRAMMING LIST**

LOCAL		Starting Budget				\$2,291,634
FISCAL YEAR	FUND	DATE	SOAR DOC #	DESCRIPTION	AMOUNT	
2016	0100				\$0	
Final Budget					\$2,291,634	

# **Attachment E**



**FY 2015 PERFORMANCE PLAN  
DC Office of Police Complaints**

**MISSION**

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

**SUMMARY OF SERVICES**

OPC receives, investigates, adjudicates, and mediates police misconduct complaints filed by the public against Metropolitan Police Department (MPD) and D.C. Housing Authority (DCHA) police officers. In addition to these responsibilities, the agency issues policy recommendations to the Mayor, the Council of the District of Columbia, and the Chiefs of Police of MPD and DCHA's Office of Public Safety proposing reforms that will promote greater police accountability by reducing the level of police misconduct or improving the citizen complaint process.

<b>Measure</b>	<b>FY 2012 Actual</b>	<b>FY 2013 Actual</b>	<b>FY 2014 YTD<sup>1</sup></b>
Number of contacts from the public inquiring about filing a complaint	1241	1046	1026
Number of complaints received	574	440	373

**OBJECTIVE 1: Resolve police misconduct complaints in an impartial, timely, and professional manner.**

**INITIATIVE 1.1: Maintain OPC's training program for investigators.**

OPC's effectiveness is tied in significant measure to its ability to resolve fairly and promptly police misconduct complaints filed with the agency. In FY14, 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

<sup>1</sup> As of 9/11/14

opportunities, including, but not limited to, sending new agency employees to 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.

**Completion date: September 30, 2015.**

**INITIATIVE 1.2: Improve access to evidence in the possession of MPD.**

OPC's ability to resolve investigations promptly relies in significant part on the timely production by MPD of documents and evidence in its possession. In FY 2014, OPC worked with MPD to develop a system whereby OPC can have direct access to MPD documents that OPC is entitled by statute to receive. Initial efforts have produced some benefit, but there are many technical issues to resolve. OPC will continue to work with MPD to test the system and refine OPC's ability to obtain the documents it needs as quickly as possible. **Completion date: September 30, 2015.**

**INITIATIVE 1.3: Research the techniques of non-District oversight agencies.**

OPC representatives have made visits to other citizen oversight agencies, namely, the Citizen Complaint Review Board of New York City and San Francisco's Office of Citizen Complaints, to learn about investigative and management techniques that could help OPC be even more effective and efficient. Areas of inquiry included, among others, training strategies, access to police documents, case management and review, data analysis, and use of technology. OPC will complement those efforts by conducting similar visits to at least one additional non-District oversight agency, and not more than two. **Completion date: September 30, 2015.**

**INITIATIVE 1.5: Explore the creation of a permanent conciliation program.**

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. OPC will have conduct an assessment of its effectiveness, and take steps to determine how, if at all, the agency can implement such a program permanently. **Completion date: September 30, 2015.**

**OBJECTIVE 2: Promote positive community-police interactions through public education and awareness.**

**INITIATIVE 2.1: Conduct OPC outreach efforts throughout the District.**

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 FY14. By September 30, 2015, OPC plans to conduct at least 24 of these events, with at least one such session in each of the District's eight wards. Due to recent reports highlighting concerns expressed by the LGBTQ community regarding policing in the District, OPC will focus its efforts on outreach to members of the LGBTQ community. **Completion Date: September 10, 2015**

**INITIATIVE 2.2: Provide training about OPC services to other District agencies.**

OPC regularly invites presenters from other District agencies to explain their services and mission to OPC staff members, which in turn allows OPC to provide better service and more thorough information to people who contact the agency. In FY15, OPC will conduct at least two similar training sessions for employees of other District government entities, targeting those offices that provide direct services to the public in situations likely to involve the police. This targeted outreach will allow OPC to focus on getting information about the agency's complaint process and mission to the District's front-line service providers, resulting in more comprehensive access to OPC services by District residents. **Completion Date: September 30, 2015.**

**OBJECTIVE 3: Enhance OPC's ability to effect police reform by issuing policy recommendations to the Mayor, the District Council, MPD, and DCHA.**

**INITIATIVE 3.1: Review and analyze sustained complaints of police misconduct.**

During Fiscal Year 2014, OPC complaint examiners sustained numerous complaints of police misconduct. In FY15, OPC staff members will review the findings of all complaints sustained during that year and look for patterns or trends that bear further review and analysis and possibly warrant the issuance of policy recommendations.

