



FY 2015 Performance Accountability Report DC Office of Police Complaints

INTRODUCTION

The Performance Accountability Report (PAR) measures each agency's performance for the fiscal year against the agency's performance plan and includes major accomplishments, updates on initiatives' progress and key performance indicators (KPIs).

MISSION

The mission of the Office of Police Complaints (DCOPC) is to increase public confidence in the police and promote positive community-police interactions.

SUMMARY OF SERVICES

OPC receives, investigates, adjudicates, and mediates police misconduct complaints filed by the public against Metropolitan Police Department (MPD) and D.C. Housing Authority (DCHA) police officers. In addition to these responsibilities, the agency issues policy recommendations to the Mayor, the Council of the District of Columbia, and the Chiefs of Police of MPD and DCHA's Office of Public Safety proposing reforms that will promote greater police accountability by reducing the level of police misconduct or improving the citizen complaint process.

OVERVIEW – AGENCY PERFORMANCE

The following section provides a summary of DCOPC performance in FY 2015 by listing DCOPC's top three accomplishments, and a summary of its progress achieving its initiatives and progress on key performance indicators.

TOP THREE ACCOMPLISHMENTS

The top three accomplishments of DCOPC in FY 2015 are as follows:

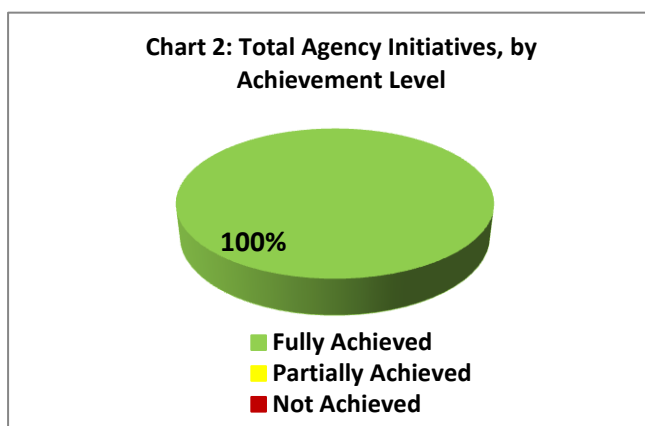
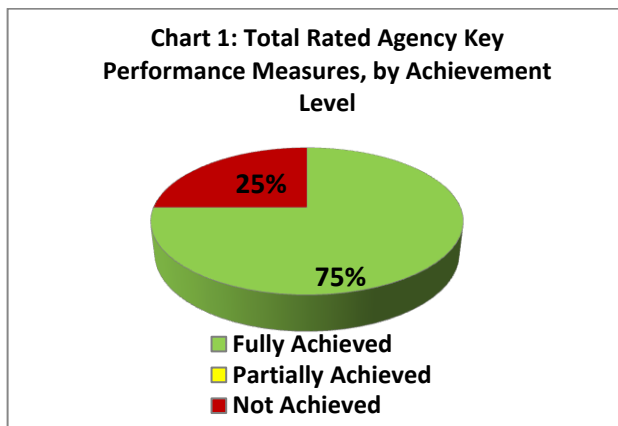
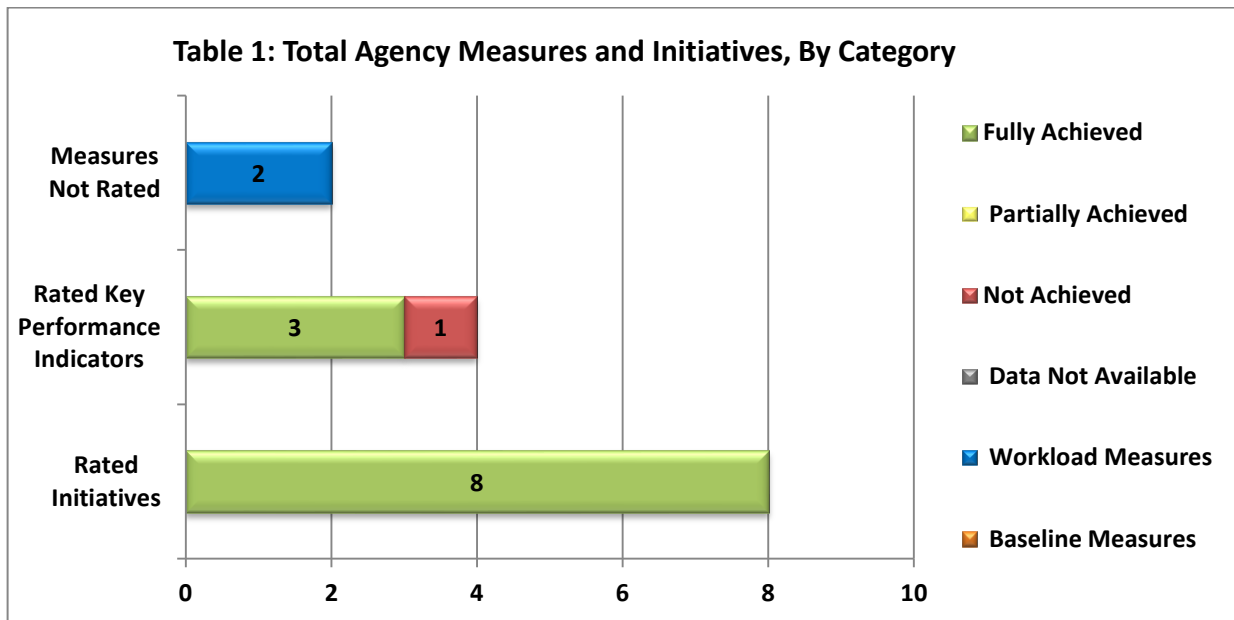
1. OPC improved its investigation procedures, closed 526 investigations, eliminated a substantial backlog of investigations older than one year, and ended the year with 140 open cases remaining, the fewest number since agency inception- despite having received an increased number of new complaints.
2. OPC mediated 55 complaints, an increase of 50% over the previous year, and the highest number since the mediation program began.
3. OPC created a Community Partnership Program. The Program provides the public with greater access to information about the agency's mission and complaint process through government agencies, community organizations, social service providers, neighborhood associations, and advocacy groups. Every organization that is a part of OPC's Community Partnership Program agrees to display and/or make available the agency's complaint forms and brochures for the public. Some of OPC's community partners have also agreed to assist



