



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

January 13, 2020

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 December 23, 2019, in which you asked that OPC submit answers to your questions in advance of the annual performance oversight hearing for this agency on January 16, 2020. Included below are responses to each question.

Sincerely,

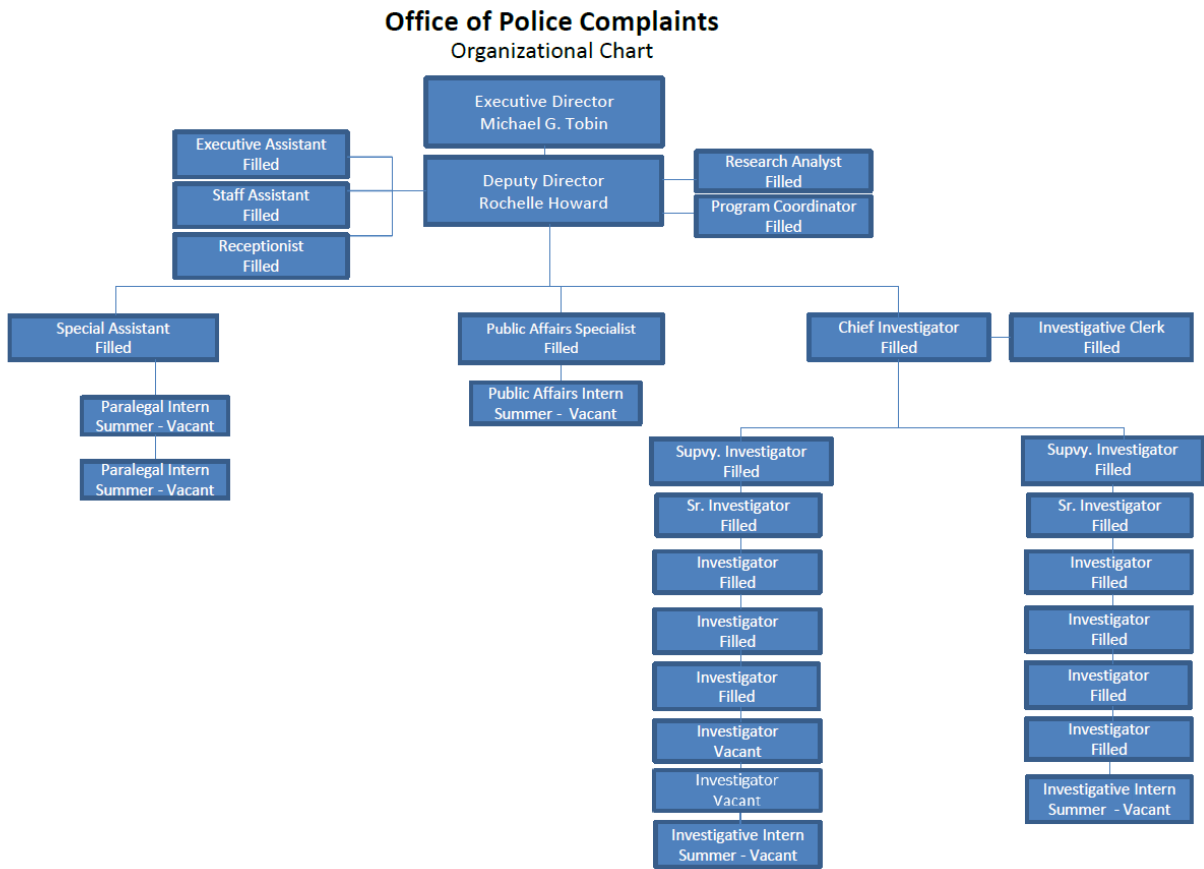
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Michael G. Tobin  
Executive Director

All information or data was collected on December 31, 2019.

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.



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

Investigation Division: Includes 15 staff members (1 Chief Investigator, 2 Investigation Managers, 11 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, police policy review and

recommendations, and communications with other district agencies, the Council, and other 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.**

In FY20, OPC received funding for an additional full-time investigator FTE.

**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.**

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

Prog Code	Act Code	F, V, Frozen	Pos Num	Pos Title	Emp Name	Agency Service	Salary	Fringe	FTE	Continuing/Temp/Contract
1000	1085	F	00069594	Clerical Assistant	Smith, Nydia	10	48,789.00	10,538.42	1.00	Continuing
1000	1090	F	00000195	Executive Director	Tobin, Michael	5	225,115.32	48,624.91	1.00	Term
1000	1090	F	00021018	Executive Assistant	Banks, Stephanie	15	76,126.00	16,443.22	1.00	Continuing
1000	1090	F	00024773	Staff Assistant	Ryan, Kimberly	9	71,406.00	15,423.70	1.00	Continuing
1000	1090	F	00073080	Deputy Director	Howard, Rochelle	4	149,990.39	32,397.92	1.00	Continuing
2000	2010	F	00000295	Investigator	Jeffrey, Samantha	1	55,955.00	12,086.28	1.00	Continuing
2000	2010	F	00001219	Program Analyst	Weber, Chris	3	69,429.00	14,996.66	1.00	Continuing
2000	2010	V	00001858	Student Intern (Paralegal)			12,764.75	2,757.19	0.25	Temp
2000	2010	V	00002977	Student Intern (Paralegal)			12,764.75	2,757.19	0.25	Temp
2000	2010	F	00003480	Investigator	Lawrence, Anthony	17.5	97,375.00	21,033.00	1.00	Continuing
2000	2010	F	00013878	Supervisory Investigator	Andrews, Mona	15	132,125.39	28,539.08	1.00	Continuing
2000	2010	F	00034841	Investigator	Davis, Jeffrey	2.5	55,955.00	12,086.28	1.00	Continuing
2000	2010	V	00034881	Student Intern (Public Affairs)			9,207.75	1,988.87	0.25	Temp
2000	2010	F	00042322	Investigator	Cross, Marke	2.5	78,487.00	16,953.19	1.00	Continuing
2000	2010	V	00045458	Investigator			54,323.00	11,733.77	1.00	Continuing