**INITIATIVE 3.2: Enhance training for OPC staff working on policy recommendations.**

Conducting research for policy recommendations requires the systematic review of police policies and procedures, as well as the review of hundreds of citizen complaints. OPC has identified an accreditation and training opportunity for this skill set. The agency will send an agency staff member to pursue certification as a Certified Law Enforcement Auditor (CLEA) from the International Law Enforcement Auditors' Association (ILEAA), an organization devoted to setting standards for audits and policy reviews conducted by independent police oversight entities. Such a certification will promote the quality and integrity of the agency's policy reports and recommendations.

**This initiative will be completed September 30, 2015.**



**KEY PERFORMANCE INDICATORS – D.C. Office of Police Complaints**

Measure	FY 2013 Actual	FY 2014 Target	FY 2014 YTD <sup>2</sup>	FY 2015 Projection	FY 2016 Projection	FY 2017 Projection
Percent of investigations completed and reports produced by the agency within six months.	45.33%	60%	N/A	60%	60%	60%
Percent of Complaint Examiner decisions issued within 120 days.	88.24%	80%	N/A	80%	80%	80%
Percent of complaints resolved through mediation. <sup>3</sup>	6.67%	9%	N/A	9%	9%	9%
Number of outreach activities sponsored or attended by OPC.	28	24	N/A	24	24	24

<sup>2</sup> Data was not provided at the publishing of this report. See FY 14 Performance Accountability Report for data.

<sup>3</sup> This Key Performance Indicator is also an industry measure. In assessing the effectiveness of mediation programs used by different police oversight agencies, experts in the field consider the percentage of all complaints that were successfully mediated by an oversight agency. See Samuel Walker, Carol Archbold, and Leigh Herbst, *Mediating Citizen Complaints Against Police Officers: A Guide for Police and Community Leaders*, U.S. Department of Justice, Office of Community Oriented Policing Services at 40 (2002). OPC's performance places it at or near the top when compared to other mediation programs in the United States.

# **Attachment F**

District of Columbia Planning Documents

My Apps | EOM Budget an... | CBE Subcontract... | Office of Partner... | OCA: District Per... | New 2016 DSLB... | DPR Service Re... | OHR Quarterly... | DSLBD Agency... | OCA Hiring Prot... | New App

Home

Performance Plans | Edit Office of Police Complaints FY2016

Agency Office of Police Complaints

To edit agency and POC information press your agency name (underlined and in blue above).

Agency Acronym DOPC

Agency Code FH0

Return

Agency Performance POCs

Michael Tobin | Monal(DOPC) Andrews | Stephanie (DOPC) Banks

Agency Budget POCs

Michael Tobin | Monal(DOPC) Andrews | Stephanie (DOPC) Banks

Fiscal Year 2016

Agency Determination: FY2016 complete with metrics and Q1 data?

OCA Determination: FY2016 complete with metrics and Q1 data?

When you believe you are finished with this phase of your Performance Plan, press edit in the upper right, check this box, and then press save.

2016 Workload Measures

THIS PROCESS HAS CHANGED. Add Workload Measures one at a time by using the button to the right. Once you have added the measure and saved it, press the Add Data button next to each measure. At the bottom of each measure use the chart of data to input your values. KPIs should be added from each Objective. DO NOT USE THIS BUTTON FOR KEY PERFORMANCE INDICATORS.

Add Workload Measure (NOT KPI)

Performance Plan Measures (FY16 Workload)

Performance Plan Metrics: Frequency of Reporting Measure Add Data (if applicable) FY2013 FY2014 FY2015 Q1FY2016  
No measures found

2016 Key Performance Indicators

THIS PROCESS HAS CHANGED. Add Key Performance Indicators one at a time by pressing the button next to the matching Objective in the chart two below. Once you have added the measure and saved it, press the Add Data button next to each measure. At the bottom of each measure use the chart of data to input your values.

