

GOVERNMENT OF THE DISTRICT OF COLUMBIA
OFFICE OF THE ATTORNEY GENERAL



ATTORNEY GENERAL
BRIAN L. SCHWALB

February 19, 2025

The Honorable Brooke Pinto
Chairwoman, Committee on the Judiciary & Public Safety
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Washington, DC 20004


RE: OAG Responses for FY24 Performance Oversight Hearing – February 25, 2025

Dear Chairwoman Pinto,

I look forward to the Committee on the Judiciary & Public Safety's FY 24 Performance Oversight Hearing on the Office of the Attorney General (OAG) scheduled for February 25, 2025. In preparation for that hearing, please see the attached responses to the Committee's written questions.

Please let us know if you would like further information on any of these responses. We look forward to testifying next week.

Sincerely,



Brian L. Schwalb

ORGANIZATION AND OPERATIONS

1. Please provide the agency's mission statement.

RESPONSE: The Office of the Attorney General (OAG) enforces the laws of the District, provides legal advice to the District's government agencies, and promotes the interests of the District's residents. OAG's goal is to be the nation's most effective and respected public law office. To accomplish this goal, we focus on 4 key principles:

- Prioritizing public safety and our kids;
- Expanding home rule, advancing statehood, and safeguarding our democracy;
- Diminishing inequity and dismantling practices that harm residents; and
- Building institutional excellence.

We pursue those principles using 5 core values:

- Integrity and independence;
- Excellence and accountability;
- Active listening and constructive engagement;
- Teamwork and client service; and
- Inclusivity and respect.

Please see **Attachment 1**, "OAG Mission Statement," and **Attachment 2**, "Our Core Values," for a more detailed explanation of these key principles and core values.

2. Please provide a complete, up-to-date organizational chart for the agency and each division within the agency, including the names and titles of all senior personnel.

RESPONSE: Please see **Attachment 3**, "OAG Organizational Chart."

a. Please include an explanation of the roles and responsibilities for each division and subdivision within the agency.

RESPONSE:

Child Support Services Division (CSSD), authorized under Title IV-D of the Social Security Act, serves families by locating absent parents, establishing paternity, establishing monetary orders, establishing medical support orders, collecting ongoing support, and enforcing delinquent support orders. This division is subject to federally mandated performance requirements.

- **Office of the Division Deputy** provides the central child-support program oversight and reporting functions that are typically housed in statewide child support offices established under Title IV-D; leads overall program planning, communication, enhancement, and similar efforts; provides or collaborates with other OAG divisions on agency-wide administrative, technological, human resources, and other support services; and, directs managers in all program functions, including the establishment and enforcement of child support obligations, accounting, staff development, quality assurance, policy and procedure development, and legislative drafting and review.
- **Shared Services Section** attends to the Division's interaction with the public at the start of customer contact and, at a general level, throughout the life of a case; manages both local and intergovernmental application intake and the associated research, document gathering, and customer engagement related to case opening determinations; assists unwed parents with the voluntary acknowledgement of paternity; performs records management and mail services; offers general customer service and outreach; and, supports noncustodial parents with employment readiness and securing other critical services to encourage responsible involvement in their children's lives.
- **Legal and Integrated Services Section** maintains responsibility for the litigation aspects of child support casework, which includes drafting and filing pleadings to establish paternity and to establish or enforce child support in the Superior Court of the District of Columbia (Superior Court) or other jurisdictions through intergovernmental processes; undertakes activities to locate parents or their assets; engages in service of process efforts to provide proper notice to noncustodial parents concerning matters before the Superior Court; and, represents the District of Columbia and other jurisdictions in Superior Court and other tribunals through all stages of child support establishment and enforcement proceedings.
- **Fiscal Services Section** provides expertise to ensure that the terms of child support orders are enforced, that collections are properly received, attributed, and disbursed to the right case(s), and that coordination with noncustodial parents' employers and other asset holders is managed effectively so that sources of monetary and medical support are identified and utilized to help to meet the needs of each child for whom support has been ordered.

Civil Litigation Division (CLD) represents the District, its agencies, and its employees, in civil actions brought in the Superior Court of the District of Columbia (Superior Court) and the U.S. District Court for the District of Columbia. The Division also represents District agencies in matters enforcing rules and regulations and in personnel matters in front of administrative bodies and the Superior Court. CLD provides counsel to the District, its agencies, and its employees, including by devising strategies to minimize liability.

- **General Litigation Sections** provide litigation defense, representation, and advice to the District government, its agencies, and employees so that liability can be minimized and risk mitigated in the numerous civil actions filed against the District and its employees every year.

- **Civil Enforcement Section** represents District government agencies to enforce permits, licenses, certifications, and other requirements; defends agency actions; seeks recovery on behalf of the District for Medicaid reimbursements and damage to District property; brings affirmative cases to enforce licensing requirements from the Department of Health and Alcoholic Cannabis Regulation Administration; and represents the Metropolitan Police Department in civil forfeiture proceedings.
- **Equity Section** defends the District government in complex actions seeking temporary, preliminary, and permanent injunctive relief.
- **Personnel and Labor Relations Section** provides litigation representation and advice services to District government agencies so that they can manage and reduce liability exposure with respect to personnel decisions and to minimize fiscal and programmatic impact.
- **Office of the Division Deputy** provides supervision of, and support to, division activities.

Commercial Division provides legal services, advice, and advocacy related to numerous core governmental functions, including the procurement of essential goods and services and acquisition of real estate, the support of economic development efforts, preservation of affordable housing, government property management, and the financing of government operations through bonds and collection of taxes.

- **Equitable Land Use Section (ELU)**¹ advocates for the public interest in the District's zoning, land use, planning, historic preservation, housing, and real estate processes; provides training on zoning and planning for ANCs, community groups, and residents to ensure that all District residents have the tools to participate fully in the planning and zoning processes; intervenes in individual cases filed with the Board of Zoning Adjustment and the Zoning Commission and proposes amendments to the Zoning Regulations to further the public interest, particularly to advance affordable housing, racial equity, environmental sustainability and justice, and procedural equity.
- **Government Contracts Section** reviews proposed contracts requiring Council approval for legal sufficiency; provides legal advice to the District's Chief Procurement Officer and agency contracting officers regarding procurement laws and regulations as they apply to the award of District contracts and other related procurement issues; represents the District before the Contract Appeals Board in challenges to the terms of solicitations or proposed contract awards by District agencies and in contract disputes; and, represents the District before the Superior Court in petitions for review of protest decisions of the Contract Appeals Board.

¹ ELU was a section within the Commercial Division for the duration of Fiscal Year (FY) 2024 through December 31, 2024, of FY25. Effective, January 1, 2025, ELU relocated to the Public Advocacy Division (PAD) as part of OAG's new housing initiative (discussed further in these responses). Though this change took place outside of the subject period for these questions, we are including it here for completeness and clarity.

- **Tax and Finance Section** advises the District on the issuance of bonds and notes used to finance various capital projects of the District government and nonprofit and for-profit entities located in areas specifically targeted by the District for economic and commercial development; defends real property and other tax assessment appeals; and represents the District in tax sale foreclosure actions filed in Superior Court.
- **Land Acquisition and Bankruptcy Section** provides land acquisition legal services to District agencies acquiring property through condemnation proceedings; handles judicial foreclosure of District tax liens for public purposes such as the creation of affordable housing, the construction of government office buildings, and other economic development projects; and represents District agencies in bankruptcy court in personal and commercial bankruptcies in which the District may have an interest.
- **Office of the Division Deputy** provides supervision of, and support to, division activities.

Family Services Division (FSD) protects the District's most vulnerable residents, abused and neglected children, by representing the DC Child and Family Services Agency (CFSA) in proceedings before the Family Division of Superior Court of the District of Columbia (Family Division); petitions new cases, litigates allegations of neglect, and ensures children exit the foster care system in a timely fashion through reunification with a parent, adoption, or guardianship; leads OAG's human trafficking initiative, which is designed to educate and train community members to identify, report, and stop human trafficking; FSD handles cases involving unaccompanied refugee minors and cases before the Family Treatment Court and HOPE Court; and provides legal consultation and training to CFSA for non-court involved matters to identify at-risk children and to mitigate the need for court involvement.

- **Child Protection Sections** protect the rights of children in Family Division proceedings to prevent abuse and neglect by their caretakers.
- **Office of the Division Deputy** provides supervision of, and support to, division activities.

Immediate Office of the Attorney General (IO) provides overall supervision and guidance to all divisions within the office; pursues the public interest; and objectively and independently serves District residents through its communications and outreach programs. The Chief Labor & Employment Relations Officer and Counsel is positioned within the IO, duties include serving as OAG's chief labor negotiator for successor agreements with OAG's two labor organizations and conducting legal sufficiency reviews of collective bargaining agreements.

- **Human Resources (OAG HR)** provides human resource management services that strengthen individual and organizational performance and enable OAG to attract, develop, and retain a well-qualified, diverse workforce. OAG HR provides oversight of administrative and managerial employee performance evaluations; serves as a liaison between OAG employees and DC Human Resources (DCHR) to resolve personnel and benefits-related actions; processes all employee personnel actions such as hiring, terminations, promotions, and pay increases; provides training and professional development opportunities for all OAG employees to ensure the agency more effectively fulfills its mission; oversees payroll functions; manages FMLA/ADA/EEO requests; hires and maintains excellent and diverse staff through on-campus and virtual interviews, interviews at job fairs, and traditional acceptance of applications; and ensures fairness and diversity in the workplace.
- **Information Technology (IT)** provides a full spectrum of technology support service to all OAG divisions. Its services include support for all software and hardware used by OAG staff, IT security for all OAG applications, mobile device support, and system engineering to build and maintain a robust infrastructure including cloud-based computing and storage resources.
- **Cure the Streets (CTS)** is a public safety program launched by OAG aimed at reducing gun violence. It operates in certain high violence neighborhoods using a data-driven, public-health approach to gun violence, treating it as a disease that can be interrupted, treated, and stopped from spreading. OAG awards and manages grants to organizations that administer the program and monitor data regarding its efficacy. CTS is based on the Cure Violence Global model, which employs local, credible individuals who have deep ties to the neighborhoods in which they work. Specifically, the program operates primarily through CTS outreach workers and violence interrupters who de-escalate conflicts, attempt to resolve them through mediation, and avert potentially fatal shootings. They work to develop relationships with residents who are at high risk of being involved in gun violence so they can detect and mediate conflicts, prevent shootings, and improve public safety. After mediating a conflict, the violence interrupters remain engaged with the participants, in part to ensure the mediation results in a lasting peace, and to help connect the person with services and to help them live non-violent lives.
- **Policy and Legislative Affairs** researches and develops policy positions on the range of legal issues affecting the District. It works with the Attorney General, Chief of Staff, Chief Deputy Attorney General, First Assistant Attorney General, and Senior Counsels to the Attorney General to develop policy priorities, works with OAG's divisions to hone policy positions, develops and reviews legislation to advance and ensure consistency with these positions, advises the Council on potential legislation, and consults with District agencies and communities to understand their needs. As part of OAG's mission to advance the public interest, it conducts extensive legal research and community outreach to ensure that OAG's policy positions and priorities address community concerns and advance racial and economic equity.

- **Communications** develops and implements OAG's communication strategy by managing OAG's social media, website, and other digital platforms; responding to press inquiries; and developing remarks for public events. It proactively seeks opportunities to inform the public of the work OAG is doing on behalf of District residents.
- **Community Engagement** connects OAG resources and services with community priorities and initiatives by cultivating and maintaining active links to advocates, community-based organizations, and residents. Its goal is to create more engaged communities; greater prosperity for residents, businesses, organizations; and improved quality of life for all who live and work in the District.
- **Ethics and Compliance** serves a dual role as both an ethics advisor and the Freedom of Information Act (FOIA) officer for OAG.

Legal Counsel Division (LCD) provides legal research and advice to the Executive Office of the Mayor (EOM), the Attorney General, agency officials and employees, and the Council of the District of Columbia. The Division also reviews and occasionally drafts legislation and regulations for EOM, the agencies, and the Attorney General.

- **Legal Advice Team** provides legal guidance, counseling, and legal sufficiency certification services to the District government and its employees; legislative and regulatory review, drafting, and monitoring; and training in the areas of administrative law and procedure, appropriations law, legislative and regulatory drafting, and other areas of importance to District government. Its work is designed to assist District government entities and employees in accomplishing the District government's mission while minimizing risk of adverse legal consequences.
- **Office of Privacy and Confidentiality** ensures compliance with, among other things, the Health Insurance Portability and Accountability (HIPAA). It serves as the District's single point of contact for HIPAA privacy and security; oversees HIPAA operations for certain agencies, coordinates the District's privacy and security officers; receives and resolves privacy and security complaints from the public and employees; monitors and reports on interpretations of HIPAA regulations; and conducts independent investigations for corrective action.
- **Office of the Division Deputy** provides supervision of, and support to, division activities.

Public Advocacy Division (PAD) focuses on affirmative, public interest civil litigation on behalf of District residents, including by litigating cases in the areas of preservation of safe and affordable housing, consumer protection, freedom from discrimination and financial exploitation, and fair competition. The Division also litigates to combat nonprofit, environmental, and employment abuses, as well as fraud against the government and on federal matters.

- **Antitrust and Nonprofit Enforcement Section** enforces the District's Nonprofit Corporation Act, federal and District antitrust laws, and other laws that protect nonprofit organizations and the marketplace from abusive and anticompetitive practices.

- **Civil Rights and Elder Justice Section (CREJS)** investigates and litigates civil rights claims, including discrimination matters related to housing, education, public accommodations, employment, and bias-motivated violence; investigates and takes civil action to protect elders and vulnerable adults from financial exploitation; and engages in significant community engagement with residents, advocacy organizations, community groups, and relevant agencies to provide resources and public education on these issues.
- **Office of Consumer Protection** investigates and takes enforcement actions under the Consumer Protection Procedures Act and other District and federal consumer protection laws; performs public outreach and education; provides legislative support on issues that affect consumers; and receives and mediates consumer complaints.
- **Housing and Environmental Justice Section**² engages with District residents to address properties with housing conditions by investigating and litigating claims under the Consumer Protection Procedures Act and the Tenant Receivership Act and to address nuisance properties using authority under the Drug-, Firearm-, or Prostitution-Related Nuisance Abatement Act. The Section also enforces the District's environmental laws by bringing suit against polluters under the District Clean Air and Clean Water Acts, representing the interests of the District in front of the Public Service Commission, and participating in multistate environmental actions and investigations.
- **Workers' Rights and Antifraud Section** investigates and litigates to protect the rights of District workers to fair wages, overtime pay, sick and safe leave, wage transparency, and freedom from non-compete agreements, and enforces the District's False Claims Act to protect the District government against fraud, including tax fraud.
- **Office of the Division Deputy** provides supervision of, and support to, divisional activities.

Public Safety Division (PSD) prosecutes juveniles charged with criminal offenses; prosecutes adult misdemeanor criminal offenses within OAG's jurisdiction; protects vulnerable populations, including victims of domestic violence; assists crime victims by facilitating restorative justice conferences; obtains Extreme Risk Protection Orders; initiates involuntary civil commitment proceedings for those who are likely to injure themselves or others as a result of their mental illness; and obtains court-appointed guardians for incapacitated individuals.

- **Criminal Section** prosecutes adult traffic-related offenses, possessory gun offenses, and other regulatory offenses that carry criminal penalties to enhance the safety of District residents through the appropriate resolution of cases.
- **Juvenile Section** prosecutes and resolves juvenile matters to enhance the safety of District residents. This section also works with the Juvenile Specialty Courts Unit within the Superior Court of the District of Columbia (Superior Court), which handles truancy, runaway, and juvenile behavioral diversion program cases. The section administers the Addressing Truancy Through Engagement and Negotiated Dialogue

² The Social Justice Section of PAD was renamed the Housing and Environmental Justice Section, effective January 23, 2024, to more specifically reflect the work of the Section.

(ATTEND) truancy prevention program in elementary and middle schools with the highest truancy rates in Wards 4, 5, 7 and 8.

- **Domestic Violence and Special Victims Section (DVSU)** provides specialized, victim-centered, trauma-informed assistance for domestic violence survivors, sexual assault survivors, vulnerable victims, and elderly victims in a variety of case types handled by OAG. In the Domestic Violence Division of Superior Court, DVSU helps petitioners obtain and enforce civil protection orders and anti-stalking orders; seeks Extreme Risk Protection Orders (ERPO) to remove firearms from the possession of individuals whom law enforcement, mental health providers, or family members fear are at risk of harming themselves or others; and partners with other public and private agencies to staff the District's two Domestic Violence Intake Centers. In the Family Court division of Superior Court (Family Court), DVSU handles delinquency matters involving sexual offenses, domestic violence offenses, and offenses against vulnerable victims; participates in a specialized service court for juveniles who have committed offenses but are themselves at risk of commercial sexual exploitation; and provides victim specialists to help address the non-legal needs of victims and witnesses of violent crime. In the Probate Division, DVSU represents Adult Protective Services in obtaining guardians and conservators for incapacitated, vulnerable adults who are being abused, neglected, exploited, or are self-neglecting.
- **Mental Health Section** represents the Department of Behavioral Health (DBH) in litigation in Family Court, Probate Court, Criminal Court, and before the Commission on Mental Health. Attorneys in the Mental Health Section represent DBH in guardianship hearings and at all phases of the civil commitment process, including probable cause hearings, commission hearings, and trials. Attorneys in this section also seek ERPOs to remove firearms from the possession of people whom mental health providers fear are at risk of harming themselves or others. Additionally, they provide extensive training on ERPO to external stakeholders.
- **Restorative Justice Section** offers Division prosecutors an additional tool to use in the disposition or treatment phase of a prosecution. In eligible cases—only when the victim is willing—the section brings together the victim and the respondent in facilitated restorative justice conferences to resolve the conflict, repair the harm caused, and restore the victim. In addition to the conference, the Restorative Justice Section incorporates a cognitive behavioral therapy (CBT) component for each involved youth.
- **Public Corruption Section** prosecutes public corruption cases that have a nexus to the District of Columbia. The Public Corruption Section operates in partnership with the United States Attorney's Office (USAO). The Section includes a tax fraud prosecutor who prosecutes all criminal tax fraud offenses referred to OAG by the DC Office of Tax and Revenue (OTR), with an emphasis on local tax delinquency not appropriate for civil collection; manages cases where individuals fail to pay fines and comply with probationary terms, including court-ordered restitution; provides legal advice to members of the OTR Criminal Investigations Division (OTR/CID) in connection with pending investigations; consults with members of the OTR General Counsel's Office on a range of legal issues related to collection of delinquent taxes;

and coordinates with the OTR/CID for the arrest of suspects, and service of warrants and/or subpoenas in connection with tax fraud investigations.

- **Office of the Division Deputy** provides supervision of, and support to, division activities.

Office of the Solicitor General (OSG) manages the District’s civil and criminal appellate litigation and practices most frequently before the District of Columbia Court of Appeals, the United States Court of Appeals for the District of Columbia Circuit, and the Supreme Court of the United States. The docket includes appeals in a wide variety of civil, family, criminal, juvenile, tax, and administrative cases from trial courts and petitions for review from District agencies.

- **Appellate Services** represents the District on appeal in a wide variety of matters and advises trial and agency counsel on potential appellate issues.
- **Office of the Division Deputy** provides supervision of, and support to, division activities.

Support Services Division (SSD) provides administrative and operational support to the agency.

- **Finance** provides comprehensive and efficient financial management services to and on behalf of OAG to maintain the financial integrity of the District of Columbia.
- **Customer Service** provides agency procurement and purchase card services, first-line communication with the public and support for various agency programs, including risk management, emergency preparedness, and certified small business enterprise compliance.
- **Operations** provides critical centralized administrative and logistical support to the agency, including mail operations, records management, fleet management, office relocations, renovations, building access, physical security, facilities requests, supply requests, surplus property, and agency event support.
- **Investigations** provides investigative support to the litigating divisions of the office.
- **Office of Division Deputy** provides supervision of, and support to, division activities

- b. **Please include a list of the employees (name and title) for each subdivision and the number of vacant, frozen, and filled positions for each subdivision. For vacant positions, please indicate how long the position has been vacant and the date on which the vacant position was posted for re-hiring, if applicable.**

RESPONSE: Please see **Attachment 4**, “Schedule A – Vacant and Filled Position as of January 21, 2025.”

- c. **Has your agency experienced a hiring freeze at any point in FY 2024 or FY 2025? If yes, please indicate the dates of the freeze.**

RESPONSE: During FY24 and FY25, to date, OAG did not experience a hiring freeze.

- d. Please provide a narrative explanation of any major changes to the organizational chart made during the previous year.**

Personnel, Labor, and Employment Division (PLED): Effective February 13, 2024, PLED dissolved. Staff working on personnel and labor relations matters, including representing the District in employment matters before administrative agencies, were transferred to CLD. Staff working on privacy and confidentiality matters, including providing District-wide guidance on compliance with privacy laws, were transferred to LCD.

Equitable Land Use Section (ELU): ELU remained within the Commercial Division for FY24 through December 31, 2024, of FY25. Effective January 2025, ELU relocated to PAD as part of OAG's new housing initiative. Although this change occurred outside of the subject period for these questions, we have included it here for completeness and clarity.

Child Support Services Division (CSSD): To provide CSSD customers with an additional, non-adversarial means of establishing parentage and/or child support orders, OAG formally integrated its pilot Conciliation Program into the office's organizational structure to develop an alternative resolution option. The Conciliation Unit within CSSD allows for parents to engage in conciliation conferences, in lieu of court hearings, and to forward the agreed-upon terms to the court for possible consent order entry in their cases. This new unit is currently staffed with one manager, one attorney, and one legal assistant. Interviews are underway to hire a second attorney and legal assistant.

Public Advocacy Division (PAD): The Social Justice Section of PAD was renamed the Housing and Environmental Justice Section, effective January 23, 2024, to more specifically reflect the work of the Section.

- 3. Please list each new program implemented by the agency during FY 2024 and FY 2025, to date. For each initiative please provide:**
- a. A description of the initiative, including when it began and when it was completed or is expected to be completed;**
 - b. The funding required to implement the initiative; and**
 - c. Any documented results of the initiative.**

Community Approaches to Rapid Engagement Services Program (CARES): In the District, intrafamily conflicts can escalate to violence and property damage, leaving caretakers unsure of where to turn. Calls to 911 often result in youth arrests, family trauma, and a lack of support to address underlying issues. This cycle destabilizes families, disconnects youth from support systems, and perpetuates conflict.

To break this cycle, Sasha Bruce, in partnership with OAG, DC Metropolitan Police Department (MPD), and Department of Human Services (DHS), created the CARES program. CARES provides crisis response, stabilization, emergency respite, and family counseling to reduce youth prosecution for intrafamily offenses.

As a pre-arrest diversion program, CARES allows MPD and OAG to divert youth with probable cause for intrafamily offenses (excluding intimate partner violence and serious harm). CARES also accepts referrals from DHS for at-risk youth. The program collaborates with MPD, OAG, and DHS to support families experiencing intrafamily violence and offers crisis response and stabilization services, including respite at a Sasha Bruce facility if needed.

The \$307,730 pilot program, initially funded for FY24, was delayed due to procedural agreements and officially launched in January 2025. The program will run through September 2025, with further implementation contingent on outcomes and budget availability.

Leaders of Tomorrow Grant Program: OAG is committed to enhancing public safety through fair and effective prosecution strategies, coupled with innovative, evidence-based initiatives that address the root causes of crime. Recognizing the vital role community-based organizations play in public safety and positive youth development, OAG established the Leaders of Tomorrow grants program in FY24. This program provides financial assistance to eligible organizations with a proven track record of working with and supporting District children.

From over 200 applications, OAG awarded public safety grants to 11 high-impact local nonprofits serving DC youth and families. Initially, the program offered \$250,000 in funding for evidence-based projects that promote positive youth development and violence reduction. However, a partnership with The Greater Washington Community Foundation resulted in matched funding, allowing OAG to distribute a total of \$500,000 to these community-based organizations.

Due to the documented successes of the first grant cycle, which included increased student participation in out-of-school-time programs, improved attendance, and enhanced conflict resolution skills, OAG secured an additional \$250,000 from the Department of Justice for the FY25 grant cycle. These funds will match OAG's FY25 contribution of \$250,000.

Housing Protection and Affordability Initiative consolidates OAG workstreams focused on housing affordability, safety, and accessibility. Its purpose is to prioritize and enhance the effectiveness of OAG's critical housing work. The establishment of the Initiative underscores the importance of preserving and expanding the supply of safe, affordable housing to OAG's public interest mission. As part of the Initiative, OAG implemented the following changes, effective January 2025:

- Created a new position of Senior Counsel to the Attorney General for Housing Protection and Affordability to lead the Initiative.
- Moved the Equitable Land Use Section from the Commercial Division to Public Advocacy Division.
- Created a new position of Special Counsel for Housing and Property Maintenance Code Enforcement to focus on partnering with the Department of Buildings (DOB) to enforce the Housing and Property Maintenance Codes.

Prior to the Initiative’s formation in FY24 OAG also created a new position of Special Counsel for Nuisance Abatement to focus on collaborating with community members and stakeholders to identify and implement solutions for nuisance activity.

4. **Please provide a complete, up-to-date position listing for your agency, ordered by program and activity, and including the following information for each position:**
 - a. **Title of position;**
 - b. **Name of employee or statement that the position is vacant, unfunded, or proposed;**
 - c. **Date employee began in position;**
 - d. **Salary and fringe benefits (separately), including the specific grade, series, and step of position;**
 - e. **Job status (continuing/term/temporary/contract); and**
 - f. **Whether the position must be filled to comply with federal or local law.**

Please note the date that the information was collected.