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2000	2010	F	00048812	Supv Investigator	Smith, Natasha	18.5	113,686.78	24,556.34	1.00	Continuing
2000	2010	F	00048814	Supv Investigator	Rau, Jessica	6	93,776.56	20,255.74	1.00	Continuing
2000	2010	F	00069541	Investigator	Murphy, Lindsey	4	67,452.00	14,569.63	1.00	Continuing
2000	2010	V	00070897	Investigator			55,955.00	12,086.28	1.00	Continuing
2000	2010	F	00070918	Clerical Assistant	Grant, Darlene	1	48,145.00	10,399.32	1.00	Continuing
2000	2010	F	00071978	Investigator	Sutton, Danielle	4.5	75,360.00	16,277.76	1.00	Continuing
2000	2010	F	00075267	Investigator	Clark, Chauntini	3	52,691.00	11,381.26	1.00	Continuing
2000	2010	F	00078179	Investigator	Moody, Catheryn	3 mo	65,475.00	14,142.60	1.00	Continuing
2000	2010	F	00099661	Investigator	Clift, Brittany	2 mo	61,521.00	13,288.54	1.00	Continuing
3000	3010	F	00012551	Public Affairs Specialist	Cleveland, Nykisha	12.5	79,314.00	17,131.82	1.00	Continuing
4000	4010	V	00002513	Student Intern (Investigations)			8,609.75	1,859.71	0.25	Temp
4000	4010	V	00004941	Student Intern (Investigations)			8,609.75	1,859.71	0.25	Temp
4000	4010	F	00036669	Special Assistant	Yass, Alicia	3.5	120,257.00	25,975.51	1.00	Continuing
4000	4010	F	00091227	Research Analyst	Li, Yan		76,126.00	16,443.22	1.00	Continuing

**3. Please list all employees detailed to or from your agency during FY19 and FY20. 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 FY19 and FY20, to date; and

Vehicles are not assigned to specific staff. Staff uses both vehicles as needed.

Vehicle Type	Tag Number	Dates	Accident(s)
2014 4-door Honda Civic Hybrid	DC 8843	FY 19	None
		FY 20	
2014 4-door Honda Civic Hybrid	DC 10492	FY 19	None
		FY 20	

**b. A list of travel expenses, arranged by employee for FY19 and FY20, to date, including the justification for travel.**

Employee	Position Title	Total Expense	Location/Dates	Justification
Rochelle Howard	Deputy Director	\$307.29	Cleveland, Ohio 11/30/18 – 12/1/18	NACOLE Regional Conference
Michael Tobin	Executive Director	\$593.84	New York, NY 3/14/2019 – 3/16/2019	NYC Symposium on Oversight of Law Enforcement
Alicia Yass	Legal Counsel	\$1710.42	Uncasville, CT 5/28/2019 – 6/2/2019	2019 First Amendment Summit
Michael Tobin	Executive Director	\$1887.72	Detroit, Michigan 9/22/2019 – 10/1/2019	2019 NACOLE Conference
Rochelle Howard	Deputy Director	\$1723.54	Detroit, Michigan 9/22/2019 – 10/1/2019	2019 NACOLE Conference
Mona Andrews	Chief Investigator	\$1805.09	Detroit, Michigan 9/22/2019 – 10/1/2019	2019 NACOLE Conference
Natasha Smith	Investigator Manager	\$1638.38	Detroit, Michigan 9/22/2019 – 10/1/2019	2019 NACOLE Conference
Paul Ashton	Board Chairperson	\$1710.69	Detroit, Michigan 9/22/2019 – 10/1/2019	2019 NACOLE Conference
Yan Li	Research Analyst	\$2143.52	Nashville, TN 11/18/2019 – 11/22/2019	2019 IAPro Conference

**5. Please list all memoranda of understanding (“MOU”) entered into by the agency during FY19 and FY20, 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.**

MOU	Date Entered	Termination Date
DCPC and OCFO – FY19 Office 365 license setup	11/10/19	9/30/19
DCPC and FEMS – FY19 Budget Services	4/8/19	9/30/19
DCPC and DCHR – Executive Leadership Training Program	12/17/19	6/30/20

**6. Please list the ways, other than MOU, in which the agency collaborated with analogous agencies in other jurisdictions, with federal agencies, or with non-governmental organizations in FY19 and FY20, to date.**

OPC is an active member of the National Association of Civilian Oversight of Law Enforcement (NACOLE). If FY19 and FY20, to date OPC staff were asked to speak or present at regional and national NACOLE conferences as well as being elected to NACOLE committees to participate in planning NACOLE training.

OPC collaborated with the Austin civilian oversight office holding monthly virtual meetings to assist in creating their own mediation program. OPC was contacted by the Chicago civilian oversight office to consult on different strategies regarding investigative case closure techniques and creating their mediation program.

OPC has not collaborated with any federal agencies.

**7. For FY19 and FY20, to date, please list all intra-District transfers to or from the agency and the purpose for each transfer.**

<b>FY 2019 Intra-District Transfers To - BUYER SUMMARY</b>					
<b>Office of Police Complaints-FH0</b>					
<b>SELLING AGENCY</b>	<b>DESCRIPTION OF SERVICES PROVIDED</b>	<b>SERVICE PERIOD</b>	<b>FUNDING SOURCE</b>	<b>PROGRAM/ACTIVITY</b>	<b>AMOUNT</b>
Office of the Chief Financial Officer (OCFO/PSJC) - FB0	Financial Shared Services	10/1/2018 - 09/30/2019	Local	1000/1090	15,000
Office of Contracting and Procurement (OCP) - PO0	Purchase Cards	10/1/2018 - 09/30/2019	Local	1000 1020	47,222
Office of the Chief Technology Officer (OCTO) - TO0	Telecommunications (DCNet and NonDCNet)	10/1/2018 - 09/30/2019	Local	1000 1040	3,566
Office of the Chief Technology Officer (OCTO) - TO0	Microsoft 365 Enterprise E1 and E3 step-up licenses	10/1/2019 - 9/30/2019	Local	1000 1040	4,585
Dept of Public Works (DPW) - KT0	Fleet	10/1/2018 - 09/30/2019	Local	1000 1070	3,127
<b>TOTAL</b>					<b>73,500</b>