Performance Plan Measures (FY16 KPIs) Linked to Specific Objective

Performance Plan Metrics: Division Frequency of Reporting Measure Current Fiscal Year Target Long-Term Target (if different) Add Data (if applicable) FY2013 FY2014 FY2015 Q1FY2016  
No measures found

We will work toward having all of the KPIs linked to a specific Objective. If you want to email MeghanKhanter.Fowler-Finn@dc.gov a spreadsheet that shows to which Objectives the KPIs should be linked, she can make the connections.

Performance Plan Measures (FY16 KPIs) Not Linked to Specific Objective	Full Report	Grid Edit	Email	More	4 Measures	Measure	Current Fiscal Year Target	Long-Term Target (if different)	Add Data (if applicable)	FY2013	FY2014	FY2015	Q1FY2016
(empty) (4 Measures)													
Key Performance Indicator					Quarterly	Percent of investigations completed by the agency within six months.	60			45.33	41.25	39.14	54.55
Key Performance Indicator					Quarterly	Percent of Complaint Examiner decisions issued within 120 days.	80			88.24	87.5	100	100
Key Performance Indicator					Quarterly	Percent of complaints resolved through mediation.	9			6.67	6.63	71.94	15
Key Performance Indicator					Quarterly	Number of outreach activities sponsored or attended by OFC.	24			28	26	37	7
TOT							173						

2016 Objectives

Add Strategic Objective

# of Objectives 3

FY16 Objectives

Full Report | Grid Edit | Email | More 3 Objectives

# of Initiatives 7

Division/Department	Objective Number	Objective Description	Add Key Performance Indicator	Add Initiative
Investigations	1	Resolve police misconduct complaints in an impartial, timely, and professional manner	Add Key Performance Indicator	Add Initiative
Outreach	2	Promote positive community-police interactions through public education and awareness.	Add Key Performance Indicator	Add Initiative
Policy Management (1 Objective)	3	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.	Add Key Performance Indicator	Add Initiative

2016 Initiatives

Full Report	Grid Edit	Email	More	7 Initiatives					
Division/Department	Objective Number	Objective Title	Objective Description	Initiative Number	Initiative Title	Initiative Description	Initiative Year	Link to District Priority Goal	Link to Special Mayor/ Plan

Investigations	1	Resolve police misconduct complaints in an impartial, timely, and professional manner	Resolve police misconduct complaints in an impartial, timely, and professional manner	1.0	Maintain OPC's training program for investigators.	<p>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 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 (NAOCLE). This has increased OPC staff members' knowledge and enthusiasm for their work, and helped decrease OPC's start 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 NAOCLE. 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.</p>	FY15	Link to District Priority Goal	Link to Special Mayor/ Plan
Investigations	1	Resolve police misconduct complaints in an impartial, timely, and professional manner	Resolve police misconduct complaints in an impartial, timely, and professional manner	2.0	Integrate body-worn camera footage into OPC's Investigative policies and procedures	<p>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 March 30, 2016.</p>	FY15	Link to District Priority Goal	Link to Special Mayor/ Plan

Investigations	1	Resolve police misconduct complaints in an impartial, timely, and professional manner	Resolve police misconduct complaints in an impartial, timely, and professional manner	3.0	Explore the creation of a permanent conciliation program.	<p>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 reformat 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.</p>	FY16	Link to District Priority Goal	Link to Special Mayor/ Plan
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Outreach - 2 (2 Initiatives)	2	Promote positive community-police interactions through public education and awareness.	Promote positive community-police interactions through public education and awareness.	2.0	Conduct OPC outreach efforts throughout the District.	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	FY15	Link to District Priority Goal	Link to Special Mayor/ Plan
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Division/Department	Objective Number	Objective Title	Objective Description	Initiative Number	Initiative Title	Initiative Description	Initiative Year	Link to District Priority Goal	Link to Special Mayoral Plan
Outreach	2	Prioritize positive community-police interactions through public education and awareness.	Expand OPC's Community Partner Program.	2.0	Expand OPC's Community Partner Program.	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.	FY15	<a href="#">Link to District Priority Goal</a>	<a href="#">Link to Special Mayoral Plan</a>
TOT	4					24 of these events, with at least one such session in each of the District's eight wards.			