individuals with filling out and submitting their complaint forms. OPC currently has eleven community partners and is steadily increasing this number as a new public relations tool.

TOTAL RATED MEASURES AND INITIATIVES (TABLE 1)

Table 1 (see below) shows the overall progress the DCOPC made on completing its initiatives, and how overall progress is being made on achieving the agency’s objectives, as measured by their key performance indicators.



In FY 2015, DCPC fully achieved all of its initiatives and 75 percent of its rated key performance measures. Table 1 provides a breakdown of the total number of performance metrics DCPC uses, including key performance indicators and workload measures, initiatives, and whether or not some of those items were achieved, partially achieved or not achieved. Chart 1 displays the overall progress being made on achieving DCPC objectives, as measured by their rated key performance indicators. Please note that chart 2 contains only rated performance measures. Rated performance measures do



not include measures where data is not available, workload measures or baseline measures. Chart 2 displays the overall progress DCPC made on completing its initiatives, by level of achievement.

PERFORMANCE INITIATIVES – ASSESSMENT DETAILS

Office of the Director

OBJECTIVE 1: Resolve police misconduct complaints in an impartial, timely, and professional manner.

INITIATIVE 1.1: Maintain OPC’s training program for investigators.

OPC’s effectiveness is tied in significant measure to its ability to resolve fairly and promptly police misconduct complaints filed with the agency. In FY14, OPC arranged numerous “brown-bag” lunch presentations, sent all non-probationary members of the investigative unit who had not already attended to the Reid Technique of Interviewing and Interrogation workshop, had every investigator attend training at the MPD academy, and had several members of the unit become eligible for oversight practitioner credentialing by enrolling in training provided by the National Association for Civilian Oversight of Law Enforcement (NACOLE). This has increased OPC staff members’ knowledge and enthusiasm for their work, and helped decrease OPC’s staff vacancy rate while also ensuring that the investigators are as well trained as possible. OPC will continue to provide at least four in-house continuing education sessions that will teach investigators about new issues and trends in the field of police accountability and citizen review and provide updates on current legal precedent. In addition, OPC will provide advanced skills trainings in investigative techniques by identifying external training opportunities, including, but not limited to, sending new agency employees to the Reid workshop and having additional agency staff members obtain oversight practitioner credentialing from NACOLE. Together, these sessions and the training will ensure that investigators are aware of and understand emerging issues so that they may promptly identify material facts, quickly determine the proper course of an investigation, and have the necessary skills to obtain all relevant evidence in order to resolve most citizen complaints within six months of being filed with the agency.