<b>FY 2019 Intra-District Transfers From - SELLER SUMMARY</b>					
<b>Office of Police Complaints-FH0</b>					
<b>BUYING AGENCY</b>	<b>DESCRIPTION OF SERVICES PROVIDED</b>	<b>SERVICE PERIOD</b>	<b>FUNDING SOURCE</b>	<b>PROGRAM/ACTIVITY</b>	<b>AMOUNT</b>
OPC HAD NO SELLER-SIDE INTRA-DISTRICTS					
<b>TOTAL</b>					<b>0</b>

<b>FY 2020 intra-District Transfers To - BUYER SUMMARY</b>					
<b>Office of Police Complaints - FH0</b>					
<b>SELLING AGENCY</b>	<b>DESCRIPTION OF SERVICES PROVIDED</b>	<b>SERVICE PERIOD</b>	<b>FUNDING SOURCE</b>	<b>PROGRAM/ACTIVITY</b>	<b>AMOUNT</b>
Office of Contracting and Procurement	Purchase Cards	10/1/2019 - 9/30/2020	Local	1020/0410	50,000
Office of the Chief Technology Officer (OCTO) - TO0	RTS Payments	10/1/2019 - 9/30/2020	Local	1000/1090	1,000
Dept of Human Resources	Executive Leadership Program	10/1/2019 - 9/30/2020	Local	2010/0410; 2010/0409	12,500

Dept of Public Works (DPW) - KT0	Fleet	10/1/2019 - 9/30/2020	Local	1000/1070	2,000
<b>TOTAL</b>					<b>65,500</b>

<b>FY 2020 intra-District Transfers From - SELLER SUMMARY</b>					
<b>Office of Police Complaints- FH0</b>					
<b>BUYING AGENCY</b>	<b>DESCRIPTION OF SERVICES PROVIDED</b>	<b>SERVICE PERIOD</b>	<b>FUNDING SOURCE</b>	<b>PROGRAM/ACTIVITY</b>	<b>AMOUNT</b>
OPC HAS NO SELLER-SIDE INTRA-DISTRICT TRANSFERS					

8. For FY19 and FY20, 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 funds for FY19 and FY20, to date.

9. For FY19 and FY20, 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	FY19
	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
				<b>Total \$ 26,714.23</b>

				FY20 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
				<b>Total \$6,322.08</b>

**10. Please list all capital projects in the financial plan for the agency or under the agency’s purview in FY19 and FY20, to date, and provide an update on each project, including the amount budgeted, actual dollars spent, and any remaining balances. In addition, please provide:**

- a. An update on all capital projects begun, in progress, or concluded in FY18, FY19, and FY20, to date, including the amount budgeted, actual dollars spent, and any remaining balances;
- b. An update on all capital projects planned for the four-year financial plan;
- c. A description of whether the capital projects begun, in progress, or concluded in FY18, FY19, and FY20, to date, had an impact on the operating budget of the agency. If so, please provide an accounting of such impact; and
- d. A description and the fund balance for each existing allotment in each capital project under the agency’s purview.

To date, OPC has no capital projects in FY19 and none planned for FY20.

**11. Please provide a list of all budget enhancement requests (including capital improvement needs) for FY19 and FY20, 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 has not requested any budget enhancements for FY19 and FY20.

**12. Please list, in chronological order, each reprogramming in FY19 and FY20, 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.**

Office of Police Complaints				
FY19 Reprogramming List				
LOCAL			Starting Budget	2,538,132.34
FUND	DATE ENTERED	IN/OUT/WITHIN	RATIONALE	AMOUNT
0100	12/28/2018	WITHIN	REALIGN BUDGET (\$76,293.21). SHIFT PS & NPS FOR P-CARD, NACOLE CONFERENCE, CONTRACTS, RENOVATION.	\$0

0100	4/3/2019	WITHIN	REALIGN BUDGET (\$79,585.26). SHIFT PS TO NPS (NACOLE CONFERENCE, RENOVATION, OCTO LICENSING, PRINTING, PSJC SHARED SERVICES MOU, IT HARDWARE, TELECOM, FLEET, MEDIATION).	\$0
0100	8/12/2019	OUT	BUDGET ADJUSTMENT. FY19 COUNCIL SUPPLEMENTAL BUDGET REQUEST.	(\$723)
0100	9/27/2019	WITHIN	REALIGN BUDGET (\$19,658). SHIFT PS TO NPS (ADJUDICATION CONTRACTS, OUTREACH, FACILITY SECURITY, TRAINING, SHREDDING)	\$0
0100	9/30/2019	OUT	BUDGET ADJUSTMENT. MOVE FUNDS TO SUPPORT FEMS FYE DEFICIT.	(\$74,277)
			<b>Final Budget</b>	<b>2,463,131.98</b>
<b>Office of Police Complaints</b>				
<b>FY20 Anticipated Reprogrammings</b>				
<b>LOCAL</b>			<b>Starting Budget</b>	<b>2,790,632</b>
<b>FUND</b>	<b>DATE ENTERED</b>	<b>IN/OUT/WITHIN</b>	<b>RATIONALE</b>	<b>AMOUNT</b>
0100		WITHIN	BUDGET REALIGNMENT: Amount unknown at this time, depends on spending at the end of FY20Q2	\$0
			<b>Final Budget</b>	<b>\$2,790,632</b>

**13. Please list each grant or sub-grant received by your agency in FY19 and FY20, to date. List the date, amount, source, purpose of the grant or sub-grant received, and amount expended.**

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

To date, OPC has not received any grants or sub-grants for FY19 and FY20, to date. OPC has no FTEs dependent on grant funding.

**14. Please list each grant or sub-grant granted by your agency in FY19 and FY20, to date. List the date, amount, source, and purpose of the grant or sub-grant granted.**

To date, OPC has not granted any grants or sub-grants for FY19 and FY20, to date. OPC has no FTEs dependent on grant funding.

