



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

January 31, 2019

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 21, 2018, in which you asked that OPC submit answers to your questions in advance of the annual performance oversight hearing for this agency on February 4, 2019. Included below are responses to each question.

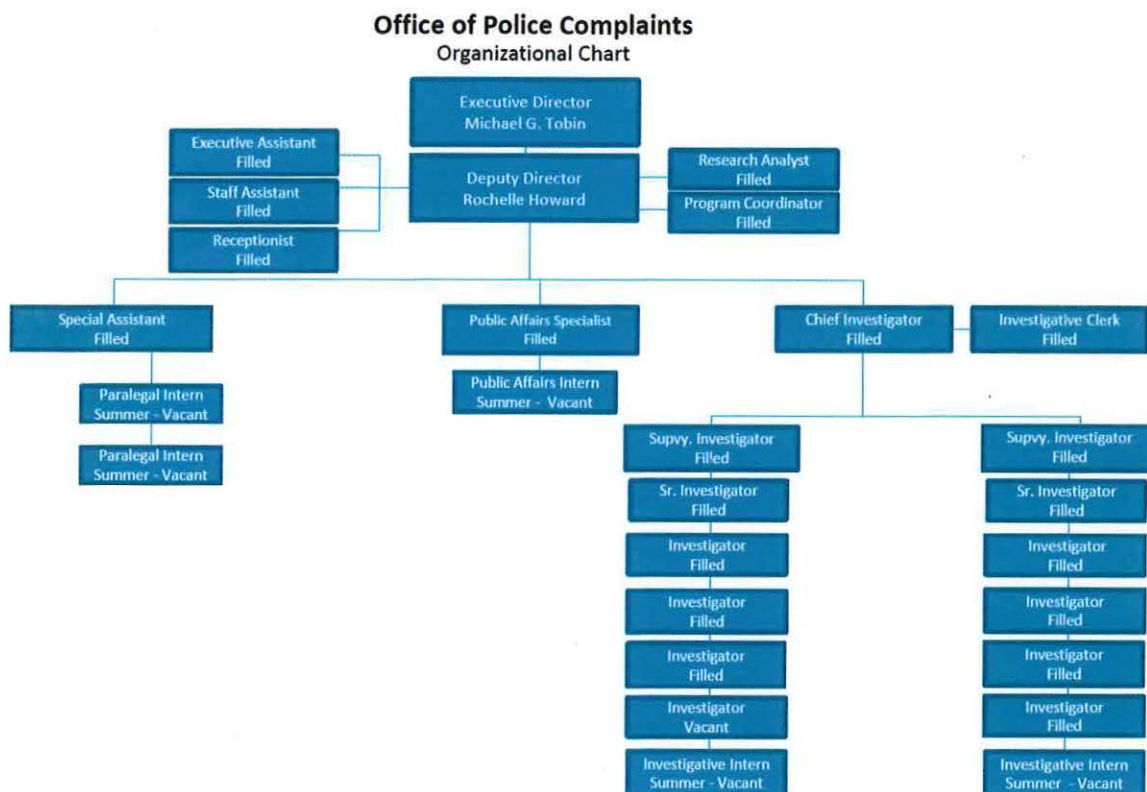
Sincerely,

A handwritten signature in black ink, appearing to read "h 67", is written over the printed name of Michael G. Tobin.

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 positions in each division or subdivision. Include the names and titles of all senior personnel, and note the date that the information was collected on the chart.



January 19, 2019

- a. Please provide an explanation of the roles and responsibilities of 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 3 Summer paid interns.

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

This year we added the assistance of an unpaid graphic design intern to assist the Research Analyst with the graphics of our mid-year, annual, and use of force reports.

- 2. Please provide a current Schedule A for the agency which identifies each position by program and activity codes, with the employee's name, title/position, salary, fringe benefits, and length of time with the agency. Please note the date that the information was collected. The Schedule A should also indicate if the position is continuing/term/temporary/contract or if it is vacant or frozen. Please separate salary and fringe and indicate whether the position must be filled to comply with federal or local law.**

Office of Police Complaints
Response to FY18 Performance Oversight Pre-Hearing Questions
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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	9 yrs 3 mos	00069594	Clerical Assistant	Smith, Nydia M	6	8	46,075.00	9,860.05	1	Reg
1000	1090	F	4 yrs 1 mo	00000195	Executive Director	Tobin, Michael G	11	0	214,273.10	45,854.44	1	Term
1000	1090	F	28 yrs 20 yrs	00021018	Executive Assistant	Banks, Stephanie C	12	10	94,543.00	20,232.20	1	Reg
1000	1090	F	4 mos	00024773	Staff Assistant	Ryan, Kimberly R	11	6	69,327.00	14,835.98	1	Reg
1000	1090	F	3 yrs 10 mos	00073080	Deputy Director	Howard, Rochelle Marie Jeffrey	10	0	137,379.25	29,399.16	1	Reg
2000	2010	F	1 mo	00000295	Investigator	Samantha A	9	3	52,740.00	11,286.36	1	Reg
2000	2010	F	2 yrs 1 mo	00001219	Program Analyst	Weber, Christopher	11	5	67,407.00	14,425.10	1	Reg
2000	2010	V	-	00001858	Student intern (Paralegal Specialist)	-	9	0	49,570.00	10,607.98	0.25	Temp
2000	2010	V	-	00002977	Student intern (Public Affairs)	-	5	0	33,433.00	7,154.66	0.25	Temp
2000	2010	F	16 yr 5 mos	00003480	Investigator	Lawrence, Anthony D	12	9	92,250.00	19,741.50	1	Reg
2000	2010	F	14 yrs	00013878	Supervisory Investigator	Andrews, Moné G	14	0	116,615.53	24,955.72	1	Reg
2000	2010	F	1 yrs 9 mos	00034841	Investigator	Davis, Jeffrey	9	3	52,740.00	11,286.36	1	Reg
2000	2010	V	-	00034881	Student intern (Paralegal Spec)	-	9	0	49,570.00	10,607.98	0.25	Temp
2000	2010	F	1 yr 9 mos	00042322	Investigator	Cross, Marke D	12	1	73,906.00	15,815.88	1	Reg
2000	2010	F	4 mos 17 yrs	00045458	Investigator Supervisory	Nembhard, Susan Rosa Smith	9	2	51,155.00	10,947.17	1	Reg
2000	2010	F	4 mos	00048812	Investigator	Natasha N	13	0	102,199.55	21,870.70	1	Reg
2000	2010	F	5 yrs 2 mos	00048814	Supervisory Investigator	Rau, Jessica	13	0	91,045.20	19,483.67	1	Reg
2000	2010	F	2 yrs 10 mos	00069541	Investigator	Murphy, Lindsey	11	2	61,647.00	13,192.46	1	Reg
2000	2010	V	-	00070897	Investigator	-	-	-	-	-	1	Reg
2000	2010	F	4 mos 3 yrs	00070918	Clerical Assistant	Grant, Darlene L Sutton	7	5	46,743.00	-	1	Reg
2000	2010	F	6 mos	00071978	Investigator	Danielle Clark	11	7	71,247.00	-	1	Reg
2000	2010	F	2 yrs	00075267	Investigator	Chauntini	9	1	49,570.00	-	1	Reg
2000	2010	F	2 yrs 2 mos	00078179	Investigator	Aguilar, Hansel	9	8	60,665.00	12,982.31	1	Reg
3000	3010	F	11 yrs 5 mos	00012551	Public Affairs Specialist	Cleveland, Nykisha T	11	9	75,087.00	16,068.62	1	Reg
4000	4010	V	-	00002513	Student intern (Clerical)	-	5	0	33,433.00	7,154.66	0.25	Temp
4000	4010	V	-	00004941	Student intern (Clerical)	-	5	0	33,433.00	7,154.66	0.25	Temp
4000	4010	F	2 yrs 5 mos	00036669	Special Assistant	Yass, Alicia	14	5	113,531.00	24,295.63	1	Reg
4000	4010	F	3 yrs 1 mo	00091227	Research Analyst	Graham, Matthew A	12	4	80,785.00	17,287.99	1	Reg

