

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



**ANNUAL REPORT
FISCAL YEAR 2006**

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GOVERNMENT OF THE DISTRICT OF COLUMBIA

POLICE COMPLAINTS BOARD

OFFICE OF POLICE COMPLAINTS

January 8, 2007

Dear Mayor Fenty, Members of the District of Columbia Council,
Acting Chief Lanier, and Chief Pittman:

We are pleased to submit the 2006 Annual Report for the Office of Police Complaints (OPC) and its governing body, the Police Complaints Board (PCB). This report covers the agency's operations during the District of Columbia Government's fiscal year from October 1, 2005, through September 30, 2006.

Fiscal year 2006 was another successful year of growth, development, and change for the agency as it passed its fifth anniversary. In terms of raw numbers, OPC received its highest number of complaints ever, with an increase of 27%. Despite this large increase, OPC still closed more complaints than it opened for the third year in a row, further reducing its number of open complaints by 8%.

During the year, OPC conducted its 100th mediation session and issued its 50th adjudicated decision, while PCB issued its first report on its monitoring of the Metropolitan Police Department's (MPD) handling of antiwar and anti-globalization protests in Washington. The agency also held an open house to mark its anniversary and highlight several other significant developments, including the appointment of three new PCB members and the relocation of the agency to new office space.

The following is an overview of the developments and changes that occurred over the course of the year:

- Eight hundred and eighty-nine people contacted OPC to inquire about filing a complaint, which was a 32% increase over fiscal year 2005. The agency received 414 complaints, which was a 27% increase over the year before. The increase in the number of complaints this year followed a 24% increase from fiscal year 2004 to fiscal year 2005. In total, since the agency opened, it has had almost 4,000 contacts and received almost 2,000 complaints.
- OPC closed 435 complaints, which was an 18% increase over fiscal year 2005, making fiscal year 2006 the third year in a row that the agency closed more complaints than it received. The increase in the number of closed complaints was driven by a 13% increase (to 272) in the number of complaints resolved by OPC through adjudication, dismissal, or successful mediation. Nineteen of these complaints were adjudicated and 13 of the complaints had allegations that were sustained. All of these sustained decisions were forwarded to MPD, and MPD has taken steps to impose discipline for each one.

- The online legal databases maintained by LexisNexis and Westlaw began carrying OPC's decisions this year. LexisNexis started carrying the decisions in December 2005 and Westlaw started in the spring of 2006.
- OPC's number of open complaints at the end of the year decreased by 8%. The decrease occurred despite the fact that the agency received 88 more complaints in fiscal year 2006, and was driven by the greater efficiency and productivity of OPC's investigative staff and management. As part of the investigations of these complaints, OPC's investigators conducted over 750 interviews, which included more than 400 police officer and 350 citizen interviews, and the agency completed 251 investigative reports.
- OPC conducted 34 mediation sessions, 21 of which were successful. Through a concerted effort to identify appropriate complaints for mediation, OPC increased the number of mediation sessions by 79% over fiscal year 2005. Since opening, OPC has mediated 130 complaints, with an overall success rate of 72%.
- PCB issued three detailed reports and sets of recommendations to the Mayor, the Council, and MPD's Chief of Police over the course of the year, bringing its total number of policy recommendations to ten. This year's policy recommendations addressed enhancing police response to people with mental illness in the District of Columbia by incorporating the Crisis Intervention Team (CIT) community policing model, police service to disabled persons who use service animals, and business cards for MPD officers. The reports discussed PCB's examination of these issues and the recommendations included changes designed to reduce officer misconduct while improving police service in Washington.
- Under the First Amendment Rights and Police Standards Act of 2004, which granted PCB the authority to monitor and evaluate MPD's handling of protests and demonstrations held in the District of Columbia, PCB issued its report on the agency's monitoring of MPD's handling of the antiwar and anti-globalization protests that occurred in Washington in September 2005.
- OPC implemented its Community Outreach Strategic Plan for 2006. The plan continued many of OPC's successful programs and featured an open house and visits by delegations from Norway and Sweden that were interested in police accountability issues.

As the agency embarks on another year, we are looking forward to continued progress and advancement. We believe that the work done by PCB members and OPC staff over the past six years has situated the agency well to carry out its mission in the years ahead, even though there are important challenges that will need to be addressed. For the past two years, OPC has seen dramatic increases in the number of complaints filed with the agency. We believe that the increases have been driven primarily by the wider availability of OPC's complaint forms and materials, which has made filing a complaint with our agency an option for more people, and the District's crime emergencies, which have increased the number of officer-citizen contacts. No matter what the cause, however, we expect the higher number of complaints to continue, and we

need to ensure that the agency has adequate resources to handle this volume of complaints. We will be monitoring our number of investigators to be sure we have enough staff to investigate complaints in a timely and thorough manner. We also will be tracking our funding for mediation sessions, hearings, court reporting, and other services to be sure that it is adequate to process these complaints promptly. Beyond our work investigating and resolving complaints, we also must ensure that the agency can adequately perform its other duties, which include monitoring MPD's handling of protests and demonstrations, performing community outreach, developing additional recommendations for police reform, and responding to Freedom of Information Act (FOIA) requests, which increased noticeably again this past year.

In addition to staffing and resource concerns, the agency also will have to address challenges that may hinder OPC's ability to gather the facts in its investigations or jeopardize the agency's independence. One such challenge is ensuring that all MPD employees cooperate fully with OPC's investigation, adjudication, or mediation of complaints, which is required by District law. While the Department and most MPD employees have cooperated with the agency, OPC reported more than 51 instances of non-cooperation to MPD in 2006, and the Department did not take disciplinary action in 92% of the cases that had been reviewed as of the issuance of this report. The number of instances of non-cooperation has risen dramatically over the past few years, and MPD's failure to take disciplinary action has had significant negative consequences for the District's police accountability system. We have written to MPD about this issue recently and will be focused on ensuring that MPD takes corrective action in 2007.

We anticipate exciting things as the District's new Mayor, Council Chairman, Council Members, and Chief of Police take office, and look forward to working with these leaders to continue our agency's important work and address the challenges that lie ahead. Over the past six years, we believe that the agency has become an important forum where members of the public can raise concerns about their interactions with the police and seek protection of their rights when they may not have that opportunity to do so elsewhere. The agency also has advanced police reform by detecting and examining patterns and trends in the complaints filed with the agency and issuing detailed policy recommendations based on this work. In the year ahead, we plan to enhance and expand these roles to do our part to improve policing and ensure the public's confidence in the District's police force.

Respectfully submitted,



Kurt Vorndran
Chair
Police Complaints Board



Philip K. Eure
Executive Director
Office of Police Complaints

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I. AGENCY INFORMATION

A. Agency Structure and Complaint Process

Information about the structure and operation of the Police Complaints Board (PCB) and the Office of Police Complaints (OPC), the agency's history, and the complaint process can be found on OPC's website, www.policecomplaints.dc.gov. This information was also included in the agency's annual reports issued for fiscal years 2001 through 2005.

B. Police Complaints Board Members

The current members of the Board are as follows:

Kurt Vorndran, the Chair of the Board, is a legislative representative for the National Treasury Employees Union (NTEU). Prior to his work at NTEU, Mr. Vorndran served as a lobbyist for a variety of labor-oriented organizations including the International Union of Electronic Workers, AFL-CIO (IUE), and the National Council of Senior Citizens. Mr. Vorndran served as the president of the Gertrude Stein Democratic Club from 2000 to 2003 and an elected ANC Commissioner from 2001 to 2004. He received his undergraduate degree from the American University's School of Government and Public Administration and has taken graduate courses at American and the University of the District of Columbia. Mr. Vorndran was confirmed by the District Council on December 6, 2005, and sworn in as the new chair of the Board on January 12, 2006. His term expires on January 12, 2008.

Inspector Patrick A. Burke is a 17-year veteran of the Metropolitan Police Department (MPD) and the commander the Third District Substation. During his MPD career, Inspector Burke has served in four of the seven police districts, the Special Operations Division, Operations Command, and the Field and Tactical Support Unit. He received his undergraduate degree in criminal justice from the State University of New York College at Buffalo, a certificate of public management from the George Washington University, and a master's degree in management from the Johns Hopkins University. He is also a graduate of the Federal Bureau of Investigation's National Academy in Quantico, Virginia, and the Senior Management Institute for Police (SMIP) in Boston, Massachusetts. Inspector Burke has received a variety of awards and commendations, including MPD's Achievement, Meritorious Service, and Lifesaving Medals, the Cafritz Foundation Award for Distinguished District of Columbia Government Employees, and the National Highway Traffic Safety Administration Award for Public Service. In addition, he is an active member of numerous community and volunteer organizations within the District of Columbia, where he resides with his wife and four children. Inspector Burke was confirmed by the District Council as the second MPD member of the Board on January 3, 2006, and sworn in on January 12, 2006. His term expires on January 12, 2009.

Karl M. Fraser is a project manager who oversees clinical oncology research at a biotech company in Rockville, Maryland. Mr. Fraser received his undergraduate degree in biology from Howard University and a master's degree in biotechnology from the Johns Hopkins University. He has been active in his community, including serving as an elected ANC Commissioner.

Mr. Fraser was confirmed by the District Council on December 6, 2005, and sworn in on January 12, 2006. His term expires on January 12, 2008.

Over the past year, two PCB members, Dr. Patricia Fisher and Marc Schindler, completed their service on the Board. Dr. Fisher, who was an original PCB member and served since the Board was created in January 2000, and Mr. Schindler, who served on the Board for more than three years, devoted a considerable amount of their personal time and energy to the development and continued operation of the agency. Their hard work helped shape and improve the agency over the years, and the PCB members and OPC staff salute them for their service to the agency and the District of Columbia.

Dr. Fisher's and Mr. Schindler's seats on the Board are currently vacant. One seat has a term that expired on January 12, 2006, and the other seat has a term that will expire on January 12, 2007.

C. Office of Police Complaints Staff

OPC has a talented and diverse staff of 19 that includes eight employees, or 42%, with graduate or law degrees, and five attorneys. The diversity of the office generally mirrors the District's population, and includes a staff that is 58% African-American, 32% white, 5% Latino, and 5% multiracial. In addition, since it opened in 2001, OPC has administered an internship program that has attracted many outstanding students from schools in the Washington area and beyond. Through the fall of 2006, 43 college students and 18 law students have participated in the program.

The current members of OPC's staff are as follows:

Philip K. Eure became the agency's first executive director in July 2000 after working as a senior attorney in the Civil Rights Division at the U.S. Department of Justice, where he litigated on behalf of victims of employment discrimination. While at the Department, Mr. Eure was detailed in 1997-1998 to Port-au-Prince as an adviser to the Government of Haiti on a project to reform the criminal justice system. He also serves on the board of directors of the National Association for Civilian Oversight of Law Enforcement (NACOLE) and has spoken at various forums in the District, around the country, and outside the United States on a wide range of police accountability issues. Mr. Eure received his undergraduate degree from Stanford University and his law degree from Harvard Law School.

Thomas E. Sharp, the deputy director, joined the agency in October 2002 from the law firm of Wilmer, Cutler & Pickering, where he was an associate in the firm's securities enforcement and regulatory practice. Prior to joining the firm, he served as staff counsel to Newark, New Jersey, City Councilman Cory Booker and as a law clerk to U.S. District Judge Myron H. Thompson in Montgomery, Alabama. Mr. Sharp has a bachelor's degree from the State University of New York at Buffalo and a law degree from Yale Law School.

Clifford C. Stoddard, Jr., the chief investigator, was appointed to his position in June 2003. Mr. Stoddard is a retired Special Agent from the U.S. Air Force Office of Special Investigations and former Assistant State's Attorney and Chief of the White-Collar and

Computer Crime Division of the Anne Arundel County State's Attorney's Office in Annapolis, Maryland. He was an adjunct faculty member at the National Advocacy Center and has taught nationally for the National District Attorney's Association and the American Prosecutor's Research Institute on white-collar and computer crime subjects. Mr. Stoddard has a bachelor's degree from Southern Illinois University, Carbondale, and a law degree from the Georgetown University Law Center.

Kesha Taylor, the assistant chief investigator, was hired in July 2002. Prior to joining the agency, Ms. Taylor worked with the Investigations Division of the Public Defender Service for the District of Columbia for seven years. While there, Ms. Taylor served most recently as a Staff Investigator and as the Coordinator of the Internship Program. Ms. Taylor obtained her undergraduate degree in political science and English from the University of Vermont. She also received a master's degree in higher education from Cornell University.

Nicole Porter, the agency's special assistant, joined OPC in August 2006. Ms. Porter came to the office from the U.S. Department of Justice's Civil Rights Division, where she worked on police misconduct, disability, and housing discrimination issues. Prior to her tenure with the Justice Department, she served as an attorney with the American Civil Liberties Union of Maryland. Ms. Porter received her bachelor's degree from Tennessee State University and her law degree from the University of Tennessee.

As of the issuance of this report, OPC's other staff members are as follows:

Natasha Bryan	Lead Investigator
Mona Andrews	Lead Investigator
Anthony Lawrence	Senior Investigator
Megan Rowan	Senior Investigator
Andrea Del Pinal	Investigator
David A. Curcio	Investigator
Alpha Griffin	Investigator
Kevin T. Smith	Investigator
John R. Brunza	Investigator
Takima Davis	Paralegal Specialist
Sherry Meshesha	Investigative Clerk/Receptionist
Melanie Deggins	Public Affairs Specialist
Stephanie Banks	Administrative Officer
Sonja Wingfield	Staff Assistant

II. THE YEAR IN REVIEW

A. Introduction

Fiscal year 2006 was a year of growth, development, and change for OPC as the agency passed its fifth anniversary. OPC received its highest number of complaints ever, with an

increase of 27%. Despite these large increases, OPC still closed more complaints than it opened for the third year in a row, further reducing its number of open complaints by 8%. This accomplishment was driven by an 18% increase in the overall number of complaints closed and a 13% increase in the number of complaints resolved by OPC through adjudication, dismissal, or successful mediation.

During the year, OPC conducted its 100th mediation session and issued its 50th adjudicated decision, while PCB issued its first report on its monitoring of MPD's handling of antiwar and anti-globalization protests in Washington. PCB also issued three detailed reports and sets of recommendations to the Mayor, the Council, and MPD's Chief of Police over the course of the year that addressed enhancing police response to people with mental illness in the District of Columbia by incorporating the Crisis Intervention Team (CIT) community policing model, police service to disabled persons who use service animals, and business cards for MPD officers. The reports proposed changes designed to improve police service while reducing the number of police misconduct complaints in the future. In addition, OPC implemented its Community Outreach Strategic Plan for 2006, continuing several successful programs and featuring an open house and visits by delegations from Europe that were interested in police accountability issues.

These developments and others are discussed in more detail below, along with statistics regarding complaints received and closed by OPC in fiscal year 2006.

B. Complaint Examination

In fiscal year 2006, OPC continued the operation of its complaint examination process. The agency's pool of 16 complaint examiners, all of whom are distinguished attorneys living in the District of Columbia, includes individuals with backgrounds in private practice, government, non-profit organizations, and academia, as well as a variety of other experiences.

If a complaint examiner determines that an evidentiary hearing is necessary to resolve a complaint, OPC has taken steps to ensure that complainants have counsel available to assist them at no cost during the hearings. In general, because officers are represented by attorneys or union representatives provided to them by the police union, the Fraternal Order of Police (FOP), OPC has had an arrangement since 2003 with a Washington-based law firm, Howrey L.L.P, to provide free counsel to complainants.

