**OFFICE OF POLICE COMPLAINTS**

**POLICE COMPLAINTS BOARD MEETING**

**November 17, 2016**

**6:00 PM**

**1400 I Street NW, Suite 700**

**Washington, D.C. 20005**

**AGENDA OF MEETING**

1. Call to Order
2. Public Comment Period
3. Approval of PCB minutes
4. Agency Report
   1. MPD Chief
   2. NEAR Act Legislation Update
   3. Policy Recommendations
   * Language and Conduct
   * Ensuring MPD Policies and Procedures are Current

**OFFICE OF POLICE COMPLAINTS REPORT TO THE POLICE COMPLAINTS BOARD**

**November 14, 2016**

*Dates to Remember:*

*Regular Board meeting on Thursday, November 17, at 6:00 p.m. at the Office of Police Complaints. Kurt Vorndran will act as chair. The next meeting dates are January 26, 2017, March 16,2017, and May 18, 2017.*

1. **Critical Issues Update**

* Mayor Bowser has indicated that MPD Interim Chief Newsham will continue to serve until a permanent chief is selected, which will be after a permanent school chancellor is appointed. The position vacancy is posted on the DCHR website.
* The District of Columbia legislation B21-0360 “Neighborhood Engagement Achieves Results Act of 2015” (NEAR Act) was enacted and became effective on June 30, 2016. The legislation includes several provisions that affect OPC operations, including increasing the time to file a complaint to 90 days, and requiring OPC to periodically monitor and publicly report on all complaints filed (MPD and OPC) and all use of force incidents including officer-involved shootings and deaths in custody. MPD has begun a pilot program of forwarding complaints to OPC through the OPC web email server and has not finalized policy and procedure revisions necessary to implement the Act.

1. **Reports/Policy Recommendations**

* Two draft policy recommendations are pending:
  + Language and Conduct
  + Ensuring MPD Policies and Procedures are Current
* Both drafts are currently under review with MPD and we are awaiting comment.  We expect to receive their comments prior to this PCB meeting, make any necessary edits, and forward them for review and approval.

1. **Outreach**

* On September 27, 2016, Chief Investigator Mona Andrews conducted a presentation to staff members of the Washington Area Bicyclist Association.
* On September 27, 2016, Investigator Ethan Trinh and Investigations Management Robert Rowe participated in the University of Maryland’s Law, Legal & Nonprofit Networking event.

* On September 28, 2016, Public Affairs Specialist Nykisha Cleveland conducted a presentation for law students enrolled in American University Washington College of Law Marshall-Brennan Constitutional Literacy Project program.
* On October 12, 2016, Executive Director Michael G. Tobin was a panelist for the U.S. Attorney’s Office for the District of Columbia’s symposium entitled, “Police and Community: Building a Bridge of Trust.” Ms. Cleveland, Mr. Trinh and Investigator Denise Hatchell also participated in breakout sessions focused on issues that both law enforcement and citizens face when interacting with each other.
* On October 14, 2016, Director Tobin attended the Baltimore City Civilian Review Board’s first conference on Strengthening Civilian Oversight.
* On October 19, 2016, Ms. Cleveland attended a town hall hosted by Howard University entitled “Committed to Breathe.”
* On October 20, 2016, Director Tobin met with members of the Washington Ethical Society. Director Tobin discussed OPC’s mission, jurisdiction, and complaint process.
* On October 25, 2016, Ms. Cleveland and Investigator Danielle Sutton presented to a group of adult students enrolled in a free six-week "Know Your Rights" course at Christian Tabernacle Church in Northwest.
* On October 25, 2016, Director Tobin conducted a presentation and answered inquiries from the DC Council and Mayor Bowser on OPC operations, citizen complaints, and use of force at the Mayor’s Monthly Breakfast meeting.
* On November 1, 2016, Mr. Trinh and Senior Investigator Anthony Lawrence presented at the Advisory Neighborhood Commission 8A monthly meeting. Mr. Trinh and Mr. Lawrence spoke about OPC’s jurisdiction, how to file a complaint, and the complaint process.
* On November 2, 2016, Ms. Cleveland conducted a presentation for law students enrolled in Howard University School of Law Marshall-Brennan Constitutional Literacy Project program.
* On November 3, 2016, Director Tobin attended and testified at the DC Council Judiciary Committee Public Oversight Roundtable “On the State of the MPD: Crime, Community Policing, and Selecting the Next Chief of Police.”
* On November 9, 2016, Ms. Cleveland was panelist for the Court Services and Offender Supervision Agency’s Fifth District Community Justice Advisory Network meeting. The topic for the meeting was “Returning Citizens Have More Rights than Remaining Silent!”