**15. Please list each contract, procurement, and lease, entered into, extended, and option years exercised by the agency during FY19 and FY20, 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
Metropolitan Office Products	Office Furniture/Renovation	\$6919.74	1 Year	Y/CBE	Kimberly Ryan	0100	19
	Lobby Area Furniture/Renovation	\$6029.93	1 Year	Y/CBE	Kimberly Ryan	0100	19
American Business Supplies	Office Supplies	\$1,215.96	1 year	Y/CBE	Kimberly Ryan	0100	19
Formost Advanced Creations	Printing Services	\$725.00	1 Year	Y/CBE	Kimberly Ryan	0100	19
Total Office Products	Office Supplies /Outreach Products	\$8,032.12	1 year	Y/CBE	Kimberly Ryan	0100	19
Dupont Computers	IT Office Supplies	\$1,593.00	1 year	Y/CBE	Kimberly Ryan	0100	19
SOCO Contracting INC	Countertop/Renovation	\$1541.00	1 year	Y/CBE	Kimberly Ryan	0100	19
Star Office Products	Copier Maintenance	\$4,999.99	Annual	Y/CBE	Kimberly Ryan	0100	19
		\$5,600.00					20
Park America	Parking Spaces Agency Vehicles Executive Director Space	\$12,960.00 (refund of \$2,160)	Annual	N	Kimberly Ryan	0100	19
		\$6,480.00					20
Keyed In LLC	Security Camera/Renovation	\$2,855.00	1 year	N	Kimberly Ryan	0100	20
Metro Mediation	Mediation Services	\$6,100.00	1st of 2 year option	N	Stephanie Banks	0100	19
Thomson West	Online Research	\$2,361.08	Annual	N	Stephanie Banks	0100	19
Capital Services & Supplies	Adobe Software Plan	\$2,731.03	Annual	Y/CBE	Stephanie Banks	0100	19
Acorn Strategies LLC	Consulting Services/Technology Review	\$9,000.00	1 year	N	Stephanie Banks	0100	19
Convergient Technologies	Security Door Repair	\$742.25	1 year	N	Stephanie Banks	0100	19

Dupont Computers	Computer Hardware/ Desktops	\$9,950.00	1 year	Y/CBE	Stephanie Banks	0100	19
CDW Government Inc	IPad Replacements	\$3,566.48	1 year`	Y/CBE	Stephanie Banks	0100	19
MVS Inc	Smartboard	\$9,052.70	1 year	Y/CBE	Stephanie Banks	0100	19
Reed Elsevier Lexis Nexis	Online Research	\$2,520.00	Annual	N	Stephanie Banks	0100	19
		\$3,540.00					20
Consensus Building Institute	Mediation Services	\$6,000.00	1st of 2year option	N	Stephanie Banks	0100	19
		\$8,000.00					20
CI Technologies, Inc.	IA Pro software license renewal and maintenance	\$2,601.00	Annual	N	Stephanie Banks	0100	19
		\$2,653.02					20

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

OPC has one pending lawsuit for which an evidentiary hearing is set for January 2020 regarding a former employee's termination from the agency for conduct. OPC does not anticipate that this lawsuit will subject the District to significant financial liability.

**17. Please list all settlements entered into by the agency or by the District on behalf of the agency in FY19 or FY20, 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 FY19 or FY20 to date, OPC has not entered into any settlements.

**18. Please list the administrative complaints or grievances that the agency received in FY19 and FY20, 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 FY19 and FY20, to date, OPC received one employee EEO complaint which is pending and two employee administrative grievances to disciplinary action were denied. No change in agency policy or procedures resulted.

**19. Please describe the agency’s procedures for investigating allegations of sexual harassment, sexual misconduct, or discrimination committed by or against agency employees. List and describe any allegations relating to the agency or its employees in FY19 and FY20, to date, and whether and how those allegations were resolved (e.g. a specific disciplinary action, such as re-training, employee transfer, suspension, or termination).**

Investigation Procedures	
Clock starts	Allegation of sexual harassment. If the allegation was not reported to the Sexual Harassment Officer (SHO), the individual who received the allegation must immediately notify the SHO.
Within 3 Days	Notify the Mayor’s Office of Legal Counsel (MOLC) of the allegation within 3 days.
Over the Course of 60 Days	SHO conducts an investigation of the allegation.
Within 60 Days	SHO concludes the investigation and produces a SHO Investigation Report to the Executive Director, outlining the evidence and outcome of the investigation.
After review of the SHO Investigation Report	Executive Director issues Notice of Findings and Conclusions based on the SHO Investigation Report. Executive Director provides the Notice of Findings and Conclusions to the Complainant and Alleged Harasser AND provides a copy of the Notice to the MOLC.

- a. **Please also identify whether the agency became aware of any similar matters in FY19 or FY20, to date, through means other than an allegation, and if so, how the matter was resolved (e.g. sexual harassment was reported to the agency, but not by the victim).**

The agency has not become aware of similar matters through means other than an allegation in FY19 and FY20, to date.

**20. Please provide the Committee with a list of the total workers’ compensation payments paid by the agency or on the agency’s behalf in FY19 and FY20, to date, including the number of employees who received workers’ compensation payments, in what amounts, and for what reasons.**

In FY19 and FY20 to date, OPC has not paid any workers’ compensation payments.

**21. 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 FY19 and FY20, to date.**

In FY19 and FY20, to date, OPC had no ongoing or completed investigations, audits, or reports.

**22. Please describe any spending pressures the agency experienced in FY19 and any anticipated spending pressures for the remainder of FY20. Include a description of the pressure and the estimated amount. If the spending pressure was in FY19, describe how it was resolved, and if the spending pressure is in FY20, describe any proposed solutions.**

OPC experienced no spending pressures in FY19 nor are any anticipated for FY20.