3. Please list all employees detailed to or from your agency. 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 vehicles owned, leased, or otherwise used by the agency and to whom the vehicle is assigned, as well as a description of all vehicle collisions involving the agency's vehicles in FY18 and FY19, to date; and**

Vehicle Type	Tag Number	Accident(s)
2014 4-door Honda Civic Hybrid	DC 8843	January 18, 2018 – vehicle sideswiped concrete pillar in parking garage
2014 4-door Honda Civic Hybrid	DC 10492	None

- b. A list of travel expenses, arranged by employee for FY18 and FY19, to date, including the justification for travel.**

Employee	Position Title	Total Expense	Location/Dates	Justification
Mona Andrews	Chief Investigator	\$1246.20	St. Petersburg, Florida 11/5/17 – 11/9/17	IAPRO 13 th Training Conference
Matthew Graham	Research Analyst	\$856.98	St. Petersburg, Florida 11/5/17 – 11/6/17	IAPRO 13 th Training Conference
Rochelle Howard	Deputy Director	\$1383.82	Birmingham, Alabama 12/11/17 – 12/14/17	2017 PATC Seminar
Michael Tobin	Executive Director	\$1583.17	St. Petersburg, Florida 9/30/18 – 10/4/18	2018 NACOLE Conference Presenter
Rochelle Howard	Deputy Director	\$1850.49	St. Petersburg, Florida 9/30/18 – 10/4/18	2018 NACOLE Conference Presenter
Ethan Trinh	Investigator	\$2021.00	St. Petersburg, Florida 9/30/18 – 10/4/18	2018 NACOLE Conference Presenter
Lindsey Murphy	Investigator	\$1112.16	St. Petersburg, Florida 9/30/18 – 10/4/18	2018 NACOLE Conference
Hansel Aguilar	Investigator	\$1981.95	St. Petersburg, Florida 9/30/18 – 10/4/18	2018 NACOLE Conference
Paul Ashton	OPC Board Member	\$1968.88	St. Petersburg, Florida 9/30/18 – 10/4/18	2018 NACOLE Conference
Rochelle Howard	Deputy Director	\$307.29	Cleveland, Ohio 11/30/18 – 12/1/18	2018 NACOLE Regional Training & Networking
Alicia Yass	Legal Counsel	\$695.00 (Reg only)	Uncasville, CT 05/28/18 – 06/02/19	First Amendment Summit

5. For FY18 and FY19, to date, please list all intra-District transfers to or from the agency and the purpose for each transfer.

OPC Intra-District Transfer To	FY18	FY19 to Date
Fleet Management	\$1,318.54	\$1,849.70
Telecommunications (RTS)	\$1,000.00	\$2,000.00

6. For FY18 and FY19, 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:

- The revenue source name and code;
- The source of funding;
- A description of the program that generates the funds;
- The amount of funds generated by each source or program;
- Expenditures of funds, including the purpose of each expenditure; and
- The current fund balance.

To date, OPC neither maintains, uses, nor has available to use any special purpose revenue funding during FY18 and FY19, to date.

7. For FY18 and FY19, 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	FY18
	Per Day	Per Month		
Stephanie Banks	\$5,000.00	20,000.00	Office Support, Memberships, Professional Dues, Training	\$8,950.25,
Kimberly Ryan	\$5,000.00	20,000.00	Office Supplies, Training, Travel, Agency Memberships, Subscriptions	\$17,763.98
				Total \$ 26,714.23
				FY19 to Date
Stephanie Banks	\$5,000.00	20,000.00	Memberships, Professional Dues, Training, Office Support	\$282.34
Kimberly Ryan	\$5,000.00	20,000.00	Office Supplies, Office Support, Training, Subscriptions	\$6,039.74
				Total \$6,322.08

8. Please list all memoranda of understanding ("MOU") entered into by your agency during FY18 and FY19, 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.

OCTO Executive Branch Division and OPC entered into an MOU on January 10, 2019 with OCTO to cover the costs for FY19 OPC email licenses in the amount of \$4585.26.

9. Please summarize and provide the status of all existing capital projects and those in the financial plan, including a brief description, the amount budgeted by fiscal year, actual dollars spent, and any remaining balances (by type of funds). In addition, please provide:

a. An update on all capital projects concluded in FY17, FY18, and FY19, to date, including the amount budgeted, actual dollars spent, any remaining balances, and whether the project had an impact on the operating budget of the agency. If so, please provide an accounting of such impact.

To date, OPC has not opened any capital projects in FY18 and FY19.

10. Please provide a list of all budget enhancement requests (including capital improvement needs) for FY18 and FY19, to date. For each, include a description of the need, the amount of funding requested, and whether the request was approved or denied.

To date, OPC had no budget enhancements for FY18 and FY19.

11. Please list, in chronological order, each reprogramming in FY18 and FY19, to date, that impacted the agency, including those that moved funds into the agency, out of the agency, and within the agency. For each reprogramming, list the date, amount, program and activity codes, rationale, and reprogramming number.