Policy Management - 3 (2 Initiatives)	3	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.	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.	1.0	Review and analyze complaints of police misconduct.	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.	FY16	<a href="#">Link to District Priority Goal</a>	<a href="#">Link to Special Mayoral Plan</a>
Policy Management	3	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.	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.	2.0	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.	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.	FY15	<a href="#">Link to District Priority Goal</a>	<a href="#">Link to Special Mayoral Plan</a>
TOT	6								

2016 Special Mayoral Plans	Initiative Title	Initiative Description	Special Mayoral Plan	Mayoral Plan Domain	Mayoral Plan Goal	Mayoral Plan Action
		No operational/init-special mayoral plans links found				
TOT	13					

2016 Linked Goals	Full Report	Grid Edit	Email	More	5 Initiatives	
Investigations (2 Initiatives)						
<ul style="list-style-type: none"> <li>Make DC a model city for police-community relations</li> <li>Make DC a model city for police-community relations</li> </ul>	A Safer Stronger DC	2	Integrate body-worn camera footage into OPC's investigative policies and procedures	1	Resolve police misconduct complaints in an impartial, timely, and professional manner	Resolve police misconduct complaints in an impartial, timely, and professional manner
<ul style="list-style-type: none"> <li>Make DC the safest big city in America</li> </ul>	A Safer Stronger DC	3	Explore the creation of a permanent conciliation program	1	Resolve police misconduct complaints in an impartial, timely, and professional manner	Resolve police misconduct complaints in an impartial, timely, and professional manner
TOT					5	

Outreach (3 Initiatives)	Make DC a model city for police-community relations	Make DC a model city for police-community relations	Make DC the safest big city in America			
<ul style="list-style-type: none"> <li>Make DC a model city for police-community relations</li> </ul>	A Safer Stronger DC	2	Expand OPC's Community Partner Program	2	Promote positive community-police interactions through public education and awareness.	Promote positive community-police interactions through public education and awareness.
<ul style="list-style-type: none"> <li>Make DC a model city for police-community relations</li> </ul>	A Safer Stronger DC	2	Expand OPC's Community Partner Program	2	Promote positive community-police interactions through public education and awareness.	Promote positive community-police interactions through public education and awareness.
<ul style="list-style-type: none"> <li>Make DC the safest big city in America</li> </ul>	A Safer Stronger DC	2	Expand OPC's Community Partner Program	2	Promote positive community-police interactions through public education and awareness.	Promote positive community-police interactions through public education and awareness.
TOT					6	



Administrative Information  
 FY Performance Plan Office of Police Complaints FY2016

Primary Priority Goal?	District Priority Goal	Priority Area	Initiative Number	Initiative Title	Objective Number	Objective Title	Objective Description
			11		8		
<b>TOT</b>			<b>11</b>		<b>8</b>		

Created on Sept. 4, 2015 at 1:38 PM (EDT), Last updated by Fowler-Finn, MeghanMarie (OSSEI) on Jan. 21 8:17 AM at 8:17 AM (EST), Owned by Fowler-Finn, MeghanMarie (OSSEI).

