

Government of the District of Columbia
Police Complaints Board
Office of Police Complaints

Annual Report 2020



MESSAGE FROM
THE EXECUTIVE DIRECTOR



Policing is the subject of intense scrutiny in communities across the nation. Community trust of law enforcement tends to erode with every news broadcast of a negative police encounter. Video of police-community member encounters have fueled an underlying distrust of law enforcement in many parts of our community.

One of the most effective methods to improve community trust is to provide a means for our community to participate directly in oversight of our police departments. In the District of Columbia, the role of community participation in police oversight is provided by the full-time staff of the Office of Police Complaints (OPC) and the volunteers that comprise the Police Complaints Board (PCB).

As an agency independent of the Metropolitan Police Department (MPD), we impartially investigate complaints of misconduct, offer mediation of appropriate complaints, and refer officers to individual training improvement programs. We are also tasked with independently monitoring First Amendment assemblies for compliance with the constitutional right to peaceably protest. In conjunction with the PCB, we issue policy recommendations when a pattern of conduct in need of improvement is identified through data trends, and we review and publicly report on all use of force incidents.

Our primary task is to investigate complaints and Fiscal Year 2020 continued a four-year consecutive trend of the highest number of complaints filed in the history of the agency. The 841 complaints received in Fiscal Year 2020, together with similar increases in both Fiscal Years 2018 and 2019, resulted in a tremendous increase in work flow, yet we maintained an average investigation completion time of just 95 days.

Customer service is our highest priority, and the hard work of our staff and dedicated community board members continues to serve our community well without sacrificing the timely, fair and thorough investigations that Washingtonians have come to expect from us.

Sincerely,

Michael G. Tobin

Michael G. Tobin

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CELEBRATING 20 YEARS

The Office of Police Complaints opened its doors on January 8, 2001 and thus in January 2021 will be celebrating its 20th anniversary of serving the nation's capital and its community in our efforts to better the trust between the community members and the police in the District. We are thankful for this mission and excited for the next 20 years. The following is some of OPC's history.

The Office of Citizen Complaint Review (OCCR) and its governing body, the Citizen Complaint Review Board (CCRB) were created by statute in 1999 to adjudicate and resolve citizen complaints of abuse of police powers within the Metropolitan Police Department. The agency was created by the District to fill the void left by the 1995 abolition of the Civilian Complaint Review Board, which was plagued by inadequate funding and staff, resulting in lengthy delays in the processing and resolution of citizen complaints. The District's new citizen oversight office was the product of extensive research and review by District officials, with Board members and staff who sought to employ the best practices of citizen oversight of law enforcement. The ultimate goal was to provide the public with an independent, impartial and fair forum for the review of complaints of misconduct against MPD officers.

Following the appointment of Board members by Mayor Anthony Williams and approval by the District Council in January 2000, the CCRB hired Philip K. Eure as the first executive director of the OCCR in July 2000. In consultation with Board members, Mr. Eure began the task of building the office from scratch; from hiring key investigative and administrative personnel to securing office space, purchasing computers, phones and office supplies. After a development period of about four months, the OCCR, now entitled (OPC), opened its doors on January 8, 2001 taking its first complaint from a citizen who described how his claims of excessive force by police officers had been ignored when reported to police investigators.

In November 2014, after the first executive director, Phil Eure, resigned and accepted a position in New York as the Inspector General at the Office of the Inspector General for the New York City Police Department, the Police Complaints Board hired Michael G. Tobin as OPC's second executive director. In that time, Mr. Tobin has streamlined the investigation process and reduced the case processing system. OPC has now has 22 full-time employees and has processed approximately 22,600 contacts and 10,100 complaints since its current inception in January 2001.

MISSION AND FUNCTION

The primary mission of the Office of Police Complaints (OPC) is to increase community trust in the police forces of the District of Columbia. By increasing community trust in our police forces our community will be safer. OPC increases community trust by providing a reliable complaint system that holds police officers accountable for misconduct.

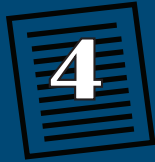
The primary function of OPC is to receive, investigate, and resolve police misconduct complaints filed by the public against sworn officers of the Metropolitan Police Department (MPD) and the D.C. Housing Authority Police Department (DCHAPD). OPC has jurisdiction over complaints alleging six types of police officer misconduct: harassment, inappropriate language or conduct, retaliation, unnecessary or excessive force, discrimination, and failure to identify.

OPC also reviews police policies and practices to assist in ensuring the District police forces are using the best practices available, with a special emphasis on constitutional policing methods. These policy reviews often result in formal and informal recommendations for improvement. The policy recommendations may involve issues of training, procedures, supervision, or general police operations.

OPC's mission also includes helping bridge the gap in understanding that often exists between community members and D.C.'s police forces. OPC's mediation program helps facilitate conversations to eliminate any misunderstandings between complainants and officers, while community outreach programs include activities focused on both the public and police officers to improve mutual understanding and awareness throughout the District of Columbia.

This report is published in accordance with the requirements of D.C. Code §5-1104(e).

FY20 KEY FINDINGS SUMMARY

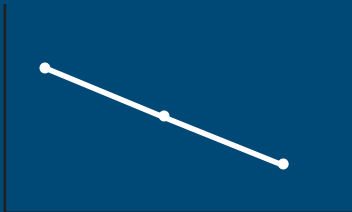


Policy Recommendation Report FY20

Automated License Plate Readers
Lawful Firearms
Personal Use of Social Media
FY18 Implementation Update



In FY20 average days per investigation was 95; 12% decrease since FY17



Complaints from Black Complainants against Black officers were most common complaints since FY18; 4% decrease since FY18 with 38% reported in FY20

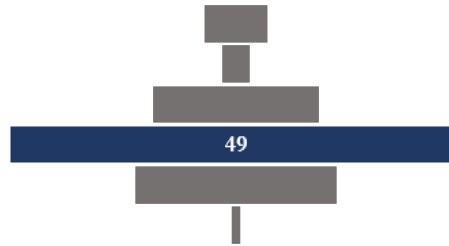


14% decrease in FY20 average days per investigation from FY19

3.5%[▲]

Increase

In complaints since FY19; OPC received 841 complaints in FY20



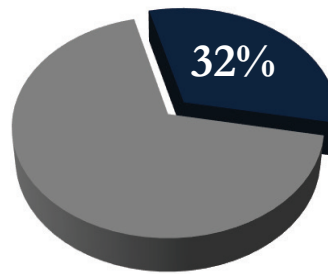
Highest allegation complaint was harassment; 49% in FY20



Of complaints received through online complaint form in FY20



Cases with BWC were less likely to be withdrawn by complainant



Of cases Contained at least one form of BWC non-compliance; 3% decrease from FY19



Highest officer BWC non-compliance was officer failing to notify subjects of recording. Similar to prior 4 years

June

Was the month with the most complaints; 117 complaints were received

70%

Of complainants in FY20 were Black

POLICE COMPLAINT BOARD

OPC is governed by the five-member Police Complaints Board (PCB). One member of the PCB must be a member of the Metropolitan Police Department, while the other four members must be residents of the District. PCB members are nominated to staggered three-year terms by the Mayor, and confirmed by the Council of the District of Columbia (the Council).

The PCB actively participates in the work of OPC, offering guidance on many issues affecting OPC's operations. The PCB is also charged with reviewing the executive director's determinations regarding the dismissal of complaints; making policy recommendations to the Mayor, the Council, MPD and DCHAPD, where appropriate, to improve police practices; and monitoring and evaluating MPD's handling of First Amendment assemblies and demonstrations held in the District. The current PCB includes the following members:

Paul D. Ashton II, appointed chair of the PCB on October 4, 2016, is the Director of Organizational Impact for the Justice Policy Institute (JPI), a national nonprofit dedicated to criminal justice reform. As Director of Organizational Impact, Mr. Ashton manages JPI's organizational operations and fundraising. He has authored several publications at JPI, including: *Gaming the System*; *Rethinking the Blues*; *Moving Toward a Public Safety Paradigm*; *The Education of D.C.*; and *Fostering Change*.



Prior to joining JPI, Mr. Ashton spent time conducting research examining intimate partner violence in the LGBTQ community and served as a sexual assault victim advocate at the University of Delaware. He is an active member in the Washington D.C. community, having served on the Young Donors Committee for SMYAL, an LGBTQ youth serving organization, and on the Board of Directors of Rainbow Response Coalition, a grassroots advocacy organization working to address LGBTQ intimate partner violence.

Mr. Ashton received his bachelor's degree in Criminology from The Ohio State University, a master's degree in Criminology from the University of Delaware, and completed an Executive Program in Social Impact Strategy from the University of Pennsylvania. He was appointed by Mayor Vince C. Gray and confirmed by the Council in October 2014 and sworn in on December 22, 2014. Mr. Ashton was re-nominated by Mayor Muriel Bowser and appointed on December 18, 2018 for a new term ending January 12, 2022.

Kurt Vorndran, who served as chair of the PCB from January 2015 to October 2016, is a legislative representative for the National Treasury Employees Union (NTEU). Prior to his work at NTEU, Mr. Vorndran served as a lobbyist for a variety of labor-oriented organizations, including the International Union of Electronic Workers, AFL-CIO (IUE), and the National Council of Senior Citizens. He also served as the president of the Gertrude Stein Democratic Club from 2000 to 2003, and as an elected Advisory Neighborhood Committee (ANC) commissioner from 2001 to 2004.



Mr. Vorndran was recently appointed to the newly formed DC Police Reform Commission and serves on the Commission's Committee on Reforms to Metropolitan Police Department Practices. In addition, he is the treasurer of the Wanda Alston Foundation, a program for homeless LGBTQ youth.

Mr. Vorndran received his bachelor's degree from the American University's School of Government and Public Administration and has taken graduate courses at American University and the University of the District of Columbia. He was originally confirmed by the Council on December 6, 2005 and sworn in as the chair of PCB on January 12, 2006. In 2011, Mr. Vorndran was re-nominated by Mayor Vincent Gray, confirmed by the Council, and sworn in on January 5, 2012 for a new term ending January 12, 2014. He continues to serve until reappointed or until a successor can be appointed.



Bobbi Strang, is an Insurance Examiner with the District of Columbia Department of Employment Services (DOES). She was the first openly transgender individual to work for DOES where she provided case management for Project Empowerment, a transitional employment program that provides job readiness training, work experience, and job search assistance to District residents who face multiple barriers to employment.

Ms. Strang is a consistent advocate for the LGBTQ community in the District of Columbia. She has served as an officer for the Gertrude Stein Democratic Club, a board member for Gays and Lesbians Opposing Violence, and a co-facilitator for the D.C. LGBT Center Job Club. Ms. Strang was also awarded the 2015 Engendered Spirit Award by Capital Pride as recognition for the work she has done in the community. Currently, she is the Interim President of the Gay & Lesbian Activist Alliance (GLAA) and continues her work with the D.C. Center as the Center Careers facilitator.

Ms. Strang holds a bachelor's degree in Sociology and English Literature from S.U.N.Y. Geneseo as well as a Master of Arts in Teaching from Salisbury University. She was appointed by Mayor Muriel Bowser and confirmed by the District Council on November 3, 2015. Ms. Strang was reappointed on March 17, 2020 for a term ending January 12, 2023.



Commander Morgan Kane, currently serves as the Commander of the First District for the Metropolitan Police Department (MPD). Located in the lower central portion of D.C., the First District is home to the city's business and political center. It includes some of our nation's most recognized and cherished landmarks, as well as some of the city's most interesting and diverse neighborhoods. She was appointed as the commander of the First District in August 2016.

Commander Kane joined MPD in December 1998, and began her career as a patrol officer in the First District following her training at the Metropolitan Police Academy. She was promoted to sergeant in 2004. Three short years later, in 2007, Commander Kane made lieutenant. In 2012, she was promoted to captain and became an inspector in 2014.

During her 22-year career with MPD, Commander Kane has worked in a variety of posts. In addition to patrol work as an officer, sergeant and captain, Commander Kane has also been assigned to the Office of Organizational Development, the Office of Homeland Security and Counter-Terrorism, and the Executive Office of the Chief of Police. She has received numerous awards throughout her career, including Achievement Medals, Commanding Officers Commendations, and the Police Service Area (PSA) Officer of the Year. Commander Kane was awarded the Bureau Employee of the Year for the Executive Office of the Chief of Police for 2010. Additionally, while serving as an Assistant District Commander in the Fifth District in 2013, she was recognized as Captain of the Year.

Commander Kane holds a bachelor's degree in Paralegal Studies from Marymount University as well as a master's degree in Public Administration from the University of the District of Columbia. She is also a resident of the First District. Commander Kane was appointed by Mayor Muriel Bowser and confirmed by the Council on May 2, 2017 and sworn in on May 25, 2017. She was reappointed on December 5, 2017 for a term ending January 12, 2021.



Jeffrey H. Tignor, is a lawyer at the Federal Communications Commission focusing on rules and regulations affecting wireless broadband providers. Mr. Tignor is also an Advisor on Law and Technology to the Charles Hamilton Houston Institute for Race & Justice at Harvard Law School.

Mr. Tignor has over 15 years of experience working on wireless broadband issues and consumer protection, including 3 years leading a division of 85 plus staff members resolving consumer complaints.

Mr. Tignor is also the former Chairman of Advisory Neighborhood Commission (ANC) 4B. He was elected as the ANC Commissioner for ANC 4B-08 in November 2002 and served as the Chairman of ANC 4B during 2003 and 2004, often working on issues affecting public safety.