FY	Date	Amt	Rationale	Reprog Number
FY18	15-May-18	\$7,000.00	The funds were needed to support the projected increase in Adjudication investigative reviews resulting from the increase in reports of police misconduct. By mandate, all investigative reports of misconduct must undergo independent review.	BJFH7000
FY19 to date	Nov. 13, 2018	\$76,293.21	The funds were needed to properly align the p-card; to fund the annual NACOLE conference; to fund the IT contract to do a technology review that will analyze how OPC can automate and create efficiencies in some of their administrative processes to support the increase in adjudication cases within the statutory deadline; RTS funds to support the Spring site renovation; and increase in legal research subscriptions and adjudication case contracts.	BJFHRP19

12. Please list each grant or sub-grant received or distributed by your agency in FY18 and FY19, to date. List the date, amount, source, purpose of the grant or sub-grant received or distributed, and amount expended.

- a. How many FTEs are dependent on grant funding at your agency? 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?**

To date, OPC has not received any grants or sub-grants for FY18 and FY19. OPC has no FTEs dependent on grant funding.

13. Please list each contract, procurement, and lease, entered into, extended, and option years exercised by the agency during FY18 and FY19, to date. For each contract, please provide the following information, where applicable:

- a. The name of the contracting party;**
b. The nature of the contract, including the end product or service;
c. The dollar amount of the contract, including amount budgeted and amount spent;
d. The term of the contract;
e. Whether the contract was competitively bid;
f. The name of the agency's contract monitor and the results of any monitoring activity; and
g. The funding source.

Vendor	Nature of Contract	Amount	Contract Term	Comp Bid Y / N	Contract Monitor	Funding Source	FY
KeyBridge Mediation Services	Mediation Services	\$7500.00 (\$4609.95 spent)	Year 2 w/1 year option	N	Kimberly Ryan	0100	18
		\$5200.00					19
National Police Foundation	Review of Inauguration	\$149,935.00	1 year	N	Rochelle Howard	0100	18
Metropolitan Office Products	Printing Services	\$3,473.00	1 Year	Y/CBE	Kimberly Ryan	0100	18
Thomson West	On-line Research	\$2,831.25 (\$2,831.10 spent)	Annual	N	Stephanie Banks	0100	18
		\$2,362.08 (0 to date)					19
Reed Elsevier Lexis Nexis	On-Line Research	\$3,542.00 (\$3,542.00 spent)	Annual	N	Stephanie Banks	0100	18
		\$2,520.00 (0 to date)					19
NBA Office Products	Office Supplies	\$2,586.91	1 Year	Y/CBE	Kimberly Ryan	0100	18
Star Office Products	Copier Maintenance	\$5,544.00	Annual	Y/CBE	Kimberly Ryan	0100	18
		\$5,988.00 (\$1,250.00 to date)					19
Park America	Parking Spaces Agency	\$12,960.00	Annual	N	Kimberly Ryan	0100	18
		\$12,960.00					19

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	Vehicles						
Faith Management Consulting	Office Supplies	\$2,306.56	1 Year	Y/CBE	Kimberly Ryan	0100	18
4 Imprint	Outreach Materials	\$7,108.39	1 Year	N	Kimberly Ryan	0100	18
Metro Mediation	Mediation Services	\$4,500	1st year of 2 year option		Kimberly Ryan	0100	18
		\$10,000 \$3,300.00 to date			Stephanie Banks		19
Consensus Building Institute	Mediation Services	\$7,500.00 (\$1,200.00 to date)	1st of 2 year option	N	Stephanie Banks	0100	18
		0 to date					19
American Business Supplies	Office Supplies	\$1,215.96	1 year	Y/CBE	Kimberly Ryan	0100	19
Formost Advanced Creations	Printing Services	\$2,007.00	1 Year	Y/CBE	Kimberly Ryan	0100	18
		\$432.00		N/CBE			
		\$2,475.00		N/CBE			
		\$725.00		N/CBE			19
CI Technologies, Inc.	IT Support Licensing of proprietary software	\$2,601.00	Annual	N	Stephanie Banks	0100	18
		\$2,601.00					19

14. 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 to significant financial liability or will result in a change in agency practices, and describe 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.

There are no pending lawsuits that identify the agency as a party.

15. Please list all settlements entered into by the agency or by the District on behalf of the agency in FY18 or FY19, to date, and provide the parties' names, the amount of the settlement, and if related to litigation, the case name and a brief description of the case. If unrelated to litigation, please describe the underlying issue or reason for the settlement (e.g. administrative complaint, etc.).

In FY18 or FY19 to date, OPC has not entered into any settlements.

- 16. Please list the administrative complaints or grievances that the agency received in FY18 and FY19, to date, broken down by source. Please describe any changes to agency policies or procedures that have resulted from complaints or grievances received. For any complaints or grievances that were resolved in FY18 or FY19, to date, describe the resolution.**

In FY18 and FY19, to date, OPC received an employee EEO complaint which is pending and an employee administrative grievance to disciplinary action which was denied. No change in agency policy or procedures resulted.

- 17. Please list and describe any complaints or allegations of sexual harassment or other forms of sexual misconduct received by the agency in FY18 and FY19, to date, whether or not those complaints or allegations were resolved.**

The agency has received no allegations in FY18 and FY19, to date.

- 18. Please list and describe any ongoing investigations, audits, or reports on or of the agency, or any investigations, studies, audits, or reports on the agency that were completed in FY18 and FY19, to date.**

To date, there are no ongoing or completed investigations, audits, or reports.

- 19. Please describe any spending pressures the agency experienced in FY18 and any anticipated spending pressures for the remainder of FY19. Include a description of the pressure and the estimated amount. If the spending pressure was in FY18, describe how it was resolved, and if the spending pressure is in FY19, describe any proposed solutions.**

In FY17, OPC personnel assisted an unprecedented number of people who contacted the agency to inquire about filing a complaint; totaling 1,872, a 29 percent increase from FY16. This is the highest number of people assisted in any fiscal year since the agency's inception. Of those that contacted the agency, 773 community members filed a formal complaint; a 77 percent increase from FY16.

In FY18, OPC personnel assisted 1,812 people who contacted the agency to inquire about filing a complaint; a three percent decrease from FY17. Of those that contacted agency, 780 community members filed a formal complaint – similar to the 77 percent increase seen in FY17.

To date in FY19, incoming complaints have seemed to level off at this new higher number of contacts and complaints seen in FY17 and FY18. Therefore, for FY20, OPC requests an additional Investigator DS-1810-09 Career Service 9 Step 4 position totaling \$54,325.

20. Please provide a copy of the agency's FY18 performance plan. Please explain which performance plan objectives were completed in FY18 and whether they were completed on time and within budget. If they were not, please provide an explanation.

Office of Police Complaints FY2018

▼ **FY2018 Performance Accountability Report**

The Performance Accountability Report (PAR) measures each agency's performance for the fiscal year against the agency's performance plan and includes major accomplishments, updates on initiatives, and key performance indicators (KPIs).

▼ **Mission**

The mission of the Office of Police Complaints (OPC) 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 DC 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 DCHAPD proposing reforms that will promote greater police accountability by improving the citizen complaint process.