RESPONSE: Please see **Attachment 4**, “Schedule A – Vacant and Filed Positions as of January 21, 2025,” this information was collected as of January 21, 2025.

5. **Please provide a list of all memoranda of understanding (“MOUs”) entered into by your agency during FY 2024 and FY 2025, to date, as well as any MOUs currently in effect. For each, indicate the date on which the MOU was entered and the termination date (if applicable).**

RESPONSE: For monetary MOUs, please see **Attachment 5**, “Monetary MOUs.” See below for non-monetary MOUs.

Non-Monetary MOUs

CSSD		
FY24 and FY25	Start	End
Office of Administrative Hearings – Administrative Hearings	10/1/20	Continues each FY until terminated by one of the parties
Child and Family Services Agency – Data Sharing	10/1/21	Continues each FY until terminated by one of the parties
Department of Human Services/Department of Health Care Finance – Data Sharing/System Maintenance (DCAS)	6/21/16	9/30/26 with option to extend for 2 five-year periods
Department of Human Services – Temporary Aid for Needy Families Sanctions	4/19/24	9/30/24

PAD		
FY24 and FY25	Start	End
MOU between OAG and Office of the State Superintendent of Education (OSSE) concerning nonresident tuition fraud enforcement	1/17/20	Continues each FY until terminated by one of the parties
MOU between OAG and OSSE for compliance with the Family Educational Rights and Privacy Act (FERPA)	11/25/20	Continues each FY until terminated by one of the parties
MOU between OAG and D.C. State Athletic Association for compliance with FERPA	6/25/20	Continues each FY until terminated by one of the parties
MOU between OAG, Network for Victim Recovery of DC, Legal Counsel for the Elderly, MPD, DACL and USAO regarding engagement in the District's Collaborative Training and Response for Older Victims team	10/1/21	Continues each FY until terminated by one of the parties
MOU between the U.S. Department of Labor and OAG concerning enforcement of wage/hour laws	12/30/22	Continues each FY until 12/30/27
MOU between the Federal Communications Commission and OAG concerning telecommunications fraud and abuse	3/25/22	Continues each FY until terminated by one of the parties
MOU between the Consumer Financial Protection Bureau and OAG – Information sharing	8/30/12	Continues each FY until terminated by one of the parties
MOU between the U.S. Department of Transportation and OAG – Information sharing	4/4/24	Terminates 4/4/26, unless renewed by agreement of the parties
MOU between Federal Communications Commission and OAG – Information Sharing	3/10/24	Continues each FY until terminated by one of the parties

FSD and PSD		
FY24 and FY25	Start	End
District of Columbia Memorandum of Agreement on the Multidisciplinary Response to Child Sex Abuse	1/27/95	6/19 The parties continue to adhere to the terms

District of Columbia Memorandum of Agreement on the Multidisciplinary Response to Child Physical Abuse, Investigation, Prosecution, and Prevention	1/27/95	6/19 The parties continue to adhere to the terms
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PSD		
FY24 and FY25	Start	End
MOU between OAG and USAO concerning prosecution of Title 16 cases	6/18/21	Continues each FY until terminated
MOU between OAG and Prince George's County State's Attorney's Office for organization and implementation of the multi-jurisdictional juvenile task force	12/13/21	Continues each FY until terminated
ATTEND Program–Operations MOU with District of Columbia Public Schools to operate in Ward 8 Elementary Schools (MOU has not been resigned yet, but is expected to be resigned to cover the remainder of FY25)		
MOU between OAG and USAO for Special Assistant United States Attorneys to prosecute financial crimes against vulnerable and elderly adults and public corruption cases that have a nexus to D.C. agencies	12/22/22	Continues each FY until terminated
MOU between OAG and the Department of Behavioral Health (DBH) – Program Operations for DBH Forensic Fellows to assist with court matters	1/12/23	Continues each FY until terminated
MOU with Howard University School of Social Work and OAG for Howard University to provide a student for additional case management support for the ATTEND Mediation Program	6/23/23	1/27
MOU between DBH and OAG for OAG to represent DBH in Superior Court	8/24/23	Continues each FY until terminated
MOU between Office of Victim Services and Justice Grants and OAG for cooperation in providing services to parents participating in the ATTEND diversion program and the Show Up Stand Out program	12/13/23	Continued until terminated by both parties

MOU between Department of Forensic Science, USAO and OAG regarding disclosure of potential impeachment information in criminal cases	3/26/2024	Continues each FY until terminated
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6. Please provide a list of each collective bargaining agreement that is currently in effect for agency employees.

- a. Please include the bargaining unit (name and local number), the duration of each agreement, and the number of employees covered.
- b. Please provide, for each union, the union leader's name, title, and his or her contact information, including e-mail, phone, and address if available.
- c. Please note if the agency is currently in bargaining and, if so, its anticipated completion date.

RESPONSE:

AFSCME, Local 2401: The following collective bargaining agreements (CBAs) govern OAG's bargaining unit administrative professionals (approximately 261) and administrative professionals in other District agencies (approximately 10,000).

- Master Working Conditions CBA. Although this CBA expired on September 30, 2010, it continues to govern the parties' relationship because the parties have not successfully negotiated a subsequent CBA.
- Compensation CBA covering FY22 – FY25.

Union leader: Roger Scott, President, AFSCME, Local 2401, Program Analyst, Child & Family Services Agency, roger.scott@dc.gov and (202) 727-3362.

AFGE Local 1403: The following CBAs govern OAG's bargaining unit attorneys (approximately 266) and bargaining unit attorneys in subordinate mayoral agencies (approximately 113). The parties began bargaining for both successor agreements in March 2023, and it is anticipated that the contracts will go to the DC Council in 2025.

- Working conditions CBA covering FY21 – FY23.
- Compensation CBA covering FY21 – FY23.

Union leader: Aaron Finkhousen, President, AFGE, Local 1403, Assistant Attorney General, OAG, afge1403president@gmail.com and (202) 579-9763.

7. Please provide the agency's FY 2024 Performance Accountability Report.

RESPONSE: Please see **Attachment 6**, "FY24 Performance Accountability Report."

BUDGET AND FINANCE

- 8. Please provide a chart showing the agency's approved budget and actual spending, by division, for FY 2024 and FY 2025, to date. In addition, please describe any variance between fiscal year appropriations and actual expenditures for each program and activity code.**

RESPONSE: Please see **Attachment 7**, "FY24-25 Budget to Actual with Variance."

- 9. Please list any reprogrammings, in, out, or within, related to FY 2024 or FY 2025 funds. For each reprogramming, please list:**
- a. The reprogramming number;**
 - b. The total amount of the reprogramming and the funding source (i.e., local, federal, SPR);**
 - c. The sending or receiving agency name, if applicable;**
 - d. The original purposes for which the funds were dedicated; and**
 - e. The reprogrammed use of funds.**

RESPONSE: Please see **Attachment 8**, "FY24-25 Reprogrammings as of January 30, 2025."

- 10. Please provide a complete accounting for all intra-District transfers received by or transferred from the agency during FY 2024 and FY 2025, to date, including:**
- a. Buyer agency and Seller agency;**
 - b. The program and activity codes and names in the sending and receiving agencies' budgets;**
 - c. Funding source (i.e., local, federal, SPR);**
 - d. Description of MOU services;**
 - e. Total MOU amount, including any modifications; and**
 - f. The date funds were transferred to the receiving agency.**

RESPONSE: Please see **Attachment 9**, "Interagency Accounting."

- 11. Please identify any special purpose revenue accounts maintained by, used by, or available for use by your agency during FY 2024 and FY 2025, to date. For each account, please list the following:**
- a. The revenue source name and code;**
 - b. The source of funding;**
 - c. A description of the program that generates the funds;**
 - d. The amount of funds generated by each source or program in FY 2024 and FY 2025, to date; and**
 - e. Expenditures of funds, including the purpose of each expenditure, for FY 2024 and FY 2025, to date.**

RESPONSE:

FY24:

Revenue Source Name and Code: TANF – 1060035

- Source of Funding: Child support collections on behalf of families in the Temporary Assistance to Needy Families (TANF) program. Under Section 457 of the Social Security Act, the District transfers 56.2% of its collections to the federal government and keeps the remaining 43.8% for the child support program.
- Description of Program Generating the Fund: Child support collections on behalf of families in the TANF program.
- Amount of Funds Generated: \$1,933,407.85.
- Expenditures: \$2,661,908.28
- Purpose of Expenditures: Personal and non-personal services support (supplies, copier lease, contractual services) on behalf of child support enforcement.

Revenue Source Name and Code: Nuisance Abatement – 1060092

- Source of Funding: Revenue is generated by proceeds from drug-, firearm-, or prostitution-related nuisance abatement actions.
- Description of Program Generating the Fund: Nuisance abatement actions involving drugs, firearms, or prostitution.
- Amount of Funds Generated: \$56,700.00.
- Expenditures: \$0.00.

Revenue Source Name and Code: Litigation Support Fund – 1060094

- Source of Funding: Revenue is generated by recoveries from claims and litigation brought by OAG on behalf of the District. The fund supports general litigation expenses associated with prosecuting or defending litigation cases on behalf of the District.
- Description of Program Generating the Fund: Litigation actions on behalf of the District.
- Amount of Funds Generated: \$26,718,689.77.
- Amount of Funds Transferred to the General Fund (uncertified): \$2,101,124.70.
- Expenditures: \$22,026,748.71.

Revenue Source Name and Code: Attorney General Restitution Fund – 1060098

- Source of Funding: Revenue is generated by recoveries from claims and litigation brought by OAG on behalf of the District and identified claimants.
- Description of Program Generating the Fund: Litigation actions on behalf of the District and identified claimants.
- Amount of Funds Generated: \$3,474,718.79.
- Expenditures: \$1,709,000.28.

Revenue Source Name and Code: Vulnerable Adult and Elderly Person Exploitation Restitution Fund – 1060414

- Source of Funding: Awards of restitution and cost to individuals imposed under court order, judgment, or settlement in any action or investigation brought to enforce to D.C. Code § 22-933.01 and funds collected pursuant to D.C. Code § 1-350.02 (a-4)(3).
- Description of Program Generating the Fund: Litigation actions on behalf of the District and identified claimants alleging the financial exploitation of a vulnerable adult or elderly person.
- Amount of Funds Generated: \$154,150.50.
- Expenditures: \$0.00.

Revenue Source Name and Code: Tenant Receivership Abatement Restitution Fund – 1060415

- Source of Funding: Revenue is generated by all funds recovered from owners under D.C. Code § 42-3651.06(j)(2); except, that when deposits of such funds into the Fund would cause the Fund balance to exceed \$2 million, the excess of such funds instead shall be deposited into the Litigation Support Fund.
- Description of Program Generating the Fund: Litigation actions on behalf of the District and identified claimants to appoint a receiver to operate and manage the rental housing accommodation of subject properties.
- Amount of Funds Generated: \$0.00.
- Expenditures: \$0.00.

FY25:

Revenue Source Name and Code: TANF – 1060035

- Source of Funding: Child support collections on behalf of families in the TANF program. Under Section 457 of the Social Security Act, the District transfers 56.2% of its collections to the federal government and keeps the remaining 43.8% for the child support program.
- Description of Program Generating the Fund: Child support collections on behalf of families in the TANF program.
- Amount of Funds Generated: \$535,122.45.
- Expenditures: \$484,054.41
- Purpose of Expenditures: Personal and non-personal services support (supplies, copier lease, contractual services) on behalf of child support enforcement.

Revenue Source Name and Code: Nuisance Abatement – 1060092

- Source of Funding: Revenue is generated by proceeds from drug-, firearm-, or prostitution-related nuisance abatement actions.
- Description of Program Generating the Fund: Nuisance abatement actions involving drugs, firearms, or prostitution.
- Amount of Funds Generated: \$500.00.
- Expenditures: \$0.00.

Revenue Source Name and Code: Litigation Support Fund – 1060094

- Source of Funding: Revenue is generated by recoveries from claims and litigation brought by OAG on behalf of the District. The fund supports general litigation expenses associated with prosecuting or defending litigation cases on behalf of the District.
- Description of Program Generating the Fund: Litigation actions on behalf of the District.
- Amount of Funds Generated: \$10,792,189.92.
- Expenditures: \$5,784,132.30.

Revenue Source Name and Code: Attorney General Restitution Fund – 1060098

- Source of Funding: Revenue is generated by recoveries from claims and litigation brought by OAG on behalf of the District and identified claimants. The fund pays claimants' recoveries from settlements and judgments. The fund also permits payment of administrative fees associated with administering recoveries.
- Description of Program Generating the Fund: Litigation actions on behalf of the District and identified claimants.
- Amount of Funds Generated: \$152,984.81.
- Expenditures: \$125,237.80.

Revenue Source Name and Code: Vulnerable Adult and Elderly Person Exploitation Restitution Fund – 1060414

- Source of Funding: Awards of restitution and cost to individuals imposed under court order, judgment, or settlement in any action or investigation brought to enforce to DC Code § 22-933.01 and funds collected pursuant to DC Code § 1-350.02 (a-4)(3).
- Description of Program Generating the Fund: Litigation actions on behalf of the District and identified claimants alleging the financial exploitation of a vulnerable adult or elderly person.
- Amount of Funds Generated: \$1,765.00.
- Expenditures: \$0.00.

Revenue Source Name and Code: Tenant Receivership Abatement Restitution Fund – 1060415

- Source of Funding: Revenue is generated by all funds recovered from owners under DC Code § 42-3651.06(j)(2); except, that when deposits of such funds into the Fund would cause the Fund balance to exceed \$2 million, the excess of such funds instead shall be deposited into the Litigation Support Fund.
- Description of Program Generating the Fund: Litigation actions on behalf of the District and identified claimants to appoint a receiver to operate and manage the rental housing accommodation of subject properties.
- Amount of Funds Generated: \$0.00.
- Expenditures: \$0.00.

12. Please provide a list of all projects for which your agency currently has capital funds available. Please include the following:

a. A description of each project, including any projects to replace aging infrastructure (e.g., water mains and pipes);

RESPONSE: In FY03, the Council approved \$6.3 million in capital budget dollars to fund a feasibility study (Project Phase I), and ultimately, the design and development of a replacement system for the antiquated DC Child Support Enforcement System (DCCSES) (Project Phase II). In July 2005, OAG and the Office of the Chief Technology Officer (OCTO) executed an MOU to begin the DCCSES project, with OCTO managing the project. The feasibility study was completed in December 2008 and estimated the cost for the design and installation of a replacement system to be \$84.3 million. The cost of the proposed system was prohibitive; therefore, OAG and OCTO explored a different course of action for Project Phase II. OAG requested to use the remaining funds from the capital budget to enhance DCCSES by designing and developing a web-enabled and web-based system as an alternative. The request was approved, and to date, the DCCSES project has expended the original \$6.3 million capital budget. These funds were used to move the system from outmoded, unsupported software and hardware to a Microsoft-based platform and to create several internal applications, including a data warehouse containing all transaction information. This approach has resulted in fewer payment processing errors and increased visibility into CSSD operations. The funding permitted planning for and modernization of the following significant components: Electronic Court Orders/Family Court Data Exchange system and the Master Database and Data protection and Synchronization system.

In FY22-FY23, Council approved \$4.57 million in additional funding to continue work on the project. In FY24, Council approved an additional \$2 million. OAG has been able to use that funding to leverage matching federal funds and achieved the following functionality milestones: processing TANF Referrals in DCCSES 2.0; the ability to automatically generate petitions, ability to schedule hearings; the ability to refer cases to other jurisdictions; creating non-monetary obligations; reviewing and approving of income withholding orders; and referring a TANF recipient for non-cooperation. Additionally, the ability for customers to apply online has been implemented

b. The amount of capital funds available for each project;

RESPONSE: There is approximately \$1.9 million remaining in capital funds available for the DCCSES project.

c. A status report on each project, including a timeframe for completion; and

RESPONSE: In Spring 2023, OAG paused the project to reevaluate the current workplan and timeline. As part of this reevaluation, OAG has restructured contracts, identified and selected new government management personnel, and assessed the current functionality of DCCSES 2.0 to determine if the system sufficiently meets business requirements. OAG recently onboarded a new project manager who is responsible for aiding OAG personnel with developing a new project plan and timeline. OAG is working closely with the federal partners to identify a development vendor to complete the project. OAG projects modernization will be completed in four to five years.

d. Planned remaining spending on the project.

RESPONSE: Currently, OAG has \$1.9 million in capital funds available for the project. In addition to these funds, OAG plans to include federal matching funds and federal incentive funds in the project's overall budget.

13. Please provide a complete accounting of all federal grants received for FY 2024 and FY 2025, to date, including the amount, the purpose for which the funds were granted, whether those purposes were achieved and, for FY 2024, the amount of any unspent funds that did not carry over.

RESPONSE: Please see **Attachment 10**, "FY24-25 Federal Grants Received."

14. Please list each contract, procurement, lease, and grant ("contract") awarded, entered into, extended and option years exercised, by your agency during FY 2024 and FY 2025, 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 budgeted amount and actually spent;**
- d. The term of the contract;**
- e. Whether or not the contract was competitively bid;**
- f. The name of the agency's contract monitor and the results of any monitoring activity;**
- g. Funding source; and**
- h. Whether the contract is available to the public online.**

RESPONSE: Please see **Attachment 11**, "FY24-25 Procurements."

15. Please provide the details of any surplus in the agency's budget for FY 2024, including:

- a. Total amount of the surplus; and**
- b. All projects and/or initiatives that contributed to the surplus.**

RESPONSE: Please see **Attachment 12**, "FY24 Surplus Explanations."

16. For FY 2024 and FY 2025 to date, please provide the number of contracts and procurements executed by your agency. Please indicate how many contracts and procurements were for an amount under \$250,000, how many were for an amount between \$250,000-\$999,999, and how many were for an amount over \$1 million.

RESPONSE: In FY24, OAG had 502 procurements: 492 were less than \$250,000, seven were between \$250,000-\$999,999, and three were over \$1 million. In FY25, to date, there are 222 procurements: 216 under \$250,000; four between \$250,000-\$999,999 and two over \$1 million.

LAWS, AUDITS, AND STUDIES

17. Please list and describe any ongoing investigations, audits, or reports on your agency or any employee of your agency, or any investigations, studies, audits, or reports on your agency or any employee of your agency that were completed during FY 2024 or FY 2025, to date.

RESPONSE:

FY24

- The FY23 annual comprehensive financial report (ACFR) was completed by the independent auditors (McConnell & Jones, LLP).

FY25

- OAG has provided information to the independent auditors (McConnell & Jones, LLP) for the FY24 annual comprehensive financial report (ACFR).
- OAG completed an internal control questionnaire of the Litigation Support Fund for the DC Office of the Inspector General in October 2024.

18. Please list any reports the agency is required by law to prepare and whether the agency has met these requirements.

RESPONSE:

- Under DC Code § 41-312, OAG must annually publish on its website and file with the Council information regarding OAG's civil asset forfeiture efforts. OAG is currently in compliance.
- Under DC Code §1-301.89a(a), OAG is required to notify the Council of cases in which: (1) the validity of a District statute, rule, regulation, program, policy, or enactment of any type is challenged as unconstitutional or invalid under the District of Columbia Home Rule Act; and (2) the Attorney General has received notice of the action pursuant to Rule 5.1 of the Federal Rules of Civil Procedure or Rule 5.1 of the Superior Court of the District of Columbia Rules of Civil Procedure. OAG is currently in compliance.
- Under DC Code §1-301.89a(b), OAG is required to notify the Council of a policy to refrain from (1) enforcing any provision of any District statute, rule, regulation, program,

policy, or enactment, or (2) defending any District statute, rule, regulation, program, policy, or enactment. OAG is currently in compliance.

- Under DC Code § 2-218.41, all District agencies must annually report to the Department of Small and Local Business Development the amount spent with small business enterprises. OAG is currently in compliance.
- Pursuant to DC Code § 2-538(c), OAG prepares an annual report of all FOIA litigation handled by the agency. The report tracks FOIA litigation handled by OAG, the outcome of the case, and the amount of any fees that may have been awarded in a case. OAG is currently in compliance.
- Pursuant to DC Code § 2-538(a), OAG compiles statistics on FOIA-related activity conducted during the previous year, including number of requests, resolutions of requests, and bases for withholding any portion of public records. OAG is currently in compliance.
- OAG is required to file a truancy status report under the Attendance Accountability Amendment Act of 2013, DC Act 20-133, DC Code § 38-209. OAG is currently in compliance.
- Pursuant to the Sexual Harassment Data Collection Act, OAG must annually produce and submit to the Office of Human Rights fiscal year data as required under DC Code § 1-546.02. OAG is currently in compliance.
- Pursuant to Law 15-167, the “Language Access Act of 2004,” and in accordance with DC Code § 2-1931, which designates OAG as a covered entity, OAG must annually collect and provide to Office of Human Rights and the public, data about the languages spoken and the number of limited/non-English speakers served. OAG is currently in compliance.

- a. Are there any required regular reports that the agency believes are unduly burdensome and/or underutilized by the Council or the public? If so, please provide details on each such report and, to the extent feasible, an estimate of the budget and/or person-hours required to prepare each report.**

RESPONSE: There are no reports that are unduly burdensome or underutilized by the Council or public. However, meeting the Secure DC requirements for a public dashboard has created ongoing challenges for OAG, CJCC, and Superior Court due to limitations in the Court’s resources, particularly regarding juvenile data. Once CJCC and Superior Court determine feasibility, OAG’s hope is that juvenile case feed data, specifically disposition data, will finally be integrated into OAG’s case management system via JUSTIS to facilitate data publication.

19. Please list all lawsuits filed in FY 2024 and FY 2025 to date that name the agency as a party, and provide the case name, court where claim was filed, case docket number, and a brief description of the case.

RESPONSE:

- *Jackson v. DC*, 2024-CAB-007077 (D.C. Superior Court): Plaintiff sues the District and a former OAG employee under DCFMLA, DCHRA, and DCWPA. The District’s response to the complaint is not yet due.

- ***Sieber v. DC***, 23-cv-03247 (DDC): Civil action by the father-son management team of a defunct contracting company alleging that OAG's lawsuit against them for violations of the Consumer Protection Procedures Act was unconstitutional. The case was filed on November 18, 2024, and Plaintiffs have filed a motion for leave to file a second amended complaint. The District has not yet answered or moved to dismiss.
- ***Smith v. Child Support Services Division***, 2024-CAB-005458 (DC Superior Court): Plaintiff alleged that OAG's Child Support Services Division mishandled her child support cases. The District filed a motion to dismiss, which was granted.
- ***Taylor v. Office of the Attorney General of DC***, 2025-CAB-000294 (DC Superior Court): Pro se action alleging that OAG's Child Support Services Division mishandled her child support matter. The District's response to the complaint is not yet due.
- ***Williamson v. Analytics Consulting LLC***, 24-cv-01403 (DDC): Pro se action brought by an Instacart driver alleging OAG's Office of Consumer Protection administered a restitution fund under the Instacart settlement in violation of federal and local law. The case was dismissed for failure to state a claim on August 29, 2024.

20. Please list all settlements entered into by the agency or by the District on behalf of the agency in FY 2024 and FY 2025 to date, including any covered by D.C. Code § 2-402(a)(3), 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).

Litigation Matters

None.

Non Litigation Matters

Vendor's Name	Dates	Amount	Description
Roger Colinvau	October 1 st through November 30, 2023	\$1,485.00	Resolution of litigation cost for expert witness in the matter of <i>DC v. NRA Foundation, Inc.</i>
Corporate Service Company	July 9, 2016 through October 26, 2023	\$723.70	Resolution of non-litigation cost for eRecording Services to the District's OAG.
Capital Project Management, Inc.	June 2024 through September 2024	\$124,493.75	Resolution of Litigation costs in the matter of <i>Technopref v. DC</i> , CAB-D-1566.
Neal R. Gross and Company, Inc.	December 19, 2023	\$500.00	Resolution of litigation cost for transcript in the matter of <i>DC v. Momen Inc. T/A Silver Cab Company.</i>

Nathan Kozuskanich	July 17, 2024 through September 24, 2024	\$2,250.00	Resolution of litigation cost for expert witness in the matter of <i>Millard v. DC</i> , CA#22-2672.
Giarc Consulting, LLC	November 29, 2023	\$1,688.00	Resolution of litigation cost for expert witness in the matter of Crystal Coleman, 2023-CAB001367.
MAIA Institute Holding, Inc.	February 26, 2024	\$2,275.00	Resolution of litigation cost for expert witness in the matter of <i>Sarah Booth v. DC</i> , 2020-CA-04386-M.
A Digital Solutions	September 2, 2024	\$720.00	Resolution of non-litigation printing cost.
Veritext, LLC	November 2023	\$1,138.15	Resolution of litigation cost of transcript in the matter of <i>John Doe v. DC</i> , 2019-CA-002488B.
Giarc Consulting, LLC	August 30, 2023 through September 7, 2023	\$4,350.00	Resolution of litigation cost for expert witness in the matter of <i>Tyson v. DC</i> , 1:17-CV-6614B.
Charles CL. Betsey	October 21, 2024 through October 2, 2024	\$5,700.00	Resolution of litigation for expert witness in the matter of <i>Troy Stewart v. DC</i> , 2016-CA-002821B.
		\$145,323.60	

21. Please list any administrative complaints or grievances that the agency received in FY 2024 and FY 2025 to date, broken down by source. Please describe the process utilized to respond to any complaints and grievances received and any changes to agency policies or procedures that have resulted from complaints or grievances received. For any complaints or grievances that were resolved in FY 2024 or FY 2025 to date, describe the resolution.

RESPONSE:

Grievances

- AFSCME, Local 2401: AFSCME filed six grievances in FY24, all of which were denied by OAG denied. OAG also resolved one previously filed grievance in FY23.
- AFGE, Local 1403: AFGE, Local 1403, did not file any grievances in FY24.
- Non-Bargaining Unit Employees: OAG did not receive any grievance in FY24 from a non-bargaining unit employee.