Mr. Tignor graduated from Harvard with an AB in Government in 1996 and from the Duke University School of Law in 1999. He moved to Washington D.C. to live in his grandfather's former home in Ward 4, where he still lives today with his wife, Kemi, and son, Henry. Someone in the Tignor family has been living in Washington, D.C. continually, as far as he knows, since just after the Civil War.

Mr. Tignor was appointed by Mayor Muriel Bowser on November 15, 2018 and confirmed by the Council for a term ending January 12, 2021.

PERSONNEL

OPC has a full-time staff of 22 talented and diverse employees; many employees have advanced degrees and five possess a law degree. In addition, since its establishment, OPC has administered an internship program that has attracted many outstanding students from schools in the Washington area and beyond.

Michael G. Tobin, was appointed OPC's executive director on November 3, 2014. Prior to joining the agency, Mr. Tobin served as the executive director of the Milwaukee Fire and Police Commission, where he oversaw the Commission's work in a range of functions, including the implementation of police policies and procedures; conducting independent investigations of officer-involved shootings, deaths in custody, and misconduct allegations; ensuring police internal investigations are conducted appropriately' and providing mediation between community members and fire or police department employees.

Mr. Tobin began his career with the City of Milwaukee, Wisconsin, as a police officer and upon graduation from law school he joined the Milwaukee City Attorney's Office as an assistant city attorney. There, he was a police legal advisor, guided internal affairs investigations, prosecuted police employees for misconduct, and represented the city's interests in police department matters for almost twenty years in state courts and administrative agencies. Mr. Tobin is also a former Army National Guard Colonel and combat veteran. In 2005, he was appointed Rule of Law Officer to manage the U.S. military program to reconstruct the civilian justice system nation-wide for the country of Afghanistan. Mr. Tobin received his bachelor's degree in criminal justice from the University of Wisconsin-Milwaukee and his law degree from the University of Wisconsin-Madison.

Rochelle M. Howard, joined OPC as deputy director in February 2016. Prior to joining the agency, Ms. Howard served as the Deputy Assistant Inspector General for Inspections and Evaluations Division at the District of Columbia Office of the Inspector General (OIG). Ms. Howard's OIG experience also included work at the Department of Commerce Office of the Inspector General Investigation Division, and the Officer of Personnel Management Office of the Inspector General Evaluation and Inspection Division.

Ms. Howard began her career serving in the U.S. Army JAC Corps for eight years, holding positions of prosecutor, defense attorney, and NATO Anti-Corruption Advisor to the Afghan Police. She served in six combat missions in Iraq, Afghanistan, and Africa as well as assignments to Yongsan, Korea, Fort Benning, Georgia, and Fort Meade, Maryland. Ms. Howard earned a law degree from the Widener University School of Law, a master's degree in business administration from the University of Maryland University College, and a Bachelor of Arts degree in sociology with a concentration in criminology and a minor in Spanish from Louisiana State University.

Alicia J. Yass, joined OPC as legal counsel in July 2016. Ms. Yass came to the office from the American Constitution Society (ACS), a non-profit legal policy member organization, where she worked with lawyers across the country on issues such as access to justice, voting rights, and constitutional interpretation. Prior to ACS, Ms. Yass was a trial attorney for the U.S. Department of Justice, Criminal Division, Child Exploitation and Obscenity Section, and was co-assigned as a Special Assistant U.S. Attorney in the U.S. Attorney's Office for the Eastern District of

Virginia. Ms. Yass received her bachelor's and master's degrees from George Washington University, and her law degree from New York University School of Law.

Mona G. Andrews, OPC's chief investigator, joined the agency in December 2004 as a senior investigator. She was promoted to team leader in December 2005, investigations manager in October 2008, and chief investigator in October 2011. Ms. Andrews came to OPC with 10 years of investigative experience. Prior to joining the agency, Ms. Andrews worked with the Fairfax County, Virginia Public Defender's Office as a senior investigator where she investigated major felony cases including capital murder, and also developed and coordinated an undergraduate internship program. Ms. Andrews obtained her undergraduate degree in political science and English from Brigham Young University.

INVESTIGATIVE UNIT

OPC has an outstanding staff of community member investigators who conduct and resolved investigations. By law, the investigators cannot have worked for either police department under OPC's jurisdiction. The Fiscal Year 2020 (FY20) staff of investigators and supervisory investigators had approximately 140 total years of combined investigative experience. The senior investigators and supervisory investigators each have ten or more years of investigative experience, and some have more than 25 years of relevant experience.

Investigators attend a substantial amount of training and professional development. Each investigator participates in at least two MPD or DCHAPD ride-alongs with officers per year.*

*Not all investigators participated in at least two MPD or DCHAPD ride-alongs in FY20 due to covid-19.

INVESTIGATIVE UNIT

All investigative unit members attended:

In Addition:

All investigative unit members attended:

- 7 subject matter and legal training sessions;
- Over 20 hours of MPD online officer professional development training.

-Investigative unit members attended civilian oversight practitioner training virtually, as well as other professional development and management training.

OPC staff members, alphabetically:

PUBLIC AFFAIRS SPECIALIST Nykisha Cleveland
 INVESTIGATOR Brittany Clift
 SENIOR INVESTIGATOR Marke Cross
 INVESTIGATOR Jeff Davis
 STAFF ASSISTANT Darlene Grant
 INVESTIGATOR Quentin Jackson
 INVESTIGATOR Samantha Jeffrey
 RESEARCH ANALYST Marissa Landeis
 SENIOR INVESTIGATOR Anthony Lawrence

INVESTIGATIVE CLERK Sherry Mendoza
 INVESTIGATOR Catheryn Moody
 INVESTIGATOR Lindsey Murphy
 INVESTIGATIONS MANAGER Jessica Rau
 INVESTIGATIONS MANAGER Natasha Smith
 RECEPTIONIST Nydia Smith
 INVESTIGATOR Danielle Sutton
 INVESTIGATOR Tamika Walker
 PROGRAM COORDINATOR Christopher Weber

CONTACTS AND COMPLAINTS RECEIVED

OPC received 841 complaints in FY20, making FY20 the fourth consecutive year of receiving a record number of complaints. The 841 complaints received represent a 3.5% increase over the 811 complaints received in FY19. In FY20, OPC received 1963 contacts¹, which was less than a 1 percent increase from FY19.

As in the previous two fiscal years, OPC attributes the continued increase in the number of complaints received to a variety of factors, including (1) the additional complaints MPD now forwards to OPC in compliance with the Neighborhood Engagement Achieves Results Act of 2016² (NEAR Act); (2) the NEAR Act provision extending the time frame in which community members can file a complaint to 90 days; (3) individuals may be more willing to file a complaint knowing that it will be investigated by an independent agency; and (4) MPD's use of body worn cameras (BWCs), because individuals may be more willing to file a complaint knowing there is now video evidence of most encounters.³ There also may be unidentified factors in MPD or DCHAPD operations that have increased officer behavior that is susceptible to generating a complaint.

Some complaints filed with OPC are outside of the agency's jurisdiction, typically because the complaint concerns an officer or officers from departments other than MPD or DCHAPD; because the complaint was filed more than 90 days after the incident; or because the type of complaint does not fall into one of the six categories of complaints that OPC has jurisdiction to investigate.⁴ These complaints are administratively closed or referred to the appropriate agency. All other cases are investigated by OPC.

ALLEGATIONS RECEIVED

The 841 complaints OPC received in FY20 contained 1,411 allegations of misconduct against officers, 7% less than the number in FY19.⁵ Each complaint OPC receives contains one or more allegations against one or more officers, and OPC is authorized to investigate six categories of allegations: harassment, inappropriate language/conduct, retaliation, unnecessary or excessive force, discrimination, and failure to identify.

Harassment and language/conduct allegations were the most frequent types of allegations received by OPC in each of the last six fiscal years. In FY20 allegations of harassment accounted for 49% of all allegations OPC received, language/conduct complaints accounted for 22% of all allegations, and force accounted for 18% of all allegations. These allegation trends are comparable to the allegations OPC has received in previous years.

Allegations of retaliation and officers failing to identify themselves are the two least frequent allegation categories reported. Failure to Identify accounted for 3% of the allegations for FY19 and FY20. Retaliation generally accounts for less than 1% of allegations received per year, and this trend continued in FY20. Discrimination accounted for 7% of all allegations in FY20.

The most frequent language/conduct complaint sub-category in FY20 was for demeanor or tone within the language/conduct category with 184 allegations. Allegations of other was the second most frequent harassment sub-category in FY20 with 86 allegations.





Hundreds of people contact OPC every year



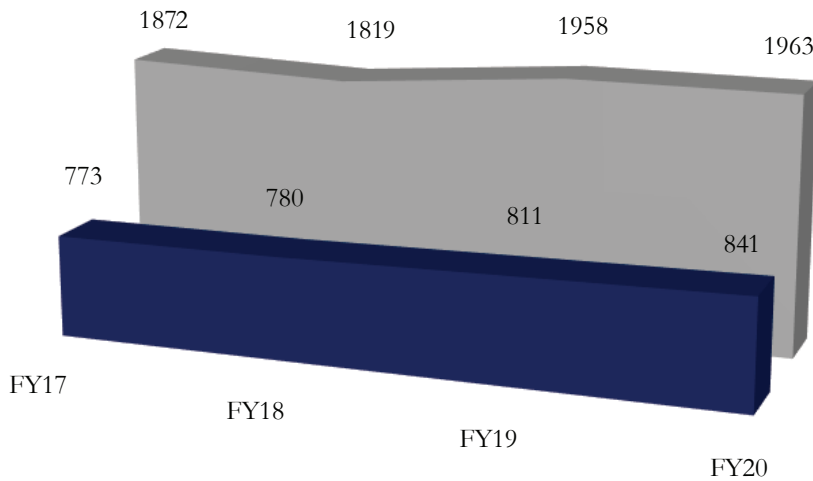
Of those who contact OPC each year, hundreds file formal complaints



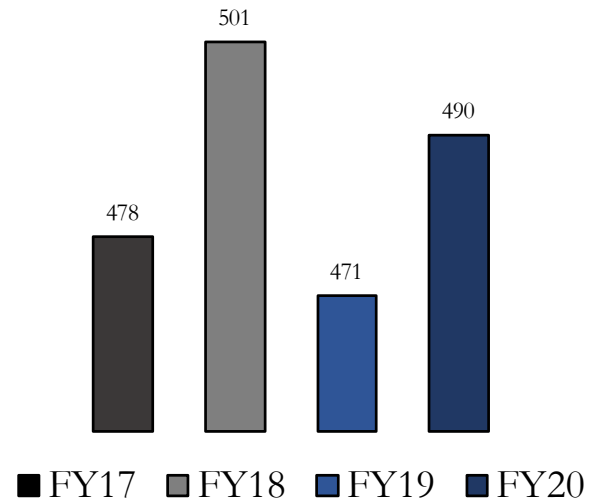
COMPLAINT ACTIVITY

OPC determines jurisdiction, and initiates an investigation or refers the complaint to the appropriate entity

Investigations Opened⁶



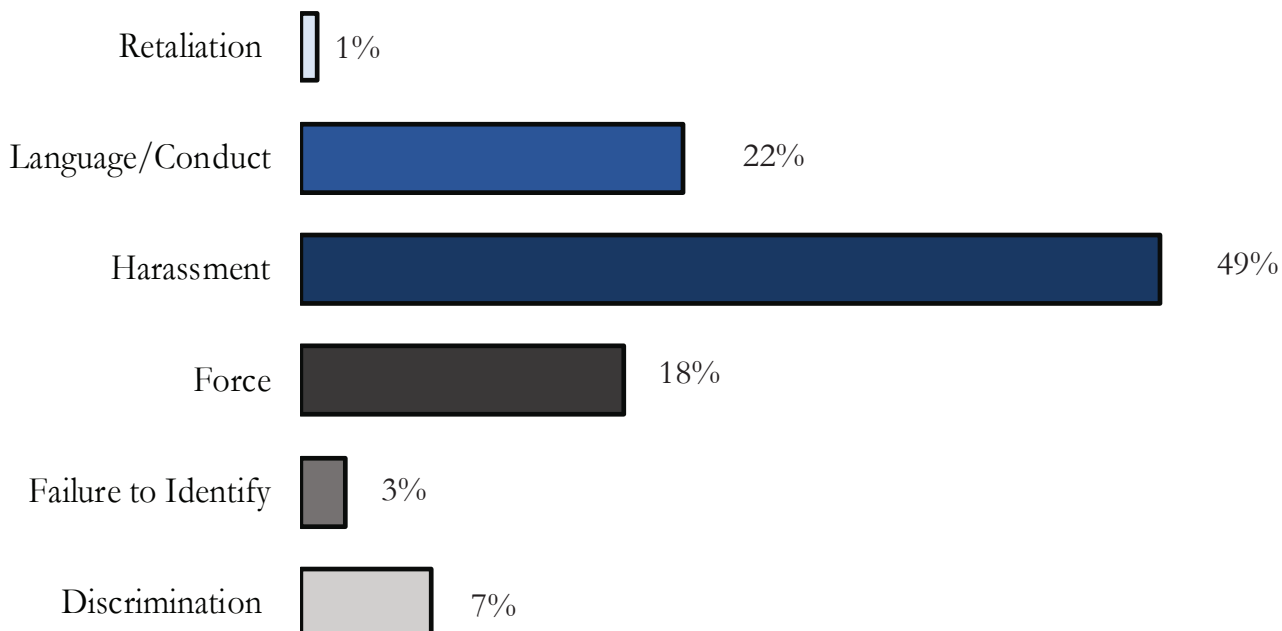
■ Complaints ■ Contacts



1,411

Allegations

The total number of allegations contained in the 841 complaints received in FY20. Each complaint received contains at least one allegation of officer misconduct.



