



**MURIEL BOWSER**  
**MAYOR**

February 1, 2023

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:

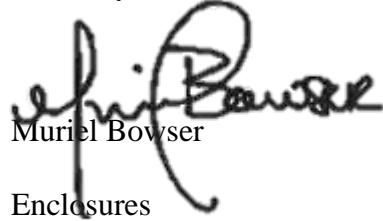
I am pleased to submit to the Council of the District of Columbia the enclosed semiannual report on the Metropolitan Police Department's (MPD) Use of Body-Worn Cameras (BWC). Pursuant to section 3004 of the Body-Worn Camera Regulation and Reporting Requirements Act of 2015, effective October 22, 2015 (D.C. Law 21-36; D.C. Official Code § 5-116.33), this report provides the following data for the time period January 1, 2022 through June 30, 2022:

- 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 3,056 assigned body-worn cameras throughout MPD.

My administration is available to discuss any questions you may have regarding this report. In order to facilitate a response to your questions, please contact Robert J. Contee III, Chief of Police, MPD, at [robert.contee@dc.gov](mailto:robert.contee@dc.gov).

Sincerely,

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

Muriel Bowser

Enclosures

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 MPD by improving police services, increasing accountability and transparency for individual interactions, and strengthening police-community relations. As of June 30, 2022, more than 3,000 BWCs were deployed to sworn MPD 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 with evidence to support or refute claims.

The MPD is pleased to have been at the forefront of major city police departments using BWCs. Our officers were 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 (January 1, 2022 – June 30, 2022)

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

There were 183,842 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 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 BWC Program'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.

There were 286 BWC failures during the reporting period. To put this figure in context, there were 777,345 videos recorded during that time.

Due to an increase in battery issues with the latest model of BWC, MPD is working with the vendor to refurbish the cameras. This refurbishment is currently projected to be completed before the summer of 2023. MPD continues to take proactive steps with the vendor to identify any new issues and replace aging cameras.

| Reasons for Failure <sup>1</sup> | #          |
|----------------------------------|------------|
| Battery charging issues          | 185        |
| General hardware failure         | 60         |
| Physical damage <sup>2</sup>     | 41         |
| <b>Total</b>                     | <b>286</b> |

**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 January 1, 2022 and June 30, 2022, MPD opened 237 investigations into officers' failures to turn on BWCs during interactions. The outcomes<sup>3</sup> of the investigations opened during this reporting period, as defined in General Order (GO) 120.23 (Serious Misconduct Investigations) 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 includes assessment of mitigating or aggravating factors and may be in combination with higher level misconduct.

| Outcomes                      | Discipline                                       | #  |
|-------------------------------|--|----|
| <b>Exonerated<sup>4</sup></b> |  | 9  |
| <b>Sustained<sup>5</sup></b>  | <i>No Action/No Discipline<sup>6</sup></i>       | 38 |
|                               | <i>Education-based development<sup>7</sup></i>   | 39 |
|                               | <i>Corrective Action<sup>8</sup></i>             | 75 |
|                               | <i>Job Performance Documentation<sup>9</sup></i> | 1  |

<sup>1</sup> For the purposes of this question, failure is defined as 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.

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

<sup>3</sup> As of August 16, 2022.

<sup>4</sup> Where a preponderance of the evidence shows that the alleged conduct did occur, but did not violate MPD policies, procedures, or training.

<sup>5</sup> 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.

<sup>6</sup> Investigation determined that it is a first offense with no aggravating circumstances or negative consequences to the public or MPD so no discipline is assessed. Education-based development, however, may be assessed.

<sup>7</sup> 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.

<sup>8</sup> Consists of unit-level discipline including a PD750 Dereliction Report, letter of prejudice, or official reprimand.

<sup>9</sup> Department form (PD-62) that supervisors may use to record observations of subordinate's job-related behaviors.

| Outcomes                            | Discipline  | #          |
|-------------------------------------|---|------------|
|                                     | <i>Member Separated</i> <sup>10</sup>             | 1          |
|                                     | <i>Suspended without Pay (SWOP)</i> <sup>11</sup> | 3          |
|                                     | <i>Termination</i> <sup>12</sup>                  | 0          |
|                                     | <i>Pending DRD</i> <sup>13</sup>                  | 6          |
| <b>IS # Cancelled</b> <sup>14</sup> |   | 0          |
| <b>Tracking Only</b> <sup>15</sup>  |   | 0          |
| <b>Open Investigation</b>           |   | 65         |
| <b>Unfounded</b> <sup>16</sup>      |   | 0          |
| <b>Grand Total</b>                  |   | <b>237</b> |

**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 11,274 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 1,862 BWC video recordings used by the Office of Police Complaints (OPC) to investigate external complaints during this reporting period. Pursuant to section 5 of the Office of Citizen Complaint Review Establishment Act of 1998 (D.C. Law 12-208; D.C. Official Code § 5-1104), OPC is 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 June 30, 2022, there were 3,056 body-worn cameras assigned to the following units:

| Unit | #   |
|------|-----|
| 1D   | 270 |
| 2D   | 264 |
| 3D   | 264 |
| 4D   | 270 |

<sup>10</sup> The member left the Department prior to the imposition of discipline or prior to the investigation being completed.