As the decisions issued by OPC suggest, the complaint examination process has become an important forum where members of the public can raise concerns about possible abuse or misuse of police powers and seek protection of their rights when they may not have that opportunity to do so elsewhere. In general, the other forums available – principally criminal and civil court – provide few opportunities to raise these issues or have barriers to entry that keep or inhibit people from pursuing them. OPC referred an additional 18 complaints into the process over the course of the year, and 19 complaints, involving 32 officers, were resolved. Four of the complaints were withdrawn midway through the process, and the remaining 15 were resolved in 15 different decisions. Table 1 lists each of the resolved complaints in the order in which they were resolved and identifies the allegations in the complaint and the decision reached by the complaint examiner for each allegation.¹

Table 1: Complaint Examiner Decisions

	Harassment	Excessive Force	Language / Conduct	Discriminatory Treatment	Retaliation
01-0411	Sustained	Exonerated	--	--	--
03-0463	Sustained	Sustained	Sustained	--	--
03-0399	--	--	Withdrawn	--	--
02-0327	Unfounded	Unfounded	--	--	--
05-0110	Sustained	Sustained	--	--	--
02-0507	--	Sustained / Exonerated	--	--	--
05-0262	Sustained	--	Sustained	--	--
05-0228	--	--	Sustained	--	--
02-0361	--	--	Sustained	Sustained	--
03-0410	Sustained	--	--	--	--
03-0525	Sustained	--	Sustained	--	--
03-0313	Sustained	--	Sustained	--	--
02-0167	Withdrawn	--	Withdrawn	--	--
03-0590	Withdrawn	--	Withdrawn	--	--
04-0389	--	--	Withdrawn	--	--
04-0132	Sustained	Sustained / Unfounded	Sustained	--	--
05-0373	--	--	Unfounded	--	--
04-0055	Sustained	Insufficient Facts	Insufficient Facts	Unfounded	--
05-0375	--	--	Sustained	--	--

The full text of each decision is available on OPC’s website, www.policecomplaints.dc.gov, and through the online legal databases maintained by LexisNexis and Westlaw. LexisNexis began carrying OPC's decisions in December 2005 while Westlaw started in the spring of 2006. The addition of OPC’s decisions to the two largest online legal databases in the United States marks an important step in the development of the agency, making OPC the first and only police oversight agency in the nation to have its decisions published by either LexisNexis or Westlaw.

Table 2 summarizes the decisions reached by the complaint examiners, identifying the frequency of the different outcomes. The table reflects the overall outcome for each complaint.

Table 2: Complaint Examiner Decisions

	FY03		FY04		FY05		FY06	
	Complaints		Complaints		Complaints		Complaints	
Sustained	15	78.9%	9	56.3%	13	76.5%	13	68.4%
Exonerated	2	10.5%	2	12.5%	1	5.9%	--	--
Insufficient Facts	--	--	3	18.8%	1	5.9%	--	--
Unfounded	1	5.3%	1	6.2%	--	--	2	10.5%
Withdrawn	1	5.3%	1	6.2%	2	11.8%	4	21.1%
Total	19		16		17		19	

Looking at the resolutions reached by complaint examiners, 13 of the 19 complaints, or 68%, had at least one allegation that was sustained.² There were two complaints, or 11%, where

the complaint examiner concluded that underlying allegations were unfounded. Four complaints, or 21%, were withdrawn. Please note that the sustain rate is not 68% of all complaints resolved by OPC, but 68% of the 19 complaints resolved in the complaint examination process, which does not include complaints that were successfully mediated or complaints that were dismissed because they lacked merit or the complainant would not cooperate with OPC's process. When the sustained complaints are considered as part of all complaints resolved by OPC through adjudication, dismissal, and successful mediation, sustained complaints make up 5% of this group (or 13 of 272). In general, OPC's overall sustain rate will fluctuate from year to year depending on a variety of factors, such as the number of dismissals and successful mediations, which are not directly related to the complaint examination process.

Among these resolutions, withdrawn complaints are the greatest cause for concern. OPC's process is complainant initiated and the complainant currently has the option to withdraw at any point in the process up through the issuance of a decision. OPC always attempts to ensure that complainants are not coerced or intimidated out of pursuing their complaints. Beyond that, a complainant's reasons for withdrawing a complaint vary and may be legitimate and reasonable. Nevertheless, halting the process so close to the end has significant consequences, such as wasted time and resources investigating and adjudicating the complaint and a lack of a resolution for potentially serious police misconduct allegations that may affect the public in general. OPC has been examining these and other withdrawals and looking at its regulations, policies, and procedures in an attempt to reduce the number of withdrawals and eliminate the waste and other negative consequences that result from them. Over the next year, OPC will be considering changes to its statute to create more effective ways of resolving minor complaints that do not require the time and resources currently needed, changes to its regulations to modify and introduce more controls into the rules governing withdrawals by complainants, and changes to its policies and procedures to ensure prompt and efficient investigation and adjudication of complaints when the participation of the parties in the process can most easily be obtained.

To illustrate the types of complaints that were resolved by complaint examiners in fiscal year 2006, the following are three examples of complaints and the resulting decisions:

1. Complaint Examination Example #1

The complainant alleged that while he was walking in a Northeast Washington neighborhood, several MPD officers jumped out of their cars with their guns drawn and ordered the complainant to put up his hands. The two subject officers reportedly frisked the complainant at gunpoint, referring to him as "nigger" during the frisk and threatening to plant evidence of illegal activity on him in order to force him to talk. The subject officers also allegedly ordered the complainant to kneel on the ground and place his hands behind his head. According to the complainant, one of the subject officers then put a gun to his head, and the two subject officers threatened to shoot the complainant and dump his body in Northwest Washington. The complainant stated that at the conclusion of the stop, the subject officers ordered the complainant to run away, and when he did so, the subject officers chased after the complainant in their police cars, causing the complainant to narrowly miss being hit by a truck and a car. The complainant was not found in possession of any illegal substances and was not arrested or cited for any crime. Later that day, the complainant filed a complaint with OPC alleging that the subject officers

harassed him, used unnecessary or excessive force against him, and used language or engaged in conduct toward him that was insulting, demeaning, or humiliating.

In interviews with OPC, the subject officers denied having engaged in the acts alleged by the complainant. The officers stated that they stopped the complainant because he exhibited suspicious behavior, and, after frisking the complainant for weapons and running a check on the complainant's identification, they informed the complainant that he could leave.

Following completion of its investigation, OPC referred the matter to a complaint examiner. The complaint examiner issued a decision without holding an evidentiary hearing after determining that she had all the evidence necessary to resolve the complaint. The complaint examiner did not find believable the subject officers' statements regarding what had happened, and, instead, credited the story told by the complainant and the complainant's witness. The complaint examiner sustained the harassment and language or conduct allegations against both officers, and sustained the unnecessary or excessive force allegation against the subject officer who held a gun against the complainant's head.

2. *Complaint Examination Example #2*

Two MPD officers came to the complainant's front porch to investigate a verbal disagreement between the complainant and his cousin. At the time of the incident, the complainant and his cousin were 15 years old. The disagreement between the complainant and his cousin quickly ceased upon the arrival of the officers. However, shortly after the officers arrived, the subject officer and the complainant began to argue. As the argument escalated, the subject officer allegedly removed his gun, radio, and police belt and punched the complainant in the face several times. The officer's punches allegedly initiated a fight between the officer and complainant that spilled onto the sidewalk in front of his home and reportedly resulted in the complainant's injury. The complainant was arrested for assault on a police officer and threats to do bodily harm, but the charges were later dropped.

The teenaged complainant alleged that the officer used unnecessary or excessive force against him during the incident. The complainant also alleged that the second MPD officer assisted the subject officer in removing his police belt, and held his police belt while the officer assaulted the complainant, thereby engaging in excessive force against the complainant by failing to intervene in the matter. The subject officer denied striking or fighting the complainant at any time. The second officer stated that the complainant and subject officer engaged in a fight, but claimed that the fight was initiated by the complainant and denied that the subject officer removed his belt.

Following completion of its investigation, OPC referred the matter to a complaint examiner. The complaint examiner issued a decision without holding an evidentiary hearing after determining that she had all the evidence necessary to resolve the complaint. The complaint examiner sustained the allegation of the use of unnecessary or excessive force against the subject officer, determining that the subject officer used unjustified force to bring what he perceived to be an unlawful disorderly situation under control. The complaint examiner found that the subject officer's use of force was unnecessary even if the complainant initiated the fight because the force was so far beyond what was required. However, the complaint examiner

exonerated the second officer on the force allegation, finding that although the second officer was present during the incident, the officer did not have a meaningful opportunity to intervene and prevent the unnecessary use of force.

3. *Complaint Examination Example #3*

The complainant alleged that an MPD officer used language or engaged in conduct toward him that was insulting, demeaning, or humiliating by shouting at him and humiliating him after he failed to move his car in accordance with posted “No Parking” signs. According to the complainant, while parking his car on the side of the street to help his daughter move her belongings out of her apartment following college graduation ceremonies, he was told by the subject officer to “get the hell out of here.” The complainant stated that he did as he was ordered, but stopped the car on a nearby street to allow his family to put his daughter’s belongings in the trunk and get in the car. The subject officer witnessed the second stop, and the complainant was subsequently arrested by the officer for failure to obey a police order. The complainant alleged that the officer demeaned and humiliated him in front of his family during these two encounters. The subject officer stated that she did not use rude or offensive language toward the complainant when she asked him to move his car, and that there were “No Parking” signs clearly posted on the streets where the complainant stopped.

The complaint examiner conducted an evidentiary hearing, and found that the complainant’s language or conduct allegations against the officer were unfounded. The complaint examiner determined that the evidence gathered during the investigation and presented at the hearing did not support the complainant’s allegation that the subject officer used demeaning and humiliating language when she instructed him to move his car in accordance with posted “No Parking” signs.

C. *Discipline*

1. *Complaint Examiner Decisions*

All of the decisions that sustained at least one allegation were forwarded to MPD’s Chief of Police and the Chief of Police for the D.C. Housing Authority Police Department (DCHAPD) for imposition of discipline, and neither chief has returned any of the decisions for reconsideration yet. One hundred percent acceptance of decisions by a chief from an independent police review agency is exceptional,³ and is a positive reflection on the quality of OPC’s investigations and decisions, as well as the District Government’s statute creating OPC, which limits the circumstances under which a complaint may be returned for reconsideration. As of the issuance of this report, the disciplinary process was completed for all but two of the decisions that were issued by the end of fiscal year 2006. The disciplinary process was still pending for one of the decisions, and the DCHAPD Chief of Police was considering requesting reconsideration by a final review panel for the other decision. The final review panel is the only type of appeal of a complaint examiner’s decision allowed by OPC’s statute and would be the first one ever requested. The process for these two complaints is ongoing and will be completed sometime during fiscal year 2007.

The remaining decisions for which discipline has been imposed included a total of 51 subject officers and a summary of the discipline imposed on these officers is included in Table 3.

Table 3: Discipline for Sustained Complaints

Discipline or Action Taken	Total
Terminated	1
Resigned	1
Retired	1
20-Day Suspension	2
15-Day Suspension	6
10-Day Suspension	12
5-Day Suspension	2
3-Day Suspension	4
Official Reprimand	12
Formal Counseling	10
Total	51

OPC will continue to track the discipline imposed by the Chief so that the agency is informed about how MPD handles the decisions referred to it by OPC.

2. *Failure to Cooperate by MPD Officers*

The statute that created OPC requires that MPD employees cooperate fully as requested with OPC’s investigation and adjudication of a complaint,⁴ and that officers participate in good faith in the mediation process when OPC refers a complaint to mediation.⁵ In 2006, MPD failed or refused to take disciplinary action against officers in an alarmingly high proportion – 92% – of the cases where OPC found that officers had not cooperated with OPC’s investigation or mediation of police misconduct complaints. OPC recently wrote a letter to MPD and pointed out that MPD’s inaction violates District of Columbia law, hinders OPC’s ability to gather the facts in its investigations, jeopardizes the agency’s independence, and has had the effect of encouraging further non-cooperation by officers.

OPC notified MPD of more than 51 separate instances in 2006 where MPD officers failed to cooperate with OPC’s investigation, adjudication, or mediation of a police misconduct complaint. In these cases, some officers have repeatedly failed to appear for an interview at OPC, refused to answer questions asked by investigators, terminated interviews or mediation sessions, refused to provide a statement regarding an incident, or refused to sign a statement certifying the truth of the information they provided. In 2005, OPC reported 19 similar instances.

In late 2006, MPD reported to OPC that the Department did not take any disciplinary action against the officers in 35 of the 38 cases, or 92%, that had been reviewed by MPD during 2006. In 22 instances, or 57%, MPD indicated that it could not take disciplinary action against the officers because it was barred from doing so by the Fire and Police Disciplinary Action Procedure Act of 2004.⁶ In 13 instances, or 34%, MPD apparently concluded that disciplinary

action was not warranted despite the information that OPC provided to the Department about the officers' failures to cooperate. The Office of the Independent Monitor also reported on October 30, 2006, that MPD did not take any disciplinary action in 14 of 19 cases, or 73%, reported by OPC to the Department in 2005.⁷

For the 22 notifications where disciplinary action was barred by the Fire and Police Disciplinary Action Procedure Act, which prohibits MPD from imposing discipline on any sworn member of the Department more than 90 business days after the Department is notified of the action leading to the discipline, the only reason that this law was a factor in these cases was because MPD failed to act on the notifications after it received them. Disciplinary action could have, and should have, been taken for the failures to cooperate at issue here, and no discipline was imposed because of MPD's neglect. For the 13 notifications where MPD considered the matters and exonerated the officers, OPC does not know how MPD could have concluded that the conduct in question occurred but did not violate MPD's procedures. In each instance, OPC specifically notified MPD that the officer did not cooperate fully as requested with OPC's investigation. With the possible exception of an officer's failure to appear for an interview where the agency was not aware of circumstances that legitimately prevented the appearance, OPC does not know how a failure to comply with OPC's procedures could not be a violation that warrants discipline by MPD.

While the Department and most MPD officers have cooperated with OPC's investigations, MPD's failure to take disciplinary action in the 49 cases mentioned above has had significant negative consequences for the District's police accountability system by fostering more non-cooperation. These failures to cooperate arose in serious matters reported to OPC alleging unnecessary or excessive use of force, harassment, discrimination, and other possible police misconduct. OPC's ability to investigate these complaints was hindered by MPD allowing some officers to thwart OPC's investigations and by sending a message to other officers that they need not take the process seriously because MPD will not stand behind its legal obligation to ensure that they cooperate. The effects are clear when one considers that OPC sent three notifications to MPD in 2004, 19 in 2005, and more than 51 in 2006. OPC believes that many of the later notifications would not have been necessary if MPD had taken action in response to the earlier ones, thereby sending a clear message about what the Department expects of its officers.