▼ **FY18 Top Accomplishments**

What is the accomplishment that your agency wants to highlight?	How did this accomplishment impact residents of DC?	How did this accomplishment impact your agency?
DCPC procured The Police Foundation to conduct the review of MPD's activities on Inauguration Weekend and their report was published supporting DCPC's original recommendations.	This provides transparency to the community members on MPD's activities on Inauguration weekend and supports DCPC's review of MPD's activities.	
Even with another 1% increase on last year's 77% increase in complaints, DCPC closed 87% of its cases within 180 days, averaging 104 days per case.	This continues to provide an effective and efficient process for community member complaints. However, DCPC is cautiously monitoring future budget and resource needs.	
DCPC tracked complainant and officer attitudinal changes from beliefs about the other party before mediation to after mediation.	When asked, "Do police officers treat the public fairly?" Complainants agreed 32% before mediation but when asked again after mediation, 49% agreed. This is evidence of community member's improved opinion of MPD's treatment of them after mediation, and helps DCPC evaluate the satisfaction of the mediation program.	

▼ **2018 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

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Objective Number	Strategic Objective
4	Create and maintain a highly efficient, transparent and responsive District government.* *

2018 Key Performance Indicators

Measure	Freq	Target	Q1	Q2	Q3	Q4	FY2018	KPI Status	Explanation
1 - Resolve police misconduct complaints in an impartial, timely, and professional manner (2 Measures)									
Percent of investigations completed within 180 days	Quarterly	60%	93.4%	87.8%	90%	90%	90.3%	Met	
Percent of complaint examiner decisions completed within 120 days	Quarterly	80%	100%	100%	100%	100%	100%	Met	
2 - Promote positive community-police interactions through public education and awareness. (1 Measure)									
Percent of complaints resolved through mediation program	Quarterly	10%	5.7%	13.3%	12%	8%	9.8%	Nearly Met	Investigators screen all cases for mediation. This year we raised our goal to 10% so 9.8 is a good start.
3 - Enhance OPCs mission to improve public confidence and community trust (1 Measure)									
Percent of policy recommendation reports published	Annually	100%	Annual Measure	Annual Measure	Annual Measure	Annual Measure	100%	Met	

“We’ve revisited a project to standardize District wide measures for the Objective “Create and maintain a highly efficient, transparent and responsive District government.” New measures will be tracked in FY18 and FY19 and published starting in the FY19 Performance Plan.

- 2018 Workload Measures

Measure	Freq	Q1	Q2	Q3	Q4	FY 2018
1 - Conduct complaint examiner In-Service Training (1 Measure)						
Number of complaint examiners attended required training	Quarterly	2	0	6	1	9
1 - Conduct management meetings (1 Measure)						
Number of management meetings held	Quarterly	7	6	7	6	26
1 - Investigator participating in continual professional development (4 Measures)						

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Measure	Freq	Q1	Q2	Q3	Q4	FY 2018
Number of investigators attending annual MPD professional development training	Quarterly	1	0	13	0	14
Number of investigators attending at least 2 external training sessions	Quarterly	0	3	4	0	7
Number of new investigators attending Reid Training	Quarterly	0	0	0	0	0
Number of presentations completed	Quarterly	3	3	2	4	12
1 - Manage and monitor complaint examiner compliance (1 Measure)						
Number of complaint examiner decisions processed	Quarterly	3	4	8	6	21
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	Quarterly	2	2	1	0	5
2 - Communicate with civic groups, government organizations, schools, advisory boards, etc. to schedule outreach events (1 Measure)						
Number of outreach events held	Quarterly	9	4	7	8	28
3 - Conduct regular meetings with MPD leadership to discuss policy change recommendations (1 Measure)						
Number of meetings held with MPD	Quarterly	0	1	1	1	3
3 - Research policing best practices (1 Measure)						
Number of policy recommendations issued	Quarterly	0	13	4	5	22
3 - Review all OPC complaints received to determine trends and/or patterns (2 Measures)						
Number of complaints received	Annually	Annual Measure	Annual Measure	Annual Measure	Annual Measure	780
Number of contacts	Quarterly	208	467	440	481	1596

- 2018 Strategic Initiatives

Title	Description	Complete to Date	Status Update	Explanation
INVESTIGATION (1 Strategic Initiative)				
Title	Description	Complete to Date	Status Update	Explanation
Improve MPD's accurate usage of BWCs IAW MPD's General Order and best practices.	Improve MPD's accurate usage of BWCs in accordance with MPD's General Order and best practices.	Complete	OPC began tracking MPD's compliance with their own GO and best practices. OPC reported compliance by case in our FY18 Mid Year report and will again in our FY18 Annual Report.	
OUTREACH (1 Strategic Initiative)				
Improve OPC's Social Media Presence	Improve OPC's Social Media Presence	Complete	OPC expanded its social media presence by creating and actively managing a Twitter account.	
POLICY RECOMMENDATION (1 Strategic Initiative)				
Independent Review of MPD Inauguration Day Activities	OPC recommended that the District conduct an independent review of MPD's actions on Inauguration Day. Council supported this recommendation and provided OPC with FY18 funding to procure a vendor to conduct the independent review.	Complete	The Police Foundation report was published on July 10, 2018.	

21. Please provide a copy of your agency's FY19 performance plan as submitted to the Office of the City Administrator.

Office of Police Complaints FY2019

Agency Office of Police Complaints

Agency Code FH0

Fiscal Year 2019

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

▼ **2019 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.

▼ **2019 Key Performance Indicators**

Measure	Directionality	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Target
1 - Resolve police misconduct complaints in an impartial, timely, and professional manner. (2 Measures)					
Percent of investigations completed within 180 days	Up is Better	69.5%	84.3%	90.3%	65%
Percent of complaint examiner decisions completed within 120 days	Up is Better	100%	100%	100%	90%
2 - Promote positive community-police interactions through public education and awareness. (1 Measure)					
Percent of complaints resolved through mediation program	Up is Better	12.9%	11.4%	9.8%	10%
3 - Enhance OPCs mission to improve public confidence and community trust. (1 Measure)					
Percent of policy recommendation reports published	Up is Better	100%	100%	100%	100%
4 - Create and maintain a highly efficient, transparent and responsive District government. (4 Measures)					
HR MANAGEMENT - Percent of eligible employees completing and finalizing a performance plan in PeopleSoft (Updated by OCA)	Up is Better	100%	100%	100%	100%
HR MANAGEMENT - Percent of eligible employee performance evaluations completed and finalized in PeopleSoft (Updated by OCA)	Up is Better	100%	100%	100%	100%
CONTRACTS AND PROCUREMENT - Percent of Small Business Enterprise (SBE) annual goal spent (Updated by OCA)	Up is Better	344%	173%	Waiting on Data	100%