Process to Respond: OAG first attempts to resolve grievances informally through meetings. If informal attempts at resolution are unsuccessful, OAG uses the process outlined in the applicable collective bargaining agreements for bargaining unit employees. Generally, a labor organization or employee files the grievance at the lowest managerial level where relief can be granted.

Management then has 10 to 15 working days to respond under the applicable collective bargaining agreement. If a grievance is not resolved at the lowest management level, the union or the employee may proceed to the next management level until the Attorney General issues a final decision. After the Attorney General issues a final decision, the union or employee may request arbitration, and a third-party arbitrator is selected following the process outlined in the collective bargaining agreement. Either party may seek review of an arbitrator's award by filing an appeal with the Public Employee Relations Board (PERB). Either party may seek review of PERB's decision by filing an appeal in Superior Court. Lastly, either party may seek review of the Superior Court's decision by filing an appeal with the District of Columbia Court of Appeals (DCCA).

Under their collective bargaining agreement, attorneys may challenge the Attorney General's final decision on certain discipline by demanding non-binding arbitration.

For non-bargaining unit employees, OAG follows the process outlined in the District Personnel Manual. An employee may file a grievance with the manager who has authority to grant the relief sought, typically the Attorney General. Management's decision on the grievance is final.

Resolutions: OAG issued final decisions to the grievances filed by AFSCME. OAG also resolved one previously filed grievance in FY23.

WORKPLACE ISSUES AND EQUITY

22. Please describe the agency's procedures for investigating allegations of sexual harassment or misconduct committed by or against its employees. List and describe any allegations received by the agency in FY 2024 and FY 2025 to date, and whether and how those allegations were resolved.

RESPONSE:

Investigation Procedures: Under OAG's current Policy on Discrimination, Harassment, and Retaliation and Equal Employment Opportunities, employees, contractors, interns, volunteers, and members of the public can file allegations of discrimination, harassment, or retaliation, including allegations of sexual harassment, assault, or misconduct. They can do so regardless of whether they are the alleged victim of, or a witness of, the alleged discrimination, harassment, or retaliation. Upon receiving a complaint, OAG will promptly commence an investigation into the allegations. OAG uses an outside vendor to conduct some of these investigations on OAG's behalf. If an investigation ultimately determines that an employee, contractor, intern, or volunteer has violated the agency's prohibitions on discrimination, harassment, or retaliation, OAG will take disciplinary action, up to and including termination. If OAG's investigation determines that an outside party has violated the prohibitions, OAG will take other actions to stop the discrimination, harassment, or retaliation. Such actions may include, for example, terminating a relationship with a vendor or reporting the conduct to the offender's employer.

Allegations against certain senior staff are referred to the Office of the Inspector General for investigation. These senior staff include the Attorney General, the Chief of Staff, the Chief Deputy Attorney General, the First Assistant Attorney General, and the Chief Operating Officer. OAG may choose to conduct a concurrent investigation. If either the Inspector General's or OAG's investigation finds a violation of OAG's policy, the Attorney General shall take appropriate disciplinary or other action to address the violation. Moreover, in accordance with DC Code § 1-301.115a, if the Inspector General determines that misconduct or unethical behavior occurred, the Inspector General must forward the final report to appropriate authorities, which may include, among other authorities, the Board of Ethics and Government Accountability and law enforcement agencies. Once a matter has concluded, OAG provides the complainant with a closeout letter, which briefly summarizes the findings, whether the allegations were substantiated, and whether disciplinary action was taken.

Please see **Attachment 13**, "Office Order No. 2023-09" for the complete policy.

Allegations Against Agency or Employee and Resolution

FY24

- One OAG employee alleged that an OAG employee subjected them to discrimination and sexual harassment. OAG's investigation found insufficient evidence to support the claim of sexual harassment, and OAG closed its internal investigation.

FY25

- No new cases.

23. The District defines racial equity as “the elimination of racial disparities such that race no longer predicts opportunities, outcomes, or the distribution of resources for residents of the District, particularly for persons of color and Black residents.” What are three areas, programs, or initiatives within your agency where you see the most opportunity to make progress toward racial equity?

RESPONSE: Racial equity is fundamental aspect of the work undertaken by every division at OAG. As highlighted in response to Question 1, using the law to reduce inequity across all aspects of District residents’ lives is one of the four pillars that underpin OAG’s mission statement. This mission is evident in some of the key accomplishments discussed in other sections of these responses, including:

- Investigations and litigation dedicated to improving conditions in and access to affordable housing across the city;
- Advocacy in the District’s land use and planning processes to reduce racial disparities in access to housing;
- Enforcement and settlement agreements to further environmental justice, particularly with respect addressing the disproportionate impact of pollution in the Anacostia River;
- Litigation against companies that deceptively provide lower levels of service to underserved communities in the District;
- Litigation and proposed legislation to prevent out-of-state banks from charging usurious interest rates to low-income District residents; and
- Enforcement of human and labor trafficking laws.

24. In FY 2024 and FY 2025 to date, what are two ways that your agency has addressed racial inequities internally or through the services you provide?

RESPONSE: In addition to the priority areas listed in Question 23, OAG continued to actively address racial inequities across its Divisions. The following specific projects, undertaken in FY24 and FY25 to date, highlight OAG’s commitment to promoting racial equity within the District.

FSD collaborated with the DC Child and Family Services Agency (CFSA), individuals with lived experience in foster care, local advocates, and the Annie E. Casey Foundation to develop legislation and implement systemic practice changes supporting a fifth permanency option in the foster care system called SOUL (Support, Opportunity, Understanding and Legal Relationships). SOUL directly addresses the number of older youth who exit foster care without stable permanency. By partnering on this initiative, FSD is addressing long-standing inequities in the foster care population and improving outcomes for young people in the DC foster care system, whose population is disproportionately Black/African-American.

ELU collaborated with the Council to develop Bill 25-669, the “Uniform Unlawful Restrictions in Land Records Act of 2024.” This legislation establishes a process for homeowners and homeowners’ associations to remove unlawful restrictive covenants from land records associated with their real property. Additionally, it allows for covenants or deed restrictions to be declared void and unenforceable if they were established before the adoption of the Zoning Act and conflict with current Zoning Act regulations. The bill took effect in August 2024.

ELU also consistently advocated for increasing the number of affordable housing units in order to address existing racial disparities in housing access arising from discretionary zoning approvals, such as Planned Unit Developments and Zoning Map amendments. ELU actively intervened in support of applications that proposed a significant number of affordable housing units (e.g., Z.C. Case Nos. 23-25, 23-02, 22-36, 23-19). Additionally, ELU submitted comments on the draft Ivy City Small Area Plan, emphasizing the need for further analysis on mitigating the potential impacts of substantial density increases adjacent to a historically Black community.

Additional work undertaken by PAD to address racial inequities includes:

- Combatted housing discrimination in the District by filing legal cases to address discriminatory practices against prospective tenants based on their use of vouchers and other subsidies. *See D.C. v. Jerome Bailey, et al.*, 2023 CAB 001487 (DC Superior Court) and *ERC, et al. v. Adams Investment Group, LLC, et al.*, 2022 CA 001582 R(RP) (DC Superior Court).
- Enforced consumer protection laws to address delivery deserts to residents East of the River. For example, PAD’s Civil Rights & Elder Justice Section and Office of Consumer Protection sued Amazon for deceptively and secretly restricting Amazon Prime package deliveries to certain East of the River zip codes, causing substantial delivery delays. *See DC v. Amazon.com, Inc.*, 2024-CAB-007611 (DC Superior Court).
- Spearheaded a comprehensive legal strategy against some of the District’s most predatory landlords to combat illegal business practices and ensure equitable housing access. One notable example is slumlord Ali “Sam” Razjooyan who targeted low-income tenants of color. To rectify the harm caused by Razjooyan’s exploitation of voucher-holding tenants through illegal construction and the perpetuation of unsafe and deteriorating conditions, OAG’s strategic litigation included 19 bankruptcy cases and two DC Superior Court actions. *See DC v. 1644 W St SE, Ali Razjooyan, et al.*, 2024-CAB-005588, (DC Superior Court).
- Advanced environmental justice to redress the historical and current wrongs borne by communities of color in the District. Specifically, in FY25, OAG filed a lawsuit against the federal government for over 150 years of severe pollution in the Anacostia River. *See DC v. USA*, 25-cv-00065 (DDC). Additionally, OAG partnered with the Council to successfully enact legislation granting OAG new enforcement authority to address illegal dumping, a practice that disproportionately affects communities of color by polluting the neighborhoods and diminishing the safe, green spaces for families and children.

AGENCY-SPECIFIC QUESTIONS

25. Please provide brief highlights of the work of each of OAG's divisions in FY 2024 and FY 2025 to date.

Child Support Services Division (CSSD) assists District families with locating absent parents, establishing paternity, establishing orders for monetary and medical support, collecting ongoing support, and enforcing delinquent child-support orders. CSSD also seeks to ensure that District children receive the financial support to which they are legally entitled. In addition to collecting \$47,309,699 in child support payments in FY24 to help children thrive, CSSD focused on continuous improvement across all aspects of its operations. Highlights include:

Conciliation Pilot Program: Please see response to Question 2b regarding program integration and expansion.

Customer Service Improvements: CSSD made customer service a division-wide priority. The following are examples of initiatives undertaken to enhance interactions with CSSD's various customer groups

- Amazon Connect: Implemented in 2024, Amazon Connect enhances the effectiveness and efficiency of CSSD's customer service. The new system streamlines incoming calls through central entry points, utilizes call tracking tools to reduce wait times, and enables call monitoring for quality assurance, targeted customer support, and staff training.
- Interactive Voice Response (IVR) Updates: To enhance customer service, CSSD implemented several improvements to its IVR system, the first point of contact for many callers. These updates, based on public feedback and internal recommendations, include clearer prompts for faster connection to the appropriate case-processing unit, expanded language access features for improved service to non-English and limited-English speakers, and overall increased user-friendliness. CSSD is collaborating with the District's networking team to implement these changes online and make the new features available to the public.
- Peer Review Team (PRT): For some customers, their cases may predate their engagement with CSSD services. For instance, they might have initiated legal proceedings regarding parentage and support independently before seeking CSSD assistance. These cases can present unique legal questions and complex customer needs. To improve consistency in managing such cases, CSSD established a PRT. This team, consisting of CSSD Directors, Section Chiefs, and Policy and Performance Management leadership, convenes to review unique cases, often involving domestic violence or private cases where IV-D services are being sought. The PRT aims to ensure consistency and provide leadership-level attention to address these assistance requests promptly and prevent service delays.
- Case Conversion Team (CCT): To assist with case management and ensure that complex cases fall under the PRT, CSSD leadership has begun to engage a subgroup of unit managers to serve as the CCT, which will be first line reviewers for routine conversion cases, thereby permitting complicated matters to be directed to the PRT.

Paperless Initiative: CSSD staff are in the process of converting paperless documents. In FY20, CSSD began its Paperless Initiative, which has been an opportunity to create central repositories for digital files. The process of digitizing, cataloging, and destroying all CSSD hard-copy files (703,900 converted documents and 115,000 files) was completed in 2023. Additionally, in 2024, the DC Office of Public Records approved CSSD’s request to maintain all records digitally. CSSD plans to complete the uploading of all documents in Spring 2025. To date, reduction in square footage used for file storage and the associated cost savings have been noteworthy.

Civil Litigation Division (CLD) provides legal representation for the District before local and federal courts. In FY24, this work saved the District over \$300,000,000 in potential liability. Highlights include:

General Litigation Sections: The legal and support teams achieved favorable outcomes in five trial cases during FY24. Two were defense verdicts in jury trials: *Hall v. DC*, 2019 CA 000348 B (DC Super. Ct.), a case arising from an MPD officer who shot a man armed with a knife, and *Stewart v. DC*, 2016 CA 002821 B (DC Super. Ct.), a Whistleblower Protection Act suit. In one case, *Morris v. DC*, 2018 CA 008633 B (DC Super. Ct.), the judge vacated the jury’s verdict and awarded judgment to the District. The final two cases, *Elkalibe v. DC*, 2010 CA 008561 B (DC Super. Ct.), (a false arrest case) and *Sharp v. DC*, 2021 CA 000288 V (DC Super. Ct.), (a car accident case), resulted in verdicts for the plaintiffs, but at much lower amounts than the plaintiffs requested to settle prior to trial. As a result, the District avoided significant monetary damages and attorney’s fees and costs.

Equity Section: OAG achieved a significant victory in *Hall v. DC*, 23-cv-01261 (DDC), a constitutional challenge to the Local Resident Voting Rights Amendment Act of 2022. Plaintiffs, a group of U.S. citizen voters and candidates, alleged that the Act violated substantive due process, equal protection, and the “constitutional right to citizen self-government.” OAG moved to dismiss for lack of standing and failure to state a claim. The Court agreed that Plaintiffs lacked standing and dismissed the suit.

Additionally, OAG continued to defend the District’s common-sense gun laws following the Supreme Court’s decision in *New York State Rifle & Pistol Assoc. v. Bruen*, 597 U.S. 1 (2022). As the District’s first line of defense against litigation over local gun laws, the Equity Section’s tenacity and creativity continued to be instrumental in keeping the District’s core gun laws intact, despite a challenging legal landscape.

Civil Enforcement Section (CES): CES partnered with the District’s Alcoholic Beverage and Cannabis Administration and MPD to shut down unlicensed cannabis retailers. The multi-agency effort has resulted in a steady stream of enforcement actions—which must be handled on an emergency and expedited basis—for the CES team.

Personnel and Labor Relations Section (PLRS): PLRS had a successful fiscal year, marked by several positive outcomes. One notable example involved a termination appeal before the Office of Employee Appeals. PLRS represented a client agency in a case concerning a 911 call operator who was terminated for repeated failures to properly process emergency calls. After a three-day

evidentiary hearing, the Office of Employee Appeals upheld the employee's termination. This decision reinforced the importance of maintaining the highest standards in critical public safety roles and allows our client agency to ensure the integrity of its operations.

Commercial Division provides legal services, advice, and advocacy related to numerous core governmental functions, including the procurement of essential goods and services, acquisition of real estate, the support of economic development efforts, and the financing of government operations through bonds and collection of taxes. The Division worked closely with the Office of General Counsel team for the Deputy Mayor for Planning & Economic Development (DMPED) over the course of several months to review, comment on, and approve for legal sufficiency: (1) a Development & Financing Agreement between the District and the operator of the facility, DC Arena L.P (DCALP); (2) an amended and restated lease between the District and DCALP; and (3) an agreement for the District's purchase of the improvements from DCALP. Based on the Division's review of the transaction documents, and input from the Legal Counsel Division on appropriations and legislation issues, the two Divisions were able to provide legal sufficiency signoffs on the legislation and the transaction documents, all of which required Council approval.

Additional highlights by section include:

Equitable Land Use Section (ELU): ELU launched initiatives focused on affordable housing and equity, and undertook extensive outreach efforts to support these goals. Highlights include:

- Intervened in a Zoning Commission (ZC) proceeding to advocate for the rezoning of the upper Chevy Chase corridor. This rezoning would support a disposition by the Deputy Mayor for Planning and Economic Development (DMPED), enabling the development of more housing, including affordable housing, in the Rock Creek West Planning Area. This area has lagged significantly in meeting the Mayor's equitable housing and affordable housing goals, primarily due to its current zoning, which favors single-family homes and limits land available for multifamily housing. Increasing multifamily housing is essential to ensure that all ten Planning Areas equitably contribute to the District's housing needs.
- Intervened in a ZC proceeding to support the rezoning of the DMPED disposition of District land in the U Street, NW corridor to increase housing density, including affordable housing, along this transit-rich corridor, located near the District's center's employment and service opportunities. While the Mid-City Planning Area currently meets the Mayor's equitable housing/affordable housing goals, the additional density permitted by this rezoning is crucial to ensure future compliance with these goals, particularly considering the limited land available for development.
- Intervened in a ZC proceeding to provide a recommendation concerning the Ivy City Small Area Plan. Specifically, the recommendation focused on the incorporation of additional data and mitigations that would effectively address the anticipated increased density permitted by the 2021 Comprehensive Plan update for the area. Positively, the Office of Planning's final draft, recently approved by Council, has responded to many of the issues raised by ELU's filing.

- Provided research on best practices in other jurisdictions to assist the ZC in improving its initial racial equity analysis tool.
- Engaged with ANCs and community groups through multiple meetings and presentations. These sessions focused on educating participants about the intricacies of planning and zoning processes, empowering them to participate effectively, and informing them about proposed changes to the Zoning Regulations. This proactive approach has resulted in a notable increase in public participation in ZC cases.
- Collaborated with Council staff on issues related to land use, zoning, development, and affordable housing, including research on the historical background for invalidating racially discriminatory covenants on the grounds of public policy (Bill No. 25-669), as well as on the Congressional bill on the RFK Stadium land.

Government Contracts Section (GCS):

- Reviewed and approved for legal sufficiency over \$2.8 billion worth of contracts for goods, services, and construction for the District in FY24.
- Maintained a very high success rate for protests—of the 20 protests filed with the Contract Appeals Board during FY24 in which opinions were issued, 19 were denied or dismissed, and settled five appeals saving the District over \$3,700,000.

Land Acquisition and Bankruptcy Section (LAB):

- Settled eminent domain litigation for the W Street Trash Transfer Station by which the Department of General Services acquired the property to create governmental warehouse space. OAG litigated the case and ultimately settled it, saving the District approximately \$30,000,000.
- Settled eminent domain litigation involving closure of a curb cut on Minnesota Avenue, NE. OAG litigated the case aggressively, deposing defendant's fact and expert witnesses and writing compelling motions in limine to exclude their testimony. Faced with the District's advantageous litigation position, defendant settled its claims for 12% of its trial position, saving the District over half a million dollars.
- Filed several actions to enforce residential Inclusionary Zoning covenants. Notably, in a Superior Court case, the District was granted a full judgment, resulting in the mandated sale of the unit to an income-qualified purchaser and the disgorgement of an ill-gotten gains from the owner of the property. This decision netted approximately \$800,000 to the District.

- In bankruptcy matters, OAG aided in the collection of over \$500,000 in taxes owed by District entities.

Tax and Finance Section:

- Closed 787 real property tax appeals in FY24 through January 2025. The average age for each case at disposition was less than 1.5 years.
- Defended challenges seeking to reduce over \$66 billion in assessed value, resulting in the retention of over \$183,760,548 in real property taxes. Petitioners sought to reduce assessed value to over \$52 billion, which would have resulted in \$254,311,095 in tax refunds.
- Obtained summary judgment in five transfer-and-recordation tax appeals, saving the District \$29,700,150 in taxes.
- Obtained judgment after a four-day bench trial upholding DC Office of Tax and Revenue's decision to value a multi-family community as a single economic unit, instead of developing separate values for affordable and market rate units.
- Advised the Office of the Deputy Mayor for Planning and Economic Development on nine bond issuances totaling \$224,370,000 that resulted in District revenues of \$740.098 in Public Financing Administrative Program Fees.

Family Services Division (FSD) supports CFSA in strengthening families and improving the safety, permanence, and well-being of abused and neglected children in DC. Highlights include:

Legal Representation: Through the end of FY24, OAG provided legal representation in the exit of 142 children from the foster care system through reunification (71), adoption (61) or guardianship (10). Through January 31, 2025, OAG provided legal representation in the exit of 45 children from the foster care system through reunification (22), adoption (17), or guardianship (6).

Legal Advice and Counsel: In FY24, OAG managers and attorneys provided legal advice and counsel in over 1,379 settings through permanency goal review meetings, community papering, and clinical case consultations. Through January 31, 2025 for FY25, OAG managers and attorneys provided legal advice and counsel in 451 settings through permanency goal review meetings, community papering and case consultations.

- Permanency goal review meetings occur at the 9-month mark of a case and every 90 days thereafter. The focus is on reviewing the case plan of reunification and determining if an alternate permanency goal should be sought.³
- Community papering consults focus on determining if court intervention is needed to effectuate the case plan developed by CFSA to address abuse or neglect.⁴

³ For FY25 through January 31, 2025, OAG conducted 407 permanency goal review meetings.

⁴ For FY25 through January 31, 2025, OAG conducted 27 community papering consults.

- Clinical case consultations are opportunities for in-home social workers to discuss challenging cases with FSD to determine next steps for case closure or receive advice on critical steps to make the case ripe for court involvement.⁵

Paternity Establishment: In FY24, OAG focused on paternity establishment in its court-involved families and was successful in ensuring legal fathers were established in 62.7% of cases petitioned. In FY25 through January 31, 2025, paternity has been established in 36.7% of cases. This outcome allows the District to nurture or facilitate a relationship between a child and a father which could be one path to exiting foster care. In addition, this outcome creates a bigger pool of kin who can be explored for placement and/or permanency as this outcome opens the door to long term connections for a child that might not have been available without the establishment of paternity. Barriers to establishment can include reluctance on the part of the identified person to test and/or appear in court. OAG works with CFSA and the court-appointed attorney to address this barrier.

Human Trafficking:

- As part of its litigation practice, OAG focused on several specialty areas, including Unaccompanied Refugee Minors, youth at risk for or victims of human trafficking, victims of serious physical abuse and child sex abuse, and families where parental substance abuse is the main behavioral issue preventing reunification.
- OAG also maintained its role in combatting human trafficking through community education and coordination. In FY24, OAG conducted thirty trainings and reached 1700 middle school students, business industry professionals, government agencies, law enforcement, social workers and community-based providers, to educate them on warning signs and risk factors for trafficking. Through January 31, 2025, OAG conducted eight trainings and reached 420 individuals. In FY24, OAG also co-facilitated six meetings of the Citywide Human Trafficking Taskforce with the United States Attorneys' Office whose membership comprises federal and local government agencies and community-based organizations. Through January 31, 2025, OAG co-facilitated two meetings of that Taskforce.

Immediate Office of the Attorney General (IO): The IO provides overall supervision and guidance to all divisions within the office, pursues the public interest, and objectively and independently serves District residents through its communications and outreach programs. Highlights include:

Grants: During FY24, OAG expanded its grant portfolio to include the Leaders of Tomorrow grants, providing crucial funding to community-based organizations that serve at-risk youth within the District. Additionally, OAG enhanced its grant-making capacity by securing two federal grants.

⁵ For FY25 through January 31, 2025, OAG conducted 17 clinical case consultations.

OAG was also the recipient of a new grant in FY24, securing funding from the American Psychiatric Association Foundation (APAF) to launch a social media campaign focused on at-risk District youth. The #FutureMeDC campaign recruited local credible messengers to use their social media platforms to inspire and educate young people about making positive choices that contribute to their long-term goals and the well-being of their communities.

Community Outreach: OAG continued to demonstrate a strong commitment to community engagement. Between FY24 and FY25 to date, OAG actively participated in 359 events, reaching and interacting with over 30,000 individuals across all eight Wards.

Policy and Legislative Affairs (Policy): During FY24, Policy spearheaded the introduction of four bills – three of which passed – including the ROAD Act (introduced by Chairman Mendelson on behalf of OAG and which passed unanimously), the Illegal Dumping Enforcement Amendment Act (introduced by Councilmember Gray at OAG’s request), and the Consumer Protection Clarification Amendment Emergency and Temporary Acts (introduced by Chairman Mendelson at OAG’s request). Additionally, OAG supported the Council in passing six bills by providing written and in-person testimony and consulting with individual Councilmembers on the policy implications of those bills. OAG also successfully submitted two contracts and responded to requests from and consulted with Council on several issues, including public safety in the District and barriers to housing access for low-income residents.

Legal Counsel Division (LCD): LCD provided legal sufficiency review for approximately 730 bills and rulemakings, 50 memoranda of understanding and similar agreements, and 185 confidential requests for legal advice. LCD also conducted trainings on legislative drafting, appropriations, and rulemaking.

Public Advocacy Division (PAD): PAD unites OAG’s affirmative civil enforcement litigation across antifraud, antitrust, civil rights, consumer protection, elder justice, environmental, housing, nonprofit enforcement, and workers’ rights. Highlights of PAD’s work investigating, litigating, and resolving numerous public interest cases include:

- **Secured millions of dollars in unpaid District of Columbia taxes:** In June 2024, the Workers’ Rights and Antifraud Section reached a settlement with Michael J. Saylor and MicroStrategy, Inc., the company he co-founded and led, to recover \$40 million to resolve a tax fraud lawsuit filed by OAG. The lawsuit alleged that Saylor had defrauded the District of millions in unpaid income taxes and detailed how Saylor, despite living in the District, illegally pretended to live in lower-tax jurisdictions in an attempt to avoid paying taxes on hundreds of millions of dollars of income. Saylor called the District home since at least 2005, renovating and living in a 7,000-square foot Georgetown penthouse and docking multiple yachts at Washington Harbor. Under the settlement, Saylor and MicroStrategy must pay \$40 million to resolve the District’s lawsuit, the first of its kind brought under updates to the DC False Claims Act approved by the Council.
- **Stopped a home renovation scam targeting elders:** In September 2024, the Civil Rights and Elder Justice Section reached a settlement with Curbio, Inc. to resolve a lawsuit filed

in November 2023 as part of our focus on stopping widespread scams that harm seniors. Curbio markets itself as a pre-sale home renovation company that allows owners to defer payment until after their home is sold, targeting elderly homeowners in particular. OAG alleged that the company misrepresented nearly every aspect of its work, using low-cost subcontractors to deliver over-priced, low-quality renovations, on far longer timelines than promised. Under the settlement, Curbio agreed to pay \$2.58 million in direct restitution to District consumers, reduce balances still owed by a total of \$920,000, and pay \$4 million in penalties. Curbio also will eliminate unconscionable contract provisions, stop making misleading marketing claims, and make other critical changes.