INVESTIGATIONS CONDUCTED

OPC opened 490 new investigations in FY20, OPC also continued investigating 149⁷ cases that were opened in FY18 and FY19, and thus carried over into FY20. Between the 149 carryover cases and the 490 new cases, OPC investigated a total of 639 cases in FY20, more than in FY19. Of these 639 cases, 101 were still open at the end of FY20, though only 13 were more than 180 days old. Cases that are carried over from one fiscal year to the next are typically cases received late in the fiscal year; cases that OPC sends to the United States Attorney's Office to review for possible criminal prosecution; or cases that are sent to a complaint examiner for review and determination of merits. Of the 639 cases investigated in FY20, 538 were completed. Meaning, a disposition was determined and the cases were closed.

The number of carryover cases decreased from FY15 through FY17, but increased in FY18. The increase in cases that carried over from previous years into FY18 is probably an effect of the record number of complaints received in FY17 and FY18. In FY19, the carryover cases decreased to 132 and in FY20, the carryover case increased to 149. OPC's investigations generally include some or all of the following investigative steps: interviewing the complainant and witnesses; identifying and interviewing the officers; collecting evidence; reviewing MPD or DCHAPD documents; visiting the location of the incident; reviewing officers' BWC video; and reviewing any other photographic or video evidence. OPC investigations can be complex due to the number of witnesses who must be interviewed and the amount of other evidence that must be gathered and analyzed. In FY20, OPC investigators conducted 523 complaint-related interviews, including 379 community member interviews and 144 officer interviews.

FAILURE TO COOPERATE

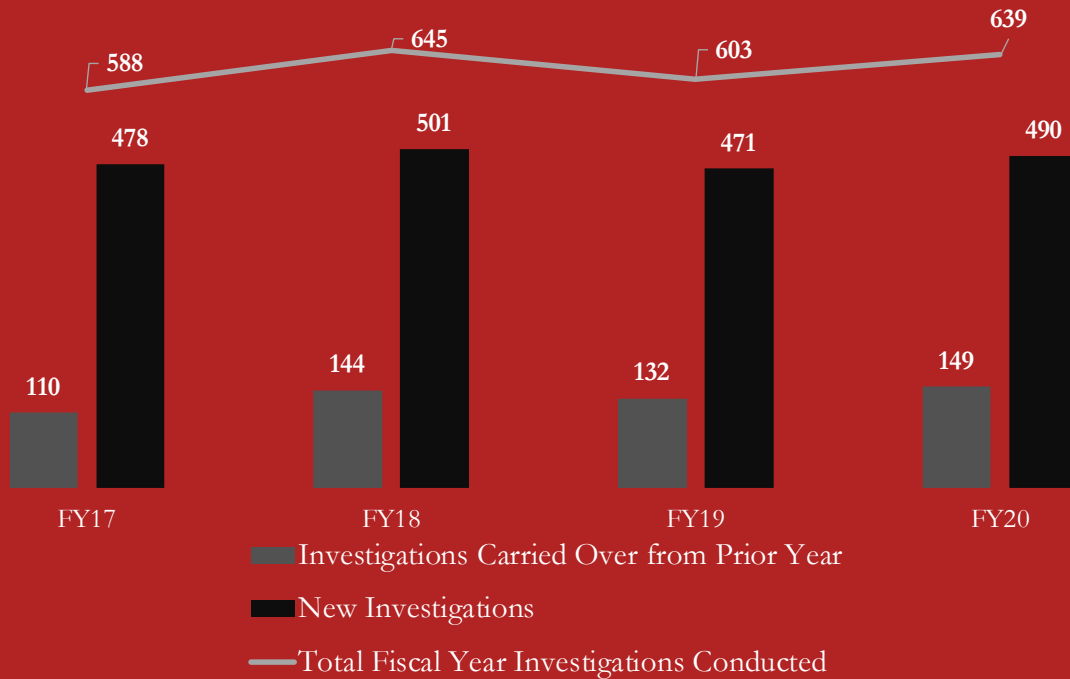
District law requires MPD and DCHAPD officers to cooperate fully with OPC investigations. Each time an MPD or DCHAPD officer fails to appear or fails to cooperate in the investigation or mediation process, OPC issues a discipline memorandum to their department, as required by District law. Absent extenuating circumstances, the department disciplines the officer, and the officer is then required to resume cooperation with OPC's investigation. The rate of officers failing to cooperate with OPC has been relatively low in recent years, with lower than 10% non-cooperation for FY17 to FY19. OPC sent 10 discipline memoranda to MPD and 3 to DCHAPD in FY20. This represents 7% of the 144 officers who were interviewed or participated in mediation, lower than the 8% in FY19. In FY20 the non-cooperation⁸ rate was 7%, which is the lowest rate of officers failing to cooperate with OPC since OPC began operating in 2001.

INCREASED INVESTIGATIVE EFFICIENCY

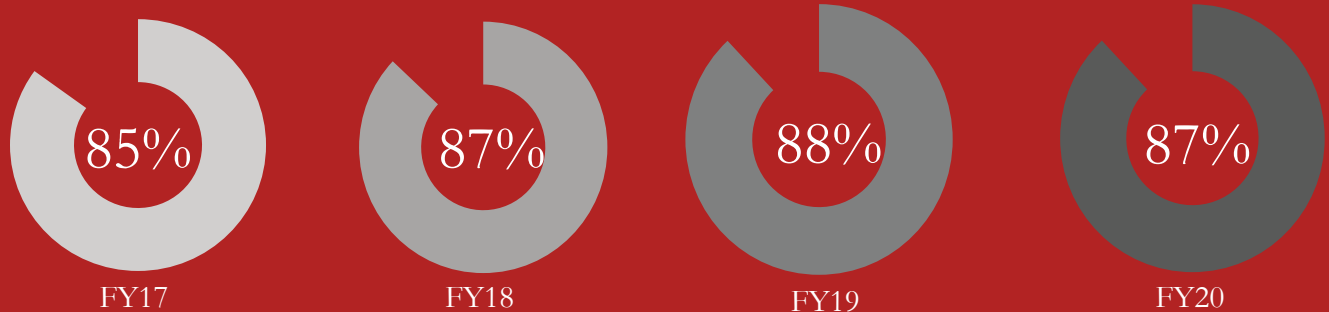
OPC continued to efficiently manage its caseload in FY20 despite the continued increase in the number of complaints received. The average number of days between an investigation being opened and being completed has decreased from more than 355 days in FY15 to 95 days in FY20. Similarly, the percentage of investigations completed within 180 days has increased from 42% in FY15 to 87% in FY20. Increasing the speed and efficiency of investigations increases community members' trust in the civilian police oversight process. Better case processing and efficiency of civilian oversight investigations are important aspects of ensuring community members' complaints are addressed in a fair and independent forum.

Investigations

Total Complaints Investigated



Percentage of Investigations Completed Within 180 Days



Percentage of MPD and DCHAPD Officers who Cooperated with OPC Investigations

	FY17	FY18	FY19	FY20
Total officer interviews conducted	250	186	200	179
Total officers who cooperated from the beginning	226	172	183	166
Total OPC notifications for failure to appear or cooperate	24	14	17	13
Compliance Rate	90%	92%	92%	93%

Compliance Rates



WHERE INCIDENTS OCCURED

Each of the seven police districts accounted for between 11% and 17% of complaints received in FY20.

There are no apparent patterns or trends in the portion of complaints for the first to the fifth districts over the last four years. The First, Second, Third, Fourth, and Fifth Districts have fluctuated between 11% and 18% of complaints received per year since FY16.

Complaints received from the Sixth District decreased from 22% in FY16 to 12% in FY20. Complaints from the Seventh District increased from 6% in FY16 to 14% in FY20.



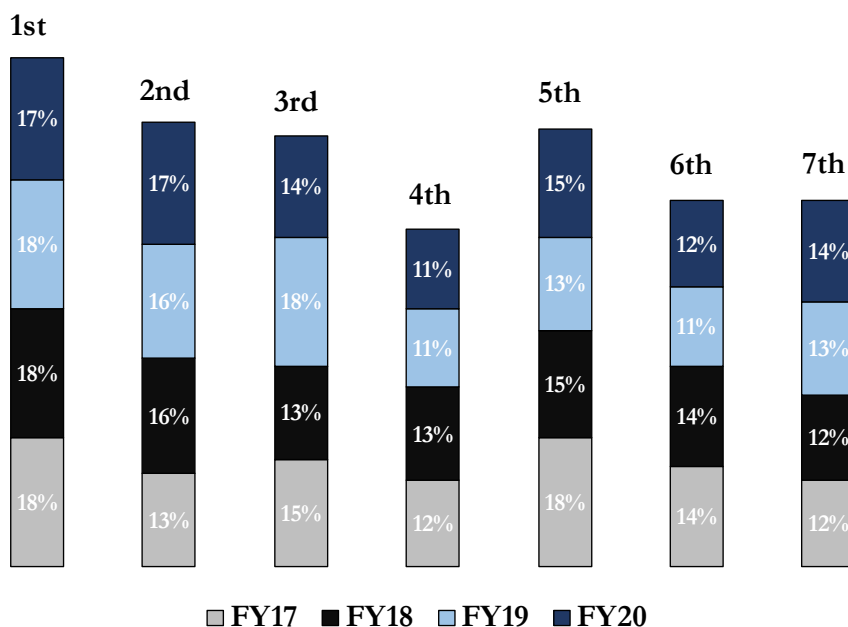
SOURCE OF COMPLAINTS

The implementation of the NEAR Act and the launch of OPC's online complaint form changed how OPC receives the majority of its complaints. Prior to the NEAR Act and the online complaint form, OPC received most complaints from walk-ins or through mail, e-mail, or fax. The NEAR Act now requires MPD to forward all complaints to OPC, essentially shifting the caseload of complaints previously investigated by MPD to OPC. This change resulted in an increase from an average of 8 cases forwarded to OPC per fiscal year before FY17 to 202, 226, and 219 cases forwarded to OPC in FY17, FY18, and FY19 respectively. In FY20, the number of cases forwarded to OPC increased to 299, the highest number since MPD started to forward complaints to OPC.

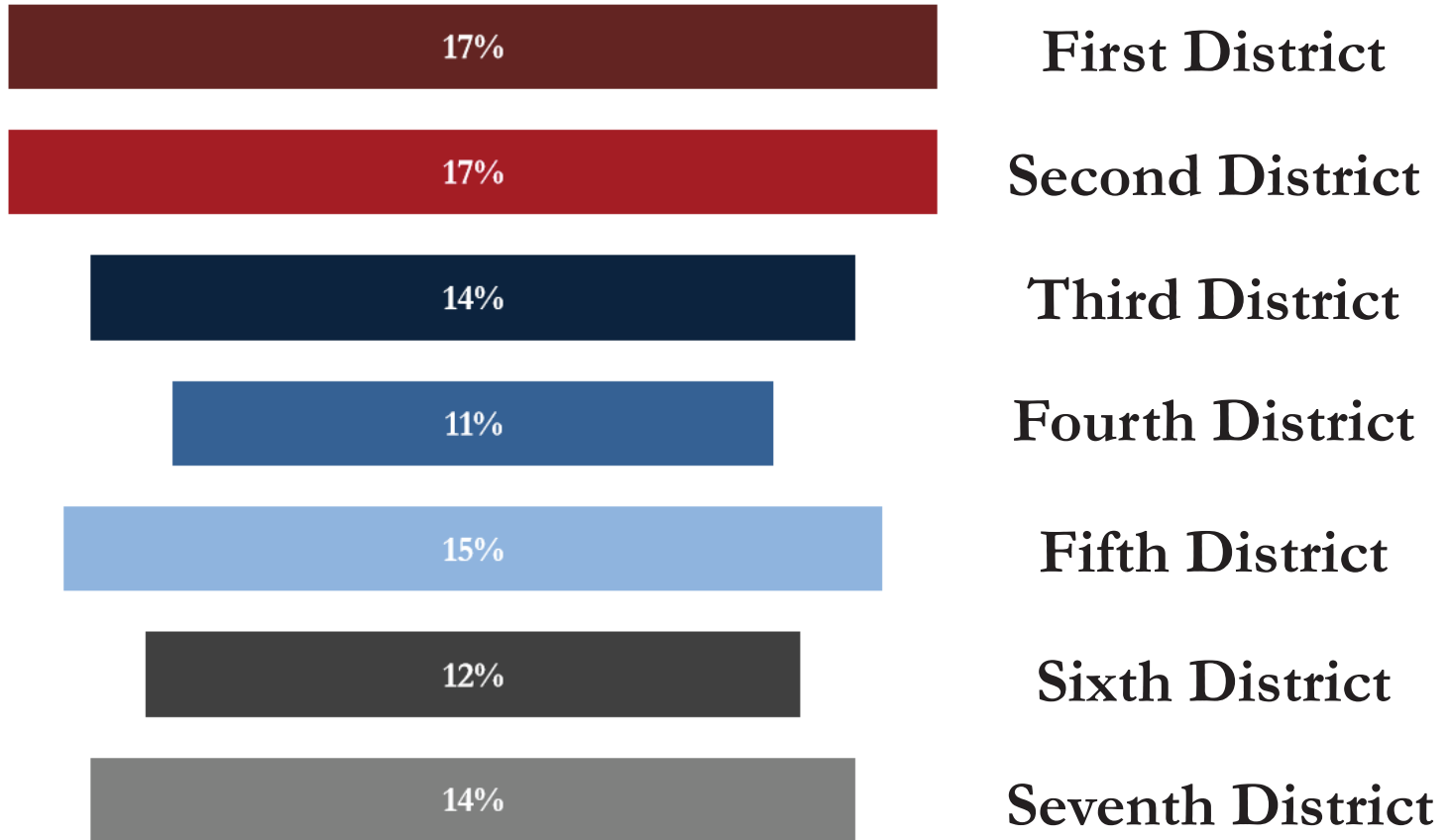
The online complaint submission form was launched in Quarter 3 of FY16. By the beginning of FY17, the online complaint submission form was the primary source of complaint submissions accounting for 47% of the total complaints. In FY18, the percentage of online complaint submission forms decreased to 43%, possibly due to the larger number of complaints forwarded from MPD to OPC in FY18. In FY19, the percentage increased to 49%. In FY20, the percentage increased to 51%, slightly higher than the percentage of FY19 and is the highest percentage since the inception of the online complaint submission.

