

**GOVERNMENT OF THE DISTRICT OF COLUMBIA
Metropolitan Police Department**



Report on Litigation Data-Calendar Year 2024 (January to July)

Attached hereto is a report of all lawsuits and claims against the Metropolitan Police Department (Department) or its employees in their official capacity filed from January of 2024 to present. The Office of the General Counsel reviews each new lawsuit served on the Department or its employees, an effort that continues as the lawsuit proceeds.

Each new lawsuit is entered into the Department's Personnel Performance Management System (PPMS), which includes the Supervisory Support Program. Thereafter, personnel from the Department's Internal Affairs Division (IAD) review each lawsuit to determine if there is any newly identified misconduct that needs to be investigated. In most cases, the Department is already aware of the allegation or conduct that led to the lawsuit and is investigating or has investigated the incident. Regardless, an IAD agent is assigned to monitor the lawsuit as it proceeds through litigation. If the investigation ultimately sustains misconduct, the Department takes appropriate action, which may include retraining, suspension without pay, forfeited leave, demotion, or termination, depending on the nature of the misconduct sustained. In addition, the Office of the General Counsel works to identify policy and training improvements that can be implemented arising out of these cases. Described below are the trends identified in these cases and the training and/or policy changes made based on an analysis of these matters.

The attached report also includes all the cases filed against MPD or its employees in their official capacity that were closed since January of 2024. These closed lawsuits include dismissal of cases, judgments against, and settlements executed on behalf of the Department, of any amount, during this period. Cases that are closed with settlement may be settled for a variety of reasons, including the uncertainty of trial outcomes and the cost of litigation. The Office of the Attorney General (OAG) consults with the Department on settlements and exercises its business judgment in choosing whether to settle.

Below is an analysis of the litigation data related to the cases brought against the Department and closed during calendar year 2024 (January to July). Information concerning Department lawsuits has been provided to the Council of the District of Columbia as part of the Department's oversight hearings since 2015, and information on settlements and judgments has been submitted every year since 2018. Copies of previous years' responses can be found here: <https://dccouncil.gov/committee-oversight/>

Allegations of Fourth Amendment Violations

- Beginning in 2023 and continuing into this year, the Department had a committed focus on ensuring compliance with the Fourth Amendment during citizen interactions. The Department's mission is to build on the trust it has with the community with a renewed emphasis on the Fourth Amendment's requirements during citizen and police interactions.
- To this end, the Department has taken several steps to provide updated training to members on this area of law.
 - Annual In-Service Training – In 2024, all members are receiving two 4-hour blocks of in-person training committed to the Fourth Amendment, which will be both classroom-based and interactive. The first phase of this training has already occurred, and the second phase will begin this month.
 - On-Line Virtual Training – All sworn members are required to take and pass two separate Acadis training modules, which will concentrate exclusively on the Fourth Amendment, prior to attending the in-person, annual in-service training described above.
 - Specialized Training – The Department conducted Fourth Amendment training for members in and seeking to apply for Special Mission Units. This training will occur again this month for those new members in these units and for those that were unable to attend this training in January.
 - Training Bulletins – The Department continues to keep its members abreast of current case law related to the Fourth Amendment, particularly all decisions issued by our Court of Appeals. The Office of General Counsel (OGC) closely monitors legal decisions in this area of law. OGC and the Metropolitan Police Academy develop and issue training bulletins to keep members informed of recent decisions. These bulletins remain available to members on the Department's website.

- Roll Call Training – Training on the below issues also occurred for all members during Daily Roll Call Training (DRCT). These are periodic, brief, scenario-based or refresher trainings provided in-person by supervising sergeants to all patrol officers. DRCTs are provided across multiple days and shifts to ensure all patrol officers receive it. 2024 DRCT training has covered:
 - Premises Search Warrants
 - Warrant Exceptions:
 - Search Incident to Arrest
 - Exigent Circumstances
 - Community Caretaking Doctrine
 - Plain View Doctrine
 - Arrests Warrants served inside a residence
- The Department has partnered with the United States Attorney’s Office (USAO) to work collaboratively to ensure the arrest and prosecution process is procedurally and substantively sound.
 - MPD and USAO leadership are meeting regularly to review criminal cases, especially those involving firearms, to share valuable information and to continue to look for areas of improvement in arrests and prosecutions.

Employment Discrimination

Commitment to Organizational Culture and Wellbeing

- The DE&I Team is dedicated to assessing the organization’s culture by facilitating Voices Tours at various locations and conducting Commanders, Inspectors, and Directors’ Roundtable Discussions. These initiatives have been instrumental in developing internal stakeholders at all ranks, understanding the different work environments, and gathering insights into the challenges employees face.

Key Developments

- Employee Resource Groups (ERG): The DE&I Team is in the developmental stage of creating key employee resource groups. We anticipate having our 1st ERG at the end of the 1st QTR of FY 2025.