This is a matter of the utmost importance to OPC and OPC's recent letter to MPD seeks corrective action to remedy the situation. Specifically, OPC asked MPD to take the following steps as soon as possible: (1) the Department will promptly review and act upon all notifications from OPC; (2) MPD will take disciplinary action in cases where OPC has determined that an officer has not cooperated fully as requested with OPC's investigation, adjudication, or mediation of a complaint; (3) where MPD's review or investigation of a matter suggests that an officer may have cooperated fully as requested, the Department will promptly share this information with OPC so that the agency can be sure it has reached the appropriate conclusion and is pursuing discipline only in cases where it is warranted; and (4) the Department will communicate by directive, postings, or some other means to its employees that they are required by law to cooperate with OPC's investigation, adjudication, or mediation of a police misconduct complaint and that they will be disciplined if they do not.

OPC will continue to pursue this issue with MPD, representatives of the new Mayor's administration, and the District Council in fiscal year 2007.

D. Mediation

In fiscal year 2006, OPC, through its mediation service, the Community Dispute Resolution Center (CDRC), mediated 34 complaints, bringing the grand total to 130 complaints mediated. The parties reached an agreement in 21 of the 34 mediation sessions, and these agreements accounted for 8% of all complaints resolved by OPC through adjudication, dismissal, or successful mediation in fiscal year 2006. OPC made considerable efforts to identify appropriate complaints for mediation and increase the number of mediation sessions, which led to a 79% increase this year. Since the program began, 94 of the 130 mediation sessions (or 72%) were successful and resulted in an agreement between the parties that resolved the complaint. The remaining 36 sessions (or 28%) did not result in an agreement, and the underlying complaints were referred back to the executive director for appropriate action. To date, mediators have helped resolve complaints that allege harassment, the use of language or conduct that is insulting, demeaning, or humiliating, discrimination, the use of unnecessary or excessive force not resulting in injury, failure to provide identification, or a combination of the five.

In addition to the statistical success rate, OPC's mediation program was recognized and discussed in a recent American Bar Association (ABA) book published to assist police oversight agencies.⁸ The publication described OPC's program and how it compares to others around the country. Participants in the program have also reported positively on the program. A survey of the participants conducted by CDRC indicated that the overwhelming majority of complainants and subject officers who responded found the mediator to be helpful or very helpful, the mediation session to be satisfactory or very satisfactory, and the resulting agreement to be fair or very fair. In addition, 48% of the respondents left their mediation session with more positive feelings about the other party, while only 9% had more negative feelings, and 43% indicated no change in their feelings. Finally, OPC is proactively taking steps to protect the integrity of the mediation process by dismissing complaints and pursuing discipline of officers when one of the parties fails to appear for mediation or refuses to participate in the mediation process in good faith.

OPC has been very pleased with the success of the mediation program, and plans to continue to use it regularly. The main challenge will be to identify enough complaints suitable for mediation to maintain the high number of mediation sessions that the agency held in fiscal year 2006.

As an illustration of the types of complaints that were referred to mediation in fiscal year 2006, the following are three examples that describe the complaint and the mediation session:

1. Mediation Example #1

A citizen filed a complaint after being stopped for allegedly talking on her cellular telephone while driving. When she arrived for the mediation, the complainant was very upset and angry. She began by loudly accusing the officer of inappropriately stopping her and wrongly accusing her of using her cellular telephone. She explained that, at the time, she was not using

the telephone and was a victim of police harassment. She went on in a loud voice and angry tone to accuse the officer of inappropriately pulling her over and giving her a ticket.

The officer responded in a similar tone. He said he was angry at being accused and attacked for just doing his job. He remembered the incident very clearly and was certain he had seen her on the telephone. Both the complainant and the officer yelled and accused each other of not telling the truth.

The mediator met privately with both the complainant and the officer. The complainant explained that she was especially distressed when the officer pulled her over because it brought back memories of a previous incident in which she was pulled over and falsely accused by a police officer. She recalled that, because of the previous incident, she became very agitated and yelled at the officer. She maintained that she was not using her telephone, and could prove it with billing records. After having the opportunity to vent for a while, the complainant acknowledged that her behavior had contributed to the escalation of the incident.

In a private meeting with the mediator, the officer explained that when he stopped the complainant he was certain that she was using her cellular telephone, and had intended to issue her only a warning. It was only after she became so angry and verbally out of control that he gave her the ticket. He could not understand why she was so enraged and believed her accusations were completely unfounded and inappropriate. When he learned of her previous experience and her explanation as to why she was so upset, he was willing to consider the situation from her perspective.

Both the complainant and the officer then talked to each other about how the situation had escalated. The complainant acknowledged that she spoke inappropriately and would make an effort to control her anger in the future. She apologized to the officer. They agreed to put the incident behind them. The officer agreed to appear in traffic court with the complainant and assist her in responding to the ticket.

2. *Mediation Example #2*

A woman filed a complaint alleging that an officer discriminated against her and her male friend because of their sexual orientation and used language that was insulting, demeaning, and humiliating. She recounted that she and her friend were walking from a Metro station after work when they were harassed and threatened by some teenagers who chased them with a gun. She called 911 and an officer appeared shortly thereafter. However, she said that when she tried to explain what happened, the officer would not let her talk and yelled at her and her friend. She believed that the officer made disparaging comments about her and her friend because they were gay and accused them of not telling the truth when the officer was unable to find a gun on the teenagers.

At the mediation, the officer listened to the woman describe the incident and explain why she was so upset about his behavior and language. He then recounted how chaotic the situation was with several people at the scene and conflicting stories from different people. He apologized immediately for not listening to her at the time. He said that he normally tries to listen to people and remembers that on this particular occasion there was so much confusion that he did not pay

as much attention as he should have. As they talked, the citizen explained that this was not the first time the teens had harassed her and that she uses this Metro station regularly. That, and her belief that they did have a gun, was why she was so upset at the time. She acknowledged that because she was upset, she was talking very fast and interrupting the officer, which may have made it harder for him to hear her.

The officer explained the comments that he had made that evening and the citizen realized that she had misinterpreted what he had said. Each of them apologized to the other for the miscommunication. The officer provided his contact information so that the citizen could contact him if these teenagers bothered her again. The citizen expressed appreciation for the officer's willingness to participate in the mediation and for the good work that MPD officers do for all citizens of the District of Columbia.

3. *Mediation Example #3*

A citizen filed a complaint against an officer alleging harassment and intimidation directed at her and her daughter. The complainant was driving with her four-year-old daughter on West Virginia Avenue, N.E., and was pulled over by an officer for traveling 40 miles per hour in a 25 m.p.h. zone. Soon after she was pulled over, four additional squad cars arrived. The complainant felt overwhelmed and intimidated by all of the officers and thought it was excessive for a speeding violation. The officer told the complainant that she had been speeding and that her car windows were illegally tinted. The complainant was unaware of tint laws in the District and tried to explain to the officer that she had recently purchased the car from the dealer directly from the manufacturer and had not altered the windows in any way. The officer appeared to be more concerned about the illegal tint than the speeding violation.

When the parties entered the mediation room, they were both agitated and defensive. As the complainant related what had happened to her, she accused the officer of harassment, racial profiling, intimidation, and rude behavior and language. She felt that having so many officers at the scene threatened her and her daughter when it was obvious that a single mother driving with a four-year-old was not a threat to anyone's safety. She thought the officer was rude and offensive because he kept insisting she had added illegal tint to her windows.

The officer had little patience with the complainant and was adamant that all drivers should know all District regulations including those covering illegal tint. He stated that had the complainant not had such a bad attitude during their interaction, he would only have given her a speeding ticket and not fined her for the illegal tint. He also explained that safety was a huge concern for officers, especially in the neighborhood of the stop, and that when cars have illegally tinted windows, it is impossible to see who is in the vehicle and impossible to determine whether any of the passengers are armed.

The mediator asked about the safety issues concerning tinted windows and the officer mentioned that another officer had recently been shot and killed through a tinted back window when he was unable to see that the passenger had a gun. He stated that since then officers have been on high alert when dealing with vehicles with tinted windows. The complainant was surprised to hear that tinted windows were such a concern but she was also still frustrated that the officer felt she had deliberately added extra tint to her windows.

The mediator asked the complainant about the purchase of the vehicle and the status of the windows. The complainant showed the officer and the mediator her bill of sale, including a description of the tint. A discussion ensued where the officer explained that there were various degrees of tint that were legal and that there were actually machines that measured the percentage of tint on a window. In addition, the tint laws vary from state to state, and are different in the District, Maryland, and Virginia. The complainant stated that the vehicle had been purchased in Maryland and she asked the officer how she could determine whether the tint percentage of her windows was legal in the District. The officer asked to look at the description on the bill of sale and saw that the windows were directly from the manufacturer as she had previously stated.

At this point, both the officer and complainant seemed to relax and shifted from an accusatory, defensive posture to an inquisitive one. The complainant used the mediation as a time to become more informed about the tint laws and to ask the officer's assistance in determining the percentage of her windows as well as what she could do to correct the situation. The officer explained a few different options and they began to speak directly to each other, politely and with respect. The complainant said she was sorry she had not realized the danger that tinted windows presented for officers and that she had been defensive because she had not understood and actually thought the speeding violation was the greater infraction.

The officer then asked the complainant when her hearing was and told her to bring the bill of sale and description of the vehicle with her. He then promised to be present at the hearing to seek to dismiss the charges or waive the tickets. By this time, the mood and tone of the session had completely transformed. Both parties were smiling and at ease and the complainant actually apologized to the officer for filing the complaint and wasting his valuable time and taking time away from his job. The officer also apologized for anything he may have done to make the complainant feel scared or intimidated. At the end of the session, the complainant agreed to not pursue her complaint and the parties shook hands and said they would see each other at the traffic hearing.

Following the mediation, the officer took the time to call both OPC and CDRC to express his gratitude to the mediator and for the opportunity to participate in mediation. He also stated he would tell his fellow officers about his positive experience.

E. Investigations

OPC's investigative unit continued its critical work collecting the facts about and analyzing the allegations contained in the police misconduct complaints received by the agency. The organization and operation of the unit was generally the same this year after several years that saw the expansion, reorganization, and enhancement of the unit. To give a sense of the work done by OPC's investigators in fiscal year 2006, they conducted over 750 interviews during the year, which included more than 400 police officer and 350 citizen interviews. In approximately half of the interviews, a second investigator participated consistent with OPC's policy. From the interviews and other investigative work, the agency completed 251 investigative reports, which was a 5% increase over fiscal year 2005. The increase in the number of completed reports can be partially attributed to OPC's continued work evaluating and improving its report formats.

Among all of the complaints received by OPC in fiscal year 2006, the agency had one that was particularly noteworthy. Even though the agency is required to refer approximately 15% of its complaints each year to the U.S. Attorney's Office for the District of Columbia for review for possible criminal prosecution of the subject officers, OPC had its first complaint this year that led to an indictment of a police officer by a grand jury in the District.⁹ In November 2006, an MPD officer was indicted on charges that he sexually assaulted a woman after pulling her over for a traffic stop. The traffic stop occurred in the fall of 2005 in the early morning hours. After learning that the woman, who spoke only Spanish, did not have a driver's license, the officer told the woman to drive to Rock Creek Park so they could resolve the matter. The officer then forced the woman to engage in various sex acts. After receiving the complaint, OPC promptly notified MPD's Internal Affairs Division, which investigated the matter and pursued the prosecution with the U.S. Attorney's Office. While the indictment is a significant development in this particular case, the fact that there has been only one indictment returned among the hundreds of complaints referred to the U.S. Attorney's Office by OPC in the six years that the agency has been open also highlights the importance of OPC as a forum to seek redress of police misconduct allegations that are not pursued by the U.S. Attorney's Office.

F. Statistics

In an effort to describe the work performed by OPC, the nature and location of the complaints that the office received, and the characteristics of the complainants and subject officers, OPC has collected the statistics included in this section.¹⁰ At the end of OPC's sixth year of operation, the statistics collected by the agency show significant growth in the number of contacts and complaints received by the agency, and the success that the agency has achieved in increasing its efficiency and productivity over the past few years. The agency has increased the number of investigations completed and complaints closed, which, for fiscal year 2006, as in fiscal years 2004 and 2005, was larger than the number of complaints opened. As a consequence, OPC's number of open complaints went down by an additional 8% at the end of fiscal year 2006.

1. Contacts and Formal Complaints

Under the statute and regulations governing OPC, all complaints must be reduced to writing and signed by the complainant, who must certify the truth of the statements in the complaint. Once a complaint has met these requirements, it is referred to as a "formal complaint." OPC is regularly contacted by people who inquire about filing a complaint, but who have not yet submitted a signed complaint form. When this happens, OPC contacts the person and attempts to obtain a formal complaint by mailing a form to the person or giving him or her instructions about filing a complaint in person. If no formal complaint is received, the file related to that contact is closed. OPC is also contacted about a variety of issues that do not fall within the jurisdiction of the office. The agency collects information about each contact, enters it into its complaint management software (CMS), and refers the person to the appropriate agency or office. In fiscal year 2004, OPC modified its process to more clearly separate and track contacts that raise issues outside the agency's jurisdiction, which resulted in a noticeably larger number of these contacts being recorded during fiscal years 2004, 2005, and 2006.

Table 4 indicates the total number of contacts received by OPC in fiscal years 2002 through 2006, the number of formal complaints that resulted in each year, and the disposition of each contact that did not result in a formal complaint. Since the agency opened in January 2001, it has had 3,887 contacts and received 1,991 complaints. In fiscal year 2006, OPC saw significant increases in both the number of contacts and the number of formal complaints. The number of contacts increased by 32% (from 674 to 889) and the number of complaints increased by 27% (from 326 to 414) from fiscal year 2005 to fiscal year 2006. It is difficult to know what caused such large increases this year, but there are two factors that seem likely to have contributed to the size of the increases. Through efforts made by MPD to make complaint forms available to the public, OPC's complaint forms and materials became more widely available, which has made filing a complaint with our agency an option for more people. The District also declared a crime emergency this summer, which likely increased the number of officer-citizen contacts that occurred during July, August, and September.

Table 4: Contacts and Formal Complaints

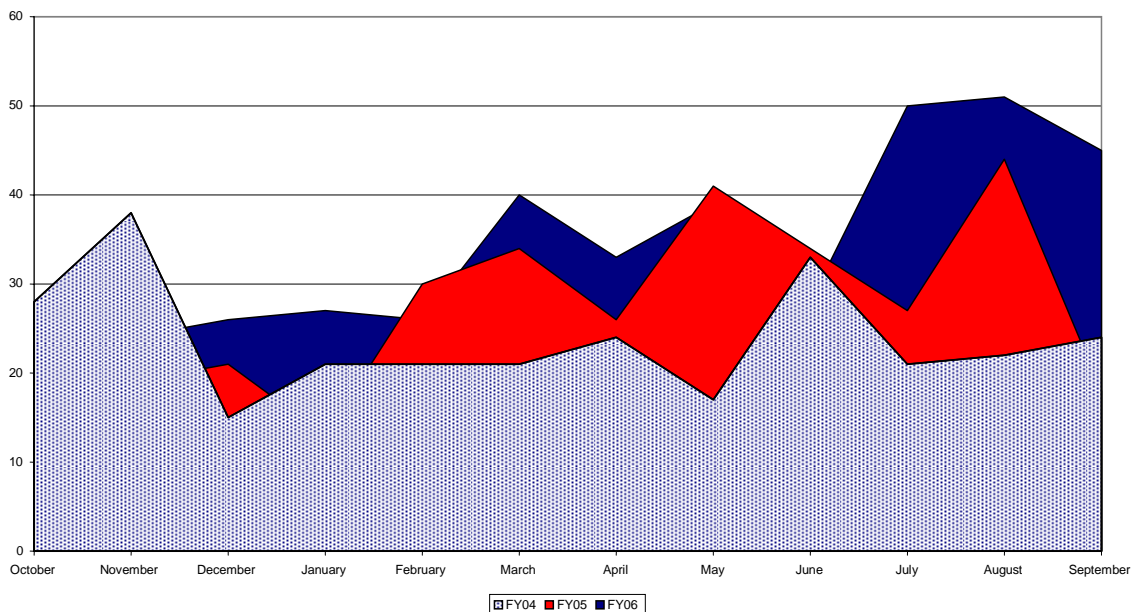
	FY02	FY03	FY04	FY05	FY06
Total Contacts	535	613	699	674	889
Closed – Outside Agency Jurisdiction, Etc.	36	55	297	184	232
Closed – No Formal Complaint	181	197	140	164	243
Total Formal Complaints	318	361	262	326	414

To illustrate the increases over the last two years in the number of formal complaints, Table 5 and Chart 5 indicate the number of complaints received each month during fiscal years 2004 through 2006. This table and chart give some sense of when the increases took place that led to 24% and 27% increases for the last two years. The data here are depicted on an area chart that shows a line connecting the number of complaints received each month with a colored area under the line. Fiscal year 2004 is the shaded area that is completely visible on the chart, and it is laid over the top of the areas that represent fiscal years 2005 and 2006. For the later years, only the months where OPC received more complaints than in the earlier years are visible.