Location of Complaint Incidents by Year







**DC Police Serve
5,322,000 Community
Members Who Visit
DC from the DC
Metro Area⁹**



WHERE FY20 COMPLAINT INCIDENTS OCCURRED



Source of Complaints

						
	Online Submission	MPD/DCHAPD Referral	Walk-In	Mail	Email	Fax
FY20	426	299	58	21	24	10
FY19	400	219	111	33	36	12
	37% Increase in FY20	6% Increase in FY20	48% Decrease in FY20	37% Decrease in FY20	33% Decrease in FY20	16% Decrease in FY20

OFFICER DEMOGRAPHICS

A total of 771 MPD and DCHAPD officers received complaints in FY20, with 193 (25%) receiving more than one complaint. Forty-four officers received three complaints in FY20; 14 officers received four complaints; 3 officers received five complaints; 1 officer received six complaints; 1 officer received seven complaints; and 2 officers received eight complaints. Fewer officers received five or more complaints in FY20 than in previous years.

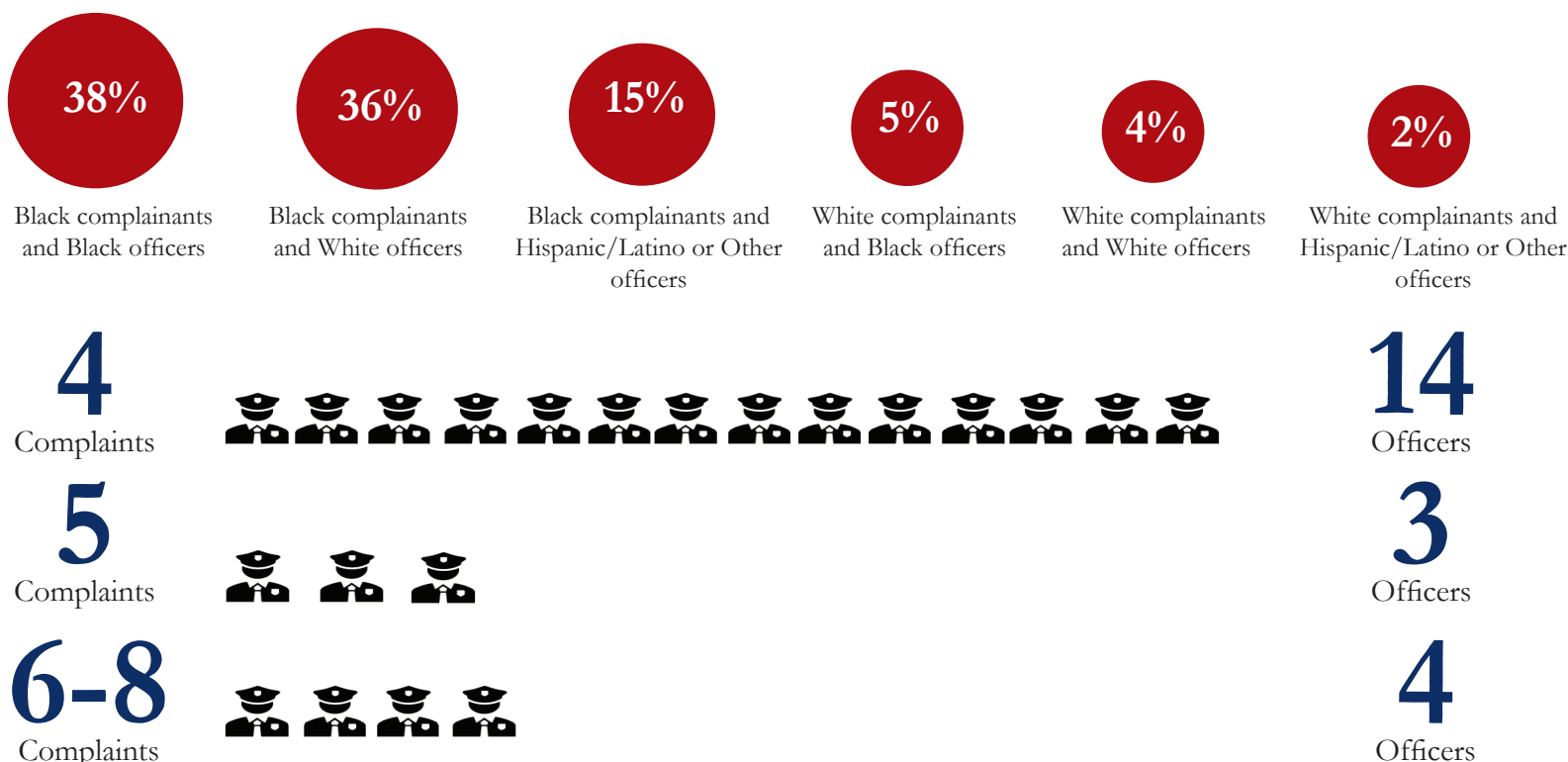
OPC reports the demographics of MPD officers. Male officers are typically the subjects of more than 80% of complaints per year and that trend continued in FY20 with 83% of complaints made against male officers. Female officers were the subjects of 17% of complaints received in FY20. Black officers accounted for about 46% of complaints, White officers accounted for 38% of complaints, and Hispanic/Latino officers accounted for 11% of complaints. Furthermore, Asian officers accounted for 4% of all complaints in FY20, while Multi-Racial and Native American officers accounted for less than 1% of all complaints. Compared to the department overall,¹⁰ younger officers receive a slightly higher number of complaints: officers younger than 35 comprise of 35% of officers and were the subjects of 40% of the complaints filed in FY20. Officers 35 to 54 were the subjects of 53% of complaints; and officers 55 and older were the subjects of 7% of complaints.

COMPLAINANT DEMOGRAPHICS

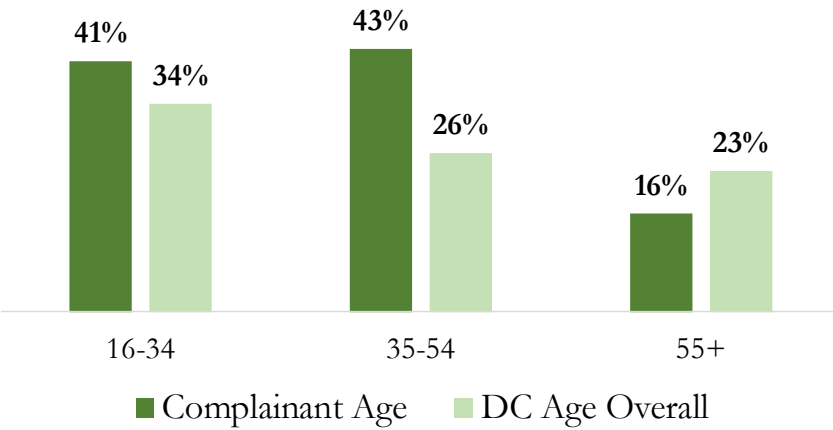
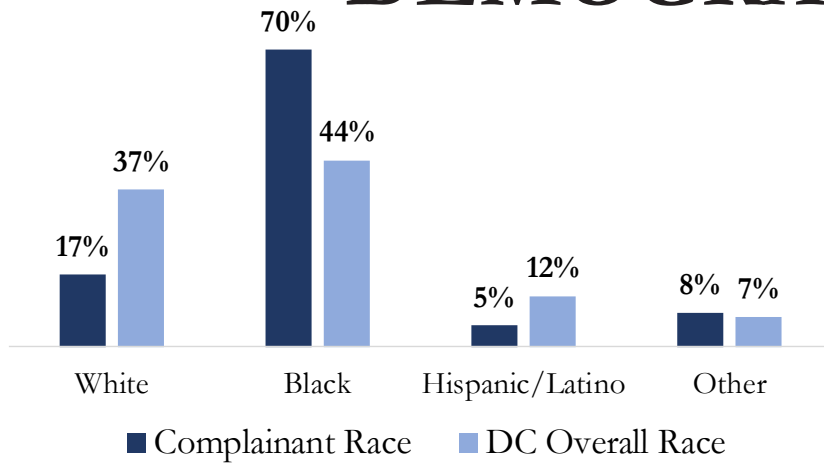
The demographics of complainants in FY20 were very similar to those of complainants in FY16 through FY20. Between 69% and 74% were Black, between 16% to 19% were White, between 51% to 53% were male, and between 5% and 8% are Hispanic/Latino for the last five fiscal years. Complainants younger than 35 accounted for 44% of complainants in FY20, compared to 38% in FY19. Complainants aged 35 to 54 comprised of 40% to 45% of complainants in each of the last five fiscal years. Complainants aged 55 years and older decreased slightly, from 19% in FY19 to 17% in FY20.

COMPLAINANT AND OFFICER DEMOGRAPHICS PAIRINGS

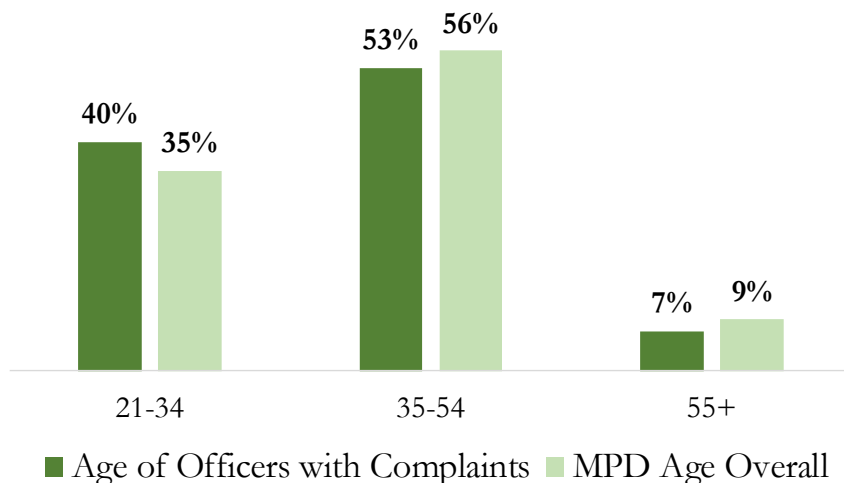
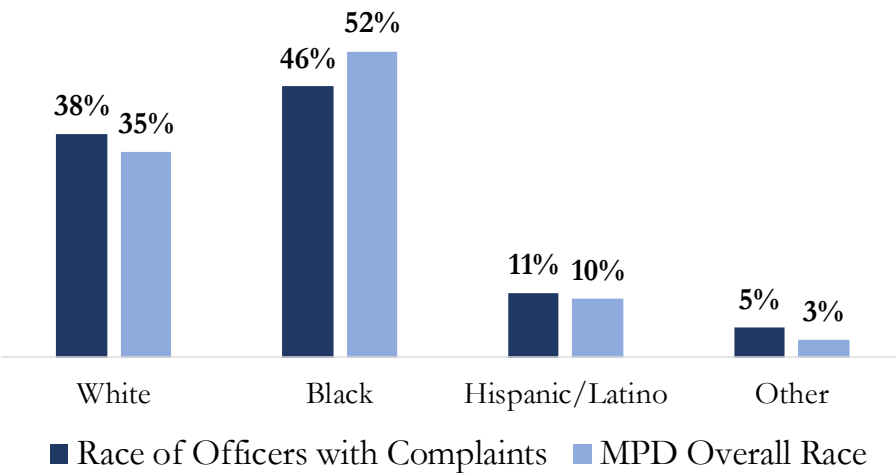
The most frequent complainant-officer pairings were Black complainants filing complaints against Black officers, accounting for 38% of complaints received in FY20. Black complainants filing complaints against White officers comprised of 36% of all complaints received. White complainants filing complaints against Black and White officers comprised of 5% and 4% respectively. The remaining pairings are shown in the figure below.