**23. Please provide a copy of the agency’s FY19 performance plan. Please explain which performance plan objectives were completed in FY19 and whether they were completed on time and within budget. If they were not, please provide an explanation.**

**Office of Police Complaints FY2019**

Agency Office of Police Complaints

Agency Code FHO

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
<b>1 - Resolve police misconduct complaints in an impartial, timely, and professional manner. (2 Measures)</b>					
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%
<b>2 - Promote positive community-police interactions through public education and awareness. (1 Measure)</b>					
Percent of complaints resolved through mediation program	Up is Better	12.9%	11.4%	9.8%	10%
<b>3 - Enhance OPCs mission to improve public confidence and community trust. (1 Measure)</b>					
Percent of policy recommendation reports published	Up is Better	100%	100%	100%	100%
<b>4 - Create and maintain a highly efficient, transparent and responsive District government. (4 Measures)</b>					
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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 Response to FY19 Performance Oversight Pre-Hearing Questions  
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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
<b>1 - Resolve police misconduct complaints in an impartial, timely, and professional manner. (4 Activities)</b>			
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
<b>2 - Promote positive community-police interactions through public education and awareness. (2 Activities)</b>			
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
<b>3 - Enhance OPCs mission to improve public confidence and community trust. (3 Activities)</b>			
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
		updated legal impacts to better serve the community in ensuring the District police forces are operating with the best practices and procedures.	
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
<b>1 - Conduct complaint examiner In-Service Training (1 Measure)</b>			
Number of complaint examiners attended required training	10	6	9
<b>1 - Conduct management meetings (1 Measure)</b>			
Number of management meetings held	Not Available	31	26
<b>1 - Investigator participating in continual professional development (4 Measures)</b>			
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
<b>1 - Manage and monitor complaint examiner compliance (4 Measures)</b>			
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
<b>2 - Communicate with a wide range of organizations, government agencies, social service providers, neighborhood associations, and advocacy groups to create partnerships (1 Measure)</b>			
Number of community partnerships created	15	17	5
<b>2 - Communicate with civic groups, government organizations, schools, advisory boards, etc. to schedule outreach events (1 Measure)</b>			

Measure	FY 2016	FY 2017	FY 2018
Number of outreach events held	32	50	28
<b>3 - Conduct regular meetings with MPD leadership to discuss policy change recommendations (1 Measure)</b>			
Number of meetings held with MPD	Not Available	3	3
<b>3 - Research policing best practices (1 Measure)</b>			
Number of policy recommendations issued	1	18	22
<b>3 - Review all OPC complaints received to determine trends and/or patterns (2 Measures)</b>			
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
<b>Investigator participating in continual professional development (1 Strategic Initiative)</b>		
OPC Staff Presentations	OPC is often asked to consult or present on our model operations across the nation.	09-30-2019
<b>Research policing best practices (1 Strategic Initiative)</b>		
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

All FY19 performance plan objectives were completed on time and within budget.

**24. Please provide a copy of your agency’s FY20 performance plan as submitted to the Office of the City Administrator.**

**Office of Police Complaints FY2020**

**Agency** Office of Police Complaints

**Agency Code** FH0

**Fiscal Year** 2020

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

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.

Key Performance Indicators

Measure	Directionality	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual	FY 2020 Target
<b>1 - Resolve police misconduct complaints in an impartial, timely, and professional manner. (2 Measures)</b>					
Percent of investigations completed within 180 days	Up is Better	84.3%	90.3%	85%	70%
Percent of complaint examiner decisions completed within 120 days	Up is Better	100%	100%	100%	90%
<b>2 - Promote positive community-police interactions through public education and awareness. (1 Measure)</b>					
Percent of complaints resolved through mediation program	Up is Better	11.4%	9.8%	7.9%	8%
<b>3 - Enhance OPCs mission to improve public confidence and community trust. (1 Measure)</b>					
Percent of policy recommendation reports published	Up is Better	100%	100%	100%	100%

Operations

Operations Header	Operations Title	Operations Description	Type of Operations
<b>1 - Resolve police misconduct complaints in an impartial, timely, and professional manner. (4 Activities)</b>			
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

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Operations Header	Operations Title	Operations Description	Type of Operations
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
<b>2 - Promote positive community-police interactions through public education and awareness. (2 Activities)</b>			
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
<b>3 - Enhance OPCs mission to improve public confidence and community trust. (3 Activities)</b>			
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, updated legal impacts to better serve the community in ensuring the District police forces are operating with the best practices and procedures.	Daily Service
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

Workload Measures

Measure	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual
<b>1 - Conduct complaint examiner In-Service Training (1 Measure)</b>			
Number of complaint examiners attended required training	6	9	8
<b>1 - Conduct management meetings (1 Measure)</b>			
Number of management meetings held	31	26	28
<b>1 - Investigator participating in continual professional development (4 Measures)</b>			
Number of investigators attending annual MPD professional development training	100	14	15
Number of investigators attending at least 2 external training sessions	16	7	8
Number of new investigators attending Reid Training	4	0	4
Number of presentations completed	40	12	7
<b>1 - Manage and monitor complaint examiner compliance (4 Measures)</b>			
Number of complaint examiner decisions processed	14	21	23

Measure	FY 2017 Actual	FY 2018 Actual	FY 2019 Actual
Number of rapid resolution referrals	New in 2019	New in 2019	17
Number of cases withdrawn by the complainant	New in 2019	New in 2019	33
Number of Policy Training Referrals	New in 2019	New in 2019	30
<b>2 - Communicate with a wide range of organizations, government agencies, social service providers, neighborhood associations, and advocacy groups to create partnerships (1 Measure)</b>			
Number of community partnerships created	17	5	1
<b>2 - Communicate with civic groups, government organizations, schools, advisory boards, etc. to schedule outreach events (1 Measure)</b>			
Number of outreach events held	50	28	51
<b>3 - Conduct regular meetings with MPD leadership to discuss policy change recommendations (1 Measure)</b>			
Number of meetings held with MPD	3	3	5
<b>3 - Research policing best practices (1 Measure)</b>			
Number of policy recommendations issued	18	22	12
<b>3 - Review all OPC complaints received to determine trends and/or patterns (2 Measures)</b>			
Number of complaints received	791	780	879
Number of contacts	1522	1596	1748

**25. Please describe any regulations promulgated by the agency in FY19 or FY20, to date, and the status of each.**

No regulations were promulgated in FY19 or in FY20, to date.