- **Eliminated title insurance kickback schemes:** In August 2024, the Office of Consumer Protection announced multiple settlements to resolve an investigation into the widespread use of illegal kickback schemes in the title insurance market. As part of the scheme, title companies offered real estate agents discounted ownership interests and lucrative profit sharing in exchange for business referrals. These conflict of interest-plagued, anticompetitive arrangements limited District homebuyers' ability to shop for the best price and service when purchasing title insurance and escrow services and hurt law-abiding competitors. Under the settlements, Allied Title & Escrow, KVS Title, Modern Settlements, Union Settlements, and Universal Title will pay a total of \$3.7 million, part of which will provide restitution to impacted consumers, and will end their practice of compensating real estate agents for title insurance business referrals.
- **Held a slumlord accountable and protecting public funds:** In September 2024, the Housing and Environmental Justice Section filed two lawsuits against slumlord Ali "Sam" Razjooyan and related property entities and managers related to two rental properties, 1644-1656 W Street, SE in Ward 8, and Minnesota Commons at 4089 Minnesota Avenue NE in Ward 7. OAG alleges Razjooyan and associates have caused extreme housing code violations, repeatedly violated orders to stop illegal construction work, and committed fraud in DC's Rapid Re-Housing Program. The fraud claim is a novel approach to recover local subsidy funds when landlords systematically fail to maintain their properties while certifying their units are code-compliant. OAG won emergency relief for repairs at Minnesota Commons and now seeks further repairs to fix all housing code violations, restitution of rent money to tenants, and penalties.
- **Held landlords accountable for colluding to raise rents:** In November 2023, the Antitrust and Nonprofit Section filed a lawsuit against RealPage, Inc. and 14 of the largest residential landlords in the District for colluding to illegally raise rents by collectively delegating price-setting authority to RealPage, which used a centralized pricing algorithm to inflate prices by millions of dollars. OAG's investigation revealed that RealPage's technology was used to set rents for more than 50,000 apartments across DC. As relief, OAG seeks to stop Realpage and landlords from engaging in anticompetitive behaviors, to appoint a court monitor to ensure landlords follow the law, and to recover compensation for the District and residents whose rents were unlawfully raised. The District was the first

government enforcer nationwide to file suit against Realpage, later followed by the U.S. Justice Department and eight other states.

Public Safety Division (PSD) protects and advances public safety in the District, highlights of this work include:

Prosecuted juvenile matters: In FY24, the Juvenile Section handled nearly 2,000 matters and petitioned 76% (1,149 out of 1,520) of matters associated with an arrest. Of those arrest matters, OAG petitioned the following percentages by top charge: 85% (499 out of 590) of crimes of violence matters and 85% (145 out of 171) of gun possession matters. The 437 non-arrest matters include declines and diversions of pre-petition custody order requests.

Strengthened case papering rates and building cases: The Juvenile Section continued to prioritize collaboration with key agencies such as the Metropolitan Police Department (MPD) and State Attorney Offices in Maryland. Through the ongoing partnership with MPD, particularly through the juvenile hotline (discussed further in question 60) and weekly inter-agency meetings, OAG observed enhanced quality in the matters presented to OAG. Additionally, strengthened collaboration with Maryland facilitated better coordination and strategic exchange thus enabling OAG to more effectively address cross-border offenses.

Enhanced Diversion Programs: In handling individual cases, the OAG remains committed to utilizing diversion programs for low-level and first-time offenses. When appropriate, we rely on the Department of Human Services' (DHS) Alternatives to Court Experience (ACE) program. Throughout this fiscal year, OAG actively worked to streamline the referral process with DHS, improving efficiency and collaboration. For cases where diversion is not an option, we worked closely with the Court Social Services Division and the Department of Youth Rehabilitation Services to ensure that youth receive the necessary rehabilitative services and support for successful community reintegration.

Furthermore, during FY24, the OAG, MPD, DHS, and Sasha Bruce Youthworks (SBY) successfully launched the CARES Program. This pilot program provides targeted intervention and support to youth and families involved in domestic disputes, offering respite housing, family therapy, and mentoring to disrupt the cycle of family conflict and prevent recurrence.

Provided victim support with a trained courthouse assistance dog: OAG is fortunate to employ a victim-witness specialist who is a handler for Pepper, a NEADS trained courthouse assistance dog.⁶ Pepper provides emotional support and comfort to victims of crime and parties in OAG's Family Court proceedings, from investigation through disposition. Upon request, Pepper assisted participants in the adult criminal, juvenile delinquency, and domestic violence courts. With OAG's assistance, the Court recently established standard operating procedures to allow Pepper to more readily appear in OAG's adult criminal courtrooms and a similar procedure should soon be completed for the Domestic Violence Division.

⁶ For more information on NEADS, visit: <https://neads.org/service-dog-programs/assistance-dogs-classroom-ministry-therapy-and-courthouse-facility/>.

Prosecuted Traffic Crimes: The Criminal Section observed a significant increase in adult case prosecutions during FY24 through Q1 of FY25. The total number of cases prosecuted reached 3,601, marking a 38% rise compared to the same period in FY23 through Q1 of FY24. Furthermore, OAG maintained a high papering rate for Driving Under the Influence (DUI) and Reckless Driving cases. Throughout this period, 1,575 DUI cases and 211 Reckless Driving cases were charged, with papering rates of 97% and 94%, respectively.

The Criminal Section also successfully secured convictions in two criminal traffic cases that resulted in the death of either a pedestrian or drivers and passengers in other vehicles. Both convictions were secured by a guilty plea. At each sentencing hearing, family members representing the respective victim provided meaningful and impactful testimony about how these cases have affected their lives.

Utilized Specialty Courts – Drug Court: The Criminal Section referred 163 individuals to the Superior Court’s Drug Court program from FY24 through Q1 FY25, with OAG cases making up the majority of all Drug Court participants. Fifty-five participants successfully completed the intensive requirements of the program to become “Drug Court Graduates” in FY24.⁷

Trained diverse District stakeholders on mental health: In FY24 and FY25, to date, the Mental Health Section (MHS) facilitated a quarterly citywide guardianship roundtable with representatives from the Department of Disability Services, Adult Protective Services, and counsel from area hospitals to discuss shared guardianship challenges for people in need of mental and behavioral health services. MHS also provided monthly training to law enforcement officers on civil commitment law and presented a similar training twice monthly to mental health clinicians becoming certified as Department of Behavioral Health (DBH) Officer Agents. The section also trained outpatient mental health clinicians on the emergency hospitalization and civil commitment process and hosted two doctors from DBH’s forensic fellowship program who served as in-house clinical experts on OAG cases for one day a week throughout the academic year.

Coordinated with community partners to improve school attendance:

- In FY24, OAG expanded its ATTEND anti-truancy program by extending mediation services and community engagement to the public charter school sector. Specifically, ATTEND provided mediation services to parents of kindergarten through 6th graders at two Center City Public Charter School Campuses: Trinidad/NOMA (Ward 6) and Capitol Hill (Ward 7).
- I Belong HERE! (IBH!) initiative continued its efforts to reduce truancy and chronic absenteeism in middle school by fostering school spirit and community. OAG achieved this through monthly positive reinforcement activities during in-person learning with 6th

⁷ Participants who are referred to Drug Court have pled guilty and agreed to Drug Court as a condition of their plea agreement. If a participant does not successfully complete Drug Court, they are returned to court and sentenced in accordance with their plea agreement.

and 7th graders at Sousa Middle School (Ward 7) and John Hayden Johnson Middle School (Ward 8).

- Building upon a partnership established in FY23, OAG collaborated with Michael Hyman of Soles of Imagination (SOI) to offer attendance incentive workshops. These three-hour workshops combine art therapy and financial literacy. OAG provided these workshops for 15 students with improved or perfect attendance at each of its FY24 ATTEND partner schools.
- ATTEND hosted and participated in community engagement events that benefitted entire school communities. One notable example, on May 9, 2024, OAG hosted an ATTEND Resource Fair for Johnson families. This fair included tables staffed by District agency partners and non-profits, offering information on programs addressing barriers to attendance such as adult education, rental assistance, housing, and mental health. OAG also collected and distributed nearly 4,000 new or gently used items, including clothing and household essentials, to students and their families.
- On September 25, 2024, OAG partnered with Turner Elementary School (Ward 8) to enhance their Back-to-School night event. OAG incentivized parent participation and school community involvement by hosting a celebration after parent-teacher conferences and a community resource fair. During the celebration, OAG provided free tickets for popcorn, snow cones, and a moon bounce for the children. Due to the positive feedback received from parents and school administrators, OAG plans to expand this event to other ATTEND partner schools in FY25.

Office of the Solicitor General (OSG): OSG handles all appellate litigation for the District of Columbia and its 50+ agencies, and it has secured several major victories this past year. For example, OSG secured a major victory from the DC Court of Appeals (DCCA) in *DC v. Amazon.com, Inc.*, where the Court reinstated our antitrust complaint against Amazon. The District sued Amazon for restraint-of-trade and monopolization claims based on its contractual agreements that require third-party sellers to list their lowest price on Amazon and minimum-margin agreements that ensure Amazon a minimum profit for retail products it sells itself. Both of these practices raise consumer prices above competitive levels and stifle competition by preventing sellers from listing cheaper prices on other platforms. Our case can now proceed in the trial court and will hopefully aid in lowering online price inflation. The decision will also bolster OAG's efforts in future antitrust litigation.

OSG also secured an important victory in *Earth Island Institute v. Coca-Cola Co.*, where we supported Earth Island's suit alleging that Coca-Cola violated the DC Consumer Protection Procedures Act (CPPA). Earth Island alleged that Coca-Cola engages in deceptive marketing that misleads consumers into thinking that its business is environmentally sustainable when, in fact, Coca-Cola's reliance on single-use plastics in its packaging means they are a fundamentally unsustainable business. The Court reversed the trial court's dismissal of the complaint and articulated an expansive reading of the CPPA, adopting many of the arguments OSG articulated

in our amicus brief and at argument. This decision will be critical to OAG's efforts to protect District consumers going forward.

OSG also secured major victories in tax cases that will net the District millions of dollars. For instance, in a case involving the franchise-tax exemption, OSG secured a victory that saved the District from having to refund taxpayers up to \$15 million. In *Booz Allen Hamilton, Inc. v. Office of Tax and Revenue*, the DCCA affirmed the Office of Tax and Revenue's (OTR's) denial of petitioner Booz Allen's request for a franchise tax exemption available to "qualified high technology companies." OTR found that Booz Allen did not qualify for this exemption because Booz Allen operates an office inside the Ballpark Tax Increment Financing (TIF) Area, and the statute excludes business entities "located in" the TIF Area from obtaining the exemption. The Court agreed that OTR's interpretation of "located" was reasonable and found that Booz Allen's interpretation was illogical. It also declined to rule that Booz Allen was not required to pay penalties because its position had been taken in good faith.

Second, in a case raising questions about the District's transfer and recordation tax scheme, OSG secured a major victory, preventing the taxpayers from receiving a roughly \$1 million refund. In *3040 M Street LLC v. DC*, the DCCA held that the certificate of merger at issue in the case qualified as a deed under the transfer and recordation tax statutes. Even though one entity—Vornado—was on both sides of the transaction, and no consideration was paid for the property, a property transfer had occurred between two legal entities, meaning the parties engaged in a taxable transaction. This case is one in a series of recent cases where OSG has secured decisions from the Court of Appeals adopting an expansive view of the District's transfer and recordation tax provisions.

Beyond victories in individual cases, OSG has continued its national leadership in multistate and amicus matters. From October 1, 2023, to December 31, 2024, OSG joined 89 multistate amicus briefs and led 27 briefs. These briefs covered a wide range of topics, including protections for LGBTQ youth, workers' rights, reproductive rights, climate protection and environmental regulation, consumer protection, data privacy, the First Amendment, the rights of criminal defendants, and healthcare.

In addition, in the wake of the Supreme Court's decision in *New York State Rifle & Pistol Assoc. v. Bruen*, OSG has taken a leading role in defending reasonable gun restrictions against Second Amendment challenges both in the District and around the country. Some examples of these efforts include:

- A major victory in *Hanson v. DC*, in which the DC Circuit upheld a district court decision denying a preliminary injunction that would have enjoined the District's ban on large-capacity magazines. The decision held that the District was likely to succeed on its argument that the law is relevantly similar to analogous historical provisions banning other dangerous and unusual weapons, and that in any event the plaintiffs had not shown irreparable harm justifying an injunction;
- Coordinated with and assisted trial divisions in litigating a number of lawsuits challenging the District's gun regulations, including its ban on assault weapons, its holstering and transportation requirements, and its licensing and registration scheme;

- Co-led an amicus brief signed by 24 Attorneys General in *Garland v. VanDerStok*, a Supreme Court case that will decide whether to uphold the Bureau of Alcohol, Tobacco, and Firearms' rule providing that "ghost guns" are "firearms" subject to regulation under the Gun Control Act of 1968; and
- Filed multistate amicus briefs defending a number of different states' laws prohibiting guns in "sensitive places" like public transportation, churches, schools, parks, and bars, among other locations.

Support Services Division (SSD): SSD improved systems, procedures and policies to more efficiently provide OAG employees with financial, procurement, investigative, operational, and risk management services. Highlights include:

Risk Management: Collaborated with the DC Homeland Security and Emergency Management Agency (HSEMA) to establish an emergency notification system using Everbridge. This application enhances OAG's communication capabilities by enabling agencywide alerts via telephone, email, and text during emergencies. With Everbridge, OAG can now maintain consistent and targeted two-way communication with employees before, during, and after critical events, ensuring effective information dissemination even outside of business hours.

Operations: Enhanced employee safety by improving and streamlining the Visitor Management System powered by Kastle to manage visitors entering the building. Operations and Risk Management collaborated to provide agencywide training on using Kastle and implemented a simplified registration process for groups via OfficeSpace to ease the administrative burden on OAG employees.

Customer Service: The Customer Service team improved the experience of customers and constituents who call OAG's main line by adding Spanish language options to its call management platform allowing Spanish-speaking callers to select from a menu of options to more quickly connect with an OAG professional who can assist them. The new platform will also enable SSD to improve customer service by analyzing call data to inform future policy decisions.

Finance: The Finance team worked to ensure that there were no problematic findings in the FY24 Annual Comprehensive Financial Review and maximized OAG's ability to receive a higher indirect cost recovery for its IV-D (child support) and IV-E (child protection) federal grants.

Investigations: The Investigations team facilitated litigation by serving summonses, subpoenas, and stay away orders for OAG's legal divisions; and located witnesses to effectuate service of process in juvenile matters, including truancy, murders, attempted murder, assault, and robbery, as well as civil matters, including tort, commercial, and employment cases. Additionally, the team performed surveillance and conducted preliminary interviews of witnesses.

Procurement: The Procurement Unit provided comprehensive procurement support to OAG including 500+ purchase orders approved, two contingency fee contracts and four Council contract packages submitted. The Procurement Unit also ensured that the agency exceeded its certified

business enterprise (CBE) spending goal by regularly reviewing requirements for opportunities for CBE participation.

26. Please describe OAG's work to combat elder abuse in FY 2024 and FY 2025 to date.

RESPONSE: OAG's Civil Rights & Elder Justice Section (CREJS) works to protect District seniors and vulnerable adults from financial exploitation and enforce the Abuse, Neglect and Financial Exploitation of a Vulnerable Adult or Elderly Person Act, DC Code § 22-931, et seq. (the Act). OAG receives referrals from Adult Protective Services and also receives regular referrals from the public through a dedicated Elder Justice Hotline and from the MPD, AARP Legal Counsel for the Elderly, Iona Senior Services, and other community partners. OAG received 646 referrals in FY24 and 136 referrals in the first quarter of FY25.

CREJS obtains restitution for victims of financial exploitation, temporary or permanent injunctions, the revocation of professional licenses, and civil penalties. In FY25, as noted above, OAG obtained a \$7.5 million settlement from Curbio, Inc. through its enforcement of the Act and the Consumer Protection Procedures Act in protecting District homeowners from this predatory home improvement contract.

OAG also serves as a community resource and has participated in ten local and national events in FY24, engaging with 825 constituents collectively across the local events. At these events, OAG staff discussed OAG's role in enforcing the Act and how to increase public awareness of elder abuse and exploitation.

Additionally, in FY24, OAG's Public Safety Division (PSD) filed 32 petitions to obtain guardians and conservators for vulnerable adults who were being abused, neglected or exploited, or who were self-neglecting. OAG further obtained 29 guardians and/or conservators and conducted three hearings to obtain immediate protection for vulnerable adults. PSD filed five such petitions in FY25, to date, and obtained an additional seven guardians and/or conservators for vulnerable adults. OAG dedicates a senior assistant attorney general in PSD to handle this caseload and, in FY24, a junior attorney was added to assist and work closely with the attorneys in the Domestic Violence and Special Victims Section in cases in which an elder requires a protection order. In addition to defending elder abuse through guardianship and conservation and protection orders, PSD's relationship with the United States Attorney's Office (USAO) allows for PSD prosecutors to investigate and prosecute financial crimes against vulnerable and senior adults. Under an active MOU between PSD and the USAO, a PSD prosecutor can be dual designated as a Special Assistant United States Attorney (SAUSA) and, as such, may investigate and prosecute financial crimes against vulnerable and elderly adults.

27. Please describe OAG's work related to wage theft and workers' rights in FY 2024 and FY 2025 to date.

RESPONSE: The Workers' Rights and Antifraud Section (WRAS) targets pattern-and-practice violations of the District's worker-protection laws to deter would-be offenders and maximize recovery for workers. In addition to the cases and matters listed below, OAG currently has at least

75 active investigations aimed at pattern-and-practice violations related to worker misclassification, minimum wage, overtime, and paid sick leave. These investigations are also strategically targeted at industries that employ a significant number of low-income workers who are particularly vulnerable to wage theft due to issues such as language barriers or unfamiliarity with their rights under District law. OAG is focusing its investigations on industries such as construction, gig employers, and janitorial companies. In addition, WRAS is placing a special emphasis on restaurant employees and has created a system to expeditiously bring restaurants into compliance with District laws and provide restitution to workers.

During the relevant time period, OAG has recovered over \$10 million in restitution for workers and penalties to the District through its enforcement work. Further, WRAS' voluntary mediation program has also helped workers collect tens of thousands of dollars in missing wages from employers. To advance its enforcement goals, OAG also focuses on community outreach, enforces certain administrative orders entered by the Department of Employment Services (DOES), and collaborates with other jurisdictions seeking to protect workers. OAG also regularly partners with the labor enforcement divisions of other states' attorneys general to advance labor and wage enforcement matters with national implications.

Resolved Matters:

- ***In re UP Fitness:*** Pre-suit settlement in October 2023 worth \$450,000, resolving OAG's allegations of uncompensated work, which included \$254,190.08 in payments to workers and \$195,809.92 in penalties to the District, as well as injunctive relief.
- ***In re Accountable Healthcare Staffing:*** Pre-suit settlement in November 2023 worth \$124,845, resolving OAG's allegations of unlawful non-compete clauses, which included \$114,845 in payments to workers and \$10,000 in penalties to the District, as well as injunctive relief.
- ***In re 20/20 Vision:*** Pre-suit settlement in November 2023 worth \$168,407.87, resolving OAG's allegations of worker misclassification and failure to provide paid sick leave, which included \$118,407.87 in payments to workers and \$50,000 in penalties to the District, as well as injunctive relief.
- ***In re H2 Collective:*** Pre-suit settlement in December 2023 worth \$171,063.27, resolving OAG's allegations of procedural violations concerning the tip pool, which included \$144,094.91 in payments to workers and \$26,968.36 in penalties to the District, as well as injunctive relief.
- ***In re Clean Team:*** Pre-suit settlement in January 2024 worth \$260,561.35, resolving OAG's allegations of minimum wage and overtime violations, which included \$220,561.35 in payments to workers and \$40,000 in penalties to the District, as well as injunctive relief.
- ***In re Tricon:*** Pre-suit settlement in February 2024 worth \$350,000, resolving OAG's allegations of unpaid overtime and minimum wages and failure to pay sick leave, which included \$200,000.00 in payments to workers and \$150,000 in penalties to the District, as well as injunctive relief.
- ***In re Potomac Foods Company:*** Pre-suit settlement in February 2024 worth \$46,520.76, resolving OAG's allegations of unpaid final pay checks, which included \$24,020.76 in payments to workers and \$22,500 in penalties to the District, as well as injunctive relief.

- ***DC v. Arise Virtual Solutions, Inc.***, 2022 CA 000247 B (DC Superior Court): Suit alleging misclassification of call-center employees as independent contractors. In March 2024 OAG reached a settlement for \$3,000,000.00, which included \$2,060,245.00 for workers, \$939,755.00 in penalties to the District, and injunctive relief.
- ***In re Food Works Group***: Pre-suit settlement in March 2024 worth \$33,000.00, resolving OAG's allegations of misclassification of workers as independent contractors and retaliation, which included \$28,000.00 in payments to workers and \$5,000.00 in penalties to the District, as well as injunctive relief.
- ***In re District of Columbia Care Center, Inc.***: Pre-suit settlement in April 2024 worth \$2,266.40, resolving OAG's allegations of sick leave violations, which included \$1,266.40 for workers and \$1,000 in penalties to the District, as well as injunctive relief.
- ***In re Fetch***: Pre-suit settlement in April 2024 worth \$150,557.40, resolving OAG's allegations of misclassification of workers as independent contractors, which included \$100,371.60 in payments to workers and \$50,185.80 in penalties to the District, as well as injunctive relief.
- ***In re the Ark of DC***: Pre-suit settlement in May 2024 worth \$65,106.03, resolving OAG's allegations of misclassification of worker as independent contractors, which included \$48,829.52 in payments to workers and \$16,276.51 in penalties to the District, as well as injunctive relief.
- ***DC v. Gachagwi, et al.***, 2014-CA-001685-B (DC Superior Court): Suit alleging failure to pay wages. Default judgment against multiple defendants for \$43,974 in lost wages and liquidated damages became final in June 2024.
- ***DC v. Swahili Village, et al.***, 2023-CA-005194-B (DC Superior Court): Suit alleging unpaid minimum wage and failure to provide sick leave. In July 2024 OAG reached a settlement worth \$526,973.28, which included \$329,358.30 in payments to workers and \$197,614.98 in penalties to the District, as well as injunctive relief.
- ***In re Cherry Sweets***: Pre-suit settlement in July 2024, resolving OAG's allegations of child labor violations, worth \$4,875.00 in penalties to the District, as well as injunctive relief.
- ***DC v. Power Design, Inc., et al.***, 2022-CA-001977-B (DC Superior Court): Suit alleging misclassification of construction employees as independent contractors. In July 2024 OAG reached a settlement worth \$3,750,000.00, which included \$1,742,000.00 in payments to workers and \$2,008,000.00 in attorneys' fees and penalties to the District, as well as injunctive relief.
- ***In re IHG***: Pre-suit settlement in August 2024 worth \$186,650.00, resolving OAG's allegations of improper notices concerning tips, which included \$126,650.00 in payments to workers and \$60,000.00 in penalties to the District, as well as injunctive relief.
- ***In re JVH***: Pre-suit settlement in September 2024 worth \$10,250.00, resolving OAG's allegations of illegal non-compete agreements for workers, which included \$5,250.00 in payments to workers and \$5,000.00 in penalties to the District.
- ***In re Sax***: Pre-suit settlement in September 2024 worth \$96,000.00, resolving OAG's allegations of failure to provide sick leave, violations of tip policies, and failure to provide legally correct paystubs, which included \$66,000.00 in payments to workers, and \$30,000.00 in penalties to the District, as well as injunctive relief.

- ***In re American University***: Pre-suit settlement in October 2024 worth \$260,000.00 resolving OAG’s allegations of unpaid wages for off-the-clock work, which includes \$210,000.00 in payments to workers and \$50,000.00 in penalties to the District, as well as injunctive relief.
- ***In re Wydown***: Pre-suit settlement in October 2024 worth \$12,988.68, resolving OAG’s allegations of unpaid training time, which includes \$8,470.88 in payments to workers and \$4,517.80 in penalties to the District, as well as injunctive relief.
- ***In re Brasserie Libertie***: Pre-suit settlement in October 2024 worth \$13,658.00 in payments to workers as well as injunctive relief, resolving OAG’s allegations of failure to provide sick leave and notice of pay changes.
- ***In re VIDA***: Pre-suit settlement in November 2024 worth \$425,000.00, resolving OAG’s allegations of unpaid wages, which includes \$325,000.00 in payments to workers and \$100,000.00 in penalties to the District, as well as injunctive relief.
- ***In re Le Mont Royal***: Pre-suit settlement for injunctive relief resolving OAG’s allegations of failure to provide sick leave.
- ***In re Insomnia Cookies***: Pre-suit settlement in December 2024 worth \$59,234.20, resolving OAG’s allegations of tip theft, which includes \$25,769.20 in payments to workers and \$33,466.00 in penalties to the District, as well as injunctive relief.

Matters in Active Litigation:

- ***DC v. Jan-Pro International, Inc., et al.***, 2022-CA-003128-B (DC Superior Court): Suit alleging misclassification of janitorial employees as independent contractors.
- ***DC v. Shipt, Inc.***, 2022-CA-004909-B (DC Superior Court): Suit alleging misclassification of delivery employees as independent contractors.
- ***DC v. Amazon.com, Inc., et al.***, 2022-CAB-005698 (DC Superior Court): Suit alleging company unlawfully pocketed money that was solicited as tips.
- ***DC v. W.G. Welch et al.***, 2024-CA-003822-B (DC Superior Court): Suit alleging misclassification of construction workers as independent contractors.
- ***DC v. Community Response Works***, 2024-CA-007433-B (DC Superior Court): Suit alleging failure to pay final wages and nonprofit-law violations with the Antitrust and Nonprofit Enforcement Section.