Table 5: Formal Complaints per Month

	FY04	FY05	FY06
October	28	23	25
November	38	19	24
December	15	21	26
January	21	13	27
February	21	30	26
March	21	34	40
April	24	26	33
May	17	41	39
June	33	34	28
July	21	27	50
August	22	44	51
September	24	18	45

Chart 5: Formal Complaints per Month



2. *Disposition of Formal Complaints*

Each year, OPC works to resolve as many formal complaints as possible. Complaints are closed because they were dismissed in accordance with the OPC statute, successfully mediated, or adjudicated through OPC’s complaint examination process. Complaints are also referred to MPD because they contain allegations that are not within OPC’s jurisdiction to investigate or they were filed more than 45 days after the incident occurred, and some complaints are referred to other law enforcement agencies when the complaints relate to another agency’s officers. Finally, some complaints are withdrawn by the complainant or closed for administrative reasons.

Table 6 indicates the total number of formal complaints that were closed in fiscal years 2002 through 2006, as well as the specific disposition of each complaint. In fiscal years 2004, 2005, and 2006, the total number of complaints closed by OPC grew by 33%, 18%, and 18%, respectively. This year’s increase was driven by a 13% increase in complaints resolved by OPC through adjudication, dismissal, or successful mediation. The progress illustrated by this table reflects OPC’s increased efficiency in handling the complaints filed with the agency and shows changes that have been instrumental in allowing the agency to close more complaints than it opened for the past three years.

Table 6: Disposition of Formal Complaints

	FY02	FY03	FY04	FY05	FY06
Adjudicated	--	19	16	17	19
Dismissed	91	75	145	211	232
Successfully Mediated	13	15	25	13	21
Withdrawn by Complainant	17	9	26	25	24
Referred to MPD	88	90	62	65	93
Referred to Other Police Agencies	1	18	11	3	3
Administrative Closures	12	9	27	34	43
Closed Formal Complaints	222	235	312	368	435

3. Status of Pending Formal Complaints at the End of Each Fiscal Year

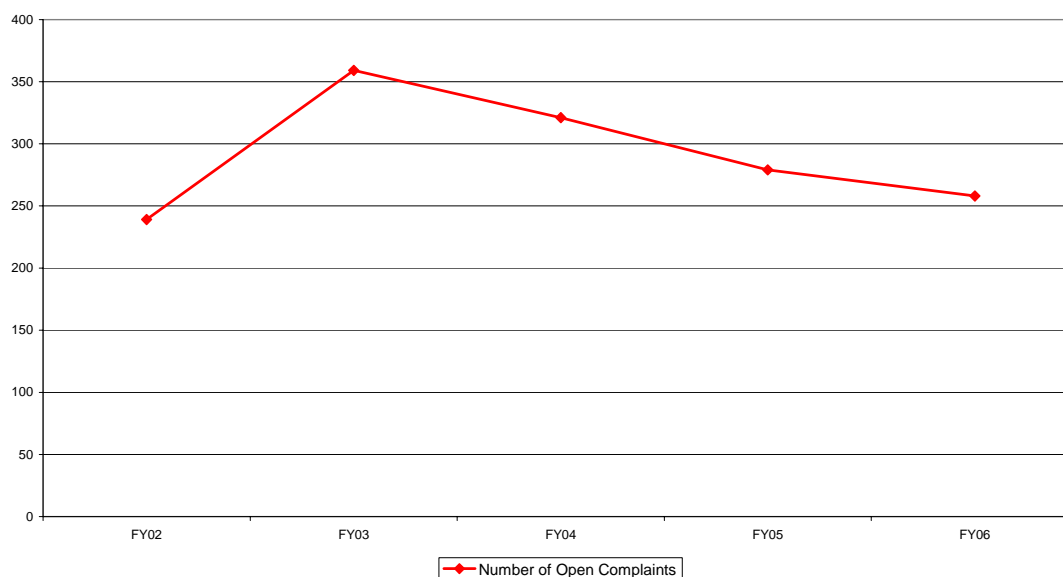
At the end of each fiscal year, there are a number of formal complaints that are still pending. Table 7 indicates the total number of complaints from all years that were open at the end of fiscal years 2002 through 2006. The table also indicates the general status of the open complaints, which includes assigned to a complaint examiner and awaiting a decision, referred into the mediation process, referred for review by the U.S. Attorney's Office for possible criminal prosecution of the subject officer, referred to a PCB member for review, awaiting the subject officer's objections to the investigative report before the complaint is assigned to a complaint examiner, currently under investigation, currently under investigation with a preliminary investigative report drafted and being reviewed, or awaiting the initial executive decision about how to proceed with a new complaint. Chart 7 depicts how the total number of complaints open at the end of each fiscal year has changed over the past five years.

The most noteworthy change for fiscal year 2006 is the decrease in the number of open complaints by 8%. This is the third year in a row that OPC closed more complaints than it opened during the course of the year, and the decrease occurred despite the fact that the agency received 88 more complaints in fiscal year 2006. The data also show that OPC's investigators held the number of complaints under investigation constant, despite the increase in the number of complaints received by OPC. This reflects well on the investigators' efficiency, but shows the additional burden they must bear as OPC receives a higher number of complaints. Had OPC received a similar number of complaints as last year, the decrease in the number of open complaints would have been much larger this year and investigators would have had a much more manageable caseload that would have allowed them to spend more time on each investigation and complete it more quickly. There was also a 40% decrease in the number of complaints that had a preliminary investigative report drafted and under review. This number shows the increased efficiency and productivity of the agency's investigative staff and management in reviewing and finalizing investigations.

Table 7: Status of Pending Formal Complaints at the End of Each Fiscal Year

	FY02	FY03	FY04	FY05	FY06
Assigned to Complaint Examiner	--	12	9	5	4
Referred for Mediation	10	11	5	18	12
Referred to U.S. Attorney's Office	15	18	10	25	30
Referred to PCB Member	--	--	--	14	12
Awaiting Subject Officer Objections	--	--	--	2	2
Under Investigation by OPC	130	232	224	157	160
Under Investigation / Report Drafted	80	79	73	58	35
Executive Decision	4	7	--	--	3
Total Number of Open Complaints	239	359	321	279	258

Chart 7: Number of Open Formal Complaints at the End of Each Fiscal Year



4. OPC Workload

OPC closes complaints each year at one of three different points in the life of the complaint. First, complaints are closed shortly after they are received because they are referred to MPD or another police agency. These are complaints that are outside OPC's jurisdiction. In general, the only work that OPC performs on these complaints is to conduct an initial investigation to confirm the nature of the complaint, and then prepare and send the complaint and related materials to the appropriate agency. Second, complaints are closed because the complainant withdraws the complaint or for other administrative reasons. These complaints require varying amounts of work by OPC depending on when the complainant withdraws the complaint, which may occur at any point up through a final decision, or when the event occurs that triggers administrative closure. Some of the events that trigger administrative closure, which also may occur at any time, include the resignation of an officer from MPD or the

completion of an investigation by MPD into the same allegations that results in the discipline of the officer. Finally, complaints are closed after they have been resolved by OPC. OPC resolves complaints by adjudication, dismissal, or successful mediation. These complaints generally require the most work, including a full investigation, the completion of an investigative report, and any other related adjudication, dismissal, or mediation processes.

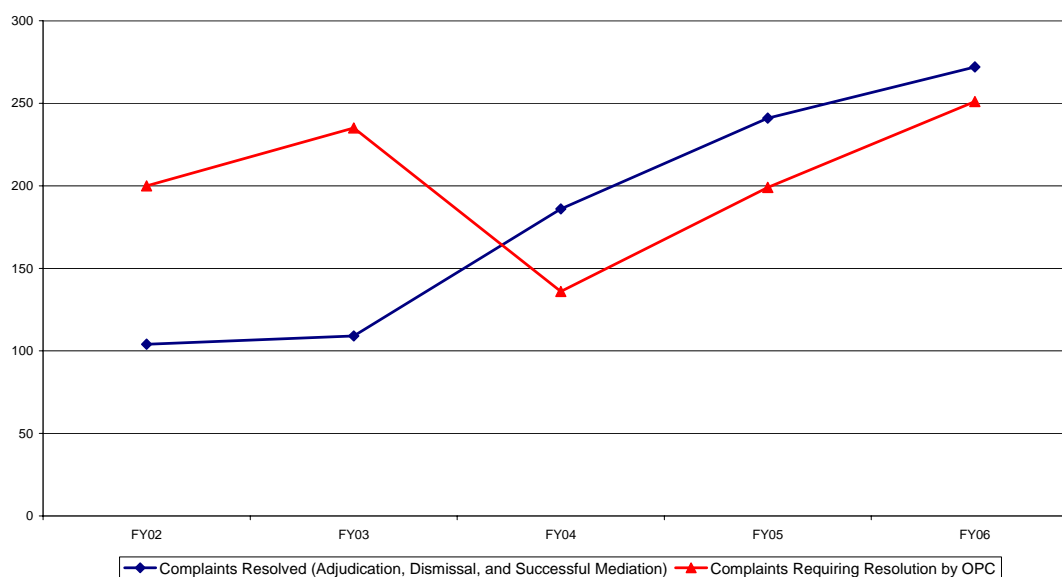
Table 8 collects statistics from the three preceding sections of this part of the report to illustrate the proportion of complaints that are closed at the three different points in the life of a complaint. First, the table shows the number of formal complaints that OPC received each fiscal year. Next, the table subtracts the number of complaints referred to MPD or another police agency to arrive at the number of formal complaints that fall within OPC's jurisdiction. After that, Table 8 subtracts the complaints that reach a point short of final resolution where they require no further action, such as those that are withdrawn or are administratively closed, to arrive at the number of complaints that require resolution by OPC. Finally, the table subtracts the number of complaints resolved in each fiscal year. The resulting number shows either: (1) the number of complaints that require resolution by OPC but that are carried over to the next fiscal year unresolved; or (2) the number by which the total number of open complaints is reduced from one year to the next, which is a negative number signified with parentheses. Thus, each fiscal year begins with a number of complaints already open that need to be resolved, and new complaints are received over the course of the fiscal year. For a graphical depiction, Chart 8 includes lines indicating the number of complaints that require resolution by OPC and the number of complaints resolved by OPC. The distance between the two lines on Chart 8 represents the number of complaints that are carried over to the next fiscal year unresolved or the amount by which the number of open complaints is reduced.

OPC's increased efficiency and productivity are clearly displayed in both the table and the chart. In fiscal year 2004, the increased efficiency and productivity, together with a smaller number of complaints received by the agency, resulted in OPC having its first year where it closed more complaints than it opened. Further increases in efficiency and productivity are obvious in fiscal years 2005 and 2006 as well, where OPC had its second and third years in a row where it closed more complaints than it opened. This happened despite the fact that the agency received 64 more complaints in fiscal year 2005 and 88 more in fiscal year 2006, of which 61 and 54, respectively, required resolution by the agency. OPC is making every effort to continue to enhance its efficiency and productivity so the agency can keep up with the new complaints it receives, as well as resolve any complaints that are backlogged.

Table 8: OPC Workload

	FY02	FY03	FY04	FY05	FY06
Total Formal Complaints	318	361	262	326	414
Referred to MPD or Other Agency	89	108	73	68	96
Complaints in OPC's Jurisdiction	229	253	189	258	318
Complaints Requiring No Further Action (Withdrawn or Administratively Closed)	29	18	53	59	67
Complaints Requiring Resolution by OPC	200	235	136	199	251
Complaints Resolved (Adjudication, Dismissal, and Successful Mediation)	104	109	186	241	272
Unresolved Complaints Each Fiscal Year	96	126	(50)	(42)	(21)

Chart 8: OPC Workload



5. *Allegations in Formal Complaints*

Each formal complaint may contain allegations of more than one type of misconduct, including harassment, the use of unnecessary or excessive force, the use of language or conduct that is insulting, demeaning, or humiliating, discriminatory treatment, retaliation for filing a complaint with OPC, or failure to wear or display required identification or to identify oneself by name and badge number when requested to do so by a member of the public. In addition, complainants often allege other conduct that does not fall within the six types of misconduct under OPC's jurisdiction.

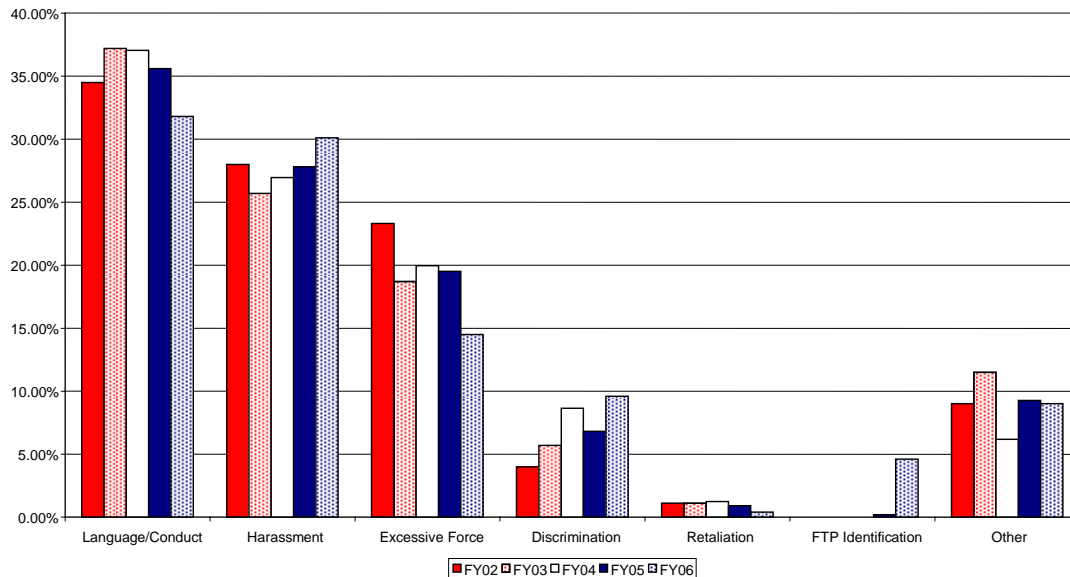
Table 9 indicates the total number of allegations contained in all of the formal complaints received in fiscal years 2002 through 2006. In total, since the agency opened, the 1,991

complaints received by OPC have contained 3,173 allegations. Table 9 and Chart 9 also indicate the percentage of the total number of allegations that each type of allegation constitutes.

