



MURIEL BOWSER
MAYOR

August 2, 2022

The Honorable Phil Mendelson
Chairman, Council of the District of Columbia
John A. Wilson Building
1350 Pennsylvania Avenue, NW
Suite 504
Washington, DC 20004

Dear Chairman Mendelson:

I am pleased to submit to the Council of the District of Columbia the enclosed semiannual report on the Metropolitan Police Department's (MPD) Use of Body-Worn Cameras (BWC). Pursuant to section 3004 of the Body-Worn Camera Regulation and Reporting Requirements Act of 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 5-116.33), this report provides the following data for the time period July 1, 2021, to December 31, 2021:

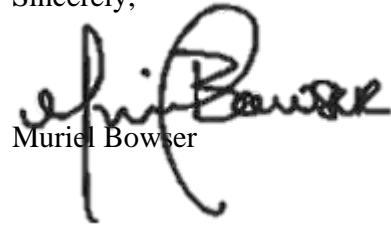
- How many hours of body-worn camera recordings were collected;
- How many times body-worn cameras failed while officers were on shift and the reasons for the failures;
- How many times internal investigations were opened for a failure to turn on body-worn cameras during interactions, and the results of those internal investigations, including any discipline imposed;
- How many times body-worn camera recordings were used by MPD in internal affairs investigations;
- How many times were BWC recordings used by MPD to investigate complaints made by an individual or group;
- How many body-worn cameras are assigned to each police district and police unit for the reporting period;
- How many Freedom of Information Act requests the Metropolitan Police Department received for body-worn camera recordings during the reporting period, and the cost and outcome of each request; and
- How many recordings were assigned to each body-worn camera recording category.

The BWC program has been an invaluable asset for building trust with the community by promoting transparency and accountability. MPD is pleased to be at the forefront of major city police departments

in using BWCs. To that end, this reporting period reflects 3,083 assigned body-worn cameras throughout MPD.

I am available to discuss any questions you may have regarding this report. In order to facilitate a response to your questions, please contact Chief of Police Robert J. Contee III

Sincerely,

A handwritten signature in black ink, appearing to read "Muriel Bowser". The signature is stylized with a large, looping "M" and a cursive "Bowser".

Muriel Bowser



A Report on MPD's Use of

Body-Worn Cameras

July 1 - December 31, 2021



Robert J. Contee, III
Chief of Police



GOVERNMENT OF THE
DISTRICT OF COLUMBIA
MURIEL BOWSER, MAYOR

Pursuant to section 3004 of the Body-Worn Camera Regulation and Reporting Requirements Act of 2015 (D.C. Law 21-36; D.C. Official Code § 5-116.33, the Metropolitan Police Department (MPD) is required to publish data on its Body-Worn Camera (BWC) program biannually. This report is provided in compliance with the Act.

MPD Body-Worn Camera Program

The use of body-worn cameras (BWCs) benefits members of the community and the Department by improving police services, increasing accountability and transparency for individual interactions, and strengthening police-community relations. As of December 31, 2021, more than 3,000 BWCs were deployed to sworn members in public contact positions with the rank of captain and below.

The BWC program is invaluable in building trust with the community by promoting transparency and accountability. The videos are essential to reassuring communities that MPD is accountable in policing. We are committed to ensuring our presence is supportive of our vibrant communities. The cameras also support training efforts and help improve efficiency in internal investigations as they provide documented evidence to support or refute claims.

The MPD is pleased to be at the forefront of major city police departments using BWCs. Our officers have been eager to use this technology. The willingness of MPD officers to be early adopters of this technology demonstrates their strong commitment to safeguarding and providing the best service to our residents.

Data

Data Responses (July 1, 2021 – December 31, 2021)

1. How many hours of BWC recordings were collected? (D.C. Official Code §5-116.33(a)(1))

There were 198,081 hours of BWC recordings collected during this reporting period.

2. How many times did BWCs fail while officers were on shift and what were the reasons for the failures? (D.C. Official Code §5-116.33(a)(2))

The exact reasons as to why BWCs fail and the timing of the failures cannot always be determined. MPD policy requires that officers conduct a test shot with the BWC at the beginning of their shift to ensure that it is functioning properly. The below chart represents the Body Worn Camera Coordinator's best interpretation after assessing each BWC processed for failure or damage. Each BWC processed for failure or damage does not necessarily imply an interaction or action was not recorded as officers notice failure and/or damage when testing their camera at the start of their shift or at other times during their shift when they are not interacting with the public.