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Measure	Directionality	FY 2016 Actual	FY 2017 Actual	FY 2018 Actual	FY 2019 Target
IT POLICY AND FOIA COMPLIANCE - Percent of FOIA Requests Processed in more than 25 business days - statute requirements allow 15 business days and a 10 day extension	Down is Better	Not Available	0%	Waiting on Data	0%

▼ 2019 Operations

Operations Header	Operations Title	Operations Description	Type of Operations
1 - Resolve police misconduct complaints in an impartial, timely, and professional manner. (4 Activities)			
INVESTIGATION	Conduct management meetings	Investigation managers meet to ensure that the cases are being investigated with the best techniques and best practices and that they are timely.	Daily Service
INVESTIGATION	Manage and monitor complaint examiner compliance	Ensure through continuous review and communication that the complaint examiners are complying with the review and analysis requirements and timeline.	Daily Service
TRAINING AND EMPLOYEE DEVELOPMENT	Conduct complaint examiner In-Service Training	Complaint examiners should be trained each fiscal year on any updates to the program and any new requirements.	Key Project
TRAINING AND EMPLOYEE DEVELOPMENT	Investigator participating in continual professional development	Each investigator participate in continuous professional development trainings, workshops, outreach opportunities, or mentoring to develop their technical and industry investigating skills as well as best practices.	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	Employ outreach activities to ensure that the community knows about the Office of Police Complaints and its services.	Daily Service
OUTREACH	Communicate with a wide range of organizations, government agencies, social service providers, neighborhood associations, and advocacy groups to create partnerships	Employ effective communication strategies through social media, contacts, and media relations to build community 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	Continuously review the trends and patterns that our complaint data reveals to ensure we are reporting any policy recommendations that could improve MPD or DCHAPD practices and procedures in an effort to best serve the community.	Daily Service
POLICY RECOMMENDATION	Research policing best practices	Research policing best practices to remain up-to-date on national civilian police oversight of law enforcement trends, police practices,	Daily Service

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Operations Header	Operations Title	Operations Description	Type of Operations
POLICY RECOMMENDATION	Conduct regular meetings with MPD leadership to discuss policy change recommendations	With the cooperation of MPD, conduct regular meetings with MPD leadership to discuss the implementation status of OPC's policy recommendations.	Daily Service

2019 Workload Measures

Measure	FY 2016	FY 2017	FY 2018
1 - Conduct complaint examiner In-Service Training (1 Measure)			
Number of complaint examiners attended required training	10	6	9
1 - Conduct management meetings (1 Measure)			
Number of management meetings held	Not Available	31	26
1 - Investigator participating in continual professional development (4 Measures)			
Number of investigators attending annual MPD professional development training	Not Available	100	14
Number of investigators attending at least 2 external training sessions	10	16	7
Number of new investigators attending Reid Training	2	4	0
Number of presentations completed	Not Available	40	12
1 - Manage and monitor complaint examiner compliance (4 Measures)			
Number of complaint examiner decisions processed	30	14	21
Number of rapid resolution referrals	Not Available	Not Available	Not Available
Number of Policy Training Referrals	Not Available	Not Available	Not Available
Number of cases withdrawn by the complainant	Not Available	Not Available	Not Available
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	15	17	5
2 - Communicate with civic groups, government organizations, schools, advisory boards, etc. to schedule outreach events (1 Measure)			

Measure	FY 2016	FY 2017	FY 2018
Number of outreach events held	32	50	28
3 - Conduct regular meetings with MPD leadership to discuss policy change recommendations (1 Measure)			
Number of meetings held with MPD	Not Available	3	3
3 - Research policing best practices (1 Measure)			
Number of policy recommendations issued	1	18	22
3 - Review all OPC complaints received to determine trends and/or patterns (2 Measures)			
Number of complaints received	438	791	780
Number of contacts	1448	1522	1596

2019 Strategic Initiatives

Strategic Initiative Title	Strategic Initiative Description	Proposed Completion Date
Investigator participating in continual professional development (1 Strategic Initiative)		
OPC Staff Presentations	OPC is often asked to consult or present on our model operations across the nation.	09-30-2019
Research policing best practices (1 Strategic Initiative)		
NEAR Act - Use of Force Reporting	With the authority under the NEAR Act requiring MPD to provide OPC with use of force data and OPC's authority to audit and report on MPD's use of force data, OPC hopes, with its Use of Force Report recommendations, for MPD to implement better use of force data collection practices and reporting.	09-30-2019

22. Please describe any regulations promulgated by the agency in FY18 or FY19, to date, and the status of each.

OPC updated the administrative rules originally published on August 30, 2002 pursuant to the authority set forth under the Office of Citizen Complaint Review Establishment Act of 1998, effective March 26, 1999 (D.C. Law 12-208; D.C. Official Code § 5-1106(d) (2012 Repl.)), giving notice of the repeal of Chapter 21 (The Citizen Complaint Review Board and the Office of Citizen Complaint Review) of Title 6 (Personnel), Subtitle A (Police Personnel) of the District of Columbia Municipal Regulations (DCMR) and adopted Chapter 21 in its place.

The newly amended regulations provide necessary updates to rules and ensure consistency with recent statutory changes to D.C. Official Code §§ 5-1101-1115 from the Neighborhood Engagement Achieves Results Amendment Act of 2016, effective June 30, 2016 (D.C. Law 21-125; 63 DCMR 4659 (April 1, 2016)).

These rules were adopted as final on November 30, 2017 and became effective December 15, 2017.

23. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or for which it contracted in FY18 and FY19, to date. Please state the status and purpose of each. Please submit a hard copy to the Committee if the study, research paper, report, or analysis is complete.

To date, there are no ongoing or completed investigations, audits, or reports. OPC policy recommendation reports are listed separately in response to question 52.

24. Please separately list each employee whose salary was \$100,000 or more in FY18 and FY19, to date. Provide the name, position number, position title, program, activity, salary, and fringe. In addition, state the amount of any overtime or bonus pay received by each employee on the list.

Name	Position	Position Title	Prog	Activity	Salary	Fringe
Tobin, Michael	00000195	Executive Director	1000	1090	214,273.10	45,854.44
Howard, Rochelle	00073080	Deputy Director	1000	1090	137,379.25	29,399.16
Andrews, Mona	00013878	Supervisory Investigator	2000	2010	116,615.53	24,955.72
Yass, Alicia	00036669	Special Assistant	4000	4010	113,531.00	24,295.63
Smith, Natasha	00048812	Supervisory Investigator	2000	2010	102,199.55	21,870.70

25. Please list in descending order the top 25 overtime earners in your agency in FY18 and FY19, to date, if applicable. For each, state the employee's name, position number, position title, program, activity, salary, fringe, and the aggregate amount of overtime pay earned.

