**OFFICE OF POLICE COMPLAINTS**

**POLICE COMPLAINTS BOARD MEETING**

**September 15, 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. PCB member update
   2. Search Warrant Execution Accountability Act of 2016
   3. NEAR Act legislation update

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

**September 9, 2016**

*Dates to Remember:*

*Regular Board meeting on Thursday, September 15, at 6:00 p.m. at the Office of Police Complaints. Kurt Vorndran will act as chair. The next meeting date is November 17, 2016.*

1. **Critical Issues Update**

* There is one vacancy on the Police Complaints Board (PCB) and one pending vacancy. Kurt Vorndran’s term has expired and he continues to serve as a member and acting chair pending appointment of a successor. Assistant Chief Burke retired from MPD and has begun his appointment as the U.S. Marshal for the District of Columbia and has vacated his position as a board member. Paul Ashton has been reappointed to a full term effective June 28, 2016 and was sworn in on July 18, 2016.
* 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.
* Legislation entitled “Search Warrant Execution Accountability Act of 2016” was introduced by CM Grosso to the Council on April 5, 2016. The proposal would allow persons to file a complaint with OPC for damages incurred as a result of the execution of an unlawful search warrant. OPC would determine whether the search warrant was obtained and executed in accordance with the law and have a role in determining whether damages would to be awarded to complainants. The proposal is awaiting committee assignment.

1. **Reports/Policy Recommendations**

* A draft policy recommendation is pending on “Ensuring MPD Policies and Procedures are Current.”

1. **Outreach**

* On June 8, 2016, Ms. Andrews conducted a presentation to newly sworn members of MPD’s police force about OPC and its complaint process at the MPD training academy.
* On June 6, 2016, Ms. Cleveland and Investigator Lindsey Murphy participated in Briya Public Charter School’s 2nd Annual “Know Your Rights” fair.
* On June 21, 2016, Ms. Cleveland and Investigations Manager Natasha Smith presented at the Advisory Neighborhood Commission 4D monthly meeting. Ms. Cleveland provided an overview of OPC’s jurisdiction and explained how to file a complaint. Ms. Smith spoke about OPC’s complaint process.
* On June 27, 2016, Ms. Cleveland participated in the “Know Your Rights” town hall hosted by the Mayor’s Office on African Affairs and the Commission on African Affairs.
* On July 20, 2016, Public Affairs Specialist Nykisha Cleveland met with the Mayor’s Office on Latino Affairs (OLA) staff to discuss additional ways OPC and OLA can partner to heighten the public awareness among the Latino community about OPC.
* On August 10, 2016, Director Tobin was a moderator and panelist for the session “Models of Police Oversight” at the 2016 International Police Executive Symposium (IPES) in Washington, D.C.
* D.C. Public Library and the Washington Area Bicyclist Association have recently joined OPC’s Community Partnership program.

1. **Press and Media Coverage**

* On July 17, 2016, PBS Frontline published an article concerning the question “Is Civilian Oversight the Answer to Distrust of Police?” Director Tobin was featured in the article sharing his thoughts about police oversight as well as some of OPC’s recent accomplishments.
* On July 21, 2016, the following media outlets covered the protest organized by Showing Up for Racial Justice (Washington, DC chapter) that was held outside in front of OPC’s office building:
  + *Washington City Paper*
  + *The New York Times*
  + FOX5
  + WUSA9
  + WJLA
  + WTOP-FM
  + Rare.us

Director Tobin invited leaders of the protest group into the OPC office and met with them to discuss their concerns and share information about OPC.

* On August 26, 2016, *The Washington Post* published an opinion article by a Washington DC public defender on the public’s access to police misconduct information. The author is a frequent requestor of OPC information. OPC was mentioned as an independent agency that does not release police misconduct information in response to Freedom of Information Act requests, citing officers’ privacy interests.
* On August 31, 2016, the *Baltimore Sun* reported on the Baltimore police department’s agreement to share all citizen complaints with the Baltimore Civilian Review Board, but withhold certain files until the complaint is notarized by the complainant. Director Tobin was quoted in the article discussing why it’s an “unnecessary and outdated obstacle” for a complaint to be notarized.

1. **Staffing Update**

* On July 25, 2016 Alicia Yass was welcomed as the Special Assistant/Legal Counsel.
* The Program Coordinator position became vacant as of August 5, 2016, and a job announcement has been posted.
* The Investigative Clerk position became vacant as of September 9, 2016, and a job announcement has been posted.
* Two investigator positions are vacant and job announcements have been posted. OPC managers are currently reviewing applications for candidates for those positions.
* On September 12, 2016, OPC will welcome a new investigator, Victoria Keyes. Ms. Keyes previously worked as a Humane Enforcement Officer with the Washington Humane Society, investigating animal welfare and cruelty cases.