- Training Programs: For purposes of educating employees on DE&I, training is provided during all promotional and recruit trainings and at the Professional Staff Academy. These trainings have included:
 - DEI Training for Promotional Candidates - 2/16/2024
 - Engaging Communities with Cultural Humility-3/8/2024
 - EEO Training - 3/28/2024
 - DEI Training - 4/2/2024
 - DEI Presentation for Professional Staff Academy - 4/3/2024
 - Organizational Culture and Wellness Bureau Training at MPA - Recruit Class - 4/26/2024
 - DCHR Mandatory Training - Sexual Harassment - May 2024
 - DE&I Roundtable Discussion - 5/20/2024
 - Recruit Class 2024-05 DEI/EEO Presentation - 5/21/2024
 - Promotional Training - DEI/EEO - 6/13/2024
 - Organizational Culture and Wellness Bureau Training at MPA - Recruit Class - 6/25/2024
 - DE&I Roundtable Discussion - 7/15/2024

Publications and Policies

- DE&I Newsletter and Website Content: To further educate and embed the Department's DE&I mission, values, and initiatives, three publications of the DE&I newsletter and content continue to be added to the DE&I and EEO website. For example, there are now updated biographies, a message from the DEI director, trainings, and books.
- Revised Equal Employment Opportunity (EEO) Policy: On July 9, 2024, the Department finalized and implemented the revised Equal Employment Opportunity (EEO) General Order 201.09 (Equal Employment Opportunity), which aligns with Mayor's Order 2023-131. The order describes the policies, objectives, procedures, and responsibilities involved in promoting and executing an effective EEO program. The policy provides:
 - Separate counseling and investigative functions.
 - Established routes for members to seek EEO counseling through a variety of counselors certified by the DC Office of Human Rights (OHR), both internal and external to the agency.

- Established Internal Affairs as the primary entity responsible for investigating EEO-related complaints.
- Designated the Internal Affairs Bureau assistant chief as the Department’s Sexual Harassment Officer (SHO) and the IAD commanding official as the alternate SHO.

Strategic Efforts and Recognitions

- Racial Equity Action Plan (REAP): The Department’s Racial Equity Action Plan (REAP) is currently in its final draft stage. MPD’s Racial Equity Action Plan will be inclusive of the many strategic efforts that we already have in practice within our Chief Equity Office, Special Liaison Branch, and our Strategic Engagement Office. These efforts will build on our vision of racial equity both within our department and the communities we serve.
- Roll Call Training:
 - During June of 2024, there were 6 days of roll call training on Supporting the LGBTQIA2+ Community.
 - During June of 2024, there were 6 days of Roll Call Training on Alzheimer's and Dementia.
- Breastfeeding-Friendly Award: Received from the Breastfeeding Coalition in May 2024, recognizing MPD’s work with lactation rooms.
- Additional FTEs for FY24: Six additional full-time equivalents (FTEs) are allocated for the Department’s DE&I Team.
- DEI Governance Process: The DE&I Team is developing a comprehensive DEI governance process to ensure consistent oversight and accountability across all DEI initiatives. Our governance process is called Blueprint to Reinforce Inclusivity & Diversity to Gain Equity (BRIDGE). This will be built into the REAP.
- Mentor Program: MPD is in the draft phase of creating a mentor program to support the development and growth of employees at all levels.

Vehicle Crashes

- To reduce the number and severity of vehicle crashes, the Crash Review Board is identifying candidates who can benefit from additional vehicle skills training at the Federal Law Enforcement Training Center. Training is conducted once

candidates are identified based upon damages, injuries, and a member's driving history.

- Since the beginning of the year, 29 members of the Department have attended this training during four sessions. Additional classes are being scheduled for the remainder of the year.

Second Amendment Litigation

- In the last month, three more lawsuits challenging the District's gun laws have been filed. These lawsuits join several other lawsuits filed since the Supreme Court's decision in *NY State Rifle & Pistol Association v. Bruen*, which struck down the "proper cause" standard to obtain an unrestricted concealed carry handgun license in the State of New York. While the District does not have a "proper cause" requirement to obtain a concealed carry license (CCL), these lawsuits have challenged other aspects of the District's gun laws and regulations including the law that prohibits the registration of a firearm if the applicant has a conviction for a weapons offense, the requirement that concealed pistol license holders carry their pistol in a holster, and the District's ban on assault weapons.
- The Department is committed to ensuring that the District's gun laws are enforced to protect the safety and security of all residents and visitors to the city. This common-sense legal framework balances gun owners' Second Amendment rights with the rights of all citizens to be safe from gun violence. The D.C. Code and municipal regulations set forth requirements for firearm registration and concealed carry handgun licensing, which include fingerprinting, passing a criminal history and mental health record background check, and completing firearms training.
- The Department has worked closely with the Office of the Attorney General to ensure compliance with all legal requirements since the *Bruen* decision and assisted in the current litigation challenging the District's gun laws. Also, the Office of General Counsel provides regular legal advice and counsel to the Department's Firearms Branch who process applications for concealed carry licenses and firearms registrations.