Table 9: Allegations in Formal Complaints

	FY02		FY03		FY04		FY05		FY06	
Language/Conduct	154	34.5%	197	37.2%	180	37.0%	188	34.4%	234	31.8%
Harassment	125	28.0%	136	25.7%	131	27.0%	176	32.2%	222	30.1%
Excessive Force	104	23.3%	99	18.7%	97	20.0%	101	18.5%	107	14.5%
Discrimination	18	4.0%	30	5.7%	42	8.6%	39	7.1%	71	9.6%
Retaliation	5	1.1%	6	1.1%	6	1.2%	4	0.7%	3	0.4%
FTP Identification	--	--	--	--	--	--	6	1.1%	34	4.6%
Other	40	9.0%	61	11.5%	30	6.2%	33	6.0%	66	9.0%
Total Allegations	446		529		486		547		737	

Chart 9: Allegations in Formal Complaints (as a Percentage)



6. Complainant Race or National Origin, Gender, and Age

When a person files a complaint, the individual is asked to identify his or her race or national origin, gender, and date of birth.¹¹ The following tables and charts reflect the information provided by each complainant. In general, the columns in the tables and the bars on the charts reflect the information for each complaint, not eliminating duplicates of complainants who filed multiple complaints. In some tables, OPC was able to include information regarding the number of “unique complainants,” meaning that OPC eliminated duplicate complainants. Some tables and charts also include U.S. Census information regarding the composition of the population of the District of Columbia as a whole.¹²

In fiscal year 2006, there was some noticeable fluctuation in the proportion of complainants falling into the various race or national origin groups, while the proportion of complainants falling into the various gender and age groups remained relatively consistent. The race or national origin data show a 5% decrease in the proportion of African-American complainants, a 5% increase in the proportion of white complainants, and 1% increases in the proportions of Latino and Asian complainants. These changes were occurring at the same time that the District's African-American population was decreasing and its white, Latino, and Asian populations were increasing. In general, the race or national origin of OPC complainants has varied noticeably from the District's population each year but the changes in fiscal year 2006 brought the proportions of OPC complainants closer to the proportions in the population. Nevertheless, OPC will continue to monitor the disproportionately high number of African-American complainants when compared with the District's population.

The gender data, which are relatively consistent from year to year, also continue to vary from the District population with a higher proportion of male complainants and a lower proportion of female complainants. The age data were generally consistent in fiscal year 2006 with one noticeable exception; complaints between the ages of 15 and 24 dropped by 8%. This change makes the variation between the age of complainants and the age of the District population even sharper among people under 25. Based on information learned during its outreach programs and other anecdotal information, OPC would expect younger people to make up a larger proportion of complainants. OPC will continue to monitor these statistics for any patterns and for any guidance on populations that may require more outreach by the agency. To illustrate the relationship between age of complainants and the age of the District population, the data is displayed on a line chart showing the proportions of complainants for each year and the District population in the different age groups.

With respect to "unique complainants," 402 different people filed the 414 complaints received by OPC, and there were 12 complainants who filed two complaints in fiscal year 2006.

Table 10: Complainant Race or National Origin

	FY02		FY03		FY04		FY05		FY06		District Pop.
African-American	219	76.0%	197	67.5%	179	71.0%	241	78.0%	287	73.0%	57.2%
White	46	16.0%	62	21.2%	51	20.2%	43	13.9%	73	18.6%	29.0%
Latino	16	5.6%	14	4.8%	13	5.2%	9	2.9%	17	4.3%	8.9%
Asian	4	1.4%	7	2.4%	2	0.8%	2	0.6%	6	1.5%	2.9%
Middle Eastern	1	0.3%	10	3.4%	1	0.4%	3	1.0%	2	0.5%	--
Native American	1	0.3%	1	0.3%	6	2.4%	1	0.3%	1	0.3%	0.2%
Multiracial / Other	1	0.3%	1	0.3%	0	0.0%	10	3.2%	7	1.8%	1.7%
Unreported	30		69		10		17		21		
Total	318		361		262		326		414		

Chart 10: Complainant Race or National Origin (as a Percentage)

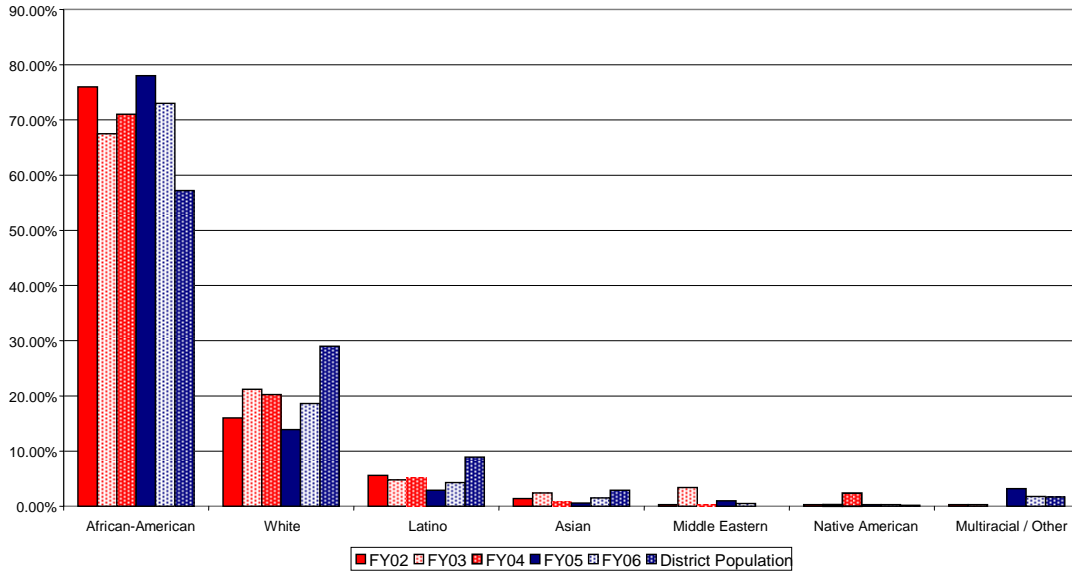


Table 11: Complainant Gender

	FY02		FY03		FY04		FY05		FY06		District Pop.
Male	174	54.9%	201	55.7%	141	54.2%	176	54.0%	222	53.6%	47.0%
Female	143	45.1%	160	44.3%	119	45.8%	150	46.0%	192	46.4%	53.0%
Unreported	1		--		2		--		--		
Total	318		361		262		326		414		

Chart 11: Complainant Gender (as a Percentage)

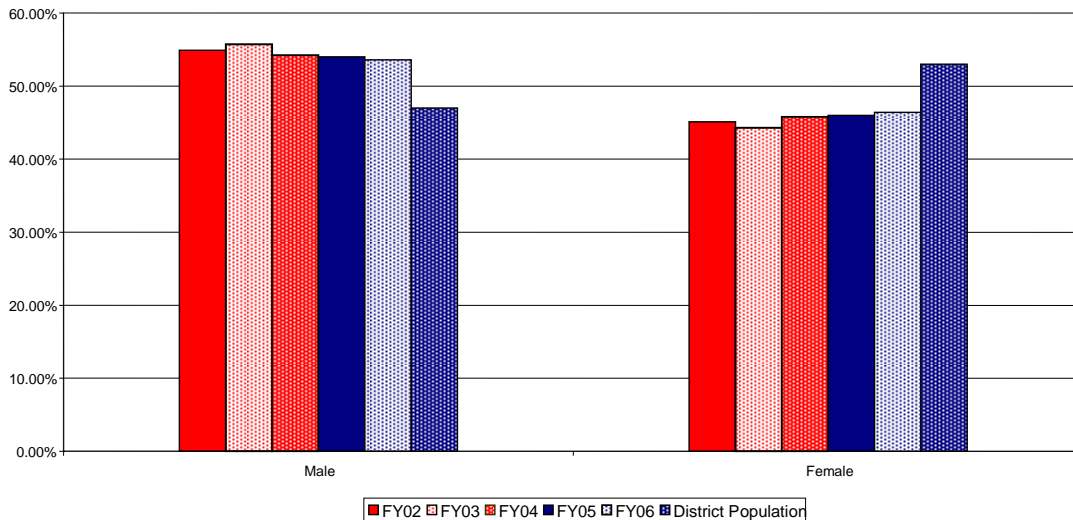


Table 12: Complainant Age

	FY03		FY04		FY05		FY06		District Pop.
	Count	%	Count	%	Count	%	Count	%	
Under 15	--	--	1	0.4%	--	--	1	0.3%	18.0%
15-24	37	18.0%	39	15.8%	57	17.9%	39	10.0%	10.1%
25-34	53	25.7%	60	24.3%	82	25.8%	109	27.9%	20.4%
35-44	56	27.2%	68	27.5%	78	24.5%	110	28.1%	15.3%
45-54	46	22.3%	57	23.1%	72	22.6%	86	22.0%	13.6%
55-64	10	4.9%	14	5.7%	21	6.6%	30	7.7%	10.5%
65 and Older	4	1.9%	8	3.2%	8	2.5%	16	4.1%	12.1%
Total	206		247		318		391		

Chart 12: Complainant Age (as a Percentage)

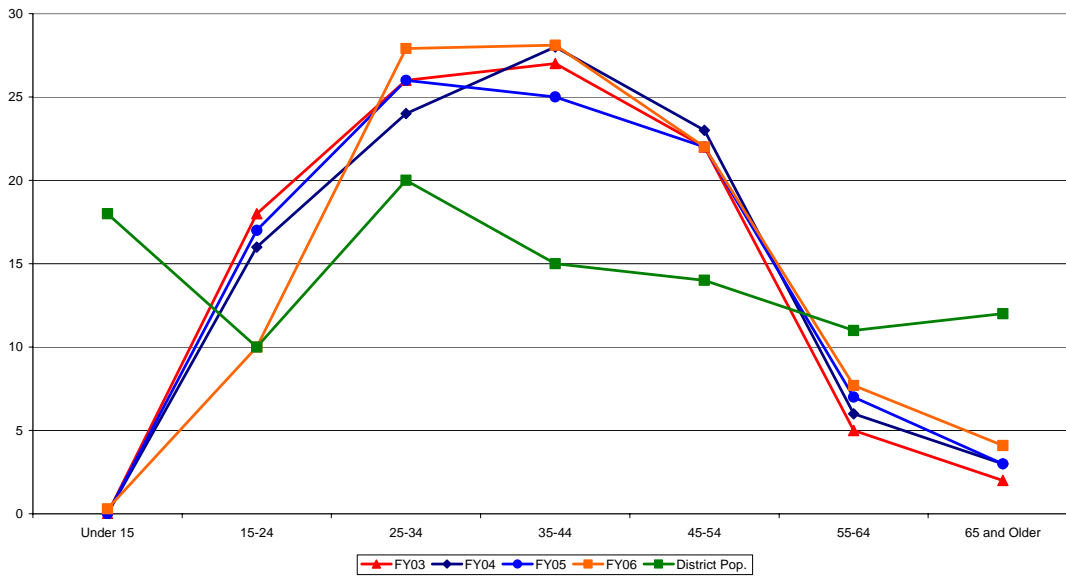


Table 13: Complainant Race or National Origin with “Unique Complainant” Information

	FY02	FY02 Unique Comp.	FY03	FY03 Unique Comp.	FY04	FY04 Unique Comp.	FY05	FY05 Unique Comp.	FY06	FY06 Unique Comp.
African-American	219	208	197	190	179	176	241	225	287	280
White	46	46	62	59	51	43	43	43	73	71
Latino	16	16	14	14	13	13	9	9	17	17
Asian	4	4	7	6	2	2	2	2	6	6
Middle Eastern	1	1	10	6	1	1	3	3	2	2
Native American	1	1	1	1	6	1	1	1	1	1
Multiracial / Other	1	1	1	1	0	0	10	10	7	5
Unreported	30	30	69	68	10	10	17	17	21	20
Total	318	307	361	345	262	246	326	310	414	402

Table 14: Complainant Gender with “Unique Complainant” Information

	FY02	FY02 Unique Comp.	FY03	FY03 Unique Comp.	FY04	FY04 Unique Comp.	FY05	FY05 Unique Comp.	FY06	FY06 Unique Comp.
Male	174	166	201	190	141	126	176	168	222	218
Female	143	140	160	155	119	118	150	142	192	184
Unreported	1	1	--	--	2	2	--	--		
Total	318	307	361	345	262	246	326	310	414	402

7. Subject Officer Race or National Origin, Gender, and Assignment

When a person files a complaint, OPC records the race or national origin, gender, and assignment of the subject officer in the complaint. In some instances the complainant is able to identify the subject officer, and in others, OPC determines the identity of the officer during the course of its investigation. In other instances, the complainant is not able to identify the subject officer and the identity of the officer remains unknown. The following tables and charts reflect the information for officers who could be identified or whose information was reported by the complainant. In general, the columns in the tables and the bars on the charts reflect the information for each subject officer, not eliminating duplicates of officers who were the subject of multiple complaints. In some tables, OPC was able to include information regarding the number of “unique officers,” meaning that OPC eliminated duplicate officers. Some tables and charts also include information regarding the composition of the entire work force of MPD officers.¹³

From year to year, the proportions of subject officers falling into the various race or national origin and gender groups have remained relatively consistent. However, over the period from fiscal year 2002 to fiscal year 2006, the race or national origin of subject officers has been on a trend that has steadily decreased the proportion of African-American subject officers from 63% to 56% of the total and increased the proportion of white subject officers from 28% to 33% of the total. Over this same time period, the race or national breakdown of the entire police force was changing in the same way, although not to as great a degree. Nevertheless, the entire police force still has a lower proportion of white officers and a higher proportion of African-American officers than the subject officer proportions, as it has in most years. The gender data also continue to vary from the entire police force with a noticeably higher proportion of male subject officers and noticeably lower proportion of female subject officers. The data regarding the assignments of subject officers have fluctuated from year to year, as they did again this year. OPC cannot fully account for the variation, and the data may be somewhat skewed as a result of the reentry of data in the CMS in fiscal year 2004 or the accuracy of the assignment data available to OPC at any given time. Another factor that may be relevant is the reorganization of the Department’s Police Service Areas (PSAs) in May 2004. In any event, readers should use caution when attempting to draw conclusions from the year-to-year trends regarding the assignments of subject officers.

With respect to “unique officers,” 484 different officers were identified as the 597 subject officers in the complaints filed with OPC in fiscal year 2006. There were 53 officers who were identified as the subject officer in two different complaints, 21 officers identified in three

complaints, two officers identified in four complaints, and three officers identified in five complaints.

For reference purposes, a map indicating the location of the seven police districts used by MPD is included in Appendix A. In this year’s report, to help give a better sense of where complaint incidents occurred around the city, the police district map also indicates these locations.