Name	Position	Position Title	Program	Activity	Salary	Fringe	Overtime Paid
Sutton, Danielle	✓ 00071978	Investigator	2000	2010	69,849.00	13,131.61	7.03
Blakeney, Kamille	✓ 00004941	Intern	4000	4010	6,177.41	750.33	82.73
Armstrong, Catherine	✓ 00002977	Intern	2000	2010	6,741.50	668.28	96.91
Wilson, Rachael	✓ 00001858	Intern	2000	2010	9,158.88	1,211.29	99.30
Ezeh, Nicole	✓ 00034881	Intern	2000	2010	9,158.87	1,213.97	134.35
Murphy, Lindsey	✓ 00069541	Investigator	2000	2010	58,557.00	11,008.72	147.80
Weber, Christopher	✓ 00001219	Program Analyst	2000	2010	64,203.00	12,070.16	173.63
Golden, William	✓ 00002513	Intern	3000	3010	5,042.79	467.49	181.22
Cleveland, Nykisha T	✓ 00012551	Public Affairs Specialist	3000	3010	73,613.00	13,839.24	225.62

26. For FY18 and FY19, to date, please provide a list of employee bonuses or special 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 FY17 and FY18.

27. Please provide each collective bargaining agreement that is currently in effect, and differs from that submitted last year, for agency employees. Please include the bargaining unit and the duration of each agreement. Please note if the agency is currently in bargaining and its anticipated completion.

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, wards of residence, and attendance of each member. Include any vacancies.

Board Member	Yrs Served	Last Confirmation Date	Term	Ward of Residence	Attendance
Paul Ashton, Chairperson	4	December 18, 2018	January 12, 2022	Ward 1	Yes
Jeff Tignor, Board Member	0	December 18, 2018	January 12, 2021	Ward 4	Yes
Commander Morgan Kane, Board Member	2	December 12, 2017	January 12, 2021	Ward 6	Yes
Bobbi Strang, Board Member	4	May 2, 2017	January 12, 2020	Ward 7	Yes
Kurt Vorndran, Board Member	13	January 12, 2006	Term ended January 12, 2014; Serving until filled	Ward 3	Yes

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.).

D.C. Code §5-1104(e) requires OPC to transmit an annual report of its operations within 60 days of the end of the fiscal year. OPC published its FY18 annual report on November 5, 2018.

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. OPC published this inaugural report on January 23, 2018 and is currently drafting the FY18 report for publication in March 2019.

The Council recommended in its Committee on the Judiciary and Public Safety Fiscal Year 2018 Budget Report that OPC conduct an analysis of all policy recommendations that the PCB has issued since 2015. A report outlining the status of OPC's FY15 and FY16 report recommendations and the implementation status of each was published on February 1, 2018. OPC published a report outlining the status of its FY17 report recommendations and the implementation status of each on December 18, 2018. OPC will continue this process each fiscal year.

Agency Operations

30. Please describe any initiatives that the agency implemented in FY18 or FY19, 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.

OPC reevaluated the internal processing procedure regarding how it tracked contacts that did not turn into formal complaints. Previously, if a community member contacted OPC to gain information regarding how to file a complaint but did not indicate that they had a complaint; OPC would create an entire case file for that contact. OPC now keeps general information about the contact and only creates a case file if that contact actually files a complaint.

31. What are the agency's top five priorities? Please explain how the agency expects to address these priorities in FY19. How did the agency address its top priorities listed for this question last year?

(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. OPC will continue to provide transparent oversight of MPD.

(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 FY19.

(3) Continuing to expand community outreach of OPC.

OPC outreach and our Community Partner programs collaborate with a wide range of community organizations, government agencies, social service providers, and advocacy groups to provide the public with greater access to OPC information and services.

In FY19, OPC plans to continue expanding the reach of this program with more community partner agencies and organizations throughout the District by increasing the agency's social media presence and connections.

(4) Continue to evaluate MPD's compliance usage of body worn cameras.

OPC reviews MPD's body worn camera usage compliance trends found in the investigated cases. OPC began reporting the optics of such compliance in our FY18 Mid-Year Report published in April 2018 and our FY18 Annual Report published in November 2018.

(5) Expand Social Media presence.

In FY18, OPC added to its social media presence by launched its official Twitter and LinkedIn accounts. OPC leverages these social media platforms along with its Facebook page to ensure the community is apprised of our outreach events and protest monitoring activities. The goal is to ensure our community members are aware of our services and to promote full transparency in our work.

32. Please list each new program implemented by the agency during FY18 and FY19, to date. For each initiative, please provide:

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

OPC has concentrated its efforts in providing core services in a professional, efficient, and transparent manner.

33. What are the top metrics regularly used by the agency to evaluate its operations? Please be specific about which data points are monitored by the agency.

OPC measures and evaluates programmatic success by its key performance indicators (KPIs):

- (1) Percent of investigations completed by the agency in 6 months;
- (2) Percent of complaint examiner decisions issued within 120 days;
- (3) Percent of complaints resolved through mediation; and
- (4) Percent of policy recommendation reports published.

OPC has met all KPI targets for the third consecutive year, even while raising some of the targets in FY18.

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

OPC is a member of the National Association for Civilian Oversight of Law Enforcement (NACOLE). 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.

35. Please explain the impact on your agency of any legislation passed at the federal level during FY18 and FY19, to date, which significantly affected agency operations.

OPC was not affected by any federal laws passed in FY18 or FY19 to date.

36. Please identify all electronic databases maintained by the agency, including the following:

- a. A detailed description of the information tracked within each system; and
- b. The age of the system and any discussion of substantial upgrades that have been made or are planned to the system.

OPC has used IAPro as an internal case management system for the complaints received since approximately 2004. IAPro was last updated in January 2018 with a system-wide update. The public cannot access IAPro.

37. Please provide a detailed description of any new technology acquired in FY18 and FY19, 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 FY18, OPC pursued several opportunities to reevaluate its use of technology in investigations to further promote awareness of, and the community's access to, its services and activities.

First, OPC launched its Twitter account, @DistrictOPC, to increase its social media presence. OPC uses social media to announce First Amendment Protest Monitoring activities, which allows the community to know exactly where OPC staff will be during these events, in addition to the community having the ability to alert OPC of events that are happening during our monitoring. The agency also highlights its community outreach activities, and provides information on reports issued by OPC and the PCB through its Twitter and Facebook accounts.