OFFICER AND COMPLAINANT DEMOGRAPHICS



Complainant Gender	DC Gender Overall
50% Men	48% Men
50% Women	52% Women



Officers with Complaints Gender	MPD Gender Overall
83% Men	78% Men
17% Women	22% Women

OVERVIEW

By the start of FY20, MPD's BWCs had been fully deployed for four years. OPC has full access to all MPD BWC videos relevant to OPC complaints. As of FY20, DCHAPD had not implemented a body worn camera program. There are slight differences in how BWC influenced case dispositions and complainant participation in the investigation process in FY20 as compared to FY19. In FY20, as compared to FY19, fewer cases with BWC were dismissed for non-cooperation and more were dismissed based on merit.

IMPACT OF BWCs

MPD's BWC video appeared to have an effect on the outcomes of cases investigated. Cases completed in FY20 containing BWC video resulted in lower percentage of withdrawals than cases without BWC video. This was also true for cases completed in FY17 to FY19. This elevated complainant cooperation may be a result of investigations taking less time with BWC video. Complainants may also have more confidence in pursuing their complaint knowing BWC video of incidents exists. Additionally, with BWC evidence, investigators are able to move quickly to determine whether allegations have merit, resulting in less time for investigations and fewer officer interviews.

From FY18 through FY20, cases with BWC video resulted in higher percentages of policy training referrals, adjudications, and dismissals based on merit. Unlike in FY19, in FY20 there were the same number of cases with BWC video that resulted in mediation as those without BWC (4.7% vs. 4.5% respectively). In FY19 there was a 2% difference between cases with BWC and cases without BWC in regard to mediation. While in FY19, the same percentage of cases resulted in being dismissed on merit (44% each), in FY20 cases with BWC had a higher percentage of being dismissed based on merit as compared to those without BWC (53% vs. 22% respectively).

One of OPC's statutory requirements is to make policy recommendations to MPD and DCHAPD to improve police practices. OPC's access to BWC video has greatly improved OPC's ability to identify patterns and practices that may be relevant recommendations. The availability and access to BWC video that illustrates the actual actions and conduct of officers and complainants is a powerful accountability tool.

OFFICER COMPLIANCE WITH BWC POLICIES

MPD policy requires officers to activate BWCs when an interaction with a community member is initiated, and officers are required to inform community members of the activation of their cameras when responding to calls for services.¹¹ Although MPD has reached full deployment of BWCs, not every case investigated by OPC in FY20 had BWC video. In FY20, OPC found relevant BWC video¹² in 403 out of 556 cases with dispositions, accounting for 72% of the total investigations, which is lower than the 82% in FY19 but closer to the 76% in FY18. In some cases, OPC was able to determine that the officer or officers involved had BWCs but did not activate them as required; in other cases, it was not clear why there was no BWC video.

In FY17, OPC began tracking officers' compliance with BWC usage policies for all cases OPC investigated. In each case there can be more than one instance of BWC non-compliance, and in FY20 32% of cases had at least one instance of BWC non-compliance. In FY20, in 9% of cases the BWC was turned on late; in 4% the BWC was not turned on at all; and in 3% the BWC was obstructed.¹³ The percentages of cases where officer(s) failed to properly use their BWCs by: (1) not notifying the community members that they were being recorded; and (2) turning it off early are 21% and 8% respectively, slightly lower than the percentages of the two categories in FY19. Overall, a total of 32% of investigated cases in FY20 with BWC video included some form of BWC non-compliance, which is a 3% decrease from the 35% in FY19 cases with BWC non-compliance.

FY20 CASE DISPOSITIONS AND BODY WORN CAMERAS

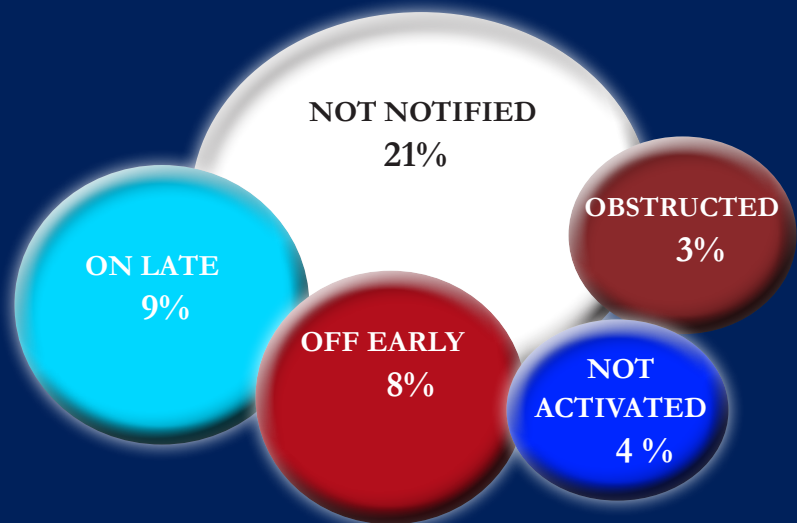
BODY-WORN CAMERA TRENDS

72%

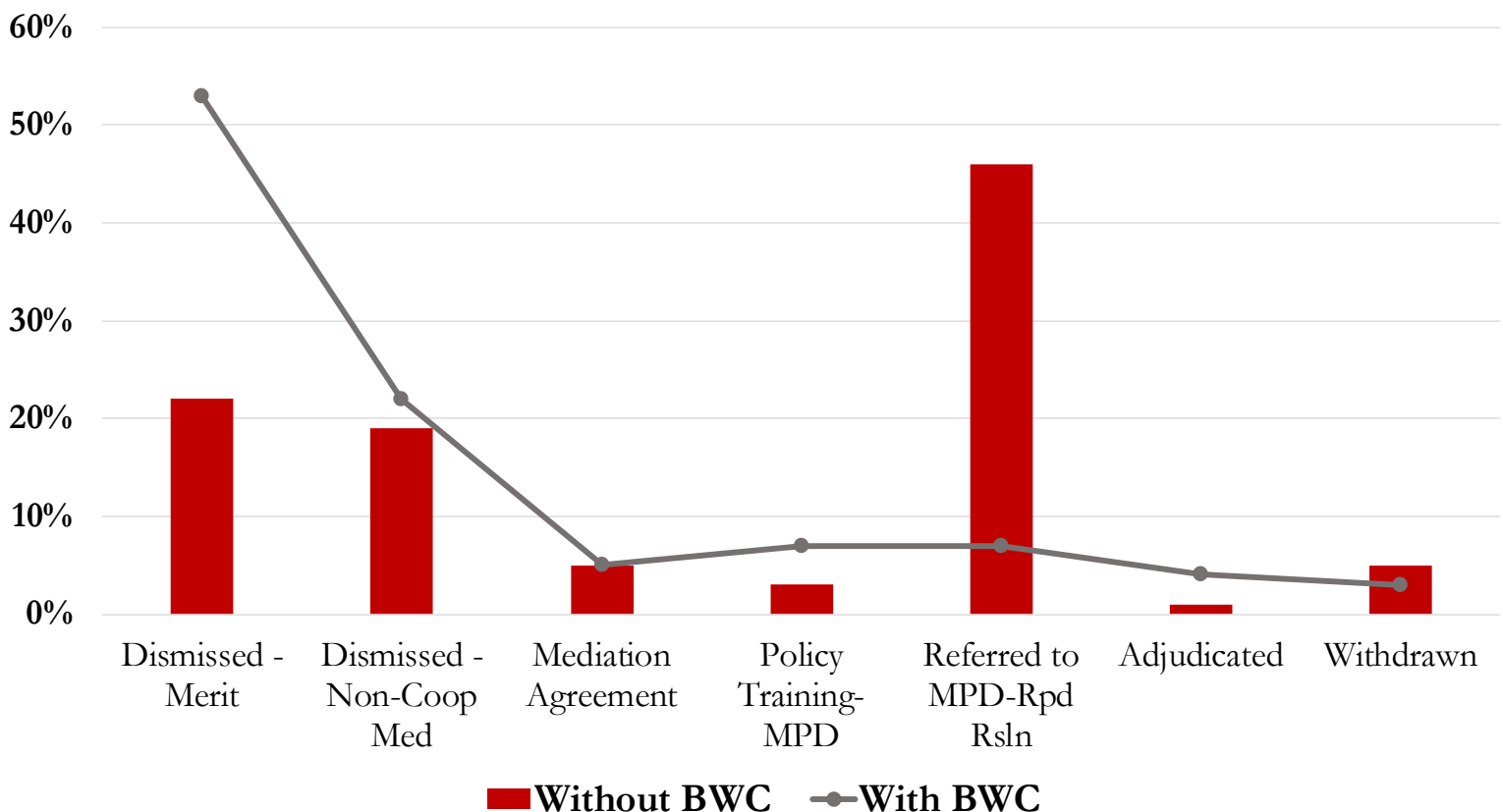
CASES WITH BWC VIDEOS

32%

CASES WITH BWC NON-COMPLIANCE



Case Disposition by BWC



OVERVIEW

Each month in FY20 accounted for between 5% and 14% of all complaints received, and each quarter OPC received between 192 and 228 complaints.

OPC received the fewest complaints in May of FY20, with 47 complaints received. OPC received the most complaints in June, with 117 complaints received. Quarter 3 – comprising of April, May, and June – was OPC's busiest quarter of FY20, with 228 complaints received. OPC received the fewest complaints in the

second quarter – comprising of January, February, and March – with 192 complaints.

FY20 was the third consecutive year in which OPC received more than 180 complaints in each quarter. Compared to FY19, OPC received more complaints each quarter, except the fourth quarter, in FY20.

COMPLAINTS RECEIVED BY MONTH AND QUARTER

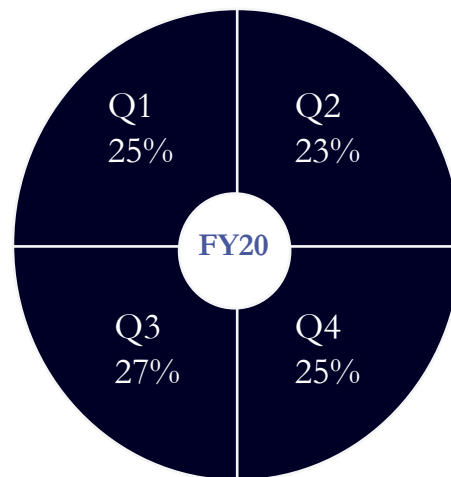
OPC received more complaints in **June** than in any other month in FY20 with

117 complaints received

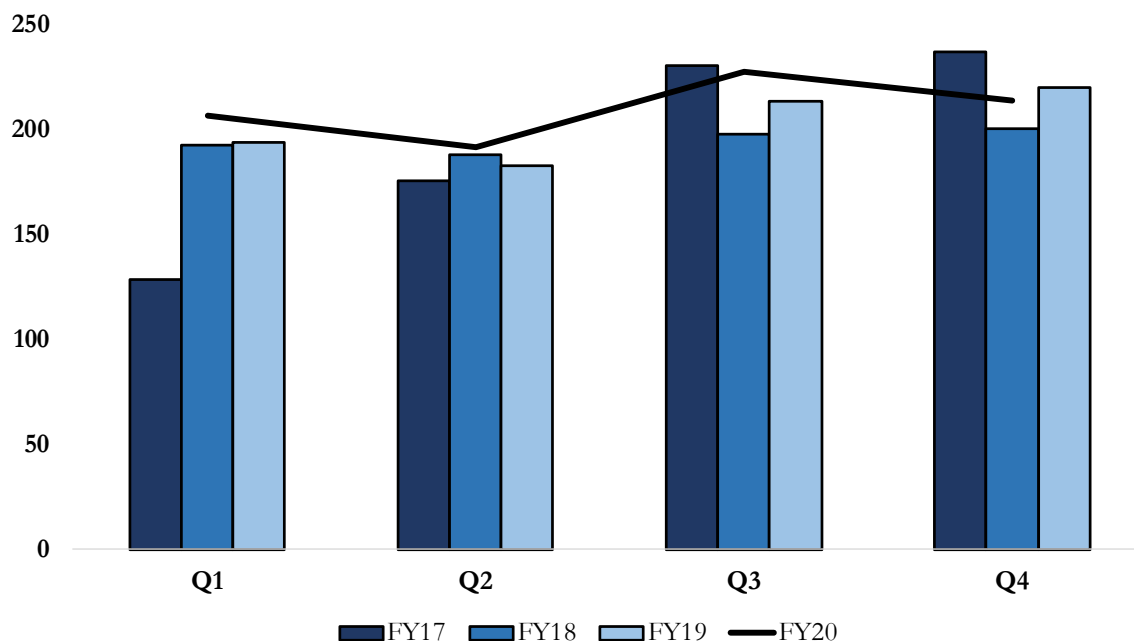
OPC received the most complaints in Q3 of FY20 with

228 complaints received

FY20 Complaints by Quarter



Complaints by Quarter and Year



OVERVIEW

OPC has four primary disposition types - adjudication, mediation, policy training/rapid resolution referral, and dismissal. Cases may be dismissed due to a lack of cooperation from the complainant or because OPC has found that the allegations lack merit. Cases may also be withdrawn by the complainant. These disposition types are discussed in more detail on pages 19 through 24.