Performance Assessment Key: Fully Achieved. OPC held eight in-house continuing education trainings on nine topics. In addition, every investigator and supervisor investigator attended two days of officer professional development training at the MPD Academy. Regarding external training, two new agency investigators attended Reid interview training, seven staff members attended the NACOLE training conference and one staff member received the oversight practitioner credentials from NACOLE. Additionally, two investigative unit staff members received advanced mental health protocol training and four staff members attended a two day Center for Evidence-Based Crime Policy- Police Foundation Joint Symposium that addressed many emerging issues and trends in policing and oversight. Finally, the entire agency staff attended six hours of OPC specific mental health and safety protocol training.



INITIATIVE 1.2: Improve access to evidence in the possession of MPD.

OPC's ability to resolve investigations promptly relies in significant part on the timely production by MPD of documents and evidence in its possession. In FY 2014, OPC worked with MPD to develop a system whereby OPC can have direct access to MPD documents that OPC is entitled by statute to receive. Initial efforts have produced some benefit, but there are many technical issues to resolve. OPC will continue to work with MPD to test the system and refine OPC's ability to obtain the documents it needs as quickly as possible.

● **Performance Assessment Key: Fully Achieved.** OPC continues to work with MPD to resolve the technical issues of its direct report access database. OPC did, however, receive direct access to MPD officer body worn camera (BWC) footage and each investigator has unrestricted direct access to all BWC footage through individual software accounts. Additionally, OPC's overall request turn-around time for MPD and OUC records has significantly improved and currently OPC does not have a records request backlog.

INITIATIVE 1.3: Research the techniques of non-District oversight agencies.

OPC representatives have made visits to other citizen oversight agencies, namely, the Citizen Complaint Review Board of New York City and San Francisco's Office of Citizen Complaints, to learn about investigative and management techniques that could help OPC be even more effective and efficient. Areas of inquiry included, among others, training strategies, access to police documents, case management and review, data analysis, and use of technology. OPC will complement those efforts by conducting similar visits to at least one additional non-District oversight agency, and not more than two.

● **Performance Assessment Key: Fully Achieved.** An OPC representative visited the Seattle Office of Professional Accountability during the fiscal year, and gained valuable insight regarding comparable practices. Additionally, OPC hosted representatives from two police oversight agencies and shared best practice information. Specifically, OPC hosted a representative from the New York City Inspector General's Office for one day in November 2014. OPC later hosted a representative from the San Francisco Office of Citizen Complaints for one and a half days in July 2015. The exchange of information was mutually beneficial and OPC gained much relevant information and insight.

INITIATIVE 1.5: Explore the creation of a permanent conciliation program.

OPC's statute authorizes the agency to conduct conciliation, which is a form of alternative dispute resolution whereby a complainant can discuss allegations of misconduct with the officer or officers involved in the interaction. Such a program promotes better relations and understanding between complainants and officers, and allows OPC to more quickly and cost



effectively resolve complaints that would otherwise require a full investigation. OPC has completed a pilot program to gauge how conciliation could work at the agency. OPC will have conducted an assessment of its effectiveness, and take steps to determine how, if at all, the agency can implement such a program permanently.



Performance Assessment Key: Fully Achieved. OPC completed a full assessment of the conciliation pilot program from 2014. Based on its assessment, modifications were made to the conciliation process and OPC is conducting a phase two pilot to include the recommended program changes. OPC expects to complete the phase two pilot by the end of fiscal year 2016, with the goal of implementing a permanent conciliation program soon thereafter.

OBJECTIVE 2: Promote positive community-police interactions through public education and awareness.

INITIATIVE 2.1: Conduct OPC outreach efforts throughout the District.

OPC provides a forum, independent of MPD and DCHA, for members of the public to address police misconduct concerns. Vital to the agency's mission is increasing the public's awareness of the agency, the services it provides, and the role it plays in community-police interactions. To accomplish this, the agency has conducted outreach events almost since the agency opened its doors in 2001. The number of events has risen over the years, and the agency has conducted 20 or more such sessions in each fiscal year from FY08 through FY14. By September 30, 2015, OPC plans to conduct at least 24 of these events, with at least one such session in each of the District's eight wards. Due to recent reports highlighting concerns expressed by the LGBTQ community regarding policing in the District, OPC will focus its efforts on outreach to members of the LGBTQ community.



Performance Assessment Key: Fully Achieved. OPC conducted 37 outreach events, including at least one in each of the District's eight wards and to members of the LGBTQ community.

INITIATIVE 2.2: Provide training about OPC services to other District agencies.

