

**POLICE COMPLAINTS BOARD  
MINUTES OF REGULAR MEETING**

**Meeting Date & Time:** Monday, March 10, 2008  
6:30 p.m.

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

**PCB Members Present:**

- Kurt Vorndran, Chair
- Assistant Chief Patrick Burke
- Victor I. Prince

**PCB Members Absent:**

- Margaret Moore
- Karl M. Fraser

**OPC Staff Present:**

- Philip K. Eure, Executive Director
- Thomas E. Sharp, Deputy Director
- Kesha Taylor, Chief Investigator
- Nicole Porter, Special Assistant

**Meeting Agenda:**

**I. Call to Order**

Mr. Vorndran called the meeting to order at 6:45 p.m.

The Board observed a moment of silence in remembrance of Mr. Fraser's father. Mr. Vorndran then made a motion to send condolences to Mr. Fraser, which was seconded by Chief Burke.

Vote:	3	Yes (Vorndran, Burke, and Prince)
	0	No

Mr. Eure informed the Board that Ms. Moore was unable to attend the meeting due to a scheduling conflict.

## **II. Review and Adoption of Minutes from January 7, 2008, PCB Meeting**

The Board reviewed the minutes from the January 7, 2008, meeting.

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

Vote:	3	Yes (Vorndran, Burke, and Prince)
	0	No

## **III. Caseload Statistics**

Mr. Sharp told the Board that the agency is approaching the halfway mark of the fiscal year, and is generally keeping pace with where it was at this point last year. Mr. Prince remarked that the number of completed investigations was down from last year, and wondered about the decrease. Mr. Sharp commented that the number of completed investigations is down, but stated that the agency is finalizing reports as quickly as possible after they are prepared, and that the statistics show that there are fewer in the pipeline waiting to be reviewed. Ms. Taylor stated that the investigative unit has been investigating and closing cases as promptly as possible. Ms. Taylor stated that MPD's OPC Liaison has been helpful in getting investigators the information that they need. Ms. Taylor also stated that the agency's summary dismissal process allows the investigative unit to process certain types of dismissals more quickly.

Ms. Taylor discussed the investigative unit's new system of tracking investigator caseloads with a bulleting board listing the current status of OPC's cases, and stated that the new system fosters healthy competition among investigators and keeps the cases moving. Ms. Taylor stated that once the agency gets its tenth investigator, the unit will have its full complement and this will only help with completing investigations.

Chief Burke asked Ms. Taylor the status of the agency's relation with the USAO. Ms. Taylor described the process that OPC has developed with the USAO for USAO review of cases for possible criminal prosecution. Ms. Taylor stated that the USAO sends the agency an e-mail if it declines to prosecute an officer, and follows up with a fax and the original declination letter. OPC also sends the USAO a quarterly status report inquiring about the status of any outstanding cases. Mr. Vorndran asked whether the USAO's delay in sending declination letters posed a concern to the agency. Ms. Taylor said that it did not, because the agency is able to interview some witnesses and gather other evidence before sending the case to the USAO, so this evidence does not get lost or stale.

Mr. Vorndran asked whether citizens had complained about the delay caused by the USAO. Ms. Taylor stated that they had not, and informed the Board that when a complaint is referred to the USAO, a letter goes out to the citizen notifying the individual of the referral. Mr. Eure stated that agency management meets periodically with the USAO to discuss these and other issues, and that it might be appropriate to set up another meeting.

#### **IV. Miscellaneous**

Mr. Eure informed the Board that the agency's performance hearing on February 25 went well. Councilmember Mendelson began the hearing by complimenting the performance of the agency.

Mr. Sharp discussed the upcoming budget hearing and explained the budget process. Mr. Sharp expected that the agency's budget would stay roughly the same in fiscal year 2009, except for routine increases in personnel costs and rent, utilities, and other fixed costs. Mr. Sharp stated that he believed that the agency's budget would be adequate. Chief Burke said that MPD was also reviewing its budget and preparing for upcoming hearings. Mr. Eure stated that OPC's budget hearing would be on April 22.

On the outreach front, Mr. Eure stated that on Tuesday, April 15, he and other OPC staff members would be taking part in a panel being organized by Ms. Moore for University of the District of Columbia students.

Mr. Eure updated the Board on the PERB litigation. Mr. Sharp told the Board that OPC staff had seen in stores the flyers created by MPD and the District Department of Transportation (DDOT) regarding the District's cell phone law. Mr. Sharp added that there have been five MPD roll call trainings done regarding issues raised in various PCB policy recommendations.

Chief Burke stated that he was looking at the possibility of using some money available from DDOT to install video cameras in some MPD cruisers. Ms. Porter told the Board that she has been in touch with MPD regarding their pilot program, and was researching the video camera issue for a possible policy recommendation.

Mr. Sharp stated that the agency was working on a policy recommendation suggesting that OPC and MPD adopt the same categories to track citizen complaint allegations.

Chief Burke asked if the agency noted any departmental problems with canine bites, shootings, or vehicle crashes. Chief Burke noted that he had read the annual report, and asked that he be updated on any patterns, trends, or areas that MPD needed to address.

Mr. Eure discussed agency participation in upcoming conferences and groups. Mr. Sharp is going to participate in a working group sponsored by the Police Assessment Resource Center (PARC). The PARC working group is preparing guidelines for federal and local police monitors and is convening the group as part of this project. Mr. Eure is going to be on a panel at the American Bar Association's alternative dispute resolution conference. OPC and citizen oversight agencies in Seattle, Washington, and Denver, Colorado, will be on a panel discussing mediation in police complaint cases.

Mr. Prince asked if the agency has looked into getting grants for certain projects. Mr. Eure stated that the agency had not done this recently, but has done it in the past and may look into it again if it has a project that is suited for grant funding. Mr. Vorndran stated that the Gay and Lesbian Activists Alliance planned to honor OPC and Mr. Eure.

## **V. Personnel**

Mr. Eure stated that the agency is on the verge of hiring a bilingual investigator. Ms. Taylor stated that there were a lot of strong candidates in the pool this time around, and that we were lucky to have so many to consider.

Based on recommendations from the Community Dispute Resolution Center, OPC is proposing the addition of five new members to the mediator pool. The Board members were given the resumes for the candidates to consider. The Board agreed to review the resumes and respond with any concerns or objections by the close of business on Friday, March 7. If there are not objections, the candidates will be considered approved.

## **VI. Adjournment and Next Meeting**

The meeting was adjourned at approximately 7:45 p.m. PCB's next regular meeting will be on May 5, 2008.

Minutes prepared by Nicole Porter, Special Assistant.