Table 15: Subject Officer Race or National Origin

	FY02		FY03		FY04		FY05		FY06		Entire Police Force
African-American	221	62.8%	205	59.1%	170	59.4%	219	55.3%	270	55.8%	62.6%
White	98	27.8%	112	32.6%	94	32.9%	135	34.1%	161	33.3%	29.3%
Latino	26	7.4%	18	5.2%	17	5.9%	25	6.3%	31	6.4%	6.7%
Asian	6	1.7%	6	1.7%	4	1.4%	9	2.3%	15	3.1%	1.4%
Other	1	0.3%	5	1.4%	1	0.4%	8	2.0%	7	1.4%	--
Unidentified	48		71		41		72		113		
Total	400		417		327		468		597		

Chart 15: Subject Officer Race or National Origin (as a Percentage)

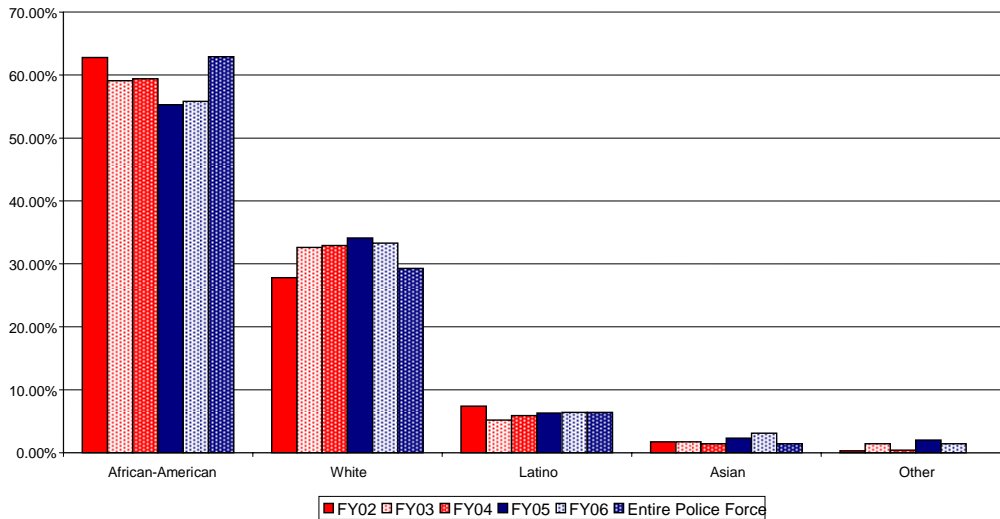


Table 16: Subject Officer Gender

	FY02		FY03		FY04		FY05		FY06		Entire Police Force
Male	300	84.0%	293	83.0%	266	85.0%	330	83.3%	396	81.8%	76.4%
Female	57	16.0%	60	17.0%	47	15.0%	66	16.7%	88	18.2%	23.6%
Unidentified	43		64		14		72		113		
Total	400		417		327		468		597		

Chart 16: Subject Officer Gender (as a Percentage)

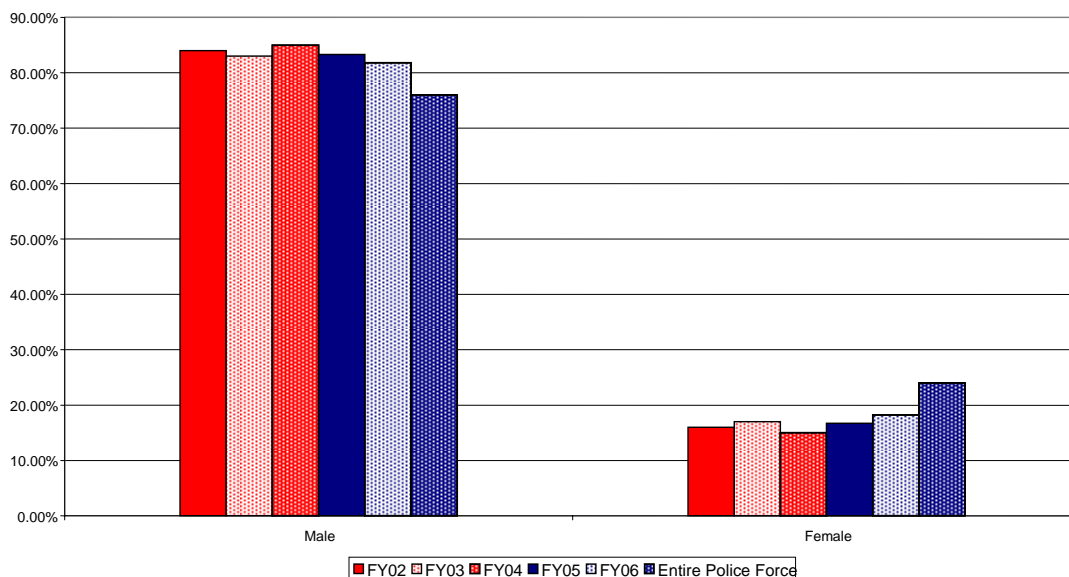


Table 17: Subject Officer Assignment

	FY02		FY03		FY04		FY05		FY06	
First District (1D)	27	7.5%	34	9.7%	36	11.1%	67	14.8%	93	16.6%
Second District (2D)	38	10.5%	37	10.6%	34	10.5%	27	5.9%	35	6.3%
Third District (3D)	108	29.8%	92	26.4%	56	17.3%	82	18.1%	128	22.9%
Fourth District (4D)	57	15.8%	37	10.6%	62	19.1%	84	18.5%	87	15.5%
Fifth District (5D)	51	14.1%	52	14.9%	45	13.9%	50	11.0%	55	9.8%
Sixth District (6D)	21	5.8%	24	6.9%	36	11.1%	56	12.3%	54	9.6%
Seventh District (7D)	40	11.1%	23	6.6%	28	8.6%	69	15.2%	57	10.2%
Other¹⁴	20	5.5%	45	12.9%	24	7.4%	14	3.1%	47	8.4%
D.C. Housing Authority	--	0.0%	5	1.4%	3	0.9%	5	1.1%	4	0.7%
Unidentified	38		68		3		14		37	
Total	400		417		327		468		597	

Chart 17: Subject Officer Assignment (as a Percentage)

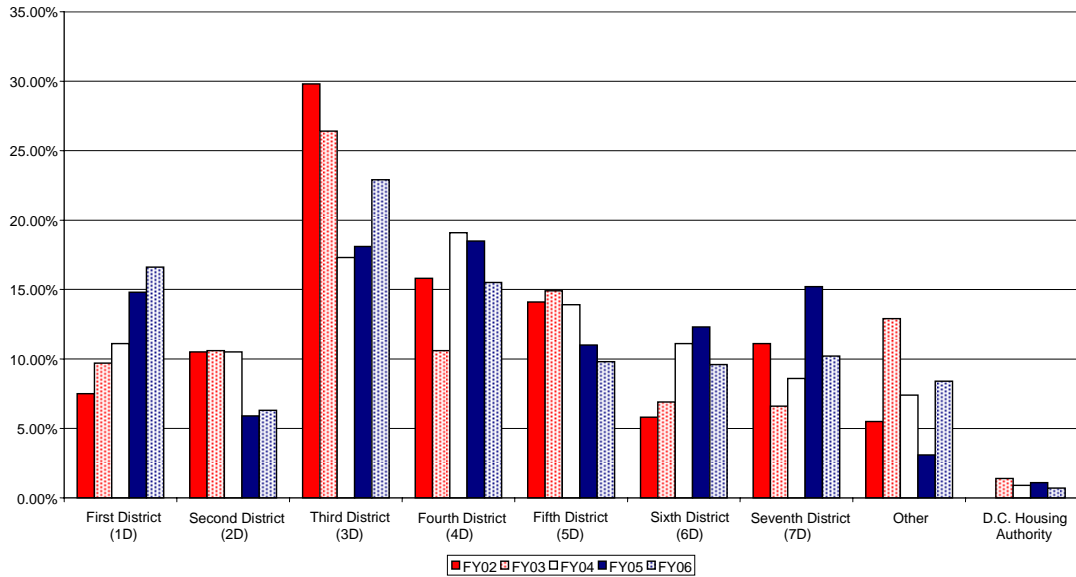


Table 18: Subject Officer Race or National Origin with “Unique Officer” Information

	FY02	FY02 Unique Officers	FY03	FY03 Unique Officers	FY04	FY04 Unique Officers	FY05	FY05 Unique Officers	FY06	FY06 Unique Officers
African-American	221	176	205	165	170	147	219	172	270	215
White	98	73	112	85	94	74	135	111	161	122
Latino	26	14	18	15	17	15	25	17	31	20
Asian	6	3	6	5	4	4	9	8	15	9
Other	1	1	5	3	1	1	8	7	7	5
Unidentified	48	48	71	71	41	41	72	72	113	113
Total	400	315	417	344	327	282	468	387	597	484

Table 19: Subject Officer Gender with “Unique Officer” Information

	FY02	FY02 Unique Officers	FY03	FY03 Unique Officers	FY04	FY04 Unique Officers	FY05	FY05 Unique Officers	FY06	FY06 Unique Officers
Male	300	228	293	231	266	226	330	257	396	297
Female	57	44	60	49	47	42	66	58	88	74
Unidentified	43	43	64	64	14	14	72	72	113	113
Total	400	315	417	344	327	282	468	387	597	484

Table 20: Subject Officer Assignment with “Unique Officer” Information

	FY02	FY02 Unique Officers	FY03	FY03 Unique Officers	FY04	FY04 Unique Officers	FY05	FY05 Unique Officers	FY06	FY06 Unique Officers
First District (1D)	27	24	34	29	36	33	67	56	93	73
Second District (2D)	38	29	37	28	34	31	27	21	35	32
Third District (3D)	108	73	92	61	56	52	82	68	128	92
Fourth District (4D)	57	45	37	29	62	45	84	53	87	63
Fifth District (5D)	51	41	52	40	45	40	50	48	55	48
Sixth District (6D)	21	21	24	23	36	29	56	51	54	44
Seventh District (7D)	40	28	23	22	28	26	69	58	57	50
Other	20	17	45	39	24	20	14	13	47	43
D.C. Housing Authority	--	--	5	5	3	3	5	5	4	2
Unidentified	38	38	68	68	3	3	14	14	37	37
Total	400	316	417	344	327	282	468	387	597	484

8. City Wards

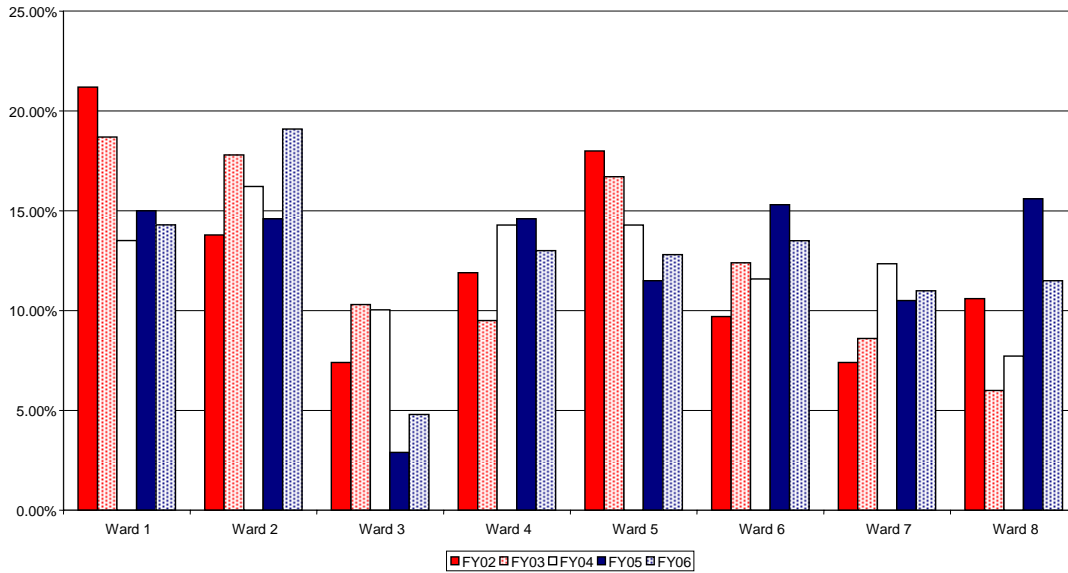
When a complaint is filed, OPC records the city ward in which the underlying incident occurred. Table 21 reflects the ward that was the site of each complaint filed in fiscal years 2002 through 2006.¹⁵ Table 21 and Chart 21 also reflect the percentages of all complaints that arose in each ward. For fiscal year 2006, the data show a noticeable decrease in complaints from Ward 8 and noticeable increases in complaints from Ward 2. The data also show a noticeable overall decline in the number of complaints from Wards 1 and 5 over the course of all five years, and an overall increase in the number of complaints from Wards 2 and 6 over the same period.

For reference purposes, a map indicating the location of the District of Columbia’s eight wards is included in Appendix B. Like the police district map in Appendix A, the ward map also indicates the locations where this year’s complaint incidents occurred.

Table 21: City Wards

	FY02		FY03		FY04		FY05		FY06	
1	66	21.2%	65	18.7%	35	13.5%	47	15.0%	57	14.3%
2	43	13.8%	62	17.8%	42	16.2%	46	14.6%	76	19.1%
3	23	7.4%	36	10.3%	26	10.0%	9	2.9%	19	4.8%
4	37	11.9%	33	9.5%	37	14.3%	46	14.6%	52	13.0%
5	56	18.0%	58	16.7%	37	14.3%	36	11.5%	51	12.8%
6	30	9.7%	43	12.4%	30	11.6%	48	15.3%	54	13.5%
7	23	7.4%	30	8.6%	32	12.4%	33	10.5%	44	11.0%
8	33	10.6%	21	6.0%	20	7.7%	49	15.6%	46	11.5%
Unidentified / Not in D.C.	7		13		3		12		15	
Total	318		361		262		326		414	

Chart 21: City Wards (as a Percentage)



G. Outreach

1. Fiscal Year 2006

Since January 1, 2006, OPC has worked to carry out its Community Outreach Strategic Plan for 2006. The goal of the plan has been to expand OPC’s public education and awareness program, while continuing to maintain relationships with communities that may be underrepresented in their use of the OPC process. As in previous years, OPC focused its outreach efforts on the District’s youth population, Latino community, and residents who live in areas with a high number of police encounters. OPC was able to engage in a number of highly successful outreach activities this year, as well as implement some new outreach initiatives. This work occurred despite the fact that the agency received 446 Freedom of Information Act (FOIA) requests, which was a 25% increase over fiscal year 2005 and the highest number of requests ever. Like in past years, responding to such a large number of FOIA requests limited the amount of time that the OPC’s public affairs specialist could devote to conducting community outreach.

This year, OPC began its public education and awareness campaign with an open house, which celebrated the agency’s fifth anniversary and publicized the agency’s relocation to new office space. In addition to staff members, participants in OPC’s open house included PCB members, District Government officials, MPD officials, and community leaders. Beyond the open house, OPC conducted targeted outreach to a number of youth groups throughout the District as a part of its student interactive training program. The program, which focuses on reducing the number of negative encounters between adolescents and police officers, uses role-play scenarios to give students the opportunity to evaluate their behavior and police conduct in different situations. In fiscal year 2006, OPC conducted student interactive training sessions at Covenant House Washington, Friendship Edison Public Charter School, and the Time Dollar Youth Court.