**26. Please provide the number of FOIA requests for FY19 and FY20, to date, that were submitted to your agency. Include the number granted, partially granted, denied, and pending. In addition, please provide the average response time, the estimated number of FTEs required to process requests, the estimated number of hours spent responding to these requests, and the cost of compliance.**

FOIA requests	Total	Granted	Partially Granted	Denied	Pending	Response Time	FTEs	Hours Spent	Cost
<b>FY19</b>	63	6	10	38	0	4.3 days	1	58	\$3,255.64
<b>FY20 (to date)</b>	18	2	6	9	1	5 days	1	17	\$954.24

**27. Please provide a list of all studies, research papers, reports, and analyses that the agency prepared or for which it contracted in FY19 and FY20, 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.**

In FY19 and FY20, OPC did not contract for any studies, research papers, reports or analyses

**28. Please list in descending order the top 25 overtime earners in your agency in FY19 and FY20, 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.**

Office of Police Complaints FY19 Overtime Earners							
Pos Nbr	Pos Title	Emp Name	Prog Code	Activity Code	FY 2019 Salary	Fringe @ 21.4%	Overtime Earned (Obj Code) 0133
Office of Police Complaints had no overtime hours in FY 2019.							
Office of Police Complaints FY20 (to date) Overtime Earners							
Pos Nbr	Pos Title	Emp Name	Prog Code	Activity Code	FY 2020 Salary	Fringe @ 21.6%	Overtime Earned (Obj Code) 0133
00071978	Investigator	Sutton, Danielle	2000	2010	75,360.00	16,277.76	299.00

**29. For FY19 and FY20, 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 FY19 and FY20.

**30. For FY19 and FY20, to date, please list each employee separated from the agency with separation pay. State the amount and number of weeks of pay. Also, for each, state the reason for the separation.**

OPC has one employee separated from the agency for conduct. No separation pay was paid.

**31. Please provide the name of each employee who was or is on administrative leave in FY19 and FY20, to date. In addition, for each employee identified, please provide: (1) their position; (2) a brief description of the reason they were placed on leave; (3) the dates they were/are on administrative leave; (4) whether the leave was/is paid or unpaid; and (5) their current status.**

No employees were placed on paid or unpaid administrative leave in FY19 and FY20, to date.

**32. 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.

**33. If there are any boards, commissions, or task forces associated with your agency, please provide a chart listing the names, number of years served, agency affiliation, and attendance of each member. Include any vacancies. Please also attach agendas and minutes of each board, commission, or task force meeting in FY19 or FY20, to date, if minutes were prepared. Please inform the Committee if the board, commission, or task force did not convene during any month.**

Board Member	Yrs Served	Last Confirmation Date	Term	Ward of Residence	Attendance
Paul Ashton, Chairperson	5	January 12, 2019	January 12, 2022	Ward 1	Yes
Jeff Tignor, Board Member	1	January 12, 2019	January 12, 2021	Ward 4	Yes
Commander Morgan Kane, Board Member	3	December 12, 2017	January 12, 2021	Ward 6	Yes
Bobbi Strang, Board Member	5	May 2, 2017	January 12, 2020	Ward 7	Yes
Kurt Vorndran, Board Member	14	January 12, 2006	Term ended January 12, 2014; Serving until filled	Ward 3	Yes

All Police Complaints Board notice of meetings, agendas, and minutes can be found at <https://www.open-dc.gov/public-bodies/police-complaints-board>

**34. 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 plans to publish its FY19 annual report by January 31, 2020 due to a change in staffing responsible for generating the data relevant to this report.

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 the inaugural report on January 23, 2018, the second report on March 19, 2019 and is currently drafting the CY19 report. The CY19 report publication is delayed due to OPC not receiving any of the necessary data from MPD until December 23, 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. OPC anticipates the report outlining the status of its FY18 recommendations and the implementation status of each to be published by February 2020.

**35. Please provide a list of any additional training or continuing education opportunities made available to agency employees. For each additional training or continuing education program, please provide the subject of the training, the names of the trainers, and the number of agency employees that were trained.**

See Question 4b. Additional training:

<b>Training</b>	<b>Trainer</b>	<b># of OPC emp</b>
Reid Interviewing and Interrogation Training	John E. Reid & Associates Inc	4
Inclusive Policing Training	MPD Academy	2
New Manager Training	DCHR	1
Sworn Officer Annual Professional Development Training	MPD Academy	16
Non-Supervisor Leadership Training	DCHR	3
NACOLE Regional Training	OPC Staff/NACOLE members	20
Sexual Harassment Officer Training	DCHR	2
Cybersecurity Training	SkillPort	22
FOIAXpress User Conference	FOIAXpress	1
BEGA Ethics Counselor Training	BEGA	2
Executive Leadership Training	GW School of Public Leadership	1
EEO Counselor Training	OHR	1
DCHR HR Summit	DCHR	2
Using/Managing the DC PCard	OCP	3
Understanding ADA and DC FMLA	DCHR	2
FMLA Training	DCHR	3

Key Executive Women in Leadership Forum	AU School of Public Affairs	2
Sexual Harassment Prevention Training	SkillPort	22
Workplace Discrimination	OHR	1
Human Right Liaison	OHR	4
Writing for the Web	OCTO	1
Website Improvement	OCTO	1
The Extraordinary Administrative Professional	Fred Prior	1
Resume Building	DCHR	1
Interviewing Skills	DCHR	1

**36. Please describe any initiatives that the agency implemented in FY19 or FY20, 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 collaborated with the MPD OPC Liaisons to reevaluate NEAR Act rapid resolution referral process cases. This teamwork will lead to more cases referred for rapid resolution and less OPC investigations.

In FY17 through FY20, to date OPC has worked with DCHR to reclassify, redescribe, or recertify every staff position description to ensure it better aligns with current operations.

In FY19, OPC facilitated training leading to better processing of the criminal court subpoenas OPC continuously receives.