CASE DISPOSITIONS

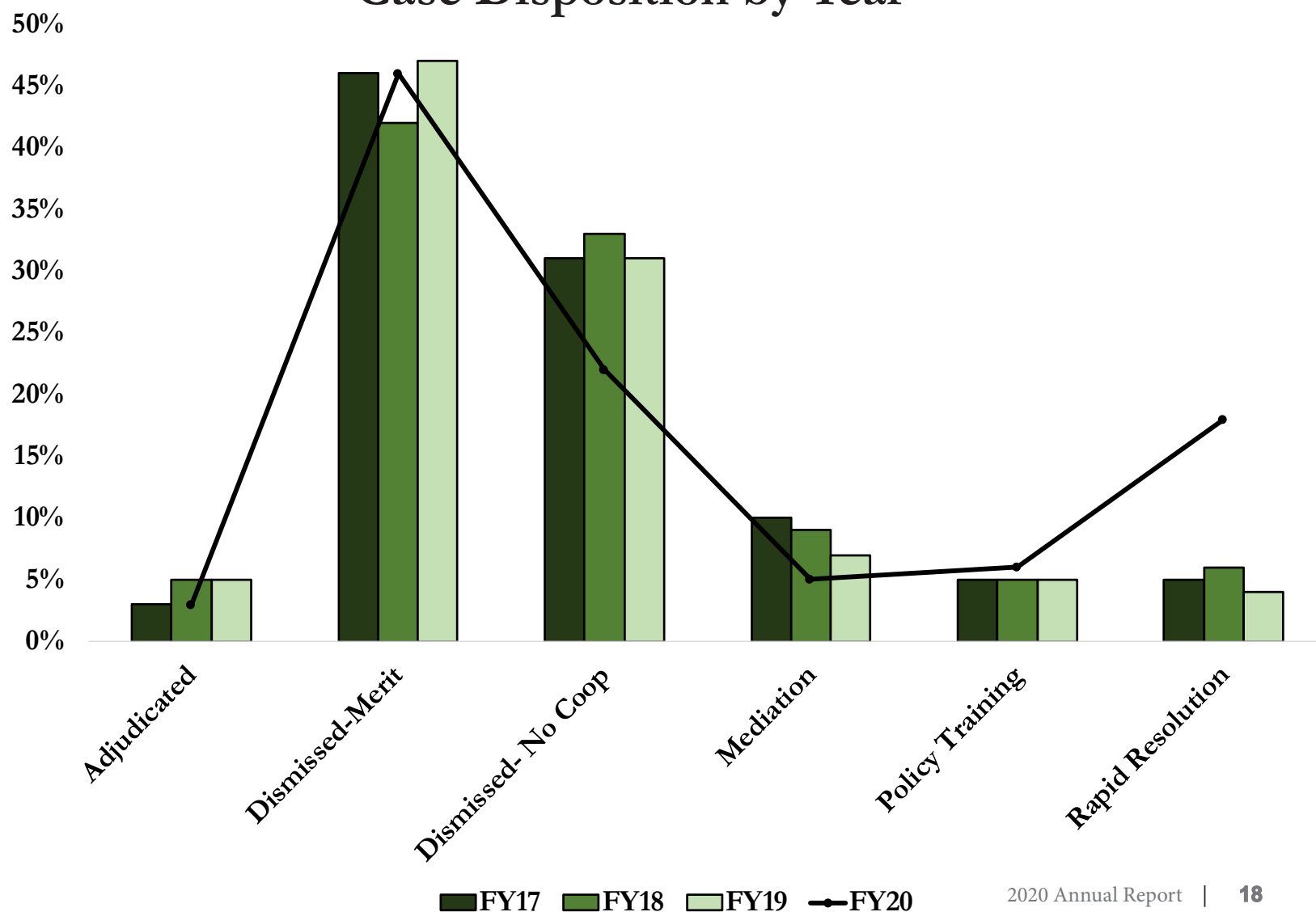
OPC reached 538 case dispositions in FY20, a 18% increase over the 442¹⁴ dispositions in FY19. The percentage of cases dismissed based on merit remained relatively stable throughout the last four fiscal years. Those dismissed based on merit comprised 46% of all dispositions in FY20. Dismissals due to the complainant not cooperating with the investigation or with the mediation process, however, continued

to decrease, from 31% in FY17 to 22% of all case dispositions in FY20.

The number of sustained adjudications in FY20 was similar to sustained adjudications in FY19, with 16 of 18 sustained in FY20. The number of sustained adjudications in FY19 was 23 out of 24 sustained. Adjudications accounted for 3% of case dispositions in FY20. Cases that are adjudicated are referred to an independent complaint examiner, who assesses the merits and sustains or exonerates each allegation. The proportion of cases closed through mediation has decreased from 10% in FY17 to 6% in FY20.

FY20 was the fifth fiscal year in which OPC used policy training referrals and the fourth fiscal year in which it used rapid resolution referrals. Together these accounted for 24% of cases closed in FY20. For more information about policy training and rapid resolution referrals, see pages 23-24.

Case Disposition by Year



COMPLAINT EXAMINATION

When OPC determines there is reasonable cause to believe misconduct has occurred, the agency refers the matter to a complaint examiner, who adjudicates the merits of the allegations. OPC's pool of complaint examiners, all of whom are distinguished resident attorneys in the District of Columbia, have included individuals with backgrounds in private practice, government, non-profit organizations, and academia.

The complaint examiner may either make a determination of the merits based on the investigative report and its supporting materials or require an evidentiary hearing. If a complaint examiner determines that an evidentiary hearing is necessary to adjudicate a complaint, OPC takes steps to ensure that complainants have counsel available to assist them at no cost during these hearings. For complainant representation, OPC currently has an arrangement with Arnold & Porter LLP, an internationally recognized Washington-based law firm with a demonstrated commitment to handling pro bono matters. Generally, officers are represented by attorneys or representatives provided to them by the police union, the Fraternal Order of Police (FOP).

In FY20, a total of 18 complaints went through the complaint examination process resulting in 18 merits determination decisions. There were no evidentiary hearings held for cases closed in FY20. Sixteen of the 18 decisions issued sustained at least one allegation of misconduct, resulting in a complaint examination sustain rate of 89%.¹⁵

OPC posts all complaint examiner decisions on its website at: www.policecomplaints.dc.gov/page/complaint-examiner-decisions.

FINAL REVIEW PANELS

The statute governing OPC¹⁶ allows the chiefs of police of MPD and DCHAPD to appeal complaint examiner decisions. If the chief of police determines that a decision sustaining any allegation "clearly misapprehends the record before the complaint examiner and is not supported by substantial, reliable, and probative evidence in that record," the chief may return the decision for review by a final review panel composed of three different complaint examiners.¹⁷ The final review panel then determines whether the original decision should be upheld using the same

standard. There were no Final Review Panels requested in FY20.

DISCIPLINARY OUTCOMES FOR SUSTAINED CASES

OPC does not have the authority to recommend or determine the type of discipline to be imposed when allegations are sustained by complaint examiners. OPC forwards all complaint examiner decisions that sustain at least one allegation of misconduct to the appropriate chief of police to impose discipline. MPD and DCHAPD are required by statute to inform OPC of the discipline imposed for sustained allegations in each complaint.¹⁸

In FY20, MPD chose to impose discipline of suspension without pay for fifteen days for one case, suspension without pay for between five to seven days in three cases; a dereliction of duty report (PD 750) in four cases; education-based development in three cases; and a job performance documentation (PD 62-E) in four cases. In one case the officer resigned prior to the discipline being imposed, and in two cases allegations were exonerated or did not have sufficient facts.

For a list of cases with sustained allegations in FY20 and the discipline imposed in those cases, see Appendix B on page 33.

EDUCATION-BASED DEVELOPMENT

When an allegation of misconduct is sustained by a complaint examiner or upheld by a final review panel, MPD is statutorily required to impose discipline.¹⁹ MPD defines education-based development as "an alternative to discipline." MPD used education-based development instead of discipline in two of 85 cases requiring discipline between FY09 and FY16; in eleven of 14 cases in FY17; in nine of 18 cases in FY18; in two of the 16 cases FY19; and in three cases in FY20.

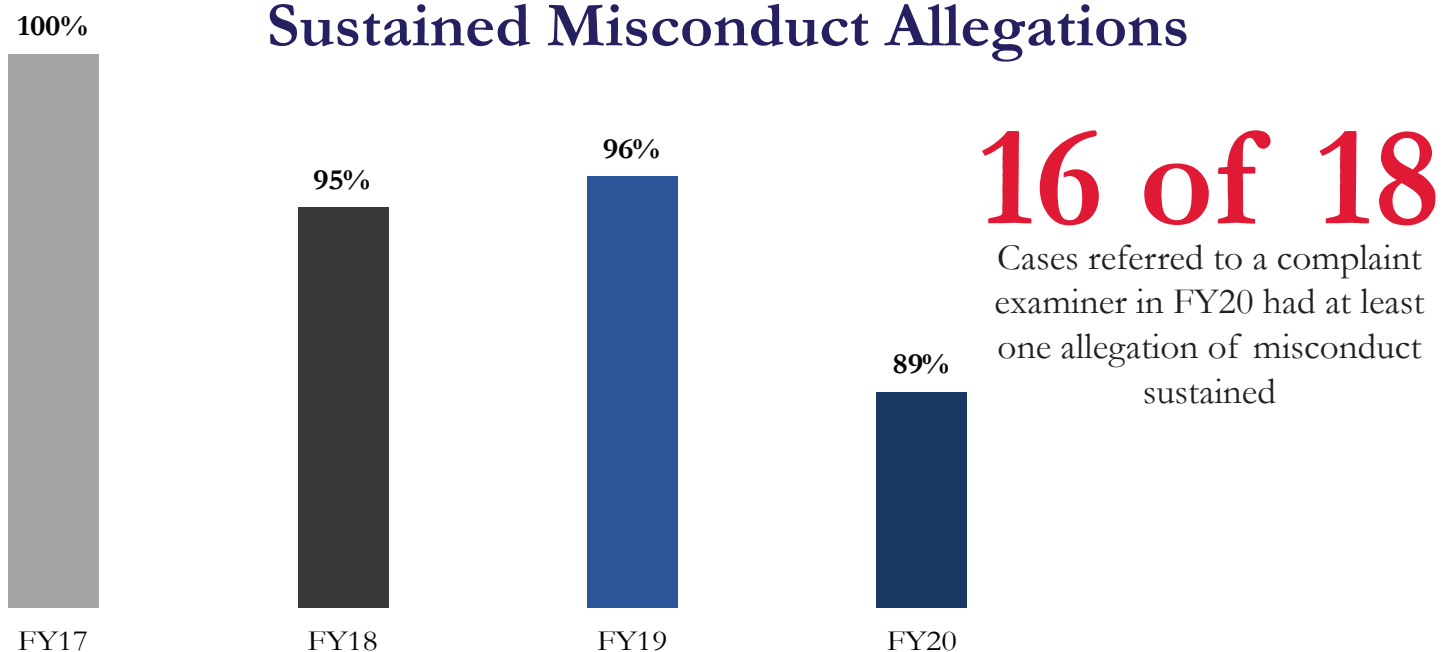
When OPC's executive director determines that training is appropriate rather than discipline, OPC refers the case to MPD for policy training rather than referring it to a complaint examiner. The NEAR Act provided OPC with the authority to refer cases for policy training in FY16 Q3, and OPC has since referred 101 cases to MPD for policy training.

DISCIPLINE IMPOSED FOR SUSTAINED COMPLAINTS

INVESTIGATIVE
OUTCOMES

Discipline or Action Taken	Total FY09-FY18	Outcome for cases sustained in FY19	Outcome for cases sustained in FY20
Suspension Without Pay 11 Days or More	9	8	1
Suspension Without Pay 1 to 10 Days	22	6	3
1-Day Leave Forfeiture	4	-	-
Official Reprimand	29	1	-
Letter of Prejudice	12	-	-
Dereliction Report (PD 750)	19	11	4
Formal Counseling	2	-	-
Education-Based Development	22	2	3
Merits Determination Rejected/No Action Taken	7	-	-
Job Performance Documentation (PD 62-E)	-	-	4

Percent of Decisions in Which the Complaint Examiner Sustained Misconduct Allegations



MEDIATION

Mediation is a very important program OPC employs to directly impact community trust in the District police forces at the individual level. The mediation program is used as a direct tool to help foster better community trust in the District police forces and allows community members and officers to have a mediator-facilitated conversation that fosters better rapport in future interactions.

Mediation allows the complainant and the officer to civilly discuss the interaction that led to the complainant's decision to file a complaint. OPC screens all cases for mediation regardless of merit and discusses the option of mediation with the complainant, explaining the goals of the program prior to any mediation referral. This year, OPC has added procedural steps into the mediation referral process that introduce the complainant to the mediator assigned to their case before the mediation is scheduled.

Due to the Covid-19 health pandemic, OPC adapted its mediation program to support virtual mediations. The resolution rate prior to virtual mediations was 71% and 76% after OPC implemented virtual mediations.

Word Cloud developed written responses over the years from both Officers and Complainants when asked: "What do you hope to get out of this mediation?"