OPC made significant progress with its “training the providers” outreach program. This program involves sessions conducted by OPC staff members to provide information about the agency to staff members of community-based organizations so that they may then share this information with their clients. OPC was able to conduct training sessions at CARECEN, which is the Central American Resource Center of Washington, the Equal Rights Center, and One Economy Corporation, all of which serve populations that are underrepresented in their use of the OPC complaint process. The agency also made presentations to the D.C. Taxicab Commission and community groups whose memberships include residents who live in the areas covered by MPD’s First and Third Districts.

In addition to implementing the strategic plan, OPC conducted a variety of other outreach activities. Over the course of the year, OPC met with several classes of new recruits and newly promoted officials at MPD. During these sessions, OPC staff provided information about the agency and answered questions raised by the officers. As a part of OPC’s international outreach efforts, the agency continued to host government officials and guests from around the world and assist them with developing or improving their own police accountability systems. Specifically, OPC participated in the International Visitor Leadership Program administered by the U.S. Department of State. One of the groups included government and civil rights leaders from Norway interested in strategies for combating racial profiling. The agency also hosted senior officials from the Swedish National Police, who were exploring the possibility of establishing an independent police oversight agency to handle citizen complaints in Stockholm, the capital of Sweden.

2. *Community Outreach Strategic Plan for 2007*

For 2007, OPC will continue most of the elements of its 2006 Strategic Plan, modifying and adding new programs as the agency assesses how best to use its limited community outreach resources. Based on the success of the student interactive training program, OPC will continue to conduct these sessions. OPC will pursue opportunities to work with students in other schools and organizations throughout the District, as well as make some return visits to the schools and organizations that took part in the program this year. In addition, OPC will maintain its relationships with the community-based organizations and neighborhood associations it worked with in the past and work to develop new partnerships. Finally, the agency will continue its outreach to MPD to ensure that officers and police supervisors are informed about the agency’s process.

With respect to new activities, OPC is planning to create an informational video regarding police accountability and OPC’s process. This training aid will assist the agency in its ongoing public education campaign regarding police accountability by allowing information about OPC to reach more audiences when OPC’s staff is not available to give a presentation.

3. *Website*

OPC continues to make changes to the agency’s website so that it provides the public with reliable information regarding police accountability in the District of Columbia. Since it was created, the agency’s website has served as an important community outreach tool. In

addition to ongoing work, OPC regularly updates its news items to keep the public informed about developments at the agency. In fiscal year 2007, OPC will continue to use its website as a tool to make information available to the public.

H. Police Oversight and Law Enforcement Organizations

Since the agency opened, OPC staff members have played an active role in professional organizations related to citizen review of law enforcement and have learned from and contributed to the discussions and training seminars conducted by these organizations. Since December 2005, OPC's executive director has served on the board of directors of the National Association for Civilian Oversight of Law Enforcement (NACOLE). In addition, employees have attended and OPC representatives have addressed NACOLE's annual conferences each year since 2001. At the December 2005 conference, OPC's executive director participated in two panels entitled "Transparency in Reporting" and "Mediation." At the September 2006 conference, OPC's deputy director moderated and the agency's executive director participated in a panel entitled "How to Make Policy Recommendations." In addition, OPC's assistant chief investigator was part of a working group and helped coordinate NACOLE's town hall meeting about establishing professional standards for oversight professionals. The assistant chief investigator also conducted two training sessions with two of OPC's investigators that covered basic skills for conducting and reviewing investigations.

I. Policy Recommendations

The statute creating PCB authorizes the Board to, "where appropriate, make recommendations" to the Mayor, District Council, and Chief of Police "concerning those elements of management of the MPD affecting the incidence of police misconduct, such as the recruitment, training, evaluation, discipline, and supervision of police officers." This authority allows the agency to go beyond its day-to-day work investigating and resolving individual police misconduct complaints to examine systemic issues that lead to the abuse or misuse of police powers. To date, PCB has issued ten detailed reports and sets of recommendations for police reform, all of which are available on OPC's website, www.policecomplaints.dc.gov. The reports and recommendations are discussed in more detail below with an update on the implementation of the recommendations where available.

1. Fiscal Year 2006

a. Enhancing Police Response to People with Mental Illness in the District of Columbia by Incorporating the Crisis Intervention Team (CIT) Community Policing Model

On September 7, 2006, PCB issued a report and recommendations regarding police response to people with mental illness and the use of Crisis Intervention Team (CIT) community policing model in Washington. Since OPC opened to the public in January 2001, it has regularly received complaints about MPD officer treatment of people suffering from mental illness. In some cases, individuals have been arrested and subjected to police use of force for engaging in behavior that is symptomatic or otherwise the product of mental illness or mental health

problems. In other cases, officers allegedly have refused to assist or have treated disrespectfully members of the public suspected of being mentally ill. As a result of these complaints, PCB examined MPD’s policies, procedures, and training on handling persons who suffer from mental illness and looked at alternative that could improve MPD officer response to these situations.

In order to gain a better understanding of the issues presented by these complaints and how best to address them, PCB consulted several officials from MPD and the D.C. Department of Mental Health (DMH), and an array of Washington-based mental health advocates and criminal justice experts, many of whom have worked cooperatively with MPD on related issues. At the same time that PCB gathered information about how components of the criminal justice and mental health systems in the District have worked together to address the needs of people with mental illness, PCB examined police department best practices from around the country. PCB found innovative models in which police officers develop expertise in recognizing and responding appropriately to people with mental illness and partner closely with mental health professionals in ways that reduce arrests of individuals suffering from mental illness, reduce injuries to police officers and citizens, and link people in need of mental health treatment with mental health services.

Of the different models examined, PCB believed that the CIT model, pioneered by the Memphis Police Department in 1988, would best serve the District of Columbia. In addition to studying how this model operates and has been implemented in other places, including nearby Montgomery County and Baltimore, two OPC staff members visited Memphis and met with representatives of the Memphis Police Department, the Memphis mental health system, and Memphis-based advocates for consumers of mental health services. The OPC staff members also participated in full-shift, CIT officer ride-alongs, in an effort to gain first-hand knowledge of how this model works in practice. Based on the information gathered by PCB and its examination of the various issues presented, the Board proposed the implementation of CIT in Washington and made the specific recommendations included in Table 22. On September 28, 2006, MPD sent OPC a detailed letter responding to each of the recommendations, which is also reflected in Table 22.

Table 22: Enhancing Police Response to People with Mental Illness in the District of Columbia by Incorporating the Crisis Intervention Team (CIT) Community Policing Model (September 7, 2006)

Recommendation	Status
The District Government should designate a subgroup of the Criminal Justice Coordinating Council’s (CJCC) Substance Abuse and Mental Health Workgroup (SAMHW) to serve as the District’s CIT task force.	Adopted in part. On August 30, 2006, the CJCC’s SAMHW established a subgroup to examine all of the alternatives available for responding to people with mental illness to create a model unique to the District. The subgroup is called the D.C. Crisis Evaluation Task Force.
MPD should select a CIT coordinator now so this person can participate in the development of the program.	Adopted in part. A member of MPD’s command staff is a co-chair of the D.C. Crisis Evaluation Task Force and serves as MPD’s liaison concerning mental health and related issues. His role is to represent MPD in examining best practices and developing a plan for MPD to address mental health and other issues together.

Recommendation	Status
The District should apply for CIT grant funds.	Adopted in part. MPD agrees with this recommendation and MPD and DMH have already identified and obtained some grant funds to begin examining police response to people with mental illness and related issues.
A subcommittee of the CIT task force should participate in a two-day planning workshop in Memphis.	Pending. MPD agrees with this recommendation and expects to look at the Memphis CIT model and other models being used around the country.
Following receipt of the subcommittee’s report, the CIT task force should outline key elements of the District’s CIT program.	Pending. MPD agrees with this recommendation and the D.C. Crisis Evaluation Task Force expects to issue a report to the CJCC’s SAMHW outlining the steps it has taken and the future initiatives planned.
Task force members responsible for CIT officer training should participate in 40-hour training program in Memphis.	Pending. MPD believes that this recommendation should be considered by the D.C. Crisis Evaluation Task Force as it carries out its work.
The District should prepare dispatch operations for changes necessitated by CIT.	Pending. MPD agrees with this recommendation and will submit it to the Office of Unified Communications recommending that it be adopted. Changes to dispatch operations are a key to whatever model is ultimately adopted.
The District should coordinate with the Emergency Medical Services Bureau (EMS) of the D.C. Fire and Emergency Services Department.	Adopted. MPD agrees with this recommendation and EMS is already part of the CJCC’s SAMHW will be included in the District of Columbia model for addressing these issues.
MPD should prepare to collect and analyze CIT service call data.	Pending. MPD agrees with this recommendation and grant funds will be used in conjunction with ongoing work to collect and analyze call data.
DMH should prepare to collect and analyze data on outcome of CIT officer referrals.	Pending. MPD agrees with this recommendation and expects that data regarding MPD referrals and transports will be collected and analyzed along with other related incidents and services.
MPD should ensure that CIT officers develop knowledge of and a close working relationship with community-based mental health service providers.	Pending. MPD agrees with this recommendation in part and believes that DMH and other partner organizations should work to find alternatives or expand the services that MPD and other organizations will need when making referrals.
DMH should strengthen and expand its mobile crisis unit.	Pending. MPD agrees with this recommendation and believes that it should be part of whatever model is adopted in the District because following this recommendation will provide important assistance to MPD officers at the scene of a mental health crisis.
DMH’s Comprehensive Psychiatric Emergency Program (CPEP) should be relocated to a facility that includes emergency medical treatment and alcohol and drug detoxification services.	Pending. MPD agrees with this recommendation, sees this as one of the areas that most needs to be addressed, and wants the D.C. Crisis Evaluation Task Force to explore possible solutions.
DMH should ensure that CPEP policies emphasize use of community-based resources and outpatient observation, evaluation, and treatment to the greatest extent possible.	Pending. MPD agrees with this recommendation and wants the D.C. Crisis Evaluation Task Force to explore this issue.

b. Police Service to Disabled Persons Who Use Service Animals

On August 17, 2006, PCB issued a report and recommendations about providing police service to disabled persons who use service animals. In the course of investigating a complaint filed with the agency, OPC discovered that MPD did not have a written policy or training on an officer’s obligations to people with disabilities who use service animals. In light of this discovery, PCB made the recommendations included in Table 23. The Board believed that adopting recommendations would ensure that the Department was in compliance with the relevant provisions of federal disability rights law, provide importance guidance to officers about interacting with people with disabilities who use service animals, and enhance MPD’s overall commitment to professionalism in providing police service.

Table 23: Police Service to Disabled Persons Who Use Service Animals (August 17, 2006)

Recommendation	Status
MPD should issue a general order that provides information to officers on handling requests for service that involve service animals.	Adopted. On November 14, 2006, MPD informed OPC that it was in the process of developing a directive that would address service to and interactions with persons with disabilities who use service animals, and that the directive would incorporate PCB’s recommendations.
MPD should include a specific section on service animals in training on disabilities and ADA compliance.	Pending. OPC will inquire about training sessions and materials after the new directive is completed.
MPD should conduct a roll-call training lesson for all officers on service animals as soon as possible.	

c. Business Cards for MPD Officers

On July 24, 2006, PCB issued a report and recommendations regarding the issuance of business cards to all MPD officers. In April 2005, the District enacted a law that codified requirements for MPD officers to clearly display their nameplates and badges while in uniform, among other things. The law also expanded OPC’s jurisdiction to include complaints alleging that an officer failed to wear or display required identification or identify him or herself by name and badge number when requested to do so by a member of the public. Since the new law took effect, OPC has received complaints alleging that officers have refused to identify themselves when asked or were not wearing their nameplate or badge. OPC also has received complaints where officers have attempted to identify themselves, but the information was not successfully conveyed to the person because of a miscommunication, illegible handwriting, lack of paper or a pen, or for other reasons.

In light of the new law and the complaints received by OPC, PCB made the recommendations included in Table 24. The Board believed that adopting the recommendations would facilitate the ability of officers to identify themselves as required by the new law and MPD general orders. In addition, PCB believed that following the recommendations would improve community policing in the District by assisting officers with identifying themselves in the neighborhoods in which they work and fostering relationships with the public so that citizens

will have law enforcement officials to whom they can ask questions, provide information, or report crimes.

Table 24: Business Cards for MPD Officers (July 24, 2006)

Recommendation	Status
MPD should provide business cards to all of its officers.	Adopted. On August 29, 2006, MPD informed OPC that it would provide officers with generic business cards to provide their contact information. The use of the cards would be optional.
MPD should ensure that, at a minimum, the cards include the name of the police department, along with the officer's name, rank, badge number, and assignment with address and telephone number.	Pending. OPC will inquire about the content of the business cards after the generic form has been created.

2. Status Update for Earlier Policy Recommendations

The information in this section provides an update on the status of each of the policy recommendations issued by PCB before fiscal year 2006. Included below is a table for each one that lists the specific recommendations made by the Board and the status of the implementation of those recommendations. The full reports and any updates that were included in earlier annual reports are available on OPC’s website, www.policecomplaints.dc.gov.

a. Property Damage Caused by District of Columbia Police Action

Table 25: Property Damage Caused by District of Columbia Police Action (September 28, 2005)

Recommendation	Status
MPD should revise MPD General Order 309.03 to require that officers making forcible entries leave an MPD Form PD 240A, which is a form that provides contact information for the officers who conducted the entry and some limited information about property damage claims, both when a location is occupied and unoccupied at the time of an entry.	Adopted. In April 2006, MPD revised General Order 309.03 and the PD 240A based on PCB’s policy recommendation.
MPD should revise the PD 240A so that it informs citizens both that MPD officers conducted a forcible entry and that citizens may file a claim for compensation with the District of Columbia’s Office of Risk Management (ORM).	
MPD should create an official MPD policy for responding to property damage caused by police action other than forcible entries.	
The District Government and MPD should add information about filing claims to MPD’s and the city’s websites.	Adopted. MPD added a link to ORM that includes information about filing a claim to the “Complaints/ Commendations” section of its website. The Office of the Attorney General also added a link to the main page of its website and this information was easily searchable from the city’s website.