Council Funding:

- The Workplace Rights Grant Program Act of 2021 established the Workplace Rights Grant Program at OAG to provide grants to community-based organizations and legal providers to educate District workers about employment laws and to inform OAG’s employment-enforcement work. In October 2024, OAG awarded a total of \$750,000 in grant funds to expand education and legal services programming for District workers, divided across two community organizations: DC Jobs with Justice and First Shift Justice Project.
- The Domestic Worker Employment Rights Amendment Act of 2022 established the Domestic Worker Employment Rights Grant Program at OAG in FY24. Thanks to the DC Council, OAG was able to grant additional funding under the Domestic Workers

Employment Rights Grant Program. In addition to the returning FY24 funded initiatives, OAG also has added two more initiatives to the Domestic Workers grant program. The funding has been designated for capacity building and employment outreach and education for Domestic Workers Organizations in FY25. In October 2024, OAG awarded a total of \$400,000 in grant funds divided across five community organizations: National Domestic Workers Alliance (NDWA), Many Languages One Voice (MLOV), Central American Resource Center (CARECEN), First Shift Justice Project, and Hand in Hand – The Domestic Employers Network.

28. Please describe OAG’s work on consumer protection issues in FY 2024 and FY 2025 to date.

RESPONSE: OAG’s Office of Consumer Protection (OCP) has been actively engaged on consumer protection issues. OCP has more than 65 active consumer protection matters ongoing, including investigations, litigation, and multistate matters. In addition, OCP’s robust Mediation Program receives and resolves thousands of individual consumer complaints per year, leading to more than a million dollars back in residents’ pockets annually. OCP also conducts proactive consumer outreach to learn about consumer protection issues affecting District residents and educates residents on how to protect against scams and fraud. OAG also issues consumer alerts, including a recent alert on how to avoid charity scams when donating to relief efforts for the California wildfires. Finally, OAG has been active on the legislative front, sponsoring and testifying in support of various bills before the Council that involve consumer protection matters, including B25-0609, the “Protecting Affordable Loans Amendment Act of 2023” and proposed amendments to the Consumer Protection Procedures Act and Bill 25-0930, the “Consumer Health Information Privacy Act of 2024.”

During FY24 and FY25 to date, OAG recovered over \$14 million on behalf of District consumers through its formal investigations and litigation matters. In addition, OAG’s Mediation Program assisted nearly 10,000 residents and recovered more than \$1.2 million for consumers through mediation in CY2024.

OCP’s work spanned a wide range of subject areas and issues, with a particular focus on protecting the District’s most vulnerable residents. These included: promoting public health and safety; fighting on behalf of children, low-income communities, and other vulnerable populations; addressing predatory lending practices and enforcing the District’s usury laws; protecting District consumers’ privacy rights; and challenging “junk fees”—confusing or inadequately disclosed fees that companies increasingly charge consumers—and other deceptive pricing practices.

A sample of OAG’s work in these areas and others is highlighted below.

Resolved Matters:

- ***DC v. KVS Title LLC:*** Title insurance company that was unlawfully providing kickbacks to real estate agents for referral of title insurance and escrow business.

Settled in October 2023 with injunctive relief reforming company's practices and a \$1 million payment.

- ***DC v. Harrington Housing:*** In November 2023, the District entered into a pre-suit settlement with this company that offers short-term furnished rental housing, largely to students and young professionals, for violations of the District's rent control laws and other tenant protections. The matter was resolved for injunctive relief and a payment of \$80,000, which included full restitution to affected tenants.
- ***DC v. Lyft, Inc.:*** In December 2023, the District resolved an investigation into Lyft concerning its failure to provide proper notice to consumers about fines the company imposed when scooters were parked improperly. Under the terms of the settlement agreement, Lyft will provide full restitution and return nearly \$90,000 to affected scooter users. Lyft will also pay \$20,000 to the District and has already made changes to its systems to ensure users are notified about DC's scooter parking rules and notified of any fines imposed for parking violations.
- ***DC v. Modern Settlements:*** Title insurance company that was unlawfully providing kickbacks to real estate agents for referral of title insurance and escrow business. Settled in December 2023 with injunctive relief forming company's practices and a \$65,000 payment.
- ***DC v. Liberty Tax*, 2022 CA 004285 B (DC Superior Court):** Litigation concerning tax preparation services relating to possible charges for unnecessary services, as well as deceptive promotions for "free cash." The matter settled in January 2024, with the company agreeing to pay \$550,000 to more than 7,300 DC residents as well as \$200,000 to the District. The company also agreed to permanently end the deceptive marketing and pricing tactics it used across the US.
- ***DC v. Bilingual Teacher Exchange*, 2019 CA 002088 B (DC Superior Court):** Lawsuit against Bilingual Teachers Exchange, a DC-based company that recruits teachers overseas to come to the United States to teach; the company made a series of misrepresentations to those teachers. Matter settled in February 2024 with the company shutting down and a \$1 million judgment, the majority of which was suspended. Restitution was provided to victims.
- ***DC v. Union Settlements:*** Title insurance company that was unlawfully providing kickbacks to real estate agents for referral of title insurance and escrow business. Settled in April 2024 with injunctive relief reforming company's practices and a \$225,000 payment.
- ***DC v. Precision Contracting Solutions, et al.*, 2019 CA 005047 B (DC Superior Court):** Litigation against home improvement contractors for shoddy work, failing to use licensed subcontractors, and failing to obtain proper permits. The jury returned a verdict finding defendants liable in May 2024. In December 2024, the Court issued final judgment with nearly \$3 million in restitution and penalties plus a permanent injunction.
- ***DC v. Capital Area Title LLC/d/b/a Universal Title:*** Title insurance company that was unlawfully providing kickbacks to real estate agents for referral of title insurance and escrow business. Settled in August 2024 with injunctive relief reforming company's practices and a \$500,000 payment.

- ***DC v. Allied Title and Escrow LLC***: Title insurance company that was unlawfully providing kickbacks to real estate agents for referral of title insurance and escrow business. Settled in August 2024 with injunctive relief reforming company’s practices and a \$1.9 million payment.
- ***DC v. District Dogs***: Doggy day care company that misled consumers about the safety of dogs in its care and which experienced a flood event that killed 10 dogs. Settled in August 2024 with injunctive relief reforming company’s safety practices and a \$100,000 payment.
- ***DC v. Communion Inc., d/b/a ClaimClam***: Company that filed claims in class action settlements on behalf of customers misled consumers about its affiliation with those cases, the process for filing claims, the status of those settlements, among other misrepresentations. Settled in November 2024 with a \$55,000 payment and injunctive relief requiring company to notify consumers and reform its practices.
- ***DC v. Swedish Match North America (Zyn)***: Manufacturer of Zyn nicotine pouches violated D.C. ban on flavored tobacco products by facilitating their distribution in DC both online and in retail stores. Matter settled in December 2024 with a \$1.2 million penalty and injunctive relief to stop distribution of flavored tobacco products in the District.
- ***DC v. Johnson & Johnson***: Manufacturer of baby and body powder products that deceived consumers about the safety of its talc products. Nationwide settlement required company to cease production of the powders and pay the District \$3.05 million.
- ***DC v. Telecom Providers***: Nation’s largest wireless carriers—AT&T, Verizon, T-Mobile, Cricket, and Tracphone—deceived consumers about unlimited data, free phones, fees, and contracts. Nationwide settlement required carriers to change advertising practices and pay the District \$197,000.

Matters in Active Litigation:

- ***DC v. Marriott International, Inc.***, 2019 CA 004497 B (DC Superior Court): Lawsuit against Marriott for deceptive and misleading hotel resort fee charges, also known as “junk fees.”
- ***DC v. Exxon, et al.***, 2020 CA 002892 B (DC Superior Court): Litigation alleging misrepresentations and omissions by oil companies relating to risks and dangers of climate change.
- ***DC v. Capital Petroleum Group***, 2020 CA 004571 B (DC Superior Court): Action against gasoline seller for price gouging at gas stations during COVID-19 pandemic.
- ***DC v. Meta Platforms, Inc.***, 2023 CAB 006559 (DC Superior Court): Lawsuit, filed in coordination with similar lawsuits filed by fellow state attorneys general, for deception and harm related to impact of social media platforms on teen mental health.
- ***DC v. Stubhub, Inc.***, 2024-CAB-004794 (DC Superior Court): Lawsuit against third-party ticket selling platform for deceptive fees and other unfair and deceptive conduct during the ticket purchasing process.

- ***DC v. TikTok, Inc.***, 2024-CAB-006377 (DC Superior Court): Lawsuit, filed in coordination with similar lawsuits filed by fellow state attorneys general, for deception and harm related to impact of social media platforms on teen mental health.
- ***DC v. ActiveHours, Inc. d/b/a/ Earnin***, 2024-CAB-007303 (DC Superior Court); Lawsuit against earned wage advance company for deceptive statements relating to fees charged for the services, as well as violation of the District's 24% usury cap.
- ***DC v. Amazon.com, Inc.***, 2024-CAB-007611 (DC Superior Court): Lawsuit against Amazon for deceptively and secretly placing restrictions on deliveries to two East of the River zip codes, leading to significantly delayed delivery times, without disclosing those restrictions to consumers.
- ***DC v. Engage Armament, et al.***, C-15-CV-24-004781 (MD State Court): Lawsuit filed in conjunction with the Maryland Attorney General against gun stores in Maryland that engaged in illegal straw sales of firearms, leading to the illegal use of guns in the District.
- ***Pennsylvania, et al. v. Mariner Finance***, LLC, 2:22-cv-03253-MAK (E.D. Pa.): Multistate litigation relating to financial products, alleging that the company, without consent, charged add-ons that offered little to no value to consumers.
- ***State of Arizona, et al. v. Michael D. Lansky, L.L.C. dba Avid Telecom***, CV-23-00233-TUC-CKJ (D. Az.): Multistate litigation filed by 50+ states and jurisdictions against the company allegedly responsible for illegal robocalls across the country.

29. Please describe OAG's work on affordable housing and housing equity issues in FY 2024 and FY 2025 to date.

RESPONSE: The Commercial Division filed five lawsuits to enforce the Affordable Dwelling Unit (ADU) or Inclusionary Zoning (IZ) Covenants against individuals who were not income eligible to own an ADU and/or who had unlawfully rented units that were certified as a principle residence. In four of these cases, the Division obtained judgments or consent orders declaring that ADU covenants were violated, awarding the District the unlawful rents collected (and in some cases additional applicable fines), and appointment of a trustee to sell or rent the ADU to a qualifying owner or tenant. The Commercial Division also defended ADU covenants in two foreclosure cases, preventing these covenants from being extinguished.

PAD was also engaged in affordable housing and housing equity issues during FY24 and FY25 to date, including:

- Protected the right to equitable housing for District residents with disabilities by holding accountable housing providers who fail to implement reasonable accommodations in a timely manner. Notably, this includes OAG's case against the District of Columbia Housing Authority (DCHA), *District of Columbia v. District of Columbia Housing Authority*, 2022 CA 002667-B (DC Superior Court), for systematically failing to provide timely accommodations to its public housing tenants and applicants. DCHA tenants have often waited years to receive equitable, accessible housing. This litigation is ongoing.

- Litigated cases involving discrimination based on source of income, including a lawsuit filed on January 30, 2025 against Petra Management Group, LLC, Petra’s owner Rashid Salem, and three related single-purpose entities controlled by Mr. Salem that own residential properties at 4825-4829 North Capitol St NE (The Adams), 5616 13th St NW (The Madison), and 743 Fairmont St NW (The Keystone), *DC v. Petra Management Group, LLC, et al.*, 2025 CAB 000541 (DC Superior Court). The lawsuit alleges that at these three rent-stabilized buildings, the Petra Defendants have advertised and rented exclusively to voucher holders, deliberately excluding low- and moderate-income tenants without vouchers in order to skirt rent-controlled rates and charge higher rates subsidized by the federal and District government. This conduct violates the District’s Human Rights Act (HRA) and Consumer Protection Procedures Act (CPPA), because the Petra Defendants have discriminated against individuals without housing vouchers based on their source of income and made discriminatory, false, and misleading statements in their advertising.
- In addition to the housing enforcement litigation described more fully in the response to Question 31, OAG engaged community stakeholders to achieve broader affordable housing and housing equity goals. The team led monthly stakeholder meetings with the legal services and organizer communities, as well as with the Office of the Tenant Advocate. OAG also met monthly with the DC Department of Buildings leadership and staff to discuss housing code enforcement, and responded to requests from and frequently met with Councilmembers and staff to discuss both individual properties and broader housing enforcement and affordability issues. OAG also co-led, with New York and Minnesota attorneys general offices, monthly multistate affordable housing preservation meetings to share strategies and hear from national speakers to discuss affordable housing preservation work.
- Under the Tenant Receivership Act and the CPPA, OAG brought claims against owners of properties with a pattern of neglect involving serious health and safety violations. In those cases, OAG sought repairs, restitution of rent paid by tenants, and – where necessary – appointment of a receiver to bring a property back into housing code compliance. For example, in *DC v. MP PPH LLC, et al.*, 2021 CA 002209 B (DC Superior Court), OAG sued the owners of the Marbury Plaza Apartments. As part of its suit, OAG was able to secure tenants millions of dollars in rent credits and much needed repairs throughout the property. OAG sought and received the appointment of a receiver to address immediate issues at the property. In December 2024, the property was sold to a new owner through a related bankruptcy proceeding, and OAG also litigated the conditions issues in the bankruptcy. As a result, OAG has reached a written agreement with the new owner to complete abatement of specified housing conditions issues within six months. More details about PAD’s housing code enforcement work can be found in response to Question 31.
- Please also see the descriptions of ELU’s work on housing affordability in response to Question 26.

30. Please describe OAG's work to address rental properties with illegal housing conditions in the District in FY 2024 and FY 2025 to date. For all cases, new and ongoing, brought by OAG for housing code violations or under the Tenant Receivership Act in FY 2024 and FY 2025 to date, please list the case, its status, and any recovery or abated conditions.

RESPONSE: PAD's Housing and Environmental Justice Section (HEJS) handles OAG's housing conditions work under several statutes, including the Tenant Receivership Act (TRA), the Consumer Protection Procedures Act (CPPA), the Lead-Hazard Prevention and Elimination Act (LHPEA), and the Drug-, Firearm- and Prostitution-Related Nuisance Abatement Act (Nuisance Act).

Under the TRA, OAG brings cases seeking injunctive relief to bring rental properties into compliance with the housing code, including, where necessary, appointment of a receiver to oversee repairs. The TRA requires a showing that a property has been cited for housing code violations involving serious health and safety issues and the owner has not timely abated the violations *or* that the property has a pattern of neglect for more than 30 days involving serious health and safety issues for tenants.

In cases brought under the TRA, OAG also seeks restitution of rent paid by tenants, as well as civil penalties paid to the District, by including claims under the CPPA. Violations of the Housing and Property Maintenance Codes are also violations of the CPPA. In addition, the CPPA applies to landlord-tenant transactions in the District, so false or misleading statements or omissions made in the landlord tenant relationship also constitute violations of the CPPA. OAG often uses the CPPA to hold individual landlords or property managers accountable where they personally participate in creating or failing to remedy the illegal conditions or where they have knowledge of the illegal conditions and ability to fix them but instead do nothing. Where lead paint hazards are present, we also file claims under the LHPEA.

The Nuisance Act authorizes OAG to file suit when a property is being operated as a nuisance, defined as a property being used to store firearms illegally; for the sale or manufacture of controlled substances; or to facilitate prostitution. To establish a violation of the Nuisance Act, Superior Court judges generally require OAG to present evidence of multiple illegal drug or firearm seizures by MPD at the property and ongoing criminal activity throughout the litigation.

In 2024, HEJS also brought novel claims under the Construction Code to halt illegal construction and under the False Claims Act to address the use of District vouchers to house tenants in apartments that had severe unsafe and illegal housing conditions.

Housing Conditions and Nuisance Matters in Active Litigation:

- *DC v. Jefferson-11th Street LLC, et al.*, 2017 CA 002837 (DC Superior Court); 21-CV-762 (DC Court of Appeals): TRA and CPPA case filed against property owner of an apartment building in Ward 1. The Superior Court granted summary judgment in OAG's favor in September 2021, and the Defendants appealed. OAG prevailed on appeal and the DC Court of Appeals (DCCA) remanded the case to the Superior Court in July 2024 for

partial recalculation of the restitution and penalties award in light of the DCCA's ruling in a separate case (*Sizer*) involving the applicability of the CPPA to landlord-tenant cases. Parties have concluded briefing on the recalculation and are awaiting a final ruling.

- ***DC v. EADS LLC et al.***, 2018 CA 5830 B (DC Superior Court) and related bankruptcy ***In re EADS LLC***, 20-00480 (DDC Bankr.): TRA, CPPA, LHPEA case that culminated in a bench trial in February 2023, regarding a property in Ward 4. The Court awarded OAG a \$1.7 million judgment in February 2024. The owner previously filed for bankruptcy, and OAG is in the final stages of negotiating a global post-judgment settlement that will allow OAG to recoup restitution and penalties through payment by the bankruptcy estate.
- ***DC v. The Bennington Corp. et al.***, 2018 CA 007253 B; ***DC v. Astor Place Partnership LLC et al.***, 2019 CA 001845 B; ***D.C. v Tavana Corp. et al.***, 2019 CA 003718 B (DC Superior Court): Consolidated TRA and CPPA cases filed against the same individual owner at properties in Wards 7 and 5. The Court granted partial summary judgment in OAG's favor. Two of the three cases are open while the court is monitoring ongoing repairs.
- ***DC v. 76M Inc., et al.***, 2020 CA 001080 B (DC Superior Court) and related bankruptcy ***In re 76M***, 24-00003 (DDC Bankr.): TRA, CPPA, LHPEA case with \$5.4 million judgment entered in September 2022 against the owner of a property in Ward 4. The owner did not pay the judgment amount and then filed for bankruptcy after OAG sought enforcement in Superior Court. OAG has objected to the bankruptcy plan and moved to appoint a trustee to force a sale of the property to satisfy the District's judgment.
- ***DC v. MP PPH, LLC et al.***, 2021 CA 002209 B (DC Superior Court) and related bankruptcy ***In re MPH PPH***, 23-00246 (DDC Bankr.): TRA, CPPA, and Human Rights Act case against the owners of Marbury Plaza, a Ward 8 property. Defendants failed to comply with a consent abatement plan, and the Superior Court held Defendants in contempt and awarded tenants rent credits in an order issued in April 2023. In February 2024, the Court appointed a receiver with the consent of the Defendants. On November 27, 2024, OAG won summary judgment on liability and the case will now proceed to trial on remedies. During the pendency of the Superior Court action, the owner, MP PPH, LLC, filed for bankruptcy. Following significant litigation by OAG, the owner entered into an amended plan that involved the Debtor's principal contributing an additional \$1.3M to creditors, including the District and tenants. The property sale closed on December 31, 2024.
- ***DC v. King Housing Inc., et al.***, 2022 CA 000186 B (DC Superior Court): TRA, CPPA, LHPEA and Human Rights Act case involving a property in Ward 2. Defendants consented to entry of an abatement plan in November 2022 to address the housing conditions. Most conditions issues have been abated. The parties have concluded discovery and are in active settlement negotiations.
- ***DC v. Adolphe Edwards***, 2022 CA 002823 B (DC Superior Court), and related bankruptcy ***In re Adolphe Edwards***, 22-00283 (DDC Bankr.): TRA, CPPA, and LHPEA case against Adolphe Edwards for his properties on Missouri Avenue and Alabama Avenue, in Wards 4 and 8, respectively. The Superior Court appointed a receiver in May 2023 and awarded summary judgment on liability against Edwards on September 19, 2024. The parties finished briefing remedies (request for restitution, penalties, and OAG attorneys' fees) on December 20, 2024. While awaiting a final decision, in 2023, the Defendant filed for

bankruptcy. The Alabama Avenue property has since been sold by the bankruptcy court. OAG moved to appoint a bankruptcy trustee to move the sale of the Missouri Avenue property along and cooperate with the receiver in addressing tenant complaints. The Court granted the motion on December 18, 2024.

- ***DC v. Padilla, Razjooyan, et al.***, 2024-CAB-005590 (DC Superior Court): CPPA, TRA, and Construction Code case against owner of Minnesota Commons, an 80+ unit apartment building in Ward 7 with severe illegal housing conditions. Suit also brought against Ali “Sam” Razjooyan, who has significant involvement with the property. OAG filed for a Temporary Restraining Order shortly after case filing to address the most emergency issues, including lack of trash collection, unsecured front doors, massive bathroom leak. The Court granted the TRO on September 19, 2024. The Defendants agreed to continue the terms of the TRO through a Preliminary Injunction. The case is currently in discovery and ongoing.
- ***DC v. 1644 W St SE DE LLC, Razjooyan, et al.***, 2024-CAB-005588 (DC Superior Court): CPPA, TRA, and False Claims Act case against owner of apartment building in Ward 8 concerning conditions issues and false representations to cash-in on District housing vouchers. Ali “Sam” Razjooyan is the principal behind the ownership entity and is a named defendant. Discovery has commenced and litigation is ongoing.

Matters Resolved Post-Litigation:

- ***DC v. New Bethel Baptist Church Housing Corp. et al.***, 2021 CA 000511 B (DC Superior Court): TRA, CPPA, Nonprofit Corporation Act suit against owner of a property in Ward 2. The Superior Court appointed a receiver under the TRA, and the parties reached a settlement on the eve of trial, October 7, 2024. The settlement includes payment of \$625,000 in restitution to tenants and \$1 million in penalties to the District, as well as significant affordable housing guarantees. The property is still under receivership.

Matters Resolved Pre-Litigation:

- ***Mayfair Mansions:*** Following a pre-suit investigation into housing and security conditions at Mayfair Mansions, a 410-unit affordable housing complex in Ward 7, OAG reached a settlement in March 2024 with owner Mayfair Mansions, L.P., a subsidiary of Enterprise Community Development. Under the terms of the settlement agreement, Enterprise agreed to: 1) pay \$1,040,000, a portion of which will be used by the District to refund tenants who were forced to live in poor conditions at the property; 2) upgrade security by maintaining armed special police officers at the property for a minimum of 262 hours per week, maintaining lighting and security cameras at the property, repairing and replacing broken exterior doors, and towing abandoned vehicles; and 3) improve housing conditions by addressing all outstanding housing code violations within 30 days of the agreement and hiring a pest control vendor to service the property at least once a month. Enterprise also will provide OAG with quarterly reports detailing updates on housing code violations and lists of resident complaints, to ensure ongoing compliance with DC law.

Additionally, please provide the following data regarding these cases, with data disaggregated by fiscal year as applicable:

a. The number of cases with a claim(s) under the Drug, Firearm, or Prostitution-Related Nuisance Amendment Act.

RESPONSE: During FY24 and FY25 to date, OAG has investigated nearly 150 nuisance complaints and settled three nuisance cases, one pre-litigation, and two post-litigation (see below). We do not have any cases in active litigation.

Prior to filing a nuisance action, the law requires OAG to provide notice to a property owner and an opportunity to abate the nuisance activity. In the vast majority of our nuisance investigations in which we send a notice, owners abate the nuisance activity before OAG files a suit.

Matters Resolved Pre-Litigation:

- ***Ivy City Hotel:*** Ivy City Hotel, located at 1615 New York Avenue NE in Ward 5, faced investigation under the Nuisance Abatement Act following multiple violent incidents, including two homicides and multiple drug-related deaths between February 2023 and February 2024. In response, the owners agreed to enhance security by improving lighting, maintaining cameras, linking them to MPD’s Crime Center, and complying with ongoing monitoring.

Matters Resolved Post-Litigation:

- ***DC v. Power Fuel & Transport Real Estate Holding Co., LLC, et al.,*** 2021 CA 002578 B & 002582 B (DC Superior Court): This nuisance case was against two commonly owned, neighboring commercial properties in Ward 8 – an Exxon gas station located at 4665 South Capitol Street SW and a discount tobacco store located at 4675 South Capitol Street SW. This case settled by Consent Order, which required Defendants to take actions to prevent further illegal criminal activity, including cooperating with MPD and USAO in enforcement of barring notices, monitoring a live video surveillance system for illegal firearm or drug activity, maintaining increased security lighting and fencing, and installing exterior speakers to deter loitering that has historically enabled the nuisance activity on these properties. As part of the settlement, the owner Power Fuel also agreed to pay \$50,000 in damages to the District.
- ***DC v. CPG, et al.,*** 2019 CA 004067 (DC Superior Court): This case was a drug nuisance lawsuit against the owners and managers of the Shell gas station at 4700 South Capitol Street SE. The case was previously appealed to the D.C. Court of Appeals and was remanded back to D.C. Superior Court following a favorable decision for OAG at the appellate level. The parties reached a settlement to resolve this matter, which included (i) required cooperation with MPD and USAO in enforcing and prosecuting barring notice violations; (ii) improved camera, lighting, and fencing; and (iii) exterior speakers to deter loitering. Additionally, the settlement included a requirement that the owner close the physical convenience store each night from 7PM to 6AM. The agreement also included a

trigger that if two or more incidents of drug crimes happen within 60 days, then the store must be closed 24/7 for 60 days or until the drug activity subsides.

b. The number of cases with a claim(s) under the Tenant Receivership Act.

RESPONSE: During FY24 and FY25 to date, OAG brought two new TRA cases and continued litigating eight previously filed cases under the TRA, four of which also involved litigating related bankruptcy actions. During that time, OAG has inspected nearly 300 units and sent over a dozen pre-suit demand letters in matters that are being actively investigated under the TRA. Furthermore, OAG is actively pursuing a wide-ranging investigation into over 35 properties owned or affiliated with a known slumlord, including actively litigating in 19 related bankruptcies.

c. The number of cases with a Consumer Protection claim(s) against a landlord.