# **ATTACHMENT G**



OFFICE OF POLICE COMPLAINTS  
 FY 2015 LIST OF EMPLOYEE(S) SALARY OF \$110,000 OR MORE

Agency Code	Fiscal Year	Program Number	Activity Number	Employee Name	Position Number	Position Title	Salary	Fringe	Overtime Pay	Bonus Pay
FH0	15	1000	1090	Tobin, Michael	000000195	Executive Director	\$184,780.00	\$12,701.00	\$0.00	\$0.00
FH0	15	1000	1090	Klossner, Christian	00073080	Deputy Director	\$116,483.00	\$26,467.48	\$0.00	\$0.00
FH0	15	4000	4010	Porter, Forestine	00036669	Special Assistant	\$116,320.00	\$14,806.48	\$0.00	\$0.00
<b>AGENCY GRAND TOTAL</b>							<b>\$417,583.00</b>	<b>\$53,974.96</b>	<b>\$0.00</b>	<b>\$0.00</b>

OFFICE OF POLICE COMPLAINTS  
 FY 2016 LIST OF EMPLOYEE(S) SALARY OF \$110,000 OR MORE

Agency Code	Fiscal Year	Program Number	Activity Number	Employee Name	Position Number	Position Title	Salary	Fringe	Overtime Pay	Bonus Pay
FH0	15	1000	1090	Tobin, Michael	00000195	Executive Director	\$190,323.00	\$24,299.08	\$0.00	\$0.00
FH0	15	1000	1090		00073080	Deputy Director	\$119,968.00	\$21,594.24	\$0.00	\$0.00
FH0	15	4000	4010	Porter, Forestine	00036669	Special Assistant	\$119,811.00	\$15,731.30	\$0.00	\$0.00
<b>AGENCY GRAND TOTAL</b>							<b>\$430,102.00</b>	<b>\$61,624.62</b>	<b>\$0.00</b>	<b>\$0.00</b>

# **ATTACHMENT H**

## Office of Police Complaints Board Members

**Kurt Vorndran**, who served as the acting chair of the Board since January 22, 2015, is a legislative representative for the National Treasury Employees Union (NTEU). Prior to his work at NTEU, Mr. Vorndran served as a lobbyist for a variety of labor-oriented organizations, including the International Union of Electronic Workers, AFL-CIO (IUE), and the National Council of Senior Citizens. Mr. Vorndran served as the president of the Gertrude Stein Democratic Club from 2000 to 2003, and as an elected Advisory Neighborhood Committee (ANC) commissioner from 2001 to 2004. He is also treasurer of the Wandà Alston Foundation, a program for homeless LGBTQ youth. He received his undergraduate degree from the American University's School of Government and Public Administration and has taken graduate courses at American and the University of the District of Columbia. Mr. Vorndran was originally confirmed by the District Council on December 6, 2005, and sworn in as the chair of the Board on January 12, 2006. In 2011, he was renominated by Mayor Vincent Gray and confirmed by the District Council, and sworn in on January 5, 2012, for a new term ending January 12, 2014. He continued to serve until reappointed or until a successor could be appointed.

**Iris Maria Chavez**, who became Chair on April 7, 2014, served during her tenure on the Board as assistant field director of the Education Trust, a research, analysis, and practice organization based in Washington, D.C., that promotes high academic achievement for all students at all levels – pre-kindergarten through college. In her role at the Education Trust, she oversees the organization's field and outreach operations. Previously, Ms. Chavez served as deputy director for education policy and outreach at the League of United Latin American Citizens (LULAC), where she oversaw state and federal education policy work. In this capacity, she worked to deepen LULAC's understanding of state and federal school reform, and expanded the relationships between the organization's grassroots education advocates, and state and federal policymakers. Prior to LULAC, Ms. Chavez worked as a legislative associate for the Food Research and Action Center (FRAC), where she was a junior lobbyist giving advice on food assistance programs and federal-level governmental processes to the center's state and local network of organizations. Before working at FRAC, Ms. Chavez was employed at the Social IMPACT Research Center of Heartland Alliance for Human Rights and with the group Youth Guidance where she was a social worker in the Chicago Public Schools. Ms. Chavez holds a bachelor of arts degree in sociology, history, and African diaspora studies from Tulane University and a master of arts degree in social policy from the University of Chicago. Ms. Chavez was appointed by Mayor Vincent Gray and confirmed by the District Council in the Fall of 2011, and was sworn in on January 5, 2012, for a term ending January 12, 2012. She was subsequently reappointed to a new term ending January 12, 2015. On January 22, 2015 Ms. Chavez resigned in order to accommodate her job relocation.