To reduce downtime due to BWC failures, unassigned BWCs are positioned at all major deployment locations so that officers may more quickly replace any malfunctioning device. In the second half of 2021, there were 143 failures out of 782,655 videos recorded in the

period. Working with our vendor partners, MPD was able to identify 41 cameras with battery issues and replace them. Over 70 percent of the battery issues were for cameras deployed in late 2019 and early 2020, which had not yet been replaced. MPD continues to take proactive steps with the vendor to identify and replace any problem or aging cameras.

Reasons for Failure ¹	#
Battery charging Issues	90
General hardware failure	26
Physical damage ²	27
Total	143

3. How many times were internal investigations opened for failure to turn on BWCs during interactions, and the results of those internal investigations, including any discipline imposed? (D.C. Official Code §5-116.33(a)(3))

Between July 1 and December 31, 2021, MPD investigated 207 officers for failure to turn on BWCs during interactions. The outcomes (as of February 23, 2022), as defined in General Order (GO) 120.23 Serious Misconduct Investigations, of the investigations opened during this reporting period are noted in the table below. Disciplinary procedures for sustained cases are based on GO 120.21 Disciplinary Procedures and Processes. The discipline noted below may be in combination with higher level misconduct or would include assessment of mitigating or aggravating factors.

Outcomes	Discipline	#
Exonerated³		0
Sustained⁴	<i>No Action/No Discipline⁵</i>	54
	<i>Education-based development⁶</i>	53
	<i>Corrective Action⁷</i>	74
	<i>Job Performance Documentation⁸</i>	4
	<i>Member Separated⁹</i>	0
	<i>Suspended without Pay (SWOP)¹⁰</i>	2
	<i>Termination¹¹</i>	2

¹ For the purposes of this question, failure accounts for when an officer is on shift and the body-worn camera does not work, is not activated, or does not record the event because of a specific camera related issue.

² Physical damage is hardware damage to the camera itself and includes, most commonly, the mounting clip or camera lens breaking.

³ Where a preponderance of the evidence shows that the alleged conduct did occur, but did not violate MPD policies, procedures, or training.

⁴ Where the person's allegation is supported by a preponderance of the evidence to determine that the incident occurred and the actions of the officer were improper.

⁵ Investigation determined that it is a first offense with no aggravating circumstances or negative consequences to the public or the Department so no discipline is assessed. Education-based development, however, may be assessed.

⁶ An alternative to discipline offered to sworn members in lieu of corrective action or a recommended suspension of one to ten days. The program focuses on re-training the member.

⁷ Consists of unit-level discipline including a PD750 Dereliction Report, letter of prejudice, or official reprimand.

⁸ Department form (PD-62) that supervisors may use to record observations of subordinate's job-related behaviors.

⁹ The member left the Department prior to the imposition of discipline or prior to the investigation being completed.

¹⁰ The temporary removal of an employee from performing their work duties and from receiving pay.

¹¹ The member was fired for the conduct.

Outcomes	Discipline	#
IS # Cancelled ¹²		0
Tracking Only ¹³		0
Open Investigation		18
Unfounded ¹⁴		0
Grand Total		207

4. How many times were BWC recordings used by MPD in internal affairs investigations? (D.C. Official Code §5-116.33(a)(4))

There were 9,520 BWC video recordings used for internal investigations during this reporting period. Some videos may also be used in investigations addressed under question 5.

5. How many times were BWC recordings used by MPD to investigate complaints made by an individual or group? (D.C. Official Code §5-116.33(a)(5))

There were 1,095 BWC video recordings used by the Office of Police Complaints (OPC) to investigate external complaints during this reporting period. Pursuant to the *Neighborhood Engagement Achieves Results Act of 2016* (D.C. Law 21-125, D.C. Official Code § 5-1104), OPC is now responsible for handling almost all external complaints.

6. How many body-worn cameras were assigned to each police district and police unit for the reporting period? (D.C. Official Code §5-116.33(a)(6))

As of December 31, 2021, there were 3,083 body-worn cameras assigned to the following units.

Unit	#
1D	279
2D	277
3D	281
4D	275
5D	306
6D	345
7D	340
District Total	2,103
Criminal Investigations Division	57
Joint Strategic & Tactical Analysis Command Center	79
Metropolitan Police Academy	144
Violent Crime Suppression Division	112

¹² Occurs when an internal investigation is initially started but then cancelled; for example, because the incident summary numbers were duplicative.

¹³ Takedowns with no injury or complaint of pain are considered reportable force incidents for which members must complete a Force Incident Report that is reviewed by the Watch Commander. These cases are closed as “tracking only” unless the Watch Commander, Internal Affairs Division, or other official identifies a need for additional investigation.

¹⁴ Where the investigation determined that there are no facts to support the incident complained of actually occurred.