RESPONSE: All 10 of our pending TRA cases have a corresponding claim under the CPPA seeking restitution for rent paid by tenants, based on tenants having paid rent while living with serious housing code violations, as well as claims for penalties payable to the District.

d. The total amount in damages, restitution, or other monies recovered for tenants in FY 2024, and FY 2025 to date, disaggregated by fiscal year.

RESPONSE: In FY24, OAG recovered \$742,877.95 in tenant restitution. For FY25, OAG has recovered \$650,000 in tenant restitution.

e. The number of rental units in which repairs were made or housing conditions were abated for tenants.

RESPONSE: Due to OAG pre-suit demand or litigation action, over 2,800 units have received repairs or abatement of illegal housing conditions across five wards. This includes units where substantial repairs were made to common areas or common elements (such as a building-wide heating system) that affect all units. These properties include 1,523 units in Ward 8, 886 units in Ward 7, 215 units in Ward 5, 205 units in Ward 2, and 38 units in Ward 4.

f. The total amount in monetary penalties paid to the District in FY 2023, FY 2024, and FY 2025 to date, disaggregated by fiscal year.

RESPONSE: In FY23, OAG recovered \$2,546,022.70 in monetary penalties, in FY24, OAG recovered \$1,955,000 in penalties in housing cases, and in FY25, OAG recovered \$1,740,000 in penalties and amounts reimbursed to the District.

31. Please describe OAG's work on enforcing environmental protections in the District and promoting environmental justice in FY 2024 and FY 2025 to date.

RESPONSE: The environmental team of OAG's Housing and Environmental Justice Section (HEJS) enforces environmental protections locally, regionally, and nationally through litigation

and participation in multistate initiatives. OAG enforces the District’s environmental laws through referrals from the Department of Energy and Environment (DOEE), citizen complaints, or on its own initiative. Examples of our local cases during this time include:

- ***DC v. Rodgers Brothers Custodial Services, Inc.***, 2021 CA 000109 B (DC Superior Court): OAG brought this case for violations of the Water Pollution Control Act based on illegal pollution discharges into District waters. The parties reached a consent order early in the litigation to halt further pollution discharges. On March 29, 2024, the Court issued a judgment of a \$100,000 civil penalty against Rodgers Brothers, \$50,000 of which is to be paid by its principal, George Rodgers, Jr, whom the Court also found liable for violations.
- ***DC v. Potomac Electric Power Company***, 23-cv-2935-RJL (DDC); 2023-CAB-006108 (DC Superior); 1:11-cv-00282-BAH (DDC existing): In October 2023, OAG announced a historic settlement with Potomac Electric Power Company (Pepco) requiring the company to pay \$47 million in remediation costs to help clean up the Anacostia River, as well as \$10 million in penalties. The two cases filed by the District are based on Pepco’s pollution of District land and waterways over a period of decades, resulting in persistent, toxic pollution of the Anacostia River. Pepco also will be required to clean up contamination at its Buzzard Point and Benning Road facilities and investigate the environmental impacts of the company’s underground, District-wide system of transformer vaults.
- ***DC v. Velsicol***, 2022 CA 004711 B (DC Superior); No. 23-12544 (DC Superior Court; U.S. Bankruptcy Court, N.D. Ill.): In 2022, OAG hired outside counsel to investigate and represent the District regarding contamination caused by per- and polyfluoroalkyl substances (PFAS) and chlordane. Among other damages, releases of chlordane have harmed District residents, leading to fishing advisories in the Potomac and Anacostia Rivers dating back to 1989. Chlordane also contaminates the Anacostia River’s sediment. In October 2022, OAG filed suit against Velsicol Chemical, LLC, the sole manufacturer of chlordane, and that litigation is ongoing. Velsicol subsequently filed for bankruptcy, and outside counsel is litigating the District’s claims in the federal bankruptcy case as well.
- ***DC v. 3M Company and DuPont De Nemours, Inc., et al.***, 2023-CAB-004322 (DC Superior); then transferred to multi-district litigation: In July 2023, OAG filed suit against over 25 chemical companies, including The 3M Company (3M) and DuPont De Nemours, Inc. (DuPont), for manufacturing, marketing, distributing, and selling products containing dangerous PFAS chemicals which now pollute the District’s natural resources. The complaint alleges that, despite knowing that their products were associated with serious health effects, including increased risk of cancer and birth defects, 3M and DuPont – as well as the other defendants – falsely maintained that their products were safe. The District opted into a settlement with 3M, and two other defendants, for damages to drinking water, whereby the entities will pay a portion of DC Water’s costs to monitor and treat drinking water. The District’s other claims against 3M and other defendants remain pending.
- ***DC v. Kenmore Termite Services & Pest Control LLC***, 2024-CAB-4927 (DC Superior): OAG concurrently filed a complaint and entered into settlement with

- Kenmore on August 6, 2024. Kenmore improperly applied pesticides around apartment complexes in Ward 1 and Ward 7. The District was forced to intervene to protect the environment and human health, incurring over \$12,000 in expenses cleaning up the contaminated soil. Kenmore also allowed unlicensed employees to apply pesticides for years. Kenmore agreed to pay a \$125,000 civil penalty, reimburse the District's clean-up expenses, and require employees to receive continuing education prior to applying pesticides.
- ***DC v. Fort Myer Construction Company***, 2024-CAB-006447 (DC Superior): OAG brought this case on October 10, 2024, for violations of the Water Pollution Control Act based on illegal pollution discharges to District waters. As early as 2015, Fort Myer Construction Company began allowing petroleum-contaminated runoff from its Ward 5 storage and maintenance yard to discharge into the District's stormwater sewer, polluting waterways including the Springhouse Run stream that flows through the National Arboretum into the Anacostia River. Over the next 8 years, DOEE conducted multiple inspections of Fort Meyer's facility where DOEE continued to observe Water Pollution Control Act violations. The case is in its initial stages.
 - ***DC Water v. Armed Forces Retirement Center***, Case No. 23-2127 (Federal Claims): On November 14, 2024, OAG filed a motion to intervene in this case, where the Armed Forces Retirement Center failed to pay about \$1,000,000 in stormwater pollution prevention fees that go to DOEE, in addition to failing to pay sewer fees that go to DC Water for improving water pollution infrastructure. This case is in its initial stages.
 - ***DC v. United States of America***, Case no. 25-cv-00065 (DDC): On January 10, 2025, OAG sued the United States for its recent and historical hazardous substance releases into the Anacostia River. The District is requesting the United States pay for the costs to remedy the hazards caused by the pollution of the river and to pay natural resource damages to compensate for the loss of the use of the river.

Additionally, before the Public Service Commission (PSC), HEJS is involved in nine active matters. Many of these cases involve OAG representing the District's environmental interests while also protecting the District and its residents from unreasonable utility rate increases. OAG does this work in close coordination with DOEE and the Office of the People's Counsel. During FY23 and FY24, OAG filed a motion to enforce the terms of a merger agreement between AltaGas and WGL, under which AltaGas had agreed to develop 10MW of solar energy in the District by June 2023. AltaGas failed to develop this solar capacity, and on November 15, 2024, OAG and Alta Gas reached a settlement where AltaGas paid a \$2.1 million penalty for this failure. In addition, AltaGas is now incurring additional daily penalties for its failure to meet its 10 megawatt solar energy obligation by the end of 2024. In a separate matter, OAG intervened in WGL Holdings (Washington Gas)'s rate increase request. WGL sought to increase District consumers gas rates by \$53 million per year, a total of \$313 million over nearly 6 years. Based in part on the work of OAG attorneys, the PSC issued a final order in December 2023 approving only a \$24.6 million revenue increase, 54% lower than WGL's request, saving District consumers millions of dollars.

In terms of policy, OAG worked with the Council on legislation to amend the District's current illegal dumping provisions to authorize OAG to civilly enforce those provisions, including recouping costs of cleanup and disposal. These amendments became law in December 2024. *See*

B25-0135, “Illegal Dumping Enforcement Amendment Act of 2023.” OAG also has joined a coalition of states in preparing numerous rule comments and legal challenges to federal rulemaking and policy initiatives.

Examples include:

- On September 5, 2024, OAG submitted comments to the Environmental Protection Agency (EPA) to defend their long-standing “discriminatory effects” regulations, which were under challenge. These regulations are used by the agency when issuing permits, allowing it to take into account discriminatory and disparate impacts on communities of color of environmental and public health harms.
- On August 1, 2024, OAG intervened in a challenge to the Biden administration’s National Environmental Policy Act rulemakings, which we also had supported in comment letters and previous litigation.
- On July 16, 2024, OAG submitted a rulemaking petition to the Federal Emergency Management Agency asking the Federal Emergency Management Agency (FEMA) to initiate a rulemaking to recognize that extreme heat events are eligible for major disaster declarations under the Stafford Act. This rulemaking would financially support the District’s response to heat waves.
- On February 5, 2024, OAG submitted comments to support EPA’s lead and copper rule, which focuses on removing lead drinking water pipes from service.

In addition to joining more than 30 multistate comments, OAG has led or co-led the drafting of multistate submissions. For instance, OAG was the primary drafter on a comment letter to the General Services Administration that seeks to reduce the federal government’s acquisition of single-use plastic packaging. Similarly, OAG has led group discussions of multistate attorney general coalitions and initiatives. For example, OAG co-facilitates a monthly, multistate plastics working group call and co-facilitates a multistate environmental justice call.

32. Please provide an update on *District of Columbia v. RealPage, Inc. et al.*, 2023 CAB 6762 (D.C. Superior Court), OAG’s lawsuit against RealPage and 14 landlord companies for alleged violations of antitrust law through artificial inflation of rent prices.

RESPONSE: In November 2023, OAG filed a lawsuit against RealPage, Inc. and 14 of the largest residential landlords in the District for colluding to illegally raise rents for tens of thousands of DC residents by collectively delegating price-setting authority to RealPage, which used a centralized pricing algorithm to inflate prices, costing renters millions of dollars. On May 29, 2024, the Court denied all motions to dismiss except one by AvalonBay, which it granted *with* prejudice. On OAG’s motion for reconsideration, the Court amended the order to a dismissal *without* prejudice, permitting OAG to amend its complaint more broadly by January 8, 2025. OAG amended the complaint to include AvalonBay as a defendant. Discovery is ongoing.

33. Regarding child support:

- a. How many child support petitions were filed in FY 2024 and FY 2025 to date, disaggregated by fiscal year?**

RESPONSE: CSSD filed 773 petitions in DC Superior Court in FY24 and 184 petitions to date in FY25⁸. CSSD filed 225 petitions with other states in FY24 and 40 petitions to date in FY25. Total petitions filed are 998 in FY24 and 224 petitions to date in FY25⁹.

- b. How many motions to modify child support has the Child Support Services Division (CSSD) received in FY 2024 and FY 2025 to date, disaggregated by fiscal year? How many of these motions has CSSD opposed? How many has CSSD consented to?**

RESPONSE: CSSD does not formally consent to motions to modify child support orders; rather, it files motions of opposition or files praecipes indicating no opposition or no position. In FY24, CSSD received 270 motions to modify from non-custodial parents. In response, CSSD filed 101 written oppositions. In FY25, to date¹⁰, CSSD received 76 motions to modify and has filed 40 written oppositions. CSSD attorneys also argue oppositions on the record if the matter arises in court, but CSSD does not track these oral oppositions.¹¹

- c. How many motions for contempt has CSSD filed in FY 2024 and FY 2025 to date, disaggregated by fiscal year?**

RESPONSE: Motions for contempt are filed when a non-custodial parent fails to pay required child support and are based on a case-by-case evaluation of factors such as the custodial parent's need for support and evidence of the non-custodial parent's ability to pay. In FY24, CSSD filed 44 new motions for contempt. In FY25 to date¹², CSSD has filed six new motions for contempt.

34. Please provide updated information regarding OAG's restorative justice program:

- a. A description of the program, including its structure, staffing, and policies and procedures;**

RESPONSE: OAG's Restorative Justice Program is an innovative approach to addressing crime and conflict in the juvenile justice system. Under the program, a youth prosecuted by OAG for a

⁸ To date is January 14, 2025.

⁹ To date is January 14, 2025.

¹⁰ To date is January 14, 2025.

¹¹ The number of motions received and number of oppositions listed do not correspond on a 1-to-1 basis because not all motions to modify are met with formal motions or praecipes. Instead, some motions to modify are withdrawn after filing, some motions are moot because the matter has already been resolved or separate relief granted by the court nullifies the request, some motions are responded to orally in court, and some motions are dismissed for want of prosecution.

¹² To date is January 14, 2025.

crime (other than homicide, sexual assault, and domestic violence) may be offered the opportunity to participate in restorative justice as part of the disposition of the case if, and only if, the victim of the crime is amenable to participating, and the youth charged is willing to take full responsibility for the crime. If those criteria are met, a trained OAG Restorative Justice Facilitator (Facilitator) works confidentially and independently with the victim and the youth and their respective supporters before bringing them together for the restorative justice conference.

Leading up to the restorative justice conference, the Facilitator works with the victim and the respondent to ensure each is adequately prepared to have a successful discussion about the harm that was caused. To do this, the Facilitator conducts separate meetings with the victim and the young person, usually on a weekly basis, to assess their needs and monitor their progress toward preparedness for conference. The goals of the Facilitator at this stage are to help the victim identify what he or she hopes to achieve at the conference and help the youth understand empathy and accountability and process his or her role in causing the harm.

At the restorative justice conference, the youth takes responsibility for their actions, explains their motivations to the victim, their family, and supporters, and offers a sincere apology. The victim and supporters describe how they were impacted by the crime and have a chance to ask questions, express concerns, and otherwise be heard. The impacted individuals and the youth develop a written agreement laying out what needs to happen to resolve the matter so that it never happens again. After the agreement is finalized, the Facilitator will monitor the agreement for compliance.

Restorative justice conferences empower victims by giving them agency throughout the process. These conferences also foster empathy and accountability in the involved youth, while seeking to resolve the conflict in a way that promotes positive behavioral changes. Additionally, as part of the restorative justice program, youth are required to complete Cognitive Behavioral Therapy (CBT) in addition to the restorative justice conference. CBT is a type of psychotherapy that helps individuals modify their thoughts and behaviors. The CBT component of the program comprises approximately 10 group sessions.

The Restorative Justice Section currently has 11 restorative justice facilitators, one program assistant, one social worker, one section chief, and one assistant section chief.

b. Any private funding obtained by OAG for the program in FY 2024 and FY 2025 to date, including the source and amount;

RESPONSE: There was no new funding obtained for the program in FY24 and FY25 to date.

c. A description of any changes made to the program in FY 2024 and FY 2025 to date and/or any planned changes to the program in FY 2025;

RESPONSE: There have been no programmatic changes made in FY24 and FY25 to date. However, the Restorative Justice Section continues to explore opportunities to expand its programming to more victims and offenders who wish to resolve harm by participating in restorative justice programming.

- d. The number and types of cases referred in FY 2024 and FY 2025 to date, disaggregated by fiscal year;**

RESPONSE: Please see the table below.

- e. The number and types of cases in which the parties involved agreed to participate in a restorative justice conference;**

RESPONSE: Please see the table below.

- f. The number of conferences that were considered successful;**

RESPONSE: Please see the table below.

- g. The number of conferences that were not considered successful;**

RESPONSE: Please see the table below.

- h. A definition or metric for how OAG determines that a restorative justice conference was successful;**

RESPONSE: OAG deems a conference successful when youth participants engage in preparatory meetings, attend the restorative justice conference, collaborate with the group to reach a written agreement outlining harm repair, and subsequently fulfill all assigned tasks within the agreement.

- h. The number of cases returned for prosecution;**

RESPONSE: Please see the table below.

- i. If any cases were not returned for prosecution, an explanation of why; and**

RESPONSE: Each case was returned to the prosecuting AAG for appropriate disposition. There were no cases where a young person failed to successfully complete the restorative justice program and the case was not returned for prosecution.

- i. Any additional evaluation of outcomes the agency has conducted or information about recidivism outcomes the agency has collected.**

RESPONSE: OAG's recidivism analysis for youth who completed the restorative justice program has been included in the response to question 36.

The table below responds to subparts d. through h. and categorizes cases referred to Restorative Justice by fiscal year of referral.

Cases referred to Restorative Justice (RJ) by category	FY24¹³	FY25Q1
Total number of cases referred ¹⁴	212	39
RJ declined by victim	26	<10
RJ pending	*	20
RJ conference held	35	<10
RJ conferences held in FY24 that were successful ¹⁵	26	N/A ¹⁶
RJ conferences held in FY25 that were successful	<10	<10
RJ conferences held in FY24 that were unsuccessful ¹⁷	<10	N/A
RJ conferences held in FY25 that were unsuccessful	<10	<10
Returned to prosecutor for other reasons	136	*
Respondent declined or became ineligible ¹⁸ for RJ	110	*
Victim declined or was unresponsive and youth declined participation or became ineligible for RJ	26	<10
Other successful cases ¹⁹	<10	<10

35. Please share the results of the evaluation of the restorative justice program being conducted by the Urban Institute. In last year’s responses, OAG indicated that “[r]esults from this study are expected by the end of 2024.”

RESPONSE: OAG is undergoing a qualitative evaluation of its restorative justice process to gain better insight into the most effective methods for changing criminal behavior and reducing recidivism. The evaluation is being conducted by the Urban Institute, a renowned research and

¹³ Results of 0-9 matters are listed as <10. Results of 10 or more that would nevertheless unveil data related to fewer than ten matters are redacted (*).

¹⁴ Includes all delinquency matter referrals made through OAG.

¹⁵ A Restorative Justice Conference is deemed “successful” if the youth participates in the preparation meetings leading up to a conference, attends the restorative justice conference, with the group reaching a written agreement about what needs to be done to repair harm, and the youth successfully completes all the tasks expected of him or her in the agreement.

¹⁶ Not applicable due to cases being referred in FY25Q1. Therefore, the conference would not have happened in FY24.

¹⁷ A Restorative Justice case is deemed “unsuccessful” if the youth did not show up for the Restorative Justice Conference, the youth and other parties failed to come to a consensus agreement on tasks the youth had to complete, or the youth did not complete the tasks he or she promised to do in the agreement.

¹⁸ For example: respondent opted for trial, absconded, or the case was dismissed.

¹⁹ Other successful cases means that the respondent completed all aspects of the restorative justice program but could not have an RJ conference through no fault of their own.

policy institution, and funded by the Annie E. Casey Foundation, a national philanthropy dedicated to improving juvenile justice systems. The study includes surveys administered by researchers, and interviews with youth and victims who participated in restorative justice to evaluate how remorse, culpability, and perceptions of fairness impact behavior change. The evaluation will also assess victim satisfaction. Results from this study were originally anticipated by the end of 2024. Urban Institute has informed OAG that they are finalizing their data collection and expect to complete the study by the summer of 2025.

36. Please provide re-arrest rates for juveniles who participated in the restorative justice program, as well as any additional evaluation of outcomes the agency has conducted or information about recidivism the agency has collected.

RESPONSE: The fiscal year used for this analysis is based on the fiscal year in which the program was completed, which may be a different fiscal year than when the matter was opened by OAG or when the matter was referred to the restorative justice program. Of the youth who successfully completed the restorative justice program in FY24 and FY25Q1 and could be observed for delinquency recidivism, 13 of 47²⁰ youth (28%) had subsequent matters²¹ opened for a delinquency offense in the District and of those 13, 10 youth (21%) were papered. As this analysis includes youth who completed the program between FY24 and FY25Q1, many of these youth have not been observed for the length of time (3, 6, 9, and 12 months) included in the analysis for question 57.

Among the youth who successfully completed the restorative justice process since the program started in 2016 (270 youth²²), 103 youth (38%) had subsequent matters opened after their program completion date. Of those, 77 youth (29%) were papered.

a. For how long does OAG track recidivism for youth participants in the restorative justice program?

RESPONSE: OAG tracks recidivism for youth participants in the restorative justice program until they turn 18. For some of these respondents, depending on the date of their program completion, as many as eight years have passed, and many have likely since aged out of the juvenile justice system.

²⁰ While 59 youth completed the program, 47 were younger than 18 years old at the time of program completion and therefore included in the delinquency recidivism analysis.

²¹ Recidivism was defined as a delinquency matter with an opened date and offense date after the youth completed the restorative justice program (subsequent matter).

²² While 312 youth completed the program, 270 were younger than 18 years old at the time of program completion and therefore included in the delinquency recidivism analysis.

37. Please provide the following information regarding OAG's Cure the Streets program:

- a. By fiscal year, the total amount budgeted for Cure the Streets, the source for that funding within OAG's budget (program/activity/CSG), and the amount budgeted but unexpended;**

RESPONSE: Cure the Streets (CTS) was initially funded as a four-month pilot program in FY18, with no funding committed to OAG to continue the pilot beyond FY18. During FY19, OAG identified funding, using both its internal budget and a private donation, to operate for one full year. In FY20, the Council allocated one-time funds to continue the expanded CTS program for a second year, increasing the number of sites to six. Thereafter, OAG primarily funded CTS through its Litigation Support Fund (LSF). In FY22, OAG received additional funding from the Council to expand the program to four additional sites. In FY23, OAG again received additional funding from the Council to support the ten CTS sites. In FY24, OAG assumed sole financial responsibility for the CTS program through the LSF.

Fiscal Year	Budget/Allocation	Fund Source (program/activity/CSG)	Expended	Unexpended
2018	\$360,000.00	Local (6100/6113/50) Local (9300/9301/40) Local (4000/4002/50)	\$360,000.00	\$0.00
2019	\$1,000,919.00	Local (1000/1040/40) Local (5400/5402/40) Private Donation (6100/6113/40)	\$1,000,919.00	\$0.00
2020	\$5,213,848.00	Local (6100/6101/40) Local (6100/6122/40) LSF (9300/9301/40) LSF (9300/9301/41) Private Donation (6100/6113/40)	\$4,652,617.00	\$561,231.00
2021	\$5,729,132.00	LSF (9300/9301/40) LSF (9300/9301/41) Local (9300/9301/50)	\$5,456,228.00	\$272,904.00
2022	\$9,950,509.00	Local (9300/9301/40) Local (9300/9301/50) LSF (9300/9301/50) ARPA (9300/9301/50)	\$6,661,662.69	\$3,288,846.31
2023	\$9,764,607	Local (9300/9301/40) Local (9300/9301/50) LSF (9300/9301/50) ARPA (9300/9301/50)	\$7,667,340.37	\$2,097,266.63
2024	\$9,072,607	LSF (100178/713100C/50)	\$6,679,590.79	\$2,393,016.21

2025 ²³	\$9,072,607	LSF (1060094/500301/713100 cC)	\$1,428,571.77	\$7,644,035.23 (in current Fiscal Year – expenditures are ongoing)
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b. Any private funding obtained by OAG for the program in FY 2024 and FY 2025, to date, including the source and amount; and

RESPONSE: OAG has not received any private funding for CTS in FY24 and FY25 to date.

c. A description of any changes made to the program in FY 2024 and FY 2025, to date, and/or any planned changes to the program in FY 2025.

RESPONSE: In FY25, CTS Marshall Heights site was awarded to Father Factor through the competitive FY25 RFA. This site was previously awarded to Alliance of Concerned Men in FY24.

38. Please discuss OAG’s process for selecting Cure the Streets sites.

RESPONSE: CTS sites were chosen through a comprehensive process that analyzed both quantitative and qualitative data to pinpoint areas with the greatest potential for reducing retaliatory gun violence.

OAG’s Violence Reduction Unit (VR Unit) examined data from various sources, including from the Criminal Justice Coordinating Council and Metropolitan Police Department, to identify the District’s areas with the highest rates of gun violence. They also gathered community intelligence from residents and leaders to gain a deeper understanding of the nature of gun violence and neighborhood conflicts in these respective areas. By analyzing both statistical and human-centric data, the VR Unit identified areas with persistent gun homicides and shootings, often stemming from neighborhood or crew-related conflicts. Finally, the VR Unit scouted potential program locations to assess their suitability for violence interruption initiatives.

This multi-faceted approach, aligned with the CTS model, ensured programs were strategically placed to make the most significant impact in communities struggling with gun violence.

²³ OAG received a \$4 million grant for three years and \$2 million of the funding will begin in FY25 to supplant some of the LSF dollars.

39. Please provide a table listing each active or former Cure the Streets site, and the following information about each site:

- a. The boundaries of the site;**
- b. The launch date for the site (as well as the termination date, if applicable);**
- c. The grantee for the site (please note if the grantee has changed over time);**
- d. The grant term;**
- e. The grant amount;**
- f. Funding disbursed to date;**
- g. Staffing; and**
- h. Staff salaries.**

RESPONSE: Please see **Attachment 14**, “CTS Site Descriptions.”

40. Has the Cure the Streets program’s conducted safe passage work in FY 2024 and FY 2025, to date? In last year’s responses, the program conducted no such work in FY 2023 and FY 2024. Please explain the rationale as to why.

RESPONSE: CTS staff have not participated in safe passage work in FY24 or FY25. Although many CTS teams maintain a relationship with the schools that fall within or near their target area, there is not a coordinated effort for CTS staff to participate in safe passage. CTS staff typically canvas their target area and communities during the out-of-school transition periods, but there may be time when the team needs to respond to emergent needs in the target area/community during these periods. Accordingly, staff need flexibility to pivot to those needs.

41. Please describe any changes to the training in which Cure the Streets staff participate relating to gender-based violence or healthy masculinity.

RESPONSE: There were no training changes in FY24 through FY25 to date.