Second, in OPC's effort to provide the most efficient and timely investigations, the agency consulted with information technology vendors to consider automated processes that would help minimize the administrative burden of the repeated tasks from case to case, while also expediting tedious tasks as the agency manages its ever-increasing complaint volume. After review, OPC implemented two new automated technologies that investigators now use for heightened efficiency:

(1) A software tool that allows complainants to schedule their initial interview online directly with their assigned investigator. This is extremely helpful in cases in which the complaint is received electronically through OPC's online complaint form. The investigator can communicate and schedule the initial complainant interview through the same forum initiated by the complainant. The complainant chooses their interview time based on the software's display of the investigator's schedule and the complainant will receive email and text reminders of the date they have chosen; and

(2) Software that transcribes the recording of investigation interviews and produces a very accurate summary of the interview within minutes. This tool allows investigators to save one to two hours on average per interview summarizing the investigation interviews, helping to minimize the administrative burden of OPC's continuously increasing case volume.

In January 2019, OPC continued its process of consulting with automated technology vendors to evaluate the possibility of minimizing repetitive administrative tasks in investigations and transcribing body-worn camera footage. OPC hopes to complete this analysis and possible implementation by the end of the third quarter this fiscal year.

38. 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 FY19.

The agency is constantly evaluating trends in complaints as well as best practices from across the country to determine what issues are appropriate for policy recommendations. Potential policy recommendations currently under review include analyzing litigation data, and police interactions with juveniles.

39. In FY17, FY18, and FY19, to date:

- a. How many individuals contacted OPC to inquire about filing a complaint?
- b. How many complaints were received? How many relating to alleged MPD conduct and HAPD conduct?
- 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?

	FY17	FY18	FY19 (to date)
a. How many individuals contacted OPC to inquire about filing a complaint?	1,872	1,819	572
b. How many complaints were received?	773	780	241
1. How many relating to alleged MPD conduct	767	776	240
2. How many relating to alleged HAPD conduct	5	4	0
3. Related to both alleged MPD and HAPD conduct	1	0	1
c. How many complaints were closed?	740	790	197
d. How many full investigative reports were completed?	14	21	5
e. How many were adjudicated?	14	22	3
f. How many were successfully mediated?	42	42	10
g. How many cases were referred to an independent hearing examiner?	14	22	5
h. How many of those cases resulted in a hearing?	0	2	0
i. How many complainants were represented by counsel in those hearings?	0	0*	0

*Counsel was arranged for both hearings; complainants failed to appear in one case and failed to cooperate with counsel in the other.

40. Has OPC experienced an increase in the number of complaints received in FY18 and FY19, to date?

a. What, if any, effect has the increase in complaints had on the agency's ability to complete investigations and resolve complaints in a timely fashion?

FY18	FY19 (to date)
1% increase	4% decrease

The increase reflected above has plateaued similarly to the 77 percent increase OPC saw in FY17. OPC has still maintained case processing times and to date, the average amount of days to close a non-adjudicated case is 73 days.

41. In FY17, FY18, and FY19, to date, how many decisions sustaining police misconduct allegations were forwarded to MPD?

FY17	FY18	FY19 (to date)
13	19	3

42. How many subject officers have been referred to MPD and HAPD for policy training or rapid resolution in FY18 and FY19, to date?

a. What is the distinction between "policy training" and "rapid resolution" in this context?

	FY18	FY19 (to date)
MPD	87	12
HAPD	2	0

OPC refers cases to MPD or DCHAPD for policy training when OPC finds that the officer does appear to have violated an MPD/DCHAPD policy or general order, but determines that the best correction is for the officer to receive additional training, rather than discipline. Policy training referral cases are fully investigated before referral, and OPC must determine that the officer likely violated a policy or general order. In contrast, when OPC receives a complaint but determines that there was likely no misconduct, OPC can refer the case to MPD for rapid resolution, in which an MPD supervisor will contact the complainant to discuss the incident and clarify MPD's policies or procedure. These cases are typically not fully investigated, and the goal is to offer better understanding and information regarding police procedure.

43. What were the outcomes of cases referred to MPD in FY17, FY18, and FY19, to date? How many cases were upheld by a final review panel?

FY17

There was one Final Review Panel held for OPC Case No. 16-0020. The final review panel upheld the sustained allegation.

Complaint Number	Discipline Determination	Complaint Number	Discipline Determination
14-0267	Education- Based Development	16-0388	Official Reprimand
16-0020	Education- Based Development	16-0429	Education- Based Development
16-0160	Education- Based Development	17-0054	Education-Based Development
16-0188	Education- Based Development	17-0079	Letter of Prejudice
16-0207	Education- Based Development	17-0084	Education-Based Discipline
16-0355	Official Reprimand	17-0107 & 17-0108	Education-Based Development
16-0376	Education-Based Development	17-0191	3-Days Suspended Without Pay, Dereliction Report

FY18

There were two Final Review Panels: (1) 16-0429 - upheld the sustained allegation from the original complaint examination; and (2) 17-0276 and 17-0359 - upheld two sustained allegations from the original complaint examination against one officer, and reversed seven other allegations against three officers.

Complaint Number	Discipline Determination	Complaint Number	Discipline Determination
16-0344	Education-Based Development	17-0243	Dereliction Report
17-0397	Education- Based Development	17-0290	Dereliction Report
17-0655	12-Day Suspension Without Pay	17-0388	Education- Based Development
17-0246	Official Reprimand	18-0221	Pending

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17-0578	1-Day Leave Forfeiture, Education-Based Development	18-0331	12-Day Suspension Without Pay, Education-Based Development
17-0604	PD 750	17-0750	10-Day Suspension Without Pay, PD 750
17-0276 & 17-0359	Education- Based Development	18-0058	Pending
17-0619	Official Reprimand, Education-Based Development	17-0615	Pending
17-0102 & 17-0104	Official Reprimand	17-0673	Pending
17-0381	Pending		

FY19 (to date)

There have been no Final Review Panels held to date in FY19.

Complaint Number	Discipline Determination	Complaint Number	Discipline Determination
18-0391	Pending	17-0723	Pending
18-0468	Pending		

44. How many matters were referred to the U.S. Attorney's Office for possible criminal prosecution pursuant to D.C. Official Code § 5-1109 in FY18 and FY19, to date?

FY18	FY19 to date
29	7

45. How many officers were the subject of multiple allegations of misconduct in FY18 and FY19, to date?

- a. What affect, if any, do multiple allegations of misconduct against a single officer have on the investigation process and final resolution of a complaint?

FY18	FY19 to date
496	133

Multiple allegations against a single officer have no effect in evaluating a specific complaint. OPC looks at the evidence, circumstances, general orders, and District Law when evaluating each allegation, and does not consider that an officer may have multiple complaints or allegations lodged against him. The resolution of each complaint is based on the facts and evidence in each case and for each allegation, and whether that evidence supports that police misconduct occurred in that specific case. However, officers who regularly engage in unprofessional conduct and who receive many complaints as a result, do contribute to an increase in overall complaint numbers. Higher numbers of complaints lead to higher caseloads which effect the overall investigation processing time.