**37. What are the agency’s top five priorities? Please explain how the agency expects to address these priorities in FY20. 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 continues.

(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 FY20, 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 (BWC) 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. OPC has seen a gradual increase in MPD BWC usage compliance since BWC was fully implemented in December 2016. In FY19, BWC non-compliance in OPC cases with BWC decreased another four percent.

(5) Social Media Leverage. OPC leverages these social media platforms along 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.

- 38. Please list each new program implemented by the agency during FY19 and FY20, 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.**

<b>Initiative</b>	<b>Description</b>	<b>Funding Required</b>
Instructional Videos	OPC is working on: <ul style="list-style-type: none"> <li>• An instructional video to add to the agency website that will explain how to file out our online complaint form</li> <li>• A video welcome message from the Director will be added to the agency website</li> </ul>	\$0
Electronic Signatures	OPC is researching options for electronic signatures that will aid in less processing time of investigative documents	Unknown

**39. How does the agency measure programmatic success? Please discuss any changes to outcomes measurement in FY19 and FY20, to date.**

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.

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

In addition to KPIs outlined in Question 39, OPC monitors and evaluates the following workload measures:

- a. Number of complaint examiners attended required training
- b. Number of management meetings held by Investigations Management
- c. Number of investigators attending annual MPD professional development training
- d. Number of investigators attending at least 2 external training sessions
- e. Number of investigators attending Reid Training
- f. Number of complaint examiner decisions processed
- g. Number of community partnerships created
- h. Number of outreach events held
- i. Number of executive meetings with MPD
- j. Number of policy recommendations issued
- k. Number of rapid resolution referrals
- l. Number of policy training referrals

**41. Please identify whether, and if so, in what way, the agency engaged The Lab @ DC in FY19 or FY20, to date.**

OPC periodically attends The Lab @ DC meetings.

**42. 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.

**43. Please explain the impact on your agency of any legislation passed at the federal level during FY19 and FY20, to date, which significantly affected agency operations.**

OPC was not affected by any federal laws passed in FY19 or FY20 to date.

**44. Please describe any steps the agency took in FY19 and FY20, to date, to improve the transparency of agency operations, including any website upgrades or major revisions.**

OPC continuously updates its website and social media accounts to ensure the public is aware of any outreach activities, announcements, published policy recommendations, and employment opportunities. OPC continues to expand our community partnerships to ensure our services are available to as many District community members as possible.

**45. 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 complaints received since approximately 2004. IAPro was last updated in January 2018 with a system-wide update. The public cannot access IAPro.

**46. Please provide a detailed description of any new technology acquired in FY19 and FY20, to date, including the cost, where it is used, and what it does. Please explain if there have there been any issues with implementation.**

See Question 38.

**47. 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 FY20.**

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 recommendations to guide police interactions with juveniles, social media oversight, and gun registration.

**48. In FY18, FY19, and FY20, 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?**

	<b>FY18</b>	<b>FY19</b>	<b>FY20 (to date)</b>
<b>a. How many individuals contacted OPC to inquire about filing a complaint?</b>	1819	1,958	457
<b>b. How many complaints were received?</b>	780	811	207
<b>1. How many relating to alleged MPD conduct</b>	776	801	204
<b>2. How many relating to alleged HAPD conduct</b>	4	8	2
<b>3. Related to both alleged MPD and HAPD conduct</b>	0	2	1

<b>c. How many complaints were closed?</b>	790	784	187
<b>d. How many full investigative reports were completed?</b>	21**	23	5
<b>e. How many were adjudicated?</b>	22	24***	5
<b>f. How many were successfully mediated?</b>	42	32	9
<b>g. How many cases were referred to an independent hearing examiner?</b>	22	24***	5
<b>h. How many of those cases resulted in a hearing?</b>	2	0	0
<b>i. How many complainants were represented by counsel in those hearings?</b>	0*	0	0

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

\*\*One full investigative report was completed but dismissed after completion.

\*\*\*23 full investigative reports were completed and sent to an independent hearing examiner; one report involved two combined cases.

**49. Has OPC experienced an increase in the number of complaints received in FY19 and FY20, 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?**

<b>FY19</b>	<b>FY20 (to date)</b>
4% increase	9% increase

**50. In FY18, FY19, and FY20, to date, how many decisions sustaining police misconduct allegations were forwarded to MPD?**

<b>FY18</b>	<b>FY19</b>	<b>FY20 (to date)</b>
19	22	5

**51. How many subject officers have been referred to MPD and HAPD for policy training or rapid resolution in FY19 and FY20, to date?**

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

	<b>FY19</b>	<b>FY20 (to date)</b>
<b>MPD</b>	54	40
<b>HAPD</b>	0	0

**52. What were the outcomes of cases referred to MPD in FY18, FY19, and FY20, to date? How many cases were upheld by a final review panel?**

**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.

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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
17-0578	1-Day Leave Forfeiture, Education-Based Development	18-0331	12-Day Suspension Without Pay, Education-Based Development
17-0604	Dereliction Report	17-0750	10-Day Suspension Without Pay, PD 750
17-0276 & 17-0359	Education- Based Development	18-0058	15-Day Suspension Without Pay, 5-Day Suspension Without Pay, Education-Based Development
17-0619	Official Reprimand, Education-Based Development	17-0615	5-Day Suspension Without Pay, Education-Based Development
17-0102 & 17-0104	Official Reprimand	17-0673	Officer transferred to different unit
17-0381	20-Day Suspension Without Pay, 15-Day Suspension Without Pay, Letter of Prejudice, Dereliction Report		

**FY19**

There were no Final Review Panels conducted in FY19.