Unit	#
Other ¹⁵	269
School Safety Division	76
Special Operations Division	172
Strategic Change Division	16
Youth and Family Services Division	55
Non-District Total	980
DEPARTMENT TOTAL (as of 12/31/21)	3,083

7. How many Freedom of Information Act requests did MPD receive for body-worn cameras recordings during the reporting period? What was the outcome of each request, including any reasons for denial? What was the cost to the department for complying with each request, including redaction? (D.C. Official Code §5-116.33(a)(7))

Between July 1 and December 31, 2021, 221 FOIA requests were received, closed, and billed by MPD. The outcomes of each request are noted in the table below. Additionally, 10 requests received during this time period were still open as of the end of the year and 27 requests that were received prior to July 1, 2021 remained open (not reflected in the chart below).

Disposition	
Closed (From 7/1/21 – 12/31/21)	211
Granted in full ¹⁶	0
Granted in part ¹⁷	86
Denied in full ¹⁸	57
No responsive video found ¹⁹	25
Duplicate request ²⁰	9
Referred to another agency ²¹	2
Fee related ²²	0
Improper FOIA request ²³	0
Records not Reasonably Described	0
Withdrawn ²⁴	32
Total Closed	211
Open (Rec'd from 7/1/21 – 12/31/21)	10

¹⁵ Includes members in non-operational roles who may be deployed to operations.

¹⁶ There were no redactions made to the requested video footage.

¹⁷ Some redactions were made to the requested video footage.

¹⁸ The footage pertained to ongoing investigations, juvenile records, sexual assault, domestic violence or the video was from inside a personal residence.

¹⁹ Videos were purged in accordance with the Department's retention schedule.

²⁰ The requestor made an identical request under a different FOIA reference number that is already in process.

²¹ Sometimes requests are referred to other agencies because the footage pertains to access to information under their purview.

²² The requestor did not respond to the Department's request to pay.

²³ The requestor did not provide all of the information needed to fulfill the request.

²⁴ The Department's FOIA office may have requested additional information from the requester to which the requester did not respond and/or the requester decided they are no longer interested in receiving the video and advise the FOIA office of such.

Disposition	
Grand Total	221

Between, July 1 and December 31, 2021, the total cost of outsourcing BWC redactions associated with FOIA requests was \$74,185. This cost includes requests that were received prior to July 1, 2021 but were not completed and/or billed until the period of July 1, 2021 – December 31, 2021. MPD only calculates the cost of redacting the BWC footage by the vendor. Staff costs for processing and responding to FOIA requests for BWC footage are not tracked separately from the costs of processing and responding to FOIA requests for other MPD records, e.g. police reports, as all of the MPD FOIA Specialists assigned to process and respond to FOIA requests for BWC footage also process FOIA requests for other MPD records.

8. How many recordings were assigned to each body-worn camera recording category?
(D.C. Official Code § 5-116.33(a)(8))

The number of recordings represents the number of times a BWC video has been categorized between July 1 and December 31, 2021. Each video is required to be tagged with the most serious offense but may carry multiple categories. The event type category represents MPD member interactions with the community. Administrative tracking assists with identifying and categorizing specific tasks related to police events.

Category	# of Recordings
Event Type	
Incident, No Arrest	495,751
All Other Misdemeanors	196,603
All Other Felonies	167,172
Murder / Manslaughter	40,305
Contact / Stop	29,137
Traffic Stop	21,490
Search or Arrest Warrant	12,915
All Other Sexual Offenses (not including 1 st or 2 nd Degree Sexual Assault)	7,633
Found Shell Casings	4,924
Death Report / Suicide	2,346
First and Second Degree Sexual Assault	1,813
First Amendment Assembly	658
Forcible Entry	616
Warrantless Search	525
Crime Involving a Public Official Misdemeanor ²⁵	223
Consent Search	92
Crime Involving a Public Official Felony ²⁶	61
Administrative Tracking	
Vehicle Inspection	77,254
Pending Warrant/Papered Case/Ongoing Criminal	70,527

²⁵ This category does not indicate how the public official is involved, such as a witness, victim, or suspect.

²⁶ This category does not indicate how the public official is involved, such as a witness, victim, or suspect.

Category	# of Recordings
Video Testing	54,671
Court Liaison Division	35,927
Internal Investigations	21,619
Youth & Family Services Division	5,562
Internal Affairs Division	3,522
Office of Police Complaints	1,805
Freedom of Information Act	1,175
Civil Litigation	602
Redaction	455
Citizen Viewing	113
Pending/Supervisory Review	67
Recruit Training	7
Training	4