1. **Internship Activities**

* On July 29, 2016, investigative intern Cory Dixon from Virginia Union University completed his summer internship at OPC.
* On August 15, 2016, legal interns Christine Kulumani from the George Washington University School of Law, and Gunita Singh from the Georgetown University School of Law completed their summer internships at OPC.
* On August 17, 2016, investigative intern Katelyn Kennedy, from West Virginia Wesleyan College completed her summer internship at OPC.
* On August 17, 2016, public affairs intern Jocelyn Harris from Howard University completed her summer internship at OPC.
* 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 June 15-17, 2016, Chief Investigator Mona Andrews attended Executive Management and Leadership training through the USDA Graduate School.
* On June 10, 2016, Ms. Cleveland attended PR Summit DC sponsored by Capitol Communicator.
* On June 20, 2016, OPC hosted a training session entitled “BEST Communications.” The training focused on four different communication styles found in the workplace and provided tools to be more effective and understanding when dealing with customers and co-workers who may communicate in a different style.
* On June 21-24, 2016, Investigators Ethan Trinh and Lindsey Murphy attended the “Reid Technique of Interviewing and Interrogation” training.
* On June 22-23, 2016, Receptionist Nydia Smith attended “Communicating with Results” training at the USDA Graduate School.
* On June 27, 2016, OPC hosted a brown bag presentation from the Greater Washington Urban League (GWUL), a non-profit organization committed to increasing the social, economic, and political empowerment of people of diverse backgrounds. The GWUL is one of OPC’s community partners. The discussion included information regarding services and resources provided by the organization, which include programs in housing, education, health, employment and training, and other community support programs.
* On July 7, 2016, OPC hosted a training session from the District Government’s workforce development team entitled “Multi-Generational Communication.” This training focused on working and communicating effectively in a multi-generational workplace.
* On July 21, 2016, Staff Assistant Kim Ryan attended training entitled “Human Resources and Newly Assigned HR Responsibilities.”
* On July 25, 2016, Investigative Clerk Dienna Howard attended training entitled “Managing Emotions under Pressure.”
* On July 28, 2016, Senior Investigator Anthony Lawrence attended an MPD-hosted training regarding inaugural and protest preparation and related crowd control techniques.
* On August 18, 2016, Ms. Cleveland attended a writing workshop sponsored by the Public Relations Society of America-National Capital Chapter.
* On August 24, 2016, OPC hosted a delegation of embassy and police officials from Taiwan.
* On August 25, 2016, Deputy Director Rochelle Howard and Legal Counsel Alicia Yass attended the Greater Philadelphia Area Law Schools Job Fair in Washington, D.C. to interview legal interns for summer 2017.
* On August 31-September 1, 2016, Executive Assistant Stephanie Banks attended the DCHR Annual Summit in collaboration with DCHR specialists.
* On September 7-9, 2016, Legal Counsel Alicia Yass attended FOIA training at the USDA Graduate School.

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 | | 9/12/2016 | 9/19/2016 |
| Kurt Vorndran | | 9/26/2016 | 10/3/2016 |
| Jamira Burley | | 10/10/2016 | 10/17/2016 |
| Bobbi Strang | | 10/24/2016 | 10/31/2016 |
| 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 |

1. **Investigations Status**

|  |  |  |
| --- | --- | --- |
|  | **9/8/15** | **9/7/16** |
| **Status of Open Cases** |  |  |
| Under Investigation | 97 | 79 |
| Under Investigation – Report Written | 12 | 4 |
|  |  |  |
| Awaiting Objections from Subj. Off. | 4 | 0 |
| Forwarded to CE | 9 | 3 |
| Forwarded to PCB | 17 | 7 |
| Referred to Mediation | 18 | 7 |
| Referred to Policy Training | 0 | 2 |
| Referred to USAO | 2 | 3 |
| Referred to Rapid Resolution | 0 | 0 |
|  |  |  |
| **Total Open** | **159** | **105** |
|  |  |  |
| **Complaints Received** |  |  |
| Number of Complaints Received | 377 | 396 |
| Pending Formals | 33 | 31 |
|  |  |  |
| **Non-Complaint Contacts** |  |  |
| Contacts | 703 | 773 |
| No Formal Complaint | 219 | 166 |
| **Total Contacts** | **922** | **939** |
|  |  |  |
| **Closures by Type** |  |  |
| Decisions | 9 | 28 |
| Dismissals | 278 | 202 |
| Successful Mediation | 36 | 32 |
| Referred to MPD | 73 | 65 |
| Withdrawn | 15 | 15 |
| Admin. Closed | 50 | 71 |
| Referred to Other | 15 | 14 |
| Conciliation Agreement | 1 | 1 |
|  |  |  |
| **Total Closed** | **477** | **428** |