

**POLICE COMPLAINTS BOARD  
MINUTES OF REGULAR MEETING**

**Meeting Date & Time:** Thursday, December 3, 2009  
6:00 p.m.

**Location:** Office of Police Complaints  
1400 I Street, NW, Suite 700  
Washington, D.C. 20005

**PCB Members Present:**

- Kurt Vorndran, Chair
- Assistant Chief Patrick Burke
- Karl M. Fraser (via telephone)
- Margaret Moore
- Victor I. Prince

**OPC Staff Present:**

- Philip K. Eure, Executive Director
- Ivelisse Cruz, Deputy Director
- Kesha Taylor, Chief Investigator
- Nicole Porter, Special Assistant

**Meeting Agenda:**

**I. Call to Order**

Mr. Vorndran called the meeting to order at 6:06 p.m.

**II. Review and Adoption of Minutes from September 14, 2009, PCB Meeting**

The Board reviewed the minutes from the September 14, 2009, meeting.

Chief Burke made a motion to adopt the minutes as written, which was seconded by Mr. Prince.

Vote: 5 Yes (Vorndran, Burke, Fraser, Moore, and Prince)  
0 No

### **III. Caseload Statistics**

Ms. Taylor updated the Board on the agency's caseload and Mr. Eure discussed the data contained in the "OPC by the numbers" table. In response to Chief Burke's question, Ms. Taylor replied that she had not seen any trends or surges with respect to complaints. Concerning OPC investigations that were delayed due to the time taken by the U.S. Attorney's Office (USAO) to complete its review to determine if criminal prosecution is warranted, Ms. Taylor stated that various factors affected the determination as to whether a case would be fast tracked upon return from USAO.

### **IV. Action Items**

Ms. Taylor and Ms. Cruz updated the Board on action items from the meeting of September 14, 2009. Ms. Taylor stated that a recent random sampling of cases showed that 84% of its closed cases were completed on time. Ms. Cruz discussed efforts to improve scheduling of officers for interviews to reduce the number of no-shows, as well as efforts to upgrade the agency's case management software to better track progress on investigations. Mr. Eure stated that, per Mr. Prince's request, the agency will aim to review its caseload each month and determine the number of cases that have been open for 30, 60, and 90 days. Ms. Cruz discussed the agency's review of best practices related to participant surveys.

### **V. Open Meetings Policy**

Mr. Vorndran asked that the Board and OPC staff review a draft of the open meetings policy that he and former District Councilmember Kathy Patterson had written.

### **VI. GWU Mediation Proposal**

The Board discussed a proposal by Professor Carol Izumi of George Washington University to allow a small number of her law students to participate in OPC mediations as co-mediators. Mr. Eure stated that these fully-trained law students already co-mediate with Professor Izumi in similar mediation programs run by USAO and the D.C. Office of the Attorney General. Mr. Eure added that that the complainants and subject officers would be apprised of the law students' participation. In response to Ms. Moore's question, Mr. Eure also stated that he would determine if there is an opt-out provision in the mediation programs run by OAG and USAO.

Mr. Vorndran recommended that, upon completion of the review of Professor Izumi's proposal, the Board approve the request and allow the students to participate for a trial period, and once the trial period ends, assess whether student participation should continue. The Board agreed to inform Mr. Eure within seven days of receiving the proposal whether they support going forward with implementing a trial period.

## **VII. Miscellaneous**

Chief Burke asked for an update regarding MPD exonerations of officers who failed to cooperate with OPC processes. Mr. Eure stated that the agency has not received a report from MPD, but added that the agency planned to compare the data for fiscal years 2008 and 2009 and publish the results in the annual report for fiscal year 2009. Mr. Eure also stated that MPD has explained that, apart from unscheduled absences due to emergencies or operational needs, officers fail to appear because the MPD notification system does not always provide notice to individual officers. Mr. Eure added that OPC usually is informed that there is a problem only after the officer failed to show up, not before. Ms. Taylor stated that the agency sometimes receives conflicting information about the reason for the officer's absence.

With regard to staffing of vacant agency positions, Mr. Eure stated that the agency made offers to three candidates for the open investigator positions and that all three candidates accepted. Mr. Vorndran asked if there was a shortage of bilingual staff. Mr. Eure stated that there was not, since one of the new investigator hires is bilingual and two of the agency's existing staff are bilingual.

## **VIII. Adjournment and Next Meeting**

The meeting went into executive session at 6:45 p.m. and was adjourned at approximately 6:55 p.m. PCB's next regular meeting is scheduled for 6:00 p.m. on January 14, 2009.

Minutes prepared by Nicole Porter, Special Assistant.