46. What trends did you observe in the demographics of officers that were the subject of a complaint in FY18 and FY19, to date?

The race and gender demographics of officers that were the subjects of complaints in FY18 were very similar to the demographics of the department overall – approximately 50 percent of MPD officers are black, and approximately 50 percent of officers receiving complaints were black; 36 percent of MPD officers are white, and 38 percent of officers receiving complaints are white; and approximately 80 percent of MPD officers are males and approximately 80 percent of officers who were the subjects of complaints were males. There was a difference in the average age of officers who were the subject of a complaint and the average age of MPD officers overall – less than one-third of officers are younger than 35 years old, but these officers accounted for 47 percent of officers subject to complaints. Sixty-one percent of MPD officers are between the ages of 35 and 54, but officers in this age range were the subjects of less than 50 percent of complaints.

The demographics of officers who were the subjects of complaints in FY19 to date were also very similar to FY18 and prior years: black officers again accounted for approximately 50 percent of officers receiving complaints and white officers accounted for 32 percent of officers receiving complaints, while approximately 80 percent of officers who were the subjects of complaints were males. Officers less than 35 years old were the subjects of 42 percent of complaints received, while officers 35 to 54 years old were the subjects of 54 percent of complaints received.

47. What trends did you observe in the demographics of complainants in FY18 and FY19, to date?

The race and gender demographics of complainants in FY18 were very similar to the race and gender demographics of complainants in prior years – approximately 70 percent of complainants were black and approximately 15 to 20 percent were white, while approximately half were male and half were female. The proportion of younger complainants has been increasing since FY16; in FY16, complainants less than 35 years old accounted for 31 percent of complainants, increasing to 41 percent in FY18.

The demographics of complainants FY19 to date are somewhat different than prior years. Black community members only made up 63 percent of complainants, while community members in the “Other” race category accounted for 10 percent of complainants; complainants in the “Other” race category typically account for 5 or 6 percent of complainants per fiscal year. The trend of increasing younger complainants ceased in FY19 to date, with complainants less than 35 years old accounting for only 32 percent of complainants.

48. Has OPC observed any trends with respect to allegations of excessive force in FY18 and FY19, to date?

In FY18 allegations of force were the third largest category of complaint allegations, accounting for 11 percent of allegations received. This is similar to prior years, when force accounted for between 10 and 14 percent of allegations received.

In FY19 to date allegations of force accounted for 9 percent of allegations, similar to FY18 and the four previous years.

49. 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 caseload per investigator is 14. OPC investigators usually average around 10 cases which is in line with best practices.

50. 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.

51. What affect, if any, does the present of body-worn camera footage have on OPC's ability to investigate and resolve allegations of officer misconduct?

The body-worn camera footage is a powerful accountability tool as it provides a more reliable account of the actual actions and conduct of both officers and complainants. OPC's direct access to BWC footage during its investigations creates heightened confidence in the investigatory facts and consequently creates added fairness in case resolutions.

a. How many cases investigated by OPC involved BWC non-compliance of some form?

In FY18, OPC closed 165 cases that contained some form of BWC non-compliance. OPC tracks the following categories of non-compliance: camera turned on late; camera turned off early; camera not activated; camera unreasonably obstructed; community member not notified camera was recording.

b. How does the absence of body-worn camera footage from the HAPD affect OPC's ability to investigate allegations of misconduct?

Without body-worn camera footage in any case, cases take extremely longer to investigate the allegations and/or identify the officers involved. To determine the information needed without body-worn camera footage, OPC is required to interview all people present and rely on witness verbal accounts and memory. The evidence gathered is often not as complete or reliable.

52. Please list each report published by your office in FY17, FY18, and FY19, to date.

FY17

- FY16 Annual Report
- Ensuring MPD Policies and Procedures are Current
- Language and Conduct
- Notice of Infraction for Excessive Idling

- OPC Monitoring of the “Women’s March” January 21, 2017
- OPC Monitoring of the Inauguration January 20, 2017
- FY17 Mid-Year Report
- District of Columbia Housing Authority Police Department Policy and Procedures
- Blocking Passage
- Consent Search Procedures

FY18

- FY17 Annual Report
- Report on Use of Force by the Washington, D.C. Metropolitan Police Department 2017
- Implementation Update on Reports and Recommendations of the Police Complaints Board From Fiscal Years 2015 and 2016
- Officers Parking and Towing Vehicles
- FY18 Mid-Year Report
- MPD Language Access
- Viewing Body-Worn Camera Footage On-Scene
- MPD’s Outside Employment Policies

FY19 (to date)

- FY18 Annual Report
- Implementation Update on Reports and Recommendations of the Police Complaints Board From Fiscal Year 2017

53. 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 for FY18 and FY19.

Beginning in FY17, OPC incorporated this reporting requirement in its FY17 Mid-Year Report published on April 4, 2017, in its FY17 Annual Report published on October 31, 2017, and its FY18 Annual Report published on November 5, 2018. These reports outlined MPD compliance with BWC guidelines on usage and the impact of BWC on complaints received by OPC. OPC will continue to report this data in its fiscal year mid-year and annual reports.

54. Please discuss any community outreach conducted in FY18 and FY19, to date, and any planned outreach for the remainder of FY19.

In FY18, OPC conducted 28 outreach events and 8 events in FY19 Quarter 1. In FY18, OPC expanded its youth outreach by conducting its Student Interactive Training (SIT) program at various D.C. Department of Parks and Recreation Teen Career Summer Camps. Additional outreach to students in FY18 included presenting OPC’s SIT program at several D.C. public and charter high schools. The agency also participated in information fairs hosted by American University Washington College of Law, Georgetown Law, and the University of Maryland College Park.

OPC also participated in the D.C. Bar Communities 19th Annual Youth Law Fair and Howard University Department of Public Safety Annual Safety Awareness Fair. OPC continued its outreach efforts with organizations that provide direct services to the District's Latino and immigrant population. OPC conducted information sessions for staff at Ayuda and Central American Resource Center.

Beyond the District, OPC conducted a Spanish language video presentation for Global Ties U.S. Police Professionalization Program with Mexico on how civilian oversight agencies operate to increase community trust in the police department. Global Ties U.S. is a partner of the U.S. Department of State that coordinates international exchange programs.

Additionally, OPC presented at various neighborhood association meetings, including LeDroit Park Resident Council and Advisory Neighborhood Council 3/4G meetings. The agency conducted information sessions for D.C. Public School counselors and American University Washington College of Law students. OPC also participated in Columbia Heights Day, Briya Public Charter School Know Your Rights Information Fair, and community service fairs hosted by the Washington English Center. OPC will continue these efforts in FY19.