**Assistant Chief Patrick A. Burke** has over 25 years of service with the Metropolitan Police Department (MPD) and currently serves as the assistant chief of MPD's Strategic Services Bureau. He previously served as the assistant chief of the Homeland Security Bureau. During his career with the Department, Assistant Chief Burke has served in four of the seven police districts, the Special

Operations Division, the Operations Command, and the Field and Tactical Support Unit. He received his undergraduate degree in criminal justice from the State University of New York College at Buffalo, a master's degree in management from Johns Hopkins University, a master's degree in Homeland Security Studies from the Naval Postgraduate School's Center for Homeland Defense and Security, and a certificate in public management from George Washington University. He is also a graduate of the Federal Bureau of Investigation's National Academy in Quantico, Virginia, and the Senior Management Institute for Police (SMIP) in Boston. He has also attended counter-terrorism training in Israel.

Assistant Chief Burke has received a variety of MPD awards and commendations, including the Achievement Medal, the Meritorious Service Medal, the Police Medal, and the Lifesaving Medal. He has also received the Cafritz Foundation Award for Distinguished District of Columbia Government Employees, the Center for Homeland Defense and Security's Straub Award for Academic Excellence and Leadership, and the National Highway Traffic Safety Administration Award for Public Service. In 2011, The Century Council named him one of "20 People to Watch," and the American Society for Industrial Security named him "Law Enforcement Person of the Year."

He has served as MPD's principal coordinator and incident commander for a myriad of major events, including the 2008 visit by Pope Benedict XVI, the 2008 G-20 Summit, and the 56th Presidential Inaugural in 2009. In addition to PCB, Assistant Chief Burke sits on numerous boards, including the D.C. Police Foundation and the Washington Regional Alcohol Program. Assistant Chief Burke is an active coach for youth sports and is a member of numerous community and volunteer organizations within the District of Columbia, where he resides with his wife and four children. He was originally confirmed by the District Council as the MPD member of the Board on January 3, 2006, and sworn in on January 12, 2006. In 2011, he was renominated by Mayor Vincent Gray and confirmed by the District Council. The assistant chief was sworn in on January 5, 2012, for a new term ending January 12, 2012. He was subsequently reappointed to a third term, which ended January 12, 2015. He continued to serve until reappointed or until a successor could be appointed.

**Margaret A. Moore**, PhD is a leader in the field of corrections. She has more than 25 years of experience in the administration of both state and municipal prison and jail systems. She is the former director of the D.C. Department of Corrections (DOC). As director of DOC, Dr. Moore had executive oversight for a complex prison and jail system with more than 10,000 inmates, approximately 4,000 employees, and an annual operating budget of over \$225 million. Prior to coming to the District of Columbia, she was deputy secretary of the Pennsylvania Department of Corrections where she provided executive direction for prison operations within the central region of Pennsylvania. She is known for her track record of promoting women and African Americans into correctional leadership positions, and continuously advocating for their advancement and representation at all levels of the corrections profession. During her tenure on the Board, Dr. Moore held the position of assistant professor in the Criminal Justice program of the Department of Criminal Justice, Sociology, and Social Work at the University of the District of Columbia. She was originally confirmed by the District Council on June 5, 2007, and sworn in on June 27, 2007. In 2011, she was renominated by Mayor Vincent Gray and confirmed by the District Council, and sworn in on January

5, 2012, for a new term ending January 12, 2013. She continued to serve until her successor, Paul D. Ashton II was appointed on December 22, 2014.

**Paul D. Ashton II** is the Development & Research Associate at the Justice Policy Institute (JPI), a national nonprofit organization dedicated to “justice reform and promoting policies that improve the well-being of all communities.” He has written several white papers for JPI, including Moving Toward a Public Safety Paradigm: A Roundtable Discussion on Victims and Criminal Justice Reform, Gaming the System, The Education of D.C., Rethinking the Blues, and Fostering Change. Prior to joining JPI, Mr. Ashton worked as a sexual assault victim advocate, conducting research examining intimate partner violence in the LGBTQ community. He also served on the policy committee of the Delaware HIV Consortium. Mr. Ashton currently serves on the Board of Directors for the Rainbow Response Coalition, a grassroots organization that works to heighten awareness of intimate partner violence among LGBTQ individuals. He received his bachelor’s degree in Criminology from The Ohio State University and his master’s degree in criminology from the University of Delaware. Mr. Ashton was appointed by Mayor Vincent C. Gray and confirmed by the District Council in October 2014, and sworn in on December 22, 2014. His term expires January 12, 2017.