Complaint Number	Discipline Determination	Complaint Number	Discipline Determination
18-0391	Education- Based Development	18-0421	5-Day Suspension Without Pay
18-0468	Dereliction Report	18-0551	Dereliction Report
17-0723	Officer resigned	17-0709 & 17-0729	20-Day Suspension Without Pay, 10-Day Suspension Without Pay
18-0413	Dereliction Report	18-0526	15-Day Suspension Without Pay
18-0298	Dereliction Report, Education- Based Development, Officer resigned	18-0442	Official Reprimand
18-0580	Dereliction Report	18-0380	Pending
18-0336	12-Day Suspension Without Pay	18-0601	Pending
18-0712	N/A- Officer Exonerated	18-0760	Pending
18-0464	Dereliction Report	18-0505	Pending
18-0523	Dereliction Report	18-0678	Pending
18-0155	20-Day Suspension Without Pay, 12-Day Suspension Without Pay, Dereliction Report	19-0494	Dereliction Report
18-0081	10-Day Suspension Without Pay, 5-Day Suspension Without		

	Pay, Dereliction Report		
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**FY20 (to date)**

There have been no Final Review Panels conducted in FY20, to date.

Complaint Number	Discipline Determination	Complaint Number	Discipline Determination
18-0696	Dereliction Report	19-0271	Pending
18-0730	Pending	18-0604	Pending
19-0137	Pending		

**53. 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?**

FY19	FY20 to date
27	7

**54. How many officers were the subject of multiple allegations of misconduct in FY19 and FY20, 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?**

FY19	FY20 to date
399	117

**55. What trends did you observe in the demographics of officers that were the subject of a complaint in FY19 and FY20, to date?**

Race and gender data of officers has been very similar since FY18. In FY19, the percentage of officers who were reported as White and Other is 35% and 5% respectively. For FY20, the percentage of Black, Hispanic, Female, and Male is 51%, 10%, 19%, and 81% respectively.

The percentage of younger officers (age 20-34) who received complaints has been decreasing, from 47% in FY18 and 39% in FY19 to 38% in FY20 to date. The percent of officers in the middle age group who received complaints (age 35-54) has been increasing from 48% in FY18 and 53% in FY19, to 55% in FY20 to date.

**56. What trends did you observe in the demographics of complainants in FY19 and FY20, to date?**

Race and gender data of complainants has also been very similar since FY18. For FY20, complainants reported as White, Black, Hispanic, and Other were 13%, 76%, 4%, and 6% respectively. The percentage of female and male complainants was extremely similar in FY18 and FY19: 49% and 51% respectively. In FY20, the percentage of female and male complainants was reported as 52% and 48%, respectively.

The percentage of younger complainants (age 20-34) has been decreasing with 41% in FY18, 38% in FY19, and 35% in FY20 to date. The percentage of complainants in the middle age

group (age 35-54) and the older age group (age 55 and older) has been increasing slightly. Complainants reported in the middle age group, the percentage in FY18, FY19, and FY20 to date was 41%, 43%, and 45%, respectively; the percentage of complainants reported in the older age group for FY18, FY19, and FY20 to date is 18%, 19%, and 20%, respectively.

**57. Has OPC observed any trends with respect to allegations of excessive force in FY19 and FY20, to date?**

Similar to FY18, use of force is the third largest category of complaint allegations for FY19 and FY20 to date. Use of Force allegations accounted for 13% of all allegations in FY20 to date which is slightly higher than 11% in FY18 and FY19.

**58. 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 12. OPC investigators usually average around 10 cases which is in line with best practices.

**59. 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.

**60. What affect, if any, does the presence 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 FY19, OPC investigated 203 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.

**61. Please list each report published by your office in FY18, FY19, and FY20, to date.**

**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**

- FY18 Annual Report
- Implementation Update on Reports and Recommendations of the Police Complaints Board From Fiscal Year 2017
- Using Litigation Data to Improve Policing
- Report on Use of Force by the Washington, D.C. Metropolitan Police Department 2018
- FY19 Mid-Year Report
- Updates for the Crisis Intervention Officers Program
- Duty to Intervene
- Handling Property

**FY20:** There have been no reports published to date.

**62. 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 1<sup>st</sup> of each year. Please provide the Committee with an update on the status of this reporting requirement.**

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. OPC plans to have its FY19 Annual Report published by January 31, 2020. These reports outline 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.

**63. Please discuss any community outreach conducted in FY19 and FY20, to date, and any planned outreach for the remainder of FY20.**

In FY19, OPC conducted 51 outreach events and seven events in FY20, to date. In FY19, OPC expanded its outreach to neighborhood organizations and civic associations by presenting at several Advisory Neighborhood Commissions in the District. The agency also participated in community fairs, including Barry Farms Family and Friends Day, Briya Public Charter School

Know Your Rights Fair and Howard University Department of Public Safety Annual Safety Awareness Fair.

Additionally, OPC continued to build on its outreach to the youth by conducting its Student Interactive Training (SIT) program at various D.C. Department of Parks and Recreation Summer Teen I.M.A.G.E. and Specialty Camps, and to students at several D.C. charter and public high schools. The agency also conducted its SIT program at the Phi Sigma Alumnae Chapter of Sigma Gamma Rho Sorority, Incorporated 22nd Annual Youth Symposium.

In continuing with its outreach to the District's immigrant community, OPC presented to students at Briya Public Charter School, participated in the Mayor's Office on Asian and Pacific Islander Affairs Chinatown Community Festival as well as an open house hosted by the Central American Resource Center's legal services program. As a part of OPC's international outreach efforts, the agency hosted Una Williamson from the Police Service of Northern Ireland and Dr. Harmut Aden from the Berlin School of Economics and Law.

OPC also participated in several information fairs hosted by various universities and law schools, including the University of the District of Columbia, George Mason University, George Washington Law School, American University Washington School of Law and Georgetown Law School. In addition, OPC conducted presentations at the Universities at Shady Grove, National Defense University, George Washington University School of Law and American University School of Public Affairs. OPC will continue these efforts in FY20.

**65. The Committee allocated \$150,000 to OPC for FY20 to fund an independent review of the policing practices of MPD's Narcotics and Special Investigations Division. What is the status of this independent review?**

From July to December 2019, OPC conducted market research to determine which vendors are available for this project. In December 2019, OPC determined that the Police Foundation could provide the expert services needed for this project and began working with the D.C. Office of Contracts and Procurement to create the necessary statement of work and contract. OPC anticipates that the contract will be generated and work will begin February 1, 2020 with a draft report due to OPC by August 1, 2020.