1. **Press and Media Coverage**

* On October 2, 2016, WTOP ran an article on the PCB’s 21st Century Policing policy recommendation.
* On October 19, 2016, the *AFRO American* newspaper reported on the U.S. Attorney’s Office for the District of Columbia “Police and Community” symposium. Director Tobin was quoted in the article speaking about OPC’s complaint process. In addition, statistical information from OPC’s FY15 annual report was published in the article.

1. **Staffing Update**

* The Program Coordinator position will be filled as of November 28, 2016 by Chris Weber. He currently holds a similar position at Amtrak Union Station.
* The Investigative Clerk position will be filled as of December 12, 2016 by Chauntini Clark. She currently is employed in a similar position for a nonprofit domestic violence shelter in Maryland.
* One investigator position is vacant and OPC is currently reviewing applications of candidates.
* On October 31, 2016, OPC welcomed a new bi-lingual investigator, Hansel Aguilar. Hansel previously worked as a police officer with the George Mason University Police and as a case manager with a youth immigration services organization in Virginia.
* The new position of Research Analyst is vacant and OPC is currently conducting interviews of candidates.

1. **Internship Activities**

* On September 1, 2016, Erica Del Priore and Aaliyah Thomas began their fall investigative internships at OPC. Ms. Del Priore is pursuing her Master’s Degree in Justice, Law, and Criminology at American University. Ms. Thomas is pursuing her Bachelor’s degree in pre-law at Baylor University.

1. **Training, Conferences, Guests, and Other Activities**

* On August 26, 2016, Ms. Cleveland attend a workshop, “Social Media: Staying on Message and on Brand” sponsored by the Public Relations Society of America-National Capital Chapter.
* On September 25-29, 2016 OPC members and PCB member Paul Ashton attended the NACOLE training conference in Albuque, New Mexico.
* On September 27-29, 2016, Investigation Manager Natasha Smith attended Leadership training through the USDA graduate school.
* On September 19-20, 2016, Investigation Manager Robert Rowe attended Leadership training through the USDA graduate school.
* On October 17-20, 2016, Chief Investigator Mona Andrews attended IAPro software user- case management and data reporting training.
* On October 25, 2016, Ms. Cleveland participated in DC Gov FOIAXpress v10 demo training.

1. **Dismissal Schedule**

Below is the PCB dismissal schedule. Please note that Board members are scheduled for dismissal review for a two-week period. If a Board member is unable to review dismissals for their assigned weeks, the Board member should arrange to switch with another Board member.

|  |  |  |  |
| --- | --- | --- | --- |
|  | **PCB Member** | **Week 1** | **Week 2** |
| Paul Ashton | | 11/7/2016 | 11/14/2016 |
| Kurt Vorndran | | 11/21/2016 | 11/28/2016 |
| Jamira Burley | | 12/5/2016 | 12/12/2016 |
| Bobbi Strang | | 12/19/2016 | 12/26/2016 |
| Paul Ashton | | 1/2/2017 | 1/9/2017 |
| Kurt Vorndran | | 1/16/2017 | 1/23/2017 |
| Jamira Burley | | 1/30/2017 | 2/6/2017 |
| Bobbi Strang | | 2/13/2017 | 2/20/2017 |
| Paul Ashton | | 2/27/2017 | 3/6/2017 |

1. **Investigations Status**

|  |  |  |
| --- | --- | --- |
|  | **11/5/15** | **11/9/16** |
| **Status of Open Cases** |  |  |
| Under Investigation | 79 | 86 |
| Under Investigation – Report Written | 9 | 23 |
|  |  |  |
| Awaiting Objections from Subj. Off. | 5 | 0 |
| Forwarded to CE | 11 | 3 |
| Forwarded to PCB | 8 | 5 |
| Referred to Mediation | 14 | 4 |
| Referred to Policy Training | 0 | 2 |
| Referred to USAO | 3 | 3 |
| Referred to Rapid Resolution | 0 | 0 |
|  |  |  |
| **Total Open** | **129** | **126** |
|  |  |  |
| **Complaints Received** |  |  |
| Number of Complaints Received | 35 | 53 |
| Pending Formals | 30 | 51 |
|  |  |  |
| **Non-Complaint Contacts** |  |  |
| Contacts | 63 | 94 |
| No Formal Complaint | 25 | 15 |
| **Total Contacts** | **88** | **109** |
|  |  |  |
| **Closures by Type** |  |  |
| Decisions | 1 | 0 |
| Dismissals | 23 | 14 |
| Successful Mediation | 5 | 3 |
| Referred to MPD | 4 | 11 |
| Withdrawn | 2 | 4 |
| Admin. Closed | 8 | 1 |
| Referred to Other | 2 | 4 |
| Conciliation Agreement | 1 | 0 |
|  |  |  |
| **Total Closed** | **46** | **37** |