42. According to OAG’s metrics to measure the program’s success, have Cure the Street grantees been collecting data in a consistent fashion and performing well?

RESPONSE: At the time of application for the CTS grant, applicants are required to submit a workplan outlining the goals and deliverables of the grant on a monthly and quarterly basis. Once selected, OAG requires grantees to submit a monthly progress report. Throughout the grant period, OAG reviews the performance of the grantee in accordance with the workplan and monthly reports. OAG also conducts a monthly review of the performance of each site, as well as quarterly in-person compliance checks. Lastly, OAG developed a performance report card for grantees. OAG shares this information with grantees to identify areas of improvement for the respective staff and site. During this review period, grantees had a 100% compliance rate with the monthly report submission and data collection. Moreover, grantees demonstrated strong performance in FY24, completing 737 mediations, servicing 4,146 high-risk participants, providing public education materials to over 170,000 individuals, and holding 127 community events across all 10 sites.

43. Have there been any changes to the metrics OAG uses to assess the success of Cure the Streets grantees?

RESPONSE: During FY25, OAG implemented two new metrics to assess the success of CTS grantees. Grantees are now required to conduct a quarterly presentation outlining the program successes, challenges, and participant accomplishments.

OAG now also requires grantees to submit concept plans for all participant and community events. Concept plans are due at least seven days in advance of the event. The concept plan must provide a description of the event, target audience, expected number of attendees, purposes of the event, goals of the event, partners assisting with the event, and a budget/spend plan. Once the event concludes, grantees must also provide after-action reports to detail if the goals of the event were met, staff who were in attendance, final event expenditures, positive highlights, and areas for improvement.

44. Please provide a table, broken down by site, including the following information regarding outcomes for the Cure the Streets program for FY 2024 through FY 2025:

- a. The number of program participants;
- b. The number of community events in response to shootings held;
- c. The number of mediations; and
- d. The number of truces and/or ceasefires negotiated.

RESPONSE: Please see the below table.

Site	Grantee	Community Responses to Shootings Organized by CTS (FY24)	Mediations by CTS Staff (FY24)	Program Participants (FY24)
Ward 5 – Trinidad/Arboretum	NAARC	7	203	48
Ward 8 – Trenton Park/Wahler Place	NAARC	3	161	39
Ward 5 – Eckington/Truxton Circle	NAARC	0	99	38
Ward 8 – Washington Highlands	ACM	0	36	29
Ward 7 – Marshall Heights	ACM	1	34	33

Ward 8 – Bellevue	Father Factor	3	46	39
Wards 5 & 6 – Sursum Corda/Ivy City	Father Factor	1	53	18
Ward 8 – Historic Anacostia/Fairlawn	Father Factor	13	44	35
Wards 1 & 4 – Brightwood Park/Petworth/	ICCDC	0	56	43
Ward 8 – Congress Heights	NAARC	7	5	45
Site	Grantee	Community Responses to Shootings Organized by CTS (FY25)	Mediations by CTS Staff (FY25)	Program Participants (FY25)
Ward 5 – Trinidad/Arboretum	NAARC	2	46	59
Ward 8 – Trenton Park/Wahler Place	NAARC	6	58	34
Ward 5 – Eckington/Truxton Circle	NAARC	0	34	58
Ward 8 – Washington Highlands	Father Factor	0	12	26
Ward 7 – Marshall Heights	ACM ²⁴	1	20	37
Ward 8 – Bellevue	Father Factor	1	16	31
Wards 5 & 6 – Sursum Corda/Ivy City	Father Factor	0	14	24

²⁴ This site was re-awarded to Father Factor on 02/15/2025. The data reflected here is from the time that ACM had the Marshall Heights CTS award.

Ward 8 – Historic Anacostia/Fairlawn	Father Factor	1	27	21
Wards 1 & 4 – Brightwood Park/Petworth	ICCDC	9	28	44
Ward 8 – Congress Heights	NAARC	2	0	45

45. Please provide a table, broken down by site and fiscal year, listing the number of incidents of gun violence (assault with deadly weapon, homicides) in Cure the Streets target areas, in FY 2024 through FY 2025, to date.

RESPONSE: Please see the below tables for the response.

- The tables below show gun incidents in CTS sites, which consist of offenses involving a gun, as reported by MPD. The District-wide data includes incidents that occurred outside of CTS target areas, including in Office of Neighborhood and Safety Engagement (ONSE) priority areas.
- Note that because these metrics involve relatively small numbers, the percentage change in incidents is especially sensitive to small fluctuations from year to year. (For instance, an increase in the number of incidents at a given CTS site from one to two would constitute a 100% increase in incidents). Therefore, percentage changes should be viewed with caution.
- The CTS model is designed to address gun violence that stems from ongoing interpersonal and intergroup conflict. The CTS model is not intended to address all conflict. Some types of violence, including domestic violence, are not appropriate for CTS intervention.

ADW Gun	FY23		FY24		FY25 to date*
	#	%Change	#	%Change	#
Cure the Streets TOTAL	165	-15%	135	-18%	21
Sites Launched FY18 (July 2018)					
Trinidad and Arboretum	14	-39%	9	-36%	1
Trenton Park & Wahler Place	10	-29%	11	10%	2
Sites Launched FY20 (October 2019)					
Bellevue	11	-8%	13	18%	2
Eckington/Truxton Circle	11	-35%	13	18%	2
Marshall Heights	6	20%	2	-67%	1
Washington Highlands	14	133%	7	-50%	0
Sites Launched FY22 (May 2022)					
Brightwood Park/ Petworth	24	-40%	19	-21%	6

Congress Heights	38	-5%	21	-45%	3
Historic Anacostia/Fairlawn	15	-12%	22	47%	1
Sursum Cord/ Ivy City	22	10%	18	-18%	3
Rest of the District	739	5%	576	-22%	112

*FY25 to date is through December 31, 2024.

*Data displays all incidents reported in FY22, including the eight months before the expansion sites were officially launched.

Gun Homicide	FY23		FY24		FY25 to date*
	#	%Change	#	%Change	#
Cure the Streets TOTAL	39	5%	29	-26%	7
Sites Launched FY18 (July 2018)					
Trinidad and Arboretum	1	-80%	2	100%	1
Trenton Park & Wahler Place	1	-67%	2	-33%	2
Sites Launched FY20 (October 2019)					
Bellevue	2	-33%	0	-100%	0
Eckington/Truxton Circle	1	-80	4	300%	1
Marshall Heights	3	300%	3	300%	0
Washington Highlands	8	167%	8	167%	1
Sites Launched FY22 (May 2022)					
Brightwood Park/ Petworth	5	0%	5	0%	1
Congress Heights	4	-20%	4	-20%	1
Historic Anacostia/Fairlawn	9	29%	9	29%	1
Sursum Cord/ Ivy City	3	0%	3	0%	0
Rest of the District	161	12%	138	-14%	46

*FY25, to date, is through December 31, 2024.

46. Please describe the agency's efforts to coordinate with the Office of Neighborhood Safety and Engagement and its violence intervention initiative, in FY 2024 and FY 2025, to date, with regard to Cure the Streets.

RESPONSE: Both OAG and ONSE have agreed to initiate direct engagement at a leadership level, with a focus on coordinating and collaborative efforts in violence interruption. This represents a positive shift towards a more unified approach. Notably, in FY25, ONSE has invited OAG to attend and potentially co-lead the weekly Joint Violence Intervention Partner Strategy meeting previously hosted by ONSE. The goal of these meetings is to foster communication and collaboration between the CTS and ONSE violence interruption teams.

Specifically, the teams will discuss any gun violence incidents that have occurred over the past seven days and report on the resources and coverage provided by CTS or ONS. The purpose is to avoid duplicating efforts and to ensure that any gaps in service areas or needs are identified. Action items arising from these meetings are assigned to CTS and ONS frontline staff, and may include following up with a victim, gathering additional information, or developing a strategic response to prevent further violence related to an incident.

47. Please provide any updates on whether OAG has made progress on finalizing any agreements between Cure the Streets and OVSJG’s hospital-based violence interruption program for “information-sharing and coordination”?

RESPONSE: OAG has not finalized any formal agreement between CTS and HVIPs due to remaining concerns that must be considered (e.g., HIPPA violations). However, CTS staff and OAG continue to participate in monthly ProjectChange meetings. This meeting is coordinated by Office of Victim Services and Justice Grant’s (OVSJG) hospital-based violence interruption program and includes the six participating hospitals as well as community partners in the community violence interruption space.

48. How frequently does OAG conduct financial audits or on-site inspections of violence interruption contractors, and are there retribution/discipline for non-compliance or misuse of funds? What type of disciplinary actions would the agency take?

RESPONSE: Per the FY25 grant agreement, grantees who receive \$750,000 or more in federal grant funding are required to conduct an annual financial audit prepared by a certified public accountant licensed in the District of Columbia and carried out in accordance with generally accepted auditing standards. A copy is sent to the grant administrator within thirty (30) days of receipt by the grantee. Failure to do so is considered a significant violation of the agreement and may result in cancellation of the award.

In lieu of financial audits, OAG conducts a thorough review of the grant funds awarded to CTS grantees. OAG requires receipts for *every* expense that grantees are seeking for reimbursement. OAG also requires bank statements to verify and validate the expenses and transactions. OAG has also provided a budget tracker to ensure that grant spending is aligned with the awarded line items and totals of the grant.

OAG conducts a monthly review of the performance of each site, as well as quarterly compliance checks to the sites. OAG developed a report card to assess the performance of the grantees, sites, and staff. OAG shares this information with grantees and identifies any areas for improvement.

If a grantee is found noncompliant with any of the requirements, OAG will issue a Notice of Noncompliance or Notice of Deficiency to the grantee. The notice will outline the deficiencies and action steps required of the grantee to become and remain compliant. Following the notice, and with continued deficiencies, OAG may suspend or terminate the grant.

49. How does OAG monitor the use of violence interruption funds to ensure they are spent appropriately and transparently by contractors/organizations?

RESPONSE: OAG requires receipts for each expense that grantees are seeking for reimbursement. OAG also requires bank statements to verify and validate the expenses. OAG has also provided a budget tracker to ensure that spending is aligned with the awarded lines and totals of the grant.

OAG also requires that sites submit concept plans for all participant and community events. Concept plans are due at least seven days in advance of the event. OAG will and has rejected expenses from grantees with missing concept plans, documentation, justification, and unallowable expenses.

50. Are there benchmarks or performance metrics that contractors must meet, and how does OAG evaluate progress toward these goals?

RESPONSE: All community-based organizations within the CTS program are under a grant and are not considered contractors. To ensure CTS grantees are meeting performance metrics, OAG relies on data analysis to inform both its implementation and public reporting. However, evaluating community-based violence intervention programs presents inherent challenges. Recognizing this issue, in FY24 OAG partnered with Johns Hopkins University to begin a multi-year evaluation to effectively assess the program's impact.

Despite the inherent challenges in evaluation, there are indicators that CTS is positively impacting the targeted geographic areas based on the following metrics OAG collects.

- **Community Responses to Shootings Organized by CTS:** Within 48 hours of a shooting in a target area, CTS coordinates a public community event. The purpose of the event is for the community to come together to denounce gun violence and to display unity around the idea that shootings are unacceptable.
- **Mediations by CTS Staff:** Violence Interrupters have strong community ties and understand the dynamics of the neighborhoods in which they work. They build networks of contacts among community members who help them to identify brewing conflicts so they can intervene and help to mediate before violence ensues. When violence interrupters learn of a conflict, they identify and contact all parties and work with them to mediate the dispute to prevent gun violence.
- **Number of Program Participants:** Relatively few residents in any neighborhood are actively involved in gun violence. As people with roots in the target neighborhoods, CTS staff know or can learn which residents are at highest risk of involvement in violence, either as perpetrators or as victims. CTS outreach workers and violence interrupters focus on these highest risk individuals to help them avoid confrontations and violence and work closely with them over time to help them to consider and adopt less violent, more prosocial lifestyles. Once someone is enrolled in the program, they are referred to as a Program Participant. This datapoint represents the total number of people engaged in the program over the course of the year. Program Participants who are enrolled in more than 1 year are

counted in each year. Outreach Workers are required to carry a caseload of 12-15 high risk individuals on their caseload.

In an effort to evaluate the performance towards these goals, OAG conducts a monthly review of each site's data and in-person compliance checks to each site. OAG also developed a report card to assess the performance of grantees. OAG shares this information directly with grantees to identify any areas for improvement for respective staff and sites.

51. What steps has OAG taken to ensure that the grant application and award process for violence intervention programs is competitive and free from conflicts of interest?

RESPONSE: OAG has utilized outside and independent evaluators for the grant application and award process for CTS since FY21. The review panel is required to sign and submit a conflict-of-interest disclosure form. This helps to ensure that the review and recommendation made by the panel is objective and unbiased.

OAG also publishes the scoring and rubric that is used to evaluate applications in each request for applications (RFA). The review panel is instructed to score using the evaluation criteria set forth by the RFA. All applicants are evaluated using a scoring rubric, and reviewers are asked to provide notes and comments as rationale for how they score each application.

52. Please provide data regarding OAG's prosecution of juvenile matters:

- a. How many juvenile matters were presented to OAG in FY 2024?
 - i. Of those, how many involved an alleged violent crime?
- b. How many juvenile matters did OAG petition in FY 2024?
 - i. Of those, in how many did the top charge involve a "crime of violence" (as defined by D.C. Code §23-1331(4))?
 - ii. How many included a gun possession charge?
- c. How many juvenile matters did OAG decline to petition in FY 2024?
 - i. Of those, in how many did the top charge involve a "crime of violence" (as defined by D.C. Code §23-1331(4))?

RESPONSE: All data points below reference OAG's top recorded charge and to the fiscal year in which OAG opened the delinquency matter,²⁵ not necessarily the year in which it was petitioned or declined. Matters included are those that have a final papering decision. Excluded are fugitive matters, delinquency matters pending a decision on petitioning, and delinquency matters presented to OAG but for which the United States Attorney's Office for the District of Columbia assumed jurisdiction under DC Code §16-2301(3). Petitioned matters include "re-brings" where OAG initially declined to petition a matter but later filed a petition, such as when a matter was diverted

²⁵ Each juvenile matter presented to OAG is generally catalogued as one or more delinquency offenses involving a distinct individual. For example, 3 youths charged for the same offense would typically generate 3 separate matters. Therefore, a single offense may result in the initiation of multiple matters. A single matter can also be multiple interrelated offenses involving a distinct individual. For example, 2 different offenses involving the same suspect that are interrelated could be catalogued by OAG as a single matter.

but the youth did not complete the diversion program. The data provided below is for total matters and disaggregated by whether the matter involved an arrest.

Delinquency matters, FY24	All	Crime of violence	Gun possession²⁶
Total matters	1,957	730	174
Petitioned	1,149	499	145
Not petitioned	808	231	29
Total matters papering rate	59%	68%	83%
Arrest matters	1,520	590	<174
Petitioned	1,149	499	145
Not petitioned	371	91	<29
Arrest matters papering rate	76%	85%	>83%
No arrest matters			
Not petitioned ²⁷	437	140	<10

53. Regarding carjackings specifically:

RESPONSE: All data points below refer to matters with any petitioned carjacking charge, not just the top charge, and to the fiscal year in which OAG opened the matter, not necessarily the year in which it was petitioned or declined.

a. Please provide data on the number of juveniles charged by OAG with carjackings in FY 2024

RESPONSE: Please see the table below.

Youth charged with carjacking, by fiscal year matters opened

Any Carjacking Charge	FY24
Number of youth prosecuted for carjacking	74
Number of matters prosecuted with a carjacking charge	91

²⁶ Results of 0-9 matters are listed as <10. Results of 10 or more that would nevertheless unveil data related to fewer than ten matters are redacted by showing a minimum or maximum value.

²⁷ Pre-Petition Custody Order (PPCO) declines and Pre-PPCO diversions. A PPCO is similar to a criminal arrest warrant.

b. What percentage of juveniles charged with carjackings in FY 2024 had previously been charged with carjacking? With another violent crime? With any crime?

RESPONSE: OAG prioritizes all felony offenses including carjackings. Carjacking arrests are processed by the next day, including Saturdays and all holidays. Felony pre-petition custody orders are acted upon within days, provided the MPD investigation is adequate and complete, and provides sufficient evidence for the prosecution to meet the burden of proof.

The table below shows the number and percentage of matters and youth for which OAG petitioned a charge of carjacking in FY24. Also shown is the number of youth who were previously charged with carjacking, a crime of violence²⁸ other than carjacking, and/or any crime, respectively.²⁹

Youth charged with prior carjacking, crime of violence, or any crime³⁰

Prior Charges for Youth with Any Carjacking Charge in FY24	FY24
Number of youth prosecuted for carjacking	74
Youth previously prosecuted for carjacking	<10
Youth previously prosecuted for some other crime of violence	13 (18%)
Youth previously prosecuted for any crime	32 (43%)

c. How many juveniles charged with carjacking have been referred to the restorative justice program in FY 2024?

RESPONSE: A referral to the Restorative Justice Program means that restorative justice may be a part of the plea agreement offered to the youth in the case. When a case is referred to restorative justice, it implies that the case is eligible for restorative justice. However, the prosecutor, along with the Restorative Justice Facilitator, must first evaluate if the victim and youth are appropriate for restorative justice and only then is the restorative justice process used. For matters that were opened in FY24, 25 youth who were charged with carjacking were referred to the Restorative Justice program. Ten youth ultimately took guilty pleas with restorative justice as a condition of their plea agreement. An additional fewer than ten youth from FY24 have pending cases, meaning that it has not yet been determined whether their cases will go to conference.

²⁸ Crime of violence as defined by DC Code §23-1331(4).

²⁹ Prior crimes may include matters opened prior to the carjacking offense but not petitioned until after the carjacking offense.

³⁰ To maintain juvenile confidentiality, results of fewer than 10 are reported as <10.

54. How many juveniles did OAG charge with unauthorized use of a vehicle in FY 2024 or FY 2025, to date?

RESPONSE: All data points below refer to matters with any OAG charge of unauthorized use of a vehicle (UUV), not just the top charge, and to the fiscal year in which OAG opened the matter, not necessarily the year in which it was petitioned.

For matters opened in FY24, OAG charged 231 youth with UUV in a total of 265 matters. For matters opened in FY25Q1, OAG charged 42 youth with UUV in a total of 45 matters. There were 10 youth who were charged in both FY24 and FY25Q1.

Any UUV charge	FY24	FY25Q1
Matters	265	45
Youth	231	42

When matters that also include a charge of carjacking or armed carjacking are excluded (i.e., the matter included both a charge of carjacking or armed carjacking and a charge of UUV), OAG charged 171 youth with UUV in a total of 203 matters opened in FY24 and charged 34 youth with UUV in 36 matters opened in FY25Q1. There were less than 10 youth who were charged in both FY24 and FY25Q1.

Any UUV charge without carjacking charge*	FY24	FY25Q1
Matters	203	36
Youth	171	34

* Excludes matters containing a charge of carjacking.

55. To OAG's knowledge, how many matters involving youths were brought over which OAG lacked jurisdiction to prosecute in FY 2024 and FY 2025, to date?

RESPONSE: If this question refers to how many matters involving youth USAO brings charges against under Title 16, OAG does not track that information. However, OAG does track the number of matters presented to OAG where USAO exercised their discretion, pursuant to D.C. Code § 16–2301 (3), to assume jurisdiction over the matter under Title 16 or where a youth previously prosecuted by USAO under Title 16 was arrested on a subsequent crime.

In FY24, there were 42 such matters, and in FY25 to date, there have been 13 such matters.

56. Please provide any updates on OAG's engagement with USAO-DC regarding USAO's prosecution of juvenile crime. Have there been any changes to OAG's MOU with USAO-DC regarding Title 16 cases?

RESPONSE: The MOU between OAG and USAO regarding Title 16 matters remains in effect. Both parties continue to abide by the terms of the MOU.

57. Please provide, once again, updated versions of the tables provided on page 145 of your FY 2023-2024 pre-hearing performance oversight questions regarding juvenile recidivism rates.

RESPONSE: See **Attachment 15**, “Juvenile Recidivism Rates.”

58. Does OAG continue to hold weekly meetings with MPD at the Juvenile Processing Center to discuss issues with juvenile cases?

RESPONSE: Managers from the Juvenile Section meet weekly with the MPD command staff in charge of the Juvenile Processing Center to discuss issues related to juvenile cases. This includes logistic, procedural, and substantive issues dealing with school and community, community safety, papering procedures, arrest procedures, evidence, charges, investigations, detention decisions, the judicial system, and other issues related to juvenile accountability and rehabilitation.

59. Please provide the following information regarding the Alternatives to the Court Experience (“ACE”) Diversion Program:

a. A brief description of the ACE Program;

RESPONSE: The Alternatives to the Court Experience (ACE) program is a diversion program implemented by the Department of Human Services (DHS). Specifically, the program collaborates with OAG, the Metropolitan Police Department (MPD), and Court Social Services (CSS) to create a unified entry point for all diversions from the District’s juvenile justice system.

As appropriate, OAG and other referring agencies may choose not to charge young people who are alleged to have committed status offenses (e.g., truancy or running away) or low-level delinquency offenses. Instead of traditional prosecution, ACE provides these youth with services and community support. The primary aim of ACE is to decrease the number of young people under the age of 18 years old who become involved with the court system.

b. The number of cases referred in FY 2024 and FY 2025, broken down by underlying reason for referral (e.g. type of offense, reported runaway, etc.);

RESPONSE: The table below provides data for FY23 and FY24, based on prior year’s testimony requesting data for the last two full fiscal years (24 months), rather than one full and one partial fiscal year (15 months).

Matters diverted to ACE by fiscal year OAG opened matter and aggregated offense categories

Offense Category³¹	FY 2023	FY 2024
Crimes Against Persons	83	82
Crimes Against Property	80	44
Public Order Offenses	<10	<10
Weapons Offenses	<10	11
Status Offenses ³²	67	101

c. For the cases identified in (b), OAG's recidivism analysis.

RESPONSE: Of the youth included in the recidivism analysis provided in response to Question 57, OAG prosecuted 1,249 distinct respondents and diverted 301 distinct respondents. Youth who committed Public Order Offenses, and Weapons Offenses were excluded because the number of respondents was small.³³ Recidivism for each respondent was examined at four specific time points: 3, 6, 9, and 12 months after OAG opened the initial matter. With each successive time frame, the number of respondents that could be observed for both measures decreased,³⁴ which makes the recidivism rate more sensitive to small fluctuations in recidivism.

Please note these definitions for the table below.

- Diverted: diverted respondents in the time period FY23-FY24
- Prosecuted: prosecuted respondents **who were not diverted** in the time period FY23-FY24. (The prosecuted respondents in this table is a subset of all matters prosecuted by OAG in this observed time. Seventy-nine respondents were excluded from the prosecuted category because they are included in the diverted category).

As shown in the table below, total respondents with a diverted matter have a considerably lower rate of Prosecuted Matter Recidivism than those with a prosecuted matter at all points of interest. After six months, 16% of diverted respondents recidivated, compared to 27% of prosecuted respondents. After twelve months, 30% of diverted respondents recidivated, compared to 48% of prosecuted respondents.

³¹ Top charges are aggregated because of a concern for juvenile confidentiality. Results of 0-9 are reported as <10. Data reported by fiscal year OAG opened that matter. Includes matters where OAG diverted youth prior to arrest and matters diverted after arrest based on consultation between OAG and Court Social Services.

³² Includes runaway and truancy matters.

³³ Due to the small population size, all observed periods of recidivism for youth charged with Public Order Offenses included less than 10 youth. Also note that this recidivism analysis only examines delinquency data and not PINS diversions.

³⁴ A youth would be excluded from observation at a point of interest if they either turned 18 before then or if the date of the point of interest had not yet passed when the analysis was run (e.g., a youth who had their observed matter opened on October 1, 2024 would be excluded from the analysis at the 1 year mark as this analysis was completed before 1 year had passed).

In interpreting these results, it is important to keep in mind two considerations. First, because the number of diverted respondents is quite small, the recidivism rates are especially sensitive to small changes in the number of youth who recidivate. For example, if five youth are observed at a point of interest, one youth who recidivated would make the recidivism rate go from 0% to 20%. Second, care should be taken in ascribing a causal impact of diversion or prosecution on subsequent recidivism rates. Notably, the types of matters that tend to be papered differ from those that are diverted; for instance, papered matters tend to involve more serious offenses than diverted matters. Additionally, respondents who commit different types of offenses are likely to have varying recidivism rates, irrespective of any perceived effect of prosecution or diversion on subsequent delinquency.

Rates for Prosecuted Matter Recidivism by Top Charge of Initial Case for Youth with Diverted Focal Case and Prosecuted Focal Case [FY23 - FY24]

Top Charge	3 months		6 months		9 months		12 months	
	Diverted Cases (n = 256)	Prosecuted Cases (n = 1069)	Diverted Cases (n = 203)	Prosecuted Cases (n = 882)	Diverted Cases (n = 159)	Prosecuted Cases (n = 687)	Diverted Cases (n = 128)	Prosecuted Cases (n = 504)
Crimes Against Persons	12%	15%	17%	27%	23%	37%	28%	47%
Crimes Against Property	13%	16%	16%	33%	23%	42%	32%	52%
Total	12%	14%	16%	27%	23%	38%	30%	48%

60. Please describe any policy and/or legal initiatives or projects undertaken or in development by OAG relating to delinquency in FY 2024 and FY 2025, to date. Please include information for each policy, legal initiative, program or project regarding referral rates, utilization rates, and outcomes.