OPC regularly invites presenters from other District agencies to explain their services and mission to OPC staff members, which in turn allows OPC to provide better service and more thorough information to people who contact the agency. In FY15, OPC will conduct at least two similar training sessions for employees of other District government entities, targeting those offices that provide direct services to the public in situations likely to involve the police. This targeted outreach will allow OPC to focus on getting information about the agency's complaint process and mission to the District's front-line service providers, resulting in more comprehensive access to OPC services by District residents.



- **Performance Assessment Key: Fully Achieved.** OPC provided a new training opportunity by launching its Community Partnership Program. The Program provides the public with greater access to information about the agency's mission and complaint process through government agencies, community organizations, social service providers, neighborhood associations, and advocacy groups. Every organization that is a part of OPC's Community Partnership Program, including District agencies, agrees to display and/or make available the agency's complaint forms and brochures for the public. Some of OPC's community partners have also agreed to assist individuals with filling out and submitting their complaint forms. District government agencies that have agreed to participate as OPC community partners and have received training to provide this new service include the Office on Asian Pacific and Islander Affairs, Office on African Affairs, Office of Gay, Lesbian, Bisexual, Transgender and Questioning Affairs, and the Office of Human Rights.

OBJECTIVE 3: Enhance OPC's ability to effect police reform by issuing policy recommendations to the Mayor, the District Council, MPD, and DCHA.

INITIATIVE 3.1: Review and analyze sustained complaints of police misconduct.

During Fiscal Year 2014, OPC complaint examiners sustained numerous complaints of police misconduct. In FY15, OPC staff members will review the findings of all complaints sustained during that year and look for patterns or trends that bear further review and analysis and possibly warrant the issuance of policy recommendations.

- **Performance Assessment Key: Fully Achieved.** In fiscal year 2014, OPC complaint examiners adjudicated eight complaints. Two complaints alleged, among other things, that officers failed to identify themselves to members of the public. Complaint examiners sustained both of those complaints. Six of the eight complaints contained allegations that officers used language or engaged in conduct that was insulting, demeaning, or humiliating. OPC complaint examiners sustained the language or conduct allegations in five of the six complaints. Based in part on a review of the eight complaints adjudicated by complaint examiners, OPC drafted two policy recommendations pertaining to unprofessional language or conduct and failure-to-identify issues by MPD officers. On May 20, 2015, OPC publicly issued "Business Cards Revisited: Improving Identification Requirements for MPD Officers." OPC drafted a language or conduct policy recommendation in fiscal year 2015 and plans to issue the recommendation by December 2015.

INITIATIVE 3.2: Enhance training for OPC staff working on policy recommendations.








Conducting research for policy recommendations requires the systematic review of police policies and procedures, as well as the review of hundreds of citizen complaints. OPC has identified an accreditation and training opportunity for this skill set. The agency will send an agency staff member to pursue certification as a Certified Law Enforcement Auditor (CLEA)



from the International Law Enforcement Auditors' Association (ILEAA), an organization devoted to setting standards for audits and policy reviews conducted by independent police oversight entities. Such a certification will promote the quality and integrity of the agency's policy reports and recommendations.

- **Performance Assessment Key: Fully Achieved.** In November 2014, OPC Special Assistant Nicole Porter attended the Accountability and Transparency in Law Enforcement training program, hosted by the National Association for Civilian Oversight of Law Enforcement and the International Law Enforcement Auditors' Association.

KEY PERFORMANCE INDICATORS

   	KPI	Measure	FY 2014 YE Actual	FY 2015 YE Target	FY 2015 YE Revised Target	FY 2015 YE Actual	FY 2015 YE Rating	Budget Program
	1.1	Percent of investigations completed and reports produced by the agency within six months.	N/A	60%		39.14% ¹	65.24%	Complaint resolution
	1.2	Percent of Complaint Examiner decisions issued within 120 days.	N/A	80%		100%	125%	Complaint resolution
	1.3	Percent of complaints resolved through mediation.	N/A	9%		11.94%	132.72%	Complaint resolution

¹ This number is artificially low due to elimination of a backlog of older cases. New processes have been implemented to expedite closures.



●	2.1	Number of outreach activities sponsored or attended by OPC.	N/A	24		37	154.17%	Public Relations

WORKLOAD MEASURES – APPENDIX

WORKLOAD MEASURES ●

Measure Name	FY 2013 YE Actual	FY 2014 YE Actual	FY 2015 YE Actual	Budget Program
Number of contacts from the public inquiring about filing a complaint	1046	1095	1420	Public relations
Number of complaints received	440	389	407	Complaint resolution