MEDIATION SURVEY RESPONSES

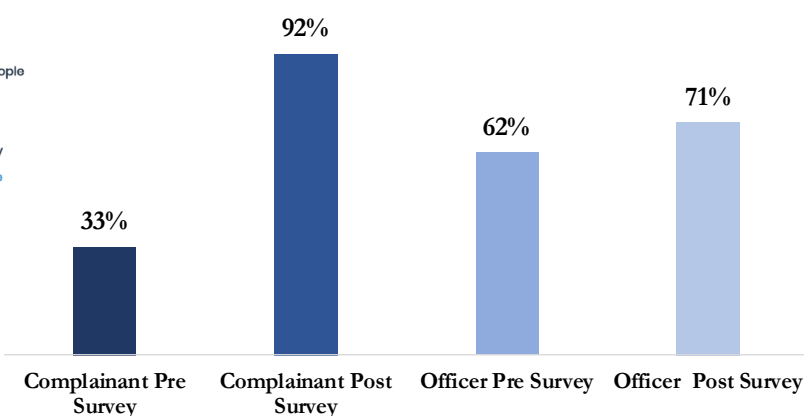
An important part of OPC's mediation program includes participant surveys immediately before and after the mediation session. OPC is proud to report that 100% of officers and 100% of complainants surveyed after a completed mediation session in FY20 said that the mediator was helpful. Similarly, 100% of officers agreed that mediation is a fair forum in which to discuss the allegations made by the complainant.

In FY20, mediation led to improvements in complainant attitudes toward the police. The percentage of community members who said they believed D.C. police treat community members with respect increased from 50% before mediation to 67% after mediation – a 17% increase. Further, the percentage of complainants and officers who reported feeling more positive toward the other party after the mediation was 92% and 64% respectively.

Improving officer-community member relations is the mission of OPC and the goal of OPC's mediation program, and these attitudinal changes indicate that the mediation program is an effective tool in pursuing that goal.

"After today's mediation, how do you think future interactions with the officer/complainant will be?"

Percentage of positive/very positive



MEDIATION

MEDIATION PROCESS

Step 01

Investigators review all cases to determine whether the parties might benefit from mediation.

Step 02

If investigators determine mediation may be beneficial, they discuss the option of mediation with the complainant.

Step 03

The case is referred to a mediation contractor.

Step 04

The mediator coordinates a time for the mediation. Parties are required to participate in good faith.

Step 05

During the mediation both the complainant and officer will discuss their perspective of the incident and how it made them feel. If both parties are satisfied, they sign a mediation resolution agreement and the case is closed. If unresolved, the case is returned to the investigator and the investigation resumes.

Number of Cases Referred to Mediation

86	70	48
FY18	FY19	FY20

Average Days Between Referral and Mediation

18	20	33
FY18	FY19	FY20²⁰

Percent of Mediations Resolved

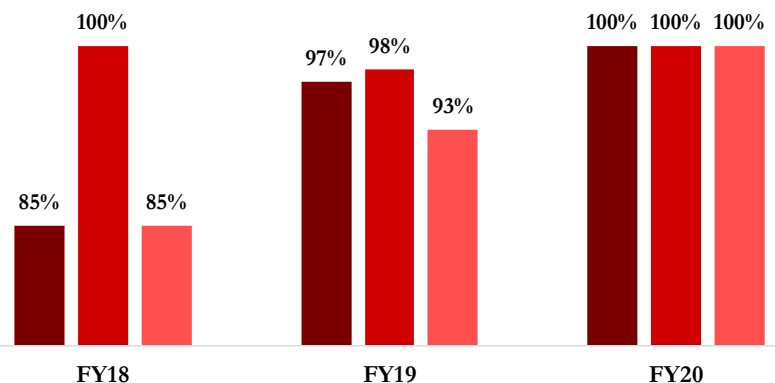
81%	74%	76%
FY18	FY19	FY20

Percent of Investigations Resolved Through Mediation

10%	8%	5%
FY18	FY19	FY20

79%

Of Officers Reported the Mediation Session Allowed the Complainant to Better Understand Their Actions



■ Complainants Agree/Strongly Agree that the Mediator was Helpful or Very Helpful

■ Officers Agree/Strongly Agree that the Mediator was Helpful or Very Helpful

■ Officers Agree Mediation is a Fair Forum to Discuss the Issue

POLICY TRAINING REFERRALS

Under the NEAR Act, which became law in June of 2016, OPC gained two new types of disposition: policy training referrals and rapid resolutions.

OPC refers cases to MPD or DCHAPD for policy training when OPC finds that the officer has violated an MPD/DCHAPD policy or general order, and determines that the best correction is for the officer to receive additional training. In order to refer cases for policy training, OPC must determine that the officer likely violated an MPD/DCHAPD policy or general order. Therefore, unlike rapid resolution referrals and mediations, policy training referral cases are fully investigated before referral, with OPC investigators interviewing officers and complainants, reviewing BWC footage, and conducting any other investigation necessary. In this sense, policy training referrals most closely resemble cases sent to complaint examiners for adjudication. The difference is that before the complaint is sent to complaint examination, OPC's investigative supervisors and executive director determine that the best correction is for the officer to receive policy training rather than disposition.

When OPC determines that policy training is the appropriate correction, it must notify MPD or DCHAPD of: 1) the allegations; 2) the rationale for policy training; and, 3) the type of policy training OPC thinks would be most appropriate. The department then notifies OPC when the training has been completed, and the case is completed.

OPC has referred 106 cases for policy training since it gained the option to do so in FY16, when OPC obtained more authority due to NEAR Act. The number of referred cases has been increasing since FY17, and MPD has completed training for 106 policy training through FY20. The numbers of cases referred by fiscal year are listed below.

- FY17: 21 referred, 21 completed to date
- FY18: 23 referred, 23 completed to date
- FY19: 29 referred, 29 completed to date
- FY20: 33 referred, 33 completed to date

MPD sends most policy training referrals to the Metropolitan Police Academy (MPA), where the training sessions are conducted. An added benefit of this process is that not only are policy and general order violations being addressed and corrected with the individual officer(s) against whom the complaint was filed, but MPA training staff are also able to use the referred cases to apply training and policy updates department-wide when deemed appropriate.

RAPID RESOLUTION REFERRALS

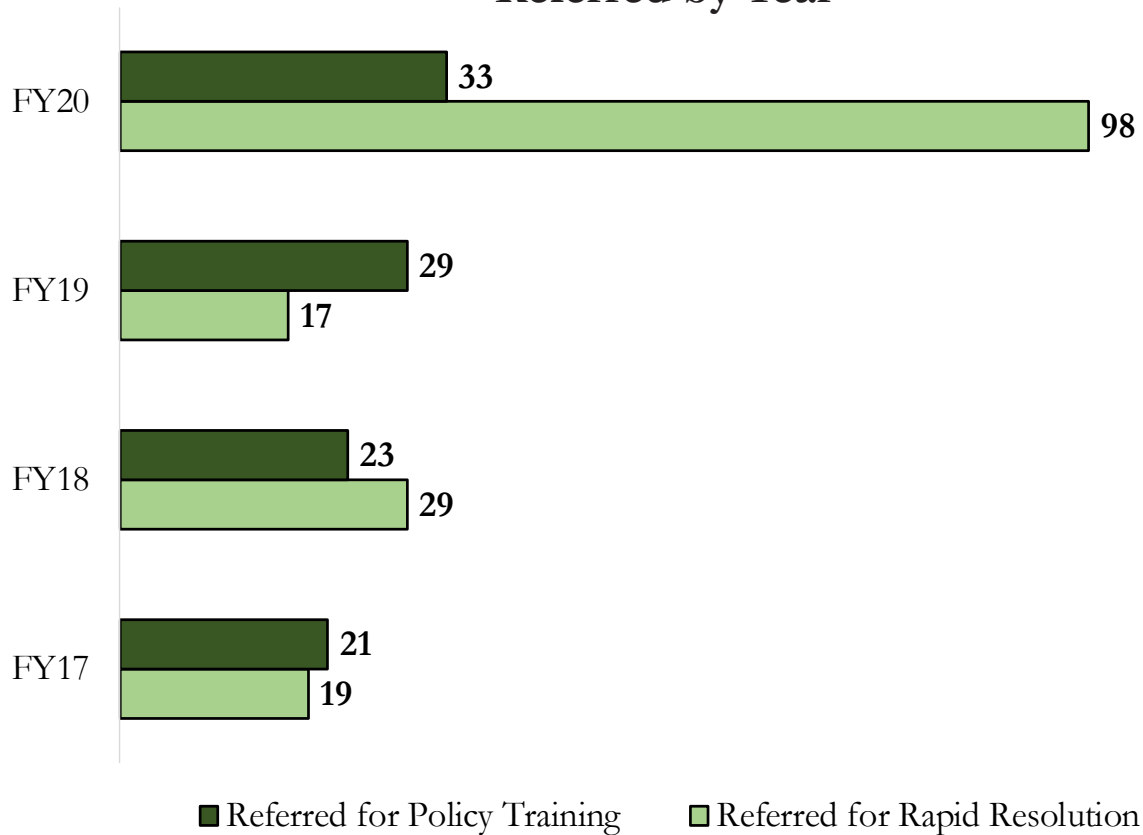
When OPC receives a complaint but determines that there was no misconduct, OPC can refer the case to MPD for rapid resolution, in which an MPD supervisor will typically contact the complainant to discuss the incident and clarify MPD's policies.

OPC has referred 146 cases for rapid resolution since it gained the option to do so in FY16. OPC did not send any cases for rapid resolution in FY16. OPC sent 19 cases for rapid resolution in FY17, 29 cases in FY18, 17 cases in FY19, and 98 cases in FY20.

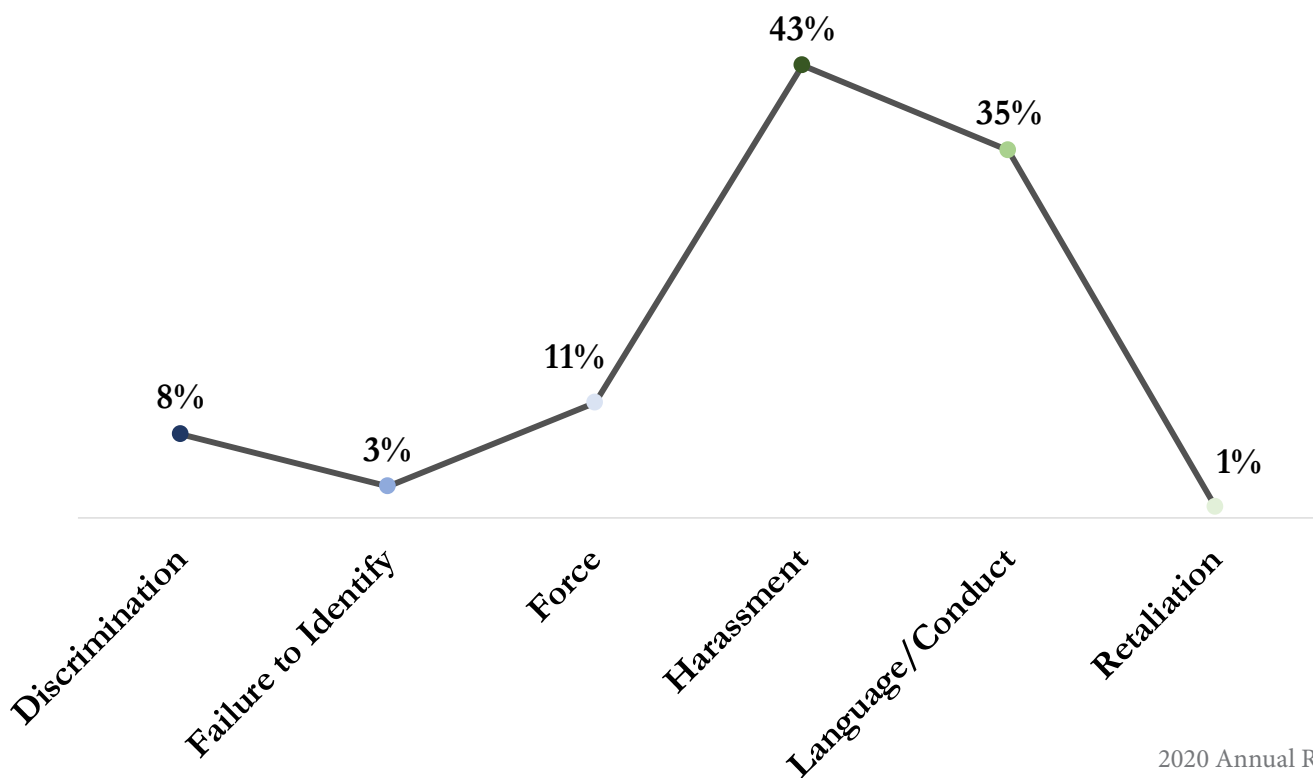


Policy Training and Rapid Resolution

Number of Policy Trainings and Rapid Resolutions Referred by Year



Allegations Referred to Policy Training FY18-FY20



OVERVIEW

The statute creating the Police Complaints Board (PCB) authorizes it to “make recommendations, where appropriate, to the Mayor, the Council, the Chief of the Metropolitan Police Department (“Police Chief”), and the Director of the District of Columbia Housing Authority (“DCHA Director”) concerning the status and the improvement of the complaint process. The Board shall, where appropriate, make recommendations to the above-named entities concerning those elements of management affecting the incidence of police misconduct, such as the recruitment, training, evaluation, discipline, and supervision of police officers.”²¹ This authority allows OPC to examine broader issues that lead to the abuse or misuse of police powers.