RESPONSE: OAG has several programs dedicated to addressing delinquency. For example, the agency runs a truancy prevention program, ATTEND, which is discussed in more detail in this response and the response to Questions 26. OAG pioneered a restorative justice program, which is discussed in more detail in response to Questions 35-37. Currently, OAG is developing a program specifically designed to address gun possession in the District. Additionally, in partnership with MPD, DHS, and Sasha Bruce Youthworks (SBY), OAG launched a respite and

treatment program for youth and families involved in domestic disputes that lead to the arrest of a young person. This pilot, called the CARES Program, began in January 2025.

In addition to these initiatives, OAG hosts the Right Direction Awards, Do the Write Thing Challenge, and convenes the Safety and Justice Council/High School Advisory Council. Specifically,

- **Right Direction Awards:** Recognizing youth overcoming challenges, OAG held the 8th Annual Awards in FY24. With a record 67 applicants, 29 individuals (ages 14-24) were selected for their positive impact on the community despite facing hardships like involvement in the justice system, homelessness, or teen pregnancy. Two adults were also honored for their support of youth development within the District, making a sum of 31 honorees.
 - **Do the Write Thing Challenge:** Encouraging youth to tackle violence through writing, this initiative saw increased student participation in FY24. The initiative empowers middle school students to analyze the root causes and impact of violence, fostering safer communities. Two students annually represent the District at the national event and have their work archived in the Library of Congress. Plans for increasing middle school participation are underway for FY25.
 - **Safety and Justice Council/High School Advisory Council:** Partnering with DC Mikva Challenge, OAG launched the inaugural Safety and Justice council in FY23. Forty-five high schoolers meet weekly to discuss policy issues impacting District youth and craft recommendations for the Attorney General. This initiative aligns with the High School Advisory Council, where 16 students work on policy issues during summer months, interacting with OAG attorneys, judges, and advocates to learn about OAG’s work and civic engagement.
- a. Please provide an update on the operation and outcomes of the Juvenile Hotline in FY 2024 and FY 2025. How many calls did the Juvenile Hotline receive in FY 2022, FY 2023, FY 2024 and FY 2025, to date?**

RESPONSE: See the table below on Juvenile Section hotline calls from October 2021–December 2024.

Fiscal year	Hotline calls
FY22	803
FY23	651
FY24	389
FYTD25	89

- b. Please provide any updates to the OAG’s MOU with the USAO regarding Title 16 cases.**

RESPONSE: OAG has a MOU with the USAO regarding Title 16 cases. Under this MOU, USAO has agreed to consult with OAG before papering a juvenile as an adult. Under the MOU, USAO

will consider the factors in DC Code § 16-2307(e) in making its decision to charge a young person as an adult. USAO agrees to contact OAG regarding every case in which a juvenile, who has not previously been prosecuted under Title 16, is prosecuted as an adult prior to charging the juvenile.

c. Please provide any changes or updates to OAG's relationship with the High-Fidelity Wrap Around Program.

RESPONSE: OAG maintains a relationship with Intensive Care Coordination (ICC), formerly known as High-Fidelity Wrap Around. OAG sends referrals for youth exhibiting truancy and runaway behaviors for prosecution as Person In Need of Supervision (PINS) to ICC in lieu of traditional prosecution.³⁵

61. The CJCC's Public Safety and Justice Reports last year dashboard showed that only 52 percent of youth referred to the ACE Diversion Program actually started the program.

RESPONSE: As OAG understands it, the above-cited data point, published in last year's CJCC dashboard on ACE, referred to youth who started ACE within a limited period but was not measuring the overall start rate for ACE referrals. Per ACE staff, referred matters that do not start the program are tracked as early closures. In FY23, the early closure rate was 35% (121 early closures of 343 eligible referrals) and in FY24, the early closure rate was 37% (142/383).

Per ACE staff, there are variations in early closure rates depending on the origin of the referral. Youth arrested for delinquency have the lowest early closure rates. Truancy referrals and referrals for delinquency diversions without arrest present the most challenges in initiating the program. ACE and OAG have been working collaboratively to decrease the overall early closure rate, with a particular focus on the latter two categories.

a. Have the completion rates increased?

RESPONSE: DHS would be the appropriate agency to provide data on changes in completion rates. However, as discussed detailed in response below in subpart (b), OAG has been working to support successful referrals.

b. Since last year's responses, what further steps, if any, has OAG taken to seek to ensure that youth referred to the program actually start and complete it?

RESPONSE: OAG continues to partner with DHS's ACE Diversion Program to find ways to support youth participation. For delinquency matters, strategies include co-locating staff from ACE at OAG to conduct interviews of the parents or guardians of youth who are candidates for diversion. This ensures the ACE staff immediately connect with the parents or guardians and provide the next steps to help them enter the program. ACE staff also follow up with parents or guardians of youth who fail to appear by calling, sending correspondence via mail, and conducting home visits to identify any barriers to participation. Generally, if ACE staff are unable to obtain

³⁵ For more information watch <https://youtu.be/aZthZXzxQoI>.

the youth's participation in 30 days, DHS can refer the matter back to OAG for further efforts, including prosecution.

For truancy matters, OAG and DHS communicate weekly on DHS's ability to accept new referrals and strategize on referrals with which DHS encounters challenges. This increased communication and providing "real time" support continues to improve service delivery for referred youth. When practicable, OAG contacts families prior to sending a referral to explain the program and foster a "warm hand-off". In instances when DHS is unable to reach a family, OAG investigators attempt to locate them, and if located provide the family with program information to help support buy-in and participation. OAG forwards any updated contact information to DHS to support its intake process. This interim step occurs prior to DHS's early closure protocol. Additionally, DHS agreed to rescind early closures for families who previously declined services. DHS also contacts OAG to inquire about and accept truancy referrals for youth on their case load with delinquency matters and provide concurrent services. Finally, OAG and DHS meet monthly to review truancy referral protocols.

- c. In last year's responses, remarked that it was "implementing new procedures to ensure that youth diverted to ACE participate in the diversion program or get referred back to OAG for potential prosecution." What have been the results of these new procedures?**

RESPONSE: Please see above, answer to 61(b), as well as answer to question 59.

62. Please describe any updates to the policy or legal initiatives or projects undertaken or in development by OAG relating to truancy and school attendance in FY 2024. Please include information for each policy, legal initiative, program or project regarding referral rates, utilization rates, and outcomes.

RESPONSE: OAG is actively committed to reducing truancy and increasing daily school attendance for youth ages five to seventeen. OAG believes that addressing the underlying obstacles to regular and timely school attendance is the most effective approach to reducing truancy and improving school attendance, rather than involving children and their families in the child welfare and juvenile justice systems.

Therefore, OAG has increasingly focused on referring youth to programs that address their underlying needs and on developing initiatives that can help meet those needs.

Approach to Persons In Need of Supervision (PINS) Cases (13 to 17 Year Olds): Youth who are 13 to 17 years old and are chronically truant are referred to as Persons In Need of Supervision (PINS). OAG's priority is to ensure these youth and their families have access to community-based services and District resources before engaging them in the juvenile justice system. When OAG receives a PINS referral, before petitioning the case, OAG staff contact the caregiver(s) and providers to determine whether they have exhausted all community-based supports. If not and when appropriate, OAG refers youth to DHS's Parent and Adolescent Support Services (PASS), the Department of Behavioral Health's Intensive Care Coordination (ICC) formerly called High-Fidelity Wrap (HFW) Program, or to ACE in lieu of prosecution. OAG met with agency partners

to review referral protocols, prioritize referrals from DHS's truancy pilot schools, and continued agency coordination during FY24.

Since fiscal year 2019, OAG has directly referred 67 youth to ICC/HFW in lieu of filing PINS petitions for truancy and/or other status offenses and delinquent conduct.

In FY24, OAG diverted 101 truancy related PINS cases to ACE.

Addressing Truancy Through Engagement and Negotiated Dialogue (ATTEND): Since FY18, OAG's ATTEND program has provided free mediations conducted by trained professionals to parents whose children struggle with school attendance. During mediation, parents have an opportunity to identify the underlying barriers that hinder their children's daily attendance. ATTEND provides case-management services with linkage to community-based supports through partner agencies and local nonprofits. ATTEND started as a diversion model for parents facing criminal charges for failing to ensure their elementary-school-aged children's attendance (starting at 15 unexcused absences). In FY20, OAG began a prevention model that shifted ATTEND's focus and resources to early intervention (after five unexcused absences) and direct services in select partner schools. During FY24, ATTEND supported four Ward 8 DCPS elementary schools (Malcolm X, Patterson, Simon, and Turner); two DCPS middle schools (Sousa in Ward 7 and John Hayden Johnson in Ward 8); 6th graders at Paul Public Charter Middle School; and kindergarten through 6th graders at Center City Public Charter Schools Trinidad/NOMA Campus. OAG expanded a "light touch model" to Capitol Hill Campus of Center City Public Charter School at the end of FY24. Mediations started in FY25.

Since FY21, OAG has conducted virtual mediations. In FY24, ATTEND returned to offering parents the option to participate in person for mediation and case management services. ATTEND has improved its participation rate by allowing parties to appear via Zoom, Microsoft Teams or telephone. From FY18 to FY25 to date, ATTEND's mediation agreements continue to yield high results.

During FY24, OAG implemented an intake process to standardize and streamline the referral process for both prevention model and court referral programming. Completing intake for new cases is a critical first step in the ATTEND program, where Program Specialists, in collaboration with Case Managers, assess and categorize each case as Level 1 (Light Touch), Level 2 (Mediation), or Level 3 (Recommendation for Court Intervention) based on the severity and complexity of the student's attendance issues and the underlying barriers needing to be addressed to reduce truancy. This initial evaluation ensures that each family receives the appropriate level of intervention and support tailored to their specific needs.

In Level 1, parents or guardians receive a general level of case management and coordination of resources that do not include mediation, and cases remain open for at least 30 days. Level 2 matters are cases that require a moderate level of case management services and coordination of resources. Parents or guardians participate in mediations and in-house case management services for at least 90 days. Families identified as Level 3 are automatically designated for court intervention as a

result of being referred at least three times to ATTEND or other circumstances on a case-by-case basis.

In addition to the prevention model, OAG offers ATTEND for parents referred for criminal prosecution under Family Special Proceedings (FSP) or in matters it has reviewed and deemed the parent primarily responsible for youth referred for PINS cases (FSP Conversion).³⁶ OAG has also expanded its reach to include working with some community members with no truancy mediation referral and linking them to requested services and case-manager support.

DCPS-ATTEND program, FY24 Referrals						
	Malcolm X Elementary School	Patterson Elementary School	Simon Elementary School	Turner Elementary School	Johnson Middle School	Sousa Middle School
Matters ³⁷	13	29	43	50	<10	12
Families	10	21	22	34	<10	12
Children	13	27	31	49	<10	12

PCS-ATTEND program, FY24 Referrals		
	Center City PCS - Trinidad	Paul PCS – Middle School
Matters	30	14
Families	19	14
Children	28	14

The table below presents FY24 referral outcomes for mediations, both from ATTEND and all FSP matters referred to ATTEND.

³⁶ OAG partners with the D.C. Superior Court's Multi-Door Dispute Resolution Division to conduct this subset of mediations.

³⁷ Each matter contains one distinct parent/guardian and one distinct child/student. So, a referral for one parent and two children would result in two matters (parent A/child 1, parent A/child 2). A referral for two parents or guardians and one child would also result in two matters (parent A/child 1, parent B/child 1). Children refers to students who are subject to compulsory education. Families are identified by associating all related children and parents/guardians.

Mediation status for DCPS-ATTEND program, PCS-ATTEND program, and FSP, FY24 Referrals:

	Mediated	Ineligible³⁸	Non-Mediation Services³⁹
Matters	169	34	14
Families	115	28	12
Children	152	33	13

63. Please provide the number of juveniles by school that were referred to OAG for truancy in FY 2024. Additionally, please provide the number of juveniles by school that were referred to Court Social Services (“CSS”) for truancy in FY 2024. Please disaggregate by race, ethnicity, and gender.

RESPONSE: OAG does not collect data on the overall number of juveniles referred to Court Social Services (CSS) for truancy. This information would need to be obtained from either the respective schools or CSS directly

In FY24, CSS referred 860 cases to OAG. The tables below reflect results of referrals to OAG by school system and school. To comply with confidentiality laws, OAG has consolidated results of fewer than 10 referrals.

Truancy referrals presented to OAG, by school system and school for FY24	
School System and School	FY24
DCPS	608
Ballou SHS	110
Ballou STAY	21
Cardozo EC	17
Coolidge SHS	47
Dunbar SHS	55
Eastern SHS	60
Jackson-Reed SHS	27
Luke C. Moore Academy	21
Roosevelt SHS	142
Roosevelt STAY	24

³⁸ Ineligible status includes circumstances where the parent or guardian declined to participate in voluntary mediation, the student disenrolled from the referring school, or where Child and Family Services Agency (CFSA) is already providing services for a referred family.

³⁹ Non-Mediation Services encompasses Phase 1 and 2 services and referrals for services other than mediation.

Woodson SHS	44
Consolidated: Anacostia SHS, Columbia Heights EC, Duke Ellington School of the Arts, Hardy MS, Jefferson MS, Kelly Miller MS, MacArthur SHS, MacFarland MS, McKinley Technology SHS, Phelps SHS, Ron Brown College Preparatory HS, Stuart-Hobson MS, and Wheatley EC	40
PCSB and OTHER (OSSE/Private Placement)	252
E.L. Haynes PCS – High School	10
KIPP DC – College Preparatory PCS	83
KIPP DC – Legacy College Preparatory PCS	41
Paul PCS – International High School	19
Washington Leadership Academy	42
YouthBuild PCS	27
Consolidated (PCBS): D.C. International School, Friendship PCS – Collegiate Academy, Friendship PCS – Ideal Academy, Goodwill Excel Center, Mary McLeod Bethune Day Academy PCS, Paul PCS - Middle School, The SEED PCS of Washington DC, St. Coletta Special Education PCS, Statesmen College Preparatory Academy for Boys, and Thurgood Marshall Academy PCS Consolidated (OTHER): The Foundation School of Prince George’s County and The Pathways School - Edgewood	30

Truancy referrals presented to OAG, by gender for FY24	
Gender	FY24
Female	288
Male	370
Unknown	202

Truancy referrals presented to OAG, by race/ethnicity for FY24	
Race	FY24
African/American	417
Hispanic/Latino	87
Asian, Caucasian, Native American, or Other*	14
Unknown	342

*Results of less than 10 consolidated.

64. Please provide the number of juveniles by school that were referred as runaways to OAG in FY 2024. Please disaggregate by race, ethnicity, and gender.

RESPONSE: In FY24, a total of 52 runaway referrals were sent to OAG, of which 26 were petitioned.

Runaway referrals by gender for FY24		
Gender	By referral/matter	By youth
Female	35	33
Male	17	17

Runaway referrals by race for FY24		
Race/Ethnicity	By referral/matter	By youth
African American	45	43
Caucasian	<10	<10
Hispanic/Latino	<10	<10

65. How many extreme risk protection order (“ERPO”) cases has OAG handled in FY 2024 and FY 2025, to date? Please include a brief description of each case (including the petitioner type and whether the case was successful or unsuccessful).

RESPONSE: OAG handled 33 ERPO cases in FY24 and Q1 of FY25. The table below includes matters resolved or initiated during the relevant time period. Twenty-eight have resolved and five are pending.

Date filed	Petitioner type	Poses harm to	Ex parte⁴⁰ granted	Final outcome	Outcome date
7/21/2023	MPD	Both ⁴¹	Y	Granted by consent	12/15/2023
8/18/2023	MPD	Others	Y	Granted by consent	1/4/2024
9/20/2023	MPD	Others	Y	Granted after trial	12/14/2023

⁴⁰ An ex parte order is a temporary ERPO sought by the petitioner and ruled on the day they are filed. If granted, they are effective until the hearing on the final order, which is typically up to 14 days.

⁴¹ Both means the person posed harm to both themselves and to others.

10/10/2023	MPD	Others	Y	Granted by consent	10/23/2023
10/23/2023	Individual – IPV ⁴²	Others	Y	Granted by default	11/20/2023
11/1/2023	MPD	Others	Y	Granted by consent	11/20/2023
11/2/2023	MPD	Others	Y	Dismissed unable to prove	1/31/2024
11/20/2023	Individual - IPV	Others	Y	Dismissed unable to serve	1/29/2024
12/21/2023	Individual - IPV	Others	Y	Granted after trial	2/7/2024
1/2/2024	Individual - IPV	Others	Y	Granted after trial	4/1/2024
1/4/2024	Individual - IPV	Others	Y	Denied after trial	4/11/2024
1/4/2024	MPD	Both	Y	Granted by consent	1/17/2024
1/5/2024	MPD	Self	Y	Granted by consent	1/19/2024
1/23/2024	MH ⁴³	Both	Y	Granted by consent	2/6/2024
2/8/2024	MH	Self	N	Granted by consent	2/22/2024
2/9/2024	Individual - IPV	Others	N	Dismissed for CPO ⁴⁴ entry	2/22/2024
2/23/2024	MPD	Others	Y	Pending	1/10/2025
5/24/2024	MPD	Others	Y	Dismissed unable to prove	12/30/2024
5/24/2024	MPD	Others	Y	Granted by consent	10/10/2024
5/30/2024	MH	Both	Y	Granted by consent	7/11/2024
6/3/2024	MPD	Others	Y	Granted after trial	6/21/2024
6/12/2024	MPD	Others	Y	Granted by consent	6/26/2024
6/28/2024	MPD	Both	Y	Granted by consent	9/4/2024
7/24/2024	MPD	Others	Y	Pending	7/8/2025
8/22/2024	MH	Both	Y	Granted by default	9/5/2024
9/4/2024	MPD	Others	Y	Granted by consent	10/3/2024
9/6/2024	MPD	Others	Y	Granted after trial	11/19/2024
9/26/2024	MPD	Others	Y	Pending	3/12/2025
10/4/2024	MH	Self	Y	Dismissed by Petitioner	11/13/2024

⁴² IPV means Intimate Partner Violence.

⁴³ MH means mental health professional.

⁴⁴ CPO means Civil Protection Order. CPO's bar the subject person from possessing weapons, obviating the need for an ERPO.

10/15/2024	MPD	Others	Y	Granted by default	10/29/2024
10/24/2024	MPD	Others	Y	Granted by default	12/17/2024
12/9/2024	MPD	Others	Y	Pending	1/17/2025
12/16/2024	MPD	Self	Y	Pending	1/13/2025

66. Please discuss OAG’s work in FY 2024 and FY 2025, to date, to increase public awareness of the District’s ERPO law.

RESPONSE: OAG staff conducted approximately twenty training sessions with professionals who can integrate ERPO advice into their client interactions. These professionals include members of the Domestic Violence Fatality Review Board, domestic violence advocates, medical professionals, law enforcement officers, court staff, OVSJG’s Address Confidentiality Program, and business leaders.

Furthermore, our interagency ERPO efforts were recognized with an award from the Anti-Defamation League in June 2024. In October 2024, OAG also presented on ERPOs at the annual conference of the International Association of Chiefs of Police, which is attended by over 15,000 law enforcement professionals.

67. How much in child support collections in FY 2024 and FY 2025 did OAG direct to the federal government?

RESPONSE: OAG directed \$1,894,147 to the federal government in FY24. OAG has directed \$389,901 to the federal government in FY25, to date.⁴⁵

68. How much did OAG reimburse the federal government in FY 2024 and FY 2025 to date for child support collections that were “passed through” to families receiving TANF with only one child?

RESPONSE: In FY24, OAG reimbursed the federal government \$64,976 for collections that were over the excepted portion of \$100. In FY25 to date,⁴⁶ OAG has reimbursed the federal government \$18,256, pursuant to Section 457(a)(6)(B) of Title IV-D of the Social Security Act (the Federal act that governs Child Support Agencies).

⁴⁵ Data is collected quarterly and FY25 to date is through December 31, 2024.

⁴⁶ Data is collected quarterly and FY25 to date is through December 31, 2024.

69. In FY 2024 and in FY 2025 to date, how much is owed to the District government in TANF arrears?

RESPONSE: \$52,629,198 was owed to the District in TANF arrears in FY24. Currently, \$52,798,601 is owed to the District in TANF arrears.

70. Over the last five fiscal years, what percentage and dollar amount of OAG's budget came from TANF child support collections? How were those dollars spent?

RESPONSE: The TANF Collections figures include the District's share of overall TANF collections plus the amount of TANF collections that are passed through at the excepted portion level of \$100 or less. The collections that are passed through at the excepted portion level are considered program income. The TANF collections were used to fund some CSSD staff salaries and to cover some CSSD information technology expenses.

Year	TANF Collections	Percentage of Budget/Expenditures
FY20	\$3,813,916.00	10.63%
FY21	\$3,258,574.00	9.23%
FY22	\$2,993,330.00	7.35%
FY23	\$2,740,279.00	6.66%
FY24	\$2,690,490	8.15%

71. Has OAG changed its interpretation of D.C. § 16-916.01(d)(6) to not include Medicaid as a means-tested benefit? If not, why not?

RESPONSE: OAG has previously not interpreted DC Code § 16-916.01(d)(6) to include Medicaid as a means-tested benefit for purposes of determining the amount of support payments; however, OAG is currently reviewing that interpretation in response to community feedback and recent court decisions.

72. How many CPO cases in FY 2024 and in FY 2025 to date has OAG assisted in obtaining a support order within the CPO?

RESPONSE: OAG does not assist in obtaining a child support order within the CPO. This has not been a practice for OAG, as the court can and does order monetary support within the CPO that expires in one year. Instead, OAG assists domestic violence petitioners who ask for child support services. Those cases are filed in Family Court where the orders entered become permanent child support orders.

73. How many requests for assistance were received by or on behalf of Petitioners in a Civil Protection Order matter?

RESPONSE: In FY24, OAG received nineteen requests for assistance from parents in CPO matters to file a child support case in Family Court. CSSD has obtained three permanent support orders; three cases awaiting court dates; three cases have a scheduled hearing date; three parents chose to close their case or pursue the case privately; one putative father was excluded by genetic testing; one case is awaiting genetic testing; and in one case the respondent has to be located. To date in FY25, OAG has received no such requests for assistance.

a. In FY 2024 and in FY 2025 to date, how many cases was OAG able to expedite the filing of a separate petition for support to enable service at the CPO hearing?

RESPONSE: OAG was able to expedite the filing of a petition for support for 19 parents with CPO cases in FY24. To date in FY25, there have been no requests submitted to CSSD to assist parents with child support in CPO cases. OAG does not serve petitions at CPO hearings and instead uses field investigators to serve respondents apart from the court proceedings.

MISCELLANEOUS

74. How often did OAG depart from the recommendations of the Child Support Services Division (CSSD) in terms of its petition and detention recommendations in FY 2024? Please list for each how often OAG's decision was more severe versus less severe.

RESPONSE: There have been no instances in FY24.

75. What are the eligibility standards for OAG recommending different diversion programs? How many youth were recommended for diversion during FY 2024? Please list the number of youth diverted by program, grouping them by sex and race of youth diverted to each program.

RESPONSE: OAG currently utilizes four diversion programs for eligible youth, each with different guidelines for diversion referrals.

Department of Human Services' Alternatives to the Court Experience (ACE) Program: OAG generally refers young people charged with status offenses (e.g. truancy and running away) or low-level delinquency offenses to ACE.

Table 1: Youth diverted to ACE by fiscal year OAG opened matter and aggregated offense categories

Offense Category	FY 2024 By Youth⁴⁷
Crimes Against Persons	81
Crimes Against Property	43
Public Order Offenses	<10
Weapons Offenses	11
Status Offenses	101

Department of Human Services’ PASS Program: The PASS Program offers intensive case management (ICM), family functional therapy (FFT), and crisis stabilization (PCAST). OAG uses PASS for youth exhibiting truancy and runaway behaviors. OAG considers PASS when the parent is seeking an informal consultation, or the youth is formally referred to our office, but the facts do not meet legal sufficiency for court intervention. Additionally, a youth is eligible for PASS if they have no prior contacts, minimal unexcused absences or social factors, or referred to PASS but have not yet had an opportunity to engage with the program.

Department of Behavioral Health’s (DBH) Intensive Care Coordination (ICC), formerly High Fidelity Wrap Around Program: OAG considers ICC for youth with a mental health diagnosis or indicators which suggest a need for more intensive behavioral health supports and/or coordination of services. Youth referred for truancy and/or runaways who are no longer missing are eligible for ICC. Per DBH staff, in FY24 OAG made 27 referrals to ICC.

Children’s National Hospital’s Child and Adolescent Protection Center Program (CAPC): CAPC provides a specialized treatment program for youth who display problematic sexual behaviors. Treatment in the CAPC program typically lasts about a year. If the youth successfully completes treatment, OAG does not prosecute. Youth offered diversion are usually under age 14; alleged to have committed less serious offenses; or referred based on the wishes of the person harmed. During FY 2024, from 10/1/23 through 12/31/24, OAG diverted fewer than ten (<10).

76. Does OAG take into consideration if a youth is a “crossover youth,” that is their family is or was involved with CFSA, in determining charging, diversion or placement decisions following a youth’s arrest?

RESPONSE: Yes, in addition to several other factors, OAG also takes into consideration whether a youth is a “crossover youth.”

⁴⁷ Results of 0-9 are reported as <10. Data reported by fiscal year OAG opened that matter. Includes matters where OAG diverted youth prior to arrest and matters diverted after arrest based on consultation between OAG and Court Social Services.

77. How often in calendar year 2024 did OAG seek the transfer of a youth under age 18 to the adult criminal system? Please provide a count of all youth for whom a transfer was requested by age, disaggregated by: “black male,” black female,” “non-Hispanic male; “non-Hispanic female;” “Hispanic male;” and “Hispanic female” and note for each group how many resulted in a transfer to the adult criminal court.

RESPONSE: OAG sought transfer of less than ten (<10) youth during calendar year 2024.