Recommendation	Status
MPD should train its employees about MPD's procedures for filing property damage claims so they can accurately respond to requests for information from the public.	Adopted. The revised order directs the police academy to develop and conduct training on the topic covered by the order. OPC will request to review training materials when they are available.

b. Pretextual Stops of Bicyclists

Table 26: Pretextual Stops of Bicyclists (August 4, 2005)

Recommendation	Status
The District Government should replace mandatory, police-based bicycle registration with voluntary registration through a national registry.	Pending. In December 2006, the District's Department of Transportation (DDOT) notified OPC that it would be submitting proposed legislation to the District Council during its next term that would eliminate the mandatory bicycle registration requirement. On November 1, 2005, MPD informed OPC that it would support this legislation.
MPD should collect bike stop data as part of the Department's Biased Policing Project to assess the issue of racial profiling in bicycle stops.	Adopted. On November 1, 2005, MPD informed OPC that it was collecting this data on the MPD Form PD 76, which is the same form being used to record motor vehicle stop data for the Department's racial profiling study, and that MPD intended to publish the results of its data collection, including bike stops, in the summer of 2006.
MPD should provide better training for officers and recruits regarding the scope of the bicycle laws.	Pending. On November 1, 2005, MPD informed OPC that it agreed with this recommendation. OPC will inquire about training sessions and materials after the changes to District law are adopted.
The District Government and MPD should take steps to better inform bike riders of their duties under the law.	Adopted in part. MPD informed OPC that it agreed with this recommendation and would undertake efforts, such as creating and distributing pamphlets about bicycle registration requirements and regulations and adding information to MPD's website regarding bicycle registration and regulations, such as changes in the helmet laws. Information about the helmet laws is linked to the "Traffic Safety" section of its website.

c. Publication of MPD Orders on the Internet

Table 27: Publication of MPD Orders on the Internet (July 14, 2005)

Recommendation	Status
MPD should publish its orders and directives, along with an index, on the Department's website to make this information readily available to the public at no cost.	Pending. In August 2005, MPD informed OPC that it was not then in a position to post its orders on the Internet because the orders were being updated and because MPD was in the process of making the orders available to its own officers through MPD's intranet. During testimony in November 2005, MPD indicated to the District Council that it would go forward with the publication of some general orders on the Internet.

d. Minors in the Care of Arrested Persons

Table 28: Minors in the Care of Arrested Persons (May 24, 2005)

Recommendation	Status
MPD should create a written policy that takes into consideration the following issues: (1) identification, (2) transportation, and (3) location of origin of minors, (4) the reluctance on the part of the arrestee to identify minors in the arrestee’s care, the (5) the need to verify and document the identity of the adult to which the minor is released, and (6) the role and circumstances under which child protective services should become involved.	Adopted. In March 2006, MPD issued a special order addressing the care of minors in the custody of arrested or hospitalized persons.
MPD should train its officers on the laws and procedures governing minors who are not involved in any criminality.	Adopted. The new order directs the police academy to develop and conduct training on the topic covered by the order. OPC will request to review training materials when they are available.
MPD should regularly monitor the policy to ensure its consistent application and to evaluate its effectiveness.	Pending. OPC will inquire about monitoring related to the new directive.

e. Disorderly Conduct Arrests Made by MPD Officers

Table 29: Disorderly Conduct Arrests Made by MPD Officers (November 19, 2003)

Recommendation	Status
MPD should modify its arrest procedure to ensure that all citizens who pay \$25 to resolve their arrest are provided with written notice about the collateral forfeiture process and its consequences and that they sign an acknowledgment of their choice to pay the \$25 collateral.	Adopted. In July 2004 MPD issued a directive that revised its collateral/bond receipt consistent with PCB’s recommendations.
MPD should immediately begin providing additional training to all MPD officers and supervisors regarding the law and procedure related to disorderly conduct arrests.	Adopted. Disorderly conduct arrests were a topic in MPD’s June 2005 roll call training, and disorderly conduct arrests were covered as part of the D.C. Code review section of the 2006 in-service training.
MPD should distribute a videotaped message from the Chief of Police reinforcing the responsibilities of all members of the Department when making disorderly conduct arrests.	Pending. MPD informed OPC that its training videotape on disorderly conduct arrests was being re-made and updated, and when it is completed, it will be used in future roll call and in-service training sessions.
MPD should examine a sample of the disorderly conduct arrests made by MPD officers that is significant enough to allow MPD to determine if there are any widespread problems in the entire pool of disorderly conduct arrests.	Pending. OPC will inquire if any examination has been conducted.
The District Government should review the criminal code on disturbances of the public peace, particularly disorderly conduct, and the rules regarding collateral forfeiture and consider whether the code or rules need to be revised, updated, or changed, and also consider specific reforms, such as decriminalizing disorderly conduct and allowing individuals 15 days to decide whether to forfeit collateral or challenge their arrest.	Adopted. The District enacted a law repealing various sections of the criminal code, including several sections that were identified by PCB as potentially obsolete. In addition, the District enacted a law that addressed many of the issues regarding collateral forfeiture that were raised by PCB in its report.

f. Racial Profiling in Washington, D.C.

Table 30: Racial Profiling in Washington, D.C. (January 7, 2002)

Recommendation	Status
MPD should collect data on traffic stops.	Adopted. MPD hired a consultant to oversee the collection and analysis of traffic stop and pedestrian stop data. Data were collected between February 2005 and January 2006. Although MPD indicated it would release the consultant’s report analyzing the data during the summer of 2006, as of the date this annual report was sent to the printer (December 27, 2006), the consultant’s final report had not been released to the public.
MPD should implement a simple and inexpensive paper-based system of data collection.	Adopted. MPD adapted its MPD Form PD 76 to collect the data.
MPD should ensure the statistical reliability of the data by including experts on data collection and analysis, chosen by community groups, civil liberties organizations, OPC, and MPD.	Adopted. Community and civil liberties groups, part of a Community-Police Task Force on Biased Policing formed by MPD, weighed in on MPD’s selection of its consultant. OPC also serves on the task force. In order to preserve OPC’s independence, however, OPC did not participate in the selection of the consultant.
MPD should implement officer education and training on laws against racially biased policing.	Pending. OPC will inquire about training sessions and materials after the consultant’s report has been released to the public.
MPD should adopt a racial profiling policy and data collection system by June 1, 2002.	Adopted. MPD issued General Order 304.15, entitled “Unbiased Policing,” on June 6, 2002. The data collection for this project ended in January 2006.

J. Protest Monitoring

Under the First Amendment Rights and Police Standards Act of 2004, which took effect in April 2005, the District of Columbia granted PCB the authority to monitor and evaluate MPD’s handling of First Amendment assemblies held in the District. The Act articulated the District’s official policy on First Amendment assemblies and, among other things, established specific standards of police conduct when handling protests or demonstrations. These standards prohibit MPD from employing crowd control tactics during protests that have the potential to deprive demonstrators of the right to assemble peaceably and express their views. Under the provisions of the Act, OPC monitored MPD’s interactions with protesters during antiwar and anti-globalization demonstrations that took place in Washington in September 2005. The protests attracted an estimated 150,000 people from across the nation and were the first major events to take place in Washington following the enactment of the new law. PCB’s overall impression was that MPD performed in a professional and commendable manner and effectively balanced the interests of public safety with the right to free expression. On December 20, 2005, PCB issued its report on the monitoring effort, which included the recommendations set forth in Table 31.

Table 31: Protest Monitoring (December 20, 2005)

Recommendation	Status
MPD should continue to emphasize compliance with the First Amendment Rights and Police Standards Act using the manner in which it handled the September 2005 protests as a model for future large protests.	Adopted. On January 13, 2006, MPD informed OPC that it agrees with this recommendation and would be using the experience gained in September 2005 when planning and training for handling future protests.
MPD should devise a way to make officers' names and badge numbers more visible, ensuring that officer identification remains visible even when vests and other covering are added, and that MPD consider adding marking to its uniforms that clearly distinguishes MPD officers from other law enforcement officers.	Adopted in part. MPD informed OPC that it thought that current methods of identification were sufficient, but that officers would be reminded to transfer nameplates and badges to any outer garments during protests.
MPD should examine its street closing procedures to better balance the interests of demonstrators and non-demonstrators.	Adopted. MPD informed OPC that it will continue its current planning method for protests that attempts to strike a balance between the interests of all parties and announces any street closures to the public.
MPD should ensure that all of its officers, particularly non-supervisory officers, are informed of OPC's presence and role so that OPC's monitors will not be impeded in carrying out their monitoring of protest events.	Adopted. MPD informed OPC that, in the future, it would announce to its members during roll calls and pre-event planning sessions that OPC monitors will be present so that the monitors will not be impeded in carrying out their monitoring activities.
The District Government and MPD should consider whether it is possible to achieve a better balance between the rights of demonstrators and the rights of non-demonstrators where arrests for illegal activity, particularly property damage, are concerned, with the goal of determining whether it is possible for MPD to interrupt illegal activity more quickly than it did during these protests without violating the Act's provisions.	Pending. MPD informed OPC that, considering the importance of the exercise of First Amendment rights, and unless circumstances dictate otherwise, MPD would continue its policy of having an official responsible for authorizing arrests in mass demonstrations.

III. THE FUTURE

In fiscal year 2007, OPC expects to continue the progress it made this year. Definite challenges lie ahead for the agency if OPC continues to experience the same rate of growth in the number of complaints received, which appears to be the case based on the first few months of the new year. Consequently, PCB and OPC will carefully monitor the agency's workload to be sure that OPC has sufficient resources to investigate, mediate, and adjudicate the complaints it receives, as well as carry out its other duties through fiscal year 2007 and beyond. As part of this effort, OPC also plans to explore changes to its statute that would allow new and different ways of handling a larger volume of complaints, and the agency will focus on ensuring the cooperation of all MPD employees and addressing other challenges that may delay or affect the completion of thorough and timely investigations.

Endnotes

¹ The four possible outcomes that a complaint examiner may reach are:

Sustained – where the complainant's allegation is supported by sufficient evidence to determine that the incident occurred and the actions of the officer were improper;

Exonerated – where a preponderance of the evidence shows that the alleged conduct did occur but did not violate MPD policies, procedures, or training;

Insufficient Facts – where there are insufficient facts to decide whether the alleged misconduct occurred; or

Unfounded – where the investigation determined no facts to support that the incident complained of actually occurred.

² When counting the overall outcome for a complaint, a complaint that has at least one sustained allegation is counted as a sustained complaint. The number of sustained complaints is determined by this method because if a complaint has at least one sustained allegation, it must be forwarded to the Chief of Police for imposition of discipline, even if the other allegations are not sustained. The only time that a complaint is not forwarded to the Chief of Police for discipline is when no allegations are sustained. In these cases, the complaint is dismissed after the complaint examiner issues his or her decision.

³ In 2003, 2004, and 2005, the New York Police Department (NYPD) imposed discipline for 70.4%, 74.2%, and 73.6%, respectively, of the complaints sustained by New York City's Civilian Complaint Review Board (CCRB). See CCRB's Status Report January-December 2005 (June 2006), Table 32A, which is available at <http://www.nyc.gov/html/ccrb/html/reports.html>. In 2000 and 2001, the chief of police in San Francisco imposed discipline for 92.7% and 96.4%, respectively, of the sustained complaints submitted for discipline by San Francisco's Office of Citizen Complaints (OCC). See OCC's 2001 Annual Report at 11, which is available at http://web.sfgov.org/site/uploadedfiles/occ/OCC_2001.pdf.

⁴ See D.C. Official Code § 5-1111(d).

⁵ See D.C. Official Code § 5-1110(k).

⁶ See Omnibus Public Safety Agency Reform Amendment Act of 2004, Title V, District of Columbia Act 15-463, 51 D.C. Reg. 9406 (2004), District of Columbia Law 15-194, 51 D.C. Reg. 9805 (2004)

⁷ See Michael R. Bromwich, *Eighteenth Quarterly Report of the Independent Monitor for the Metropolitan Police Department* (Oct. 30, 2006), at 3-4, 92-94, available at <http://www.policemonitor.org/reports.html>.

⁸ See *Citizen Oversight of Law Enforcement* (Justina Cintrón Perino ed., 2006) at 137.

⁹ See Henri E. Cauvin, *District Briefing*, Washington Post, Nov. 28, 2006, at B4.

¹⁰ Over the six years that OPC has been open, its method of compiling statistics has changed significantly, moving from manual collection, to using OPC's initial complaint tracking database, to using OPC's current complaint management software (CMS), which was used for the first time in fiscal year 2004. The implementation of the CMS was also accompanied by the reentry of data for all of OPC's complaints and changes in the process of receiving and recording contacts and complaints. Over the course of these several years, OPC has ensured that the data were as accurate as possible and the presentation of the statistics was as consistent as possible. With all of the changes in fiscal year 2004, however – the CMS, the reentry of data, and the different processes – OPC believes that the changes may have had an impact on some of the statistics, leading to some fluctuations that the agency cannot account for in full. For example, with the new CMS, OPC gained the ability to record additional types of citizen contacts that it could not track in earlier years. In addition, when officer information was entered into the CMS, it reflected the then current assignment of the officer, which may not have been the same as it was at the time of an earlier incident. OPC notes the changes so that readers will be aware of them, and OPC will monitor the statistics in years ahead to try to determine if any of the unusual changes resulted from changes in the process or were signs of other trends.

¹¹ OPC collected date of birth information for only 57% of its complainants (206 of 361) in fiscal year 2003, but increased to collecting the information for 94% (247 of 262) in fiscal year 2004, 98% (318 of 326) in fiscal year 2005, and 94% (391 of 414) in fiscal year 2006.

¹² The “District Population” data included in Tables 9, 10, and 11 are included for reference purposes. It should be noted that anyone, whether a resident of the District or not, may file a complaint with OPC.

The data in Tables 10, 11, and 12 were obtained from the “General Demographic Characteristics: 2004” table for the District of Columbia that is part of the “2004 American Community Survey” data set on the U.S. Census website, www.census.gov. As of 2004, the District’s population estimate was 553,523, but the race or national origin, gender, and age breakdowns were based on a population estimate of 518,074, which included only the household population and excluded the population living in institutions, college dormitories, and other group quarters. Readers should be aware that the race or national origin, gender, and age breakdowns of the District population have changed some over time, so these data may have less value as a comparator for the earlier fiscal years reported in the tables. In previous annual reports, OPC has included the race or national origin, gender, and age breakdowns that the Census reported for 2000. At that time, the District had a population of 572,059, and the population’s race or national origin, gender, and age was broken down as follows:

	District Pop.		District Pop.		District Pop.
African-American	60.0%	Male	47.1%	Under 15	17.1%
White	27.8%	Female	52.9%	15-24	15.7%
Latino	7.9%			25-34	17.8%
Asian	2.7%			35-44	15.3%
Middle Eastern	--			45-54	13.2%
Native American	0.3%			55-64	8.7%
Multiracial / Other	2.4%			65 and Older	12.3%

¹³ The “Entire Police Force” data included in Tables 15 and 16 were obtained from MPD on December 11, 2006. On that date, MPD had 3,805 sworn members, and the data reflect the race or national origin and gender breakdowns of those officers. Readers should be aware that the race or national origin and gender breakdowns of MPD officers have changed some over time, so these data may have less value as a comparator for the earlier fiscal years reported in the tables. In previous annual reports, OPC has included the race or national origin and gender breakdowns that MPD included in its 2000 annual report. At the end of 2000, MPD had 3,614 sworn members, and their race or national origin and gender were broken down as follows:

	Entire Police Force		Entire Police Force
African-American	66.5%	Male	75.7%
White	27.7%	Female	24.3%
Latino	4.9%		
Asian	0.9%		

¹⁴ “Other” includes MPD Headquarters, the Office of Professional Responsibility, the Regional Operations Command – Central, the Regional Operations Command – East, the Superintendent of Detectives Division, the Violent Crimes Branch, the Major Narcotics Investigations Branch, the Major Crash Investigations Unit, the Youth Investigations Branch, the Emergency Response Team, the Air Support Unit, the Harbor Patrol, the Canine Unit, the Environmental Crimes Unit, the Maurice T. Turner, Jr., Institute of Police Science, Emergency/Non-Emergency Communications, the Central Cell Block, and the Juvenile Processing Center.

¹⁵ In June 2001, the District of Columbia approved new ward boundaries as part of its redistricting process following the 2000 U.S. Census. The new ward boundaries took effect in January 2002. Readers should be aware that the ward recorded for each complaint reflects the ward designation as it existed at the time of the complaint, and that the ward designation for some locations may have changed following the redistricting. For specific details of how the redistricting affected the city’s wards, see Sewell Chan, *How Redistricting Plan Affects City's 8 Wards*, Washington Post, June 28, 2001, at T9.