# **ATTACHMENT I**

FY 2015 BUDGET VERSUS ACTUAL SPENDING BY PROGRAM AND FUND

OFFICE OF POLICE COMPLAINTS

PROGRAM TITLE	LOCAL			FEDERAL PAYMENTS			FEDERAL GRANTS			SPECIAL PURPOSE REVENUE			INTRA-DISTRICT FUNDS			GROSS FUNDS		
	FY 2015 Budget	FY 2015 Actuals	FY 2015 Balance	FY 2015 Budget	FY 2015 Actuals	FY 2015 Balance	FY 2015 Budget	FY 2015 Actuals	FY 2015 Balance	FY 2015 Budget	FY 2015 Actuals	FY 2015 Balance	FY 2015 Budget	FY 2015 Actuals	FY 2015 Balance			
Agency Management Program	716,682	762,338	(45,656)	0	0	0	0	0	0	0	0	0	716,682	762,338	(45,656)			
Complaint Resolution Program	1,270,250	1,137,128	133,122	0	0	0	0	0	0	0	0	0	0	0	133,122			
Public Relations Policy	90,271	88,160	2,111	0	0	0	0	0	0	0	0	0	90,271	88,160	2,111			
Recommendation	164,096	145,112	18,984	0	0	0	0	0	0	0	0	0	0	0	18,984			
TOTAL	2,241,299	2,132,738	108,561	0	0	0	0	0	0	0	0	0	2,241,299	2,132,738	108,561			

FY 2015 Balance	FY 2015 GROSS VARIANCE EXPLANATIONS:
(45,656)	Benefits budget lower than expenditures
133,122	Vacancy savings due to 4 resignations; Complaint Examiner contract under-budget
2,111	
18,984	Benefits budget higher than expenditures; interns paid at level lower than budget
108,561	



FY 2016 BUDGET VERSUS ACTUAL SPENDING BY PROGRAM AND FUND

OFFICE OF POLICE COMPLAINTS

PROGRAM TITLE	LOCAL			FEDERAL PAYMENTS			FEDERAL GRANTS			SPECIAL PURPOSE REVENUE			INTRA-DISTRICT FUNDS			GROSS FUNDS		
	FY 2016 Budget	FY 2016 Actuals	FY 2016 Balance	FY 2016 Budget	FY 2016 Actuals	FY 2016 Balance	FY 2016 Budget	FY 2016 Actuals	FY 2016 Balance	FY 2016 Budget	FY 2016 Actuals	FY 2016 Balance	FY 2016 Budget	FY 2016 Actuals	FY 2016 Balance	FY 2016 Budget	FY 2016 Actuals	FY 2016 Balance
A	657,582	165,891	491,691	0	0	0	0	0	0	0	0	0	0	0	0	657,582	165,891	491,691
B	1,369,020	357,875	1,011,145	0	0	0	0	0	0	0	0	0	0	0	0	1,369,020	357,875	1,011,145
C	94,487	21,758	72,729	0	0	0	0	0	0	0	0	0	0	0	0	94,487	21,758	72,729
D	170,545	33,808	136,737	0	0	0	0	0	0	0	0	0	0	0	0	170,545	33,808	136,737
<b>TOTAL</b>	<b>2,291,634</b>	<b>579,332</b>	<b>1,712,302</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>2,291,634</b>	<b>579,332</b>	<b>1,712,302</b>

FY 2016 GROSS VARIANCE EXPLANATIONS:

FY 2016 Balance	
491,691	Salary/lapse due to resignation of Deputy Director
1,011,145	Salary/lapse due to two Investigator Vacancies
72,729	
136,737	
<b>1,712,302</b>	