The PCB issues policy recommendations that address large-scale concerns about District law enforcement policies, training, or supervision. In addition, the PCB issues policy reports that address substantive or procedural law enforcement matters, which, if corrected immediately, could greatly improve community trust in the police. In FY20 the PCB issued four policy reports with recommendations, which are discussed in more detail below. At the close of FY20, PCB had issued 57 detailed reports and sets of recommendations for police reform since 2002. All reports with recommendations are available on OPC’s website.²²

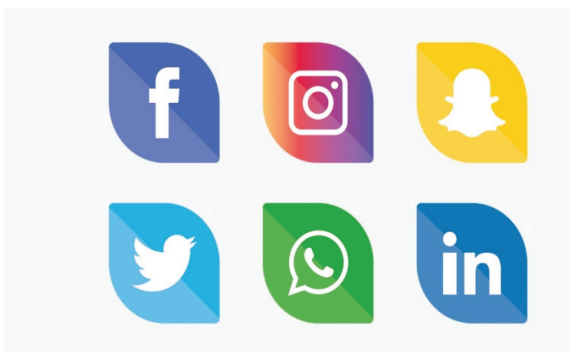
1

Implementation Update on the Reports and Recommendations of the Police Complaints Board from FY18

- Revisits the policy recommendations made in FY18, which included four reports and 13 recommendations to the Council, MPD and/or DCHAPD.
- Of the 13 recommendations, four have been fully implemented, three are partially implemented, and six have not been implemented. OPC provides guidance regarding how the recommendation can become fully implemented.

2

Personal Use of Social Media



- OPC received complaints related to MPD member’s social media posts. These complaints support the need for social media guidance for MPD members.
- PCB recommended that MPD:
 1. MPD should issue a comprehensive new stand-alone General Order on social media; and
 2. MPD should create training for members on social media usage to support the new General Order.

3 Lawful Firearms



- OPC recommended that MPD update General Order 902.01 to reflect the change in DC firearm laws from the 2008 Heller decision.
- PCB recommended that MPD:
 1. MPD should update General Order 902.01 to fully inform MPD members of how to appropriately handle community members with registered firearms; and
 2. MPD should provide updated training to all MPD members educating them on the updated General Order 902.01.

4 Automated License Plate Readers



- An automatic license plate reader (ALPR) is a surveillance technology used by MPD to capture the license plate number and location data of all passing cars, and this data is stored for 90 days. MPD uses ALPRs on police vehicles and mounted on poles or on the roadside.
- ALPR technology can tell where someone is at a particular time on a particular day, and over time may track a person's movements, which may violate an individual's First and Fourth Amendment rights.
- The ALPR data may also be shared with third parties, specifically private companies who may not be held to the same privacy requirements as those used by government entities.
- PCB recommended that MPD:
 1. MPD outline a clear process for community members to obtain ALPR collected information about themselves.
 2. MPD must publicly identify any third parties or other agencies that have access to the ALPR data and information. MPD must also ensure all third parties adhere to the same principles as MPD in obtaining and deleting this information.
 3. MPD must be transparent with the community about all aspects of ALPR data collection; and
 4. MPD must revise General Order 303.09 to further define "official law enforcement purpose."

OUTREACH EVENTS

In FY20, OPC conducted and participated in more than 40 in-person and virtual outreach events throughout the District of Columbia and beyond. These events included training sessions, live streaming chats and presentations to the public about the agency's mission, function and complaint process.

In continuing its outreach efforts to neighborhood associations and government agencies, OPC presented at the U.S. Attorney's Office for the District of Columbia violent crime working group meeting and a parent support group meeting led by the DC Department of Human Services. The agency also shared information with District residents about OPC at several Advisory Neighborhood Commission meetings and participated in the Takoma Street Festival.

OPC conducted its Student Interactive Training (SIT) program at various DC public and charter schools, including School Without Walls and Capital City Public Charter School. The SIT program was also conducted virtually for youth enrolled in several DC Department of Parks and Recreation I.M.A.G.E summer camps. The SIT program focuses on reducing the number of negative encounters between students and the police as well as educating them on their constitutional rights through interactive scenarios.

The agency continued its outreach to the District's immigrant community by participating for the first time in a Facebook live chat hosted by Hope Center for Wellness, LLC Afrontando Juntos (Coping Together). OPC also participated in the Washington English Center's Community Service and Health Fair.

In addition, OPC conducted Know Your Rights sessions for HIPS, The Literacy Lab Leading Men Fellowship, and senior members of First Church Washington. The agency also presented to college students at the University of the District of Columbia Community College, Howard University, and law students at American University Washington College of Law.

Further outreach to college students in FY20 included OPC's participation in several informational fairs hosted by various universities and law schools, including American University, George Mason University and American University Washington College of Law.

OPC's Executive Director Michael G. Tobin participated as a panelist for Bay Atlantic University and the Global Policy Institute's webinar on what defunding or reforming police forces looks like. In addition, Deputy Director Rochelle M. Howard participated as a speaker for a seminar on the need for civilian review boards for all police departments during the National Bar Association's Annual Conference and during the Baltimore County Equitable Policing Work Group Meeting on best practices of civilian oversight.

APPENDICES

Specific Allegations of Use of Force

Force Subcategories	FY17	FY18	FY19	FY20
ASP: all types	3	1	1	4
Canine	-	-	-	-
Chokehold	3	3	2	5
Forcible handcuffing	6	11	14	19
Gun: drawn, but not pointed	1	5	4	3
Gun: fired	2	3	-	3
Gun: pointed at person	6	17	10	6
Handcuffs too tight	11	21	19	24
OC spray	5	1	3	23
Push or pull with impact	39	40	34	54
Push or pull without impact	37	46	46	55
Strike: kick	3	2	3	-
Strike: with officer's body	1	7	-	5
Strike: punch	7	11	6	10
Strike: while handcuffed	3	5	1	2
Strike: with object	1	1	-	4
Vehicle	5	2	2	5
Other	12	13	15	37
Total Force Allegations	145	189	160	259

Specific Allegations of Harassment

Force Subcategories	FY17	FY18	FY19	FY20
Bad ticket	90	107	95	75
Contact	23	33	38	46
Entry (no search)	15	13	16	16
Frisk	10	12	7	6
Gun: touch holstered weapon-pointed	8	10	11	6
Intimidation	54	63	30	32
Mishandling property	53	53	57	47
Move along order	19	20	26	15
Prolonged detention	4	18	20	25
Property damage	7	20	21	30
Refusing medical treatment	3	3	6	6
Search: belongings	6	7	8	11
Search: car	24	23	29	24
Search: home	4	18	23	18
Search: person	18	24	13	13
Search: strip or invasive	1	3	5	3
Stop: bicycle	2	-	-	-
Stop: pedestrian	33	42	38	33
Stop: vehicle/traffic	66	89	87	67
Stop: boat	-	-	-	-
Threat	81	77	71	60
Unlawful arrest	90	94	79	70
Other	80	82	105	86
Total Harassment Allegations	691	811	785	690

Specific Allegations of Discrimination

Discrimination Subcategories	FY17	FY18	FY19	FY20
Age	7	8	4	2
Color	8	5	1	1
Disability	7	4	3	2
Family Responsibilities	1	1	-	1
Language	-	-	-	-
Marital Status	1	1	-	1
National Origin	13	11	8	9
Personal Appearance	8	8	4	6
Physical Handicap	2	2	-	1
Place of Residence or Business	6	3	3	3
Political Affiliation	-	-	-	1
Race	74	79	62	49
Religion	1	1	1	-
Sex	9	14	8	15
Sexual Orientation	3	7	1	2
Source of Income	8	5	2	2
Other	3	10	6	11
Total Discrimination Allegations	151	159	103	106

Specific Allegations of Failure to Identify

Failure to Identify Subcategories	FY17	FY18	FY19	FY20
Display name and badge	10	7	3	4
Provide name and badge	43	46	35	30
Failure to Intervene	N/A	N/A	N/A	1
Other	1	1	3	1
Total Allegations	54	54	41	36

Specific Allegations of Language and Conduct

Language and Conduct Subcategories	FY17	FY18	FY19	FY20
Demeanor or tone	231	248	253	184
Gesture or action	95	88	68	65
Other language	57	36	45	23
Profanity	26	41	28	15
Racial/Ethnic slur	7	6	3	1
Other	5	29	9	18
Total Language and Conduct Allegations	421	448	406	306

Specific Allegations of Retaliation

Retaliation	FY17	FY18	FY19	FY20
Total	16	14	20	14

FY18 Updated Complaint Examiner Decisions by Allegation and Disciplinary Outcomes

Complaint Number	Harassment	Excessive Force	Language or Conduct	Failure to Identify	Retaliation	Discrimination	Discipline Determination
18-0221				Sustained			3-Day Susp. w/o Pay, 2 days leave forfeiture
17-0425	Unfounded						N/A
18-0331	Sustained		Sustained				12-Day Susp. w/o Pay, 5-Day Susp. w/o Pay, Education Based Development
17-0750					Sustained		10-Day Susp. w/o Pay, PD 750
18-0058			Sustained				15-Day Susp. w/o Pay, 5-Day Susp. w/o Pay, Education Based Development
17-0615	Sustained						5-Day Susp. w/o Pay, Education Based Development
17-0673	Sustained						Officer Transferred to different unit
17-0381	Sustained			Sustained	Sustained		20-Day Susp. w/o Pay, 15-Day Susp. w/o Pay, Letter of Prejudice, Dereliction Report

FY19 Updated Complaint Examiner Decisions by Allegation and Disciplinary Outcomes

Complaint Number	Harassment	Excessive Force	Language or Conduct	Failure to Identify	Retaliation	Discrimination	Discipline Determination
18-0380		Sustained	Unfounded				3-Day Susp. w/o Pay
18-6012	Sustained	Sustained	Exonerated				PD 750 , 10-days Susp. w/o Pay
18-0760	Sustained		Sustained				12-Day Susp. w/o Pay
18-0505		Sustained	Sustained				15-Day Susp. w/o Pay
18-0678	Sustained		Sustained				20-Day Susp. w/o Pay

FY20 Complaint Examiner Decisions by Allegation and Disciplinary Outcomes

Complaint Number	Harassment	Excessive Force	Language or Conduct	Failure to Identify	Retaliation	Discrimination	Discipline Determination
18-0604		Sustained					Education Based Development
18-0632	Sustained						PD 62-E
18-0651	Sustained	Sustained	Sustained				PD 750
18-0696	Sustained						PD 750
18-0730			Sustained				PD 750
19-0100	Sustained						Education Based Development
19-0137	Sustained					Sustained	5-Day Susp. w/o Pay
19-0229		Sustained					PD 62-E
19-0261	Sustained						PD 750
19-0271		Sustained	Sustained				7-Day Susp. w/o Pay
19-0291	Sustained						PD 62-E
19-0402	Sustained						Officer Resigned
19-0477	Sustained		Sustained	Sustained			15-Day Susp. w/o Pay
19-0550	Sustained						7-Day Susp. w/o Pay
20-0040	Insufficient Facts/Exonerated						N/A
20-105	Sustained						Education Based Development
20-0118			Sustained			Sustained	PD 62-E
20-0131						Insufficient Facts	N/A

ENDNOTES

1. OPC received over 1700 phone call messages during the first week of June which were not processed as contacts because they only contained a statement regarding police activity and not a complaint.
2. <https://saferstronger.dc.gov/page/near-act-safer-stronger-dc>
3. See page 15 for discussion of the effect of BWCs on OPC operations and investigations.
4. OPC has jurisdiction to investigate allegations of harassment, inappropriate language or conduct, retaliation, unnecessary or excessive force, discrimination, and failure to identify.
5. The decrease in the number of allegations of misconduct against officers in FY20 may be because there were fewer complaints with two or more types of allegations in FY20.
6. Data for FY16 to FY19 investigations includes all complaints received except administrative closures and cases referred to other agencies due to jurisdiction. Data for FY20 investigations now also excludes those complaints that were withdrawn by the complainant during the investigation.
7. OPC excludes cases that were closed by administrators, withdrawn by the complainant, or not in OPC's jurisdiction from the carry over statistics.
8. Includes discipline for both officer non-compliance for interviews and mediations that are scheduled.
9. Population data was gathered from <https://www.macrotrends.net/cities/23174/washington-dc/population>
10. The overall department demographics include only MPD, and do not include DCHAPD.
11. See MPD General Order SPT-302.13, "Body-Worn Camera Program" and Executive Order 16-009, "BWCs: New Activation Requirements and Policy Reminder. <https://mpdc.dc.gov/page/bwc>
12. OPC only viewed videos for incidents for which a community member complaint was received, and therefore the numbers reported here are not necessarily representative of MPD officers' department-wide BWC usage.
13. OPC considers an obstructed camera non-compliance when it appears that the officer should have been aware of and could have prevented the obstruction, such as the officer's hand or jacket covering the camera.
14. As of FY20 OPC no longer includes Withdrawn cases in the disposition reports.
15. The sustain rate reflects the percentage of decisions adjudicated by a complaint examiner that were sustained. It does not reflect the percentage of all complaints resolved by OPC that were sustained.
16. D.C. Code §5-1104. <https://code.dccouncil.us/dc/council/code/sections/5-1104.html>
17. D.C. Code §5-1112(c). <https://code.dccouncil.us/dc/council/code/sections/5-1112.html>
18. D.C. Code §5-1112(e). <https://code.dccouncil.us/dc/council/code/sections/5-1112.html>
19. D.C. Code §5-1112(e). <https://code.dccouncil.us/dc/council/code/sections/5-1112.html>
20. Number of days increased from previous years because the mediation program was suspended from approximately March through May 2020 as OPC reached an agreement with MPD to conduct mediations virtually.
21. D.C. Code §5-1104 (d). <https://code.dccouncil.us/dc/council/code/sections/5-1104.html>
22. <https://policecomplaints.dc.gov/page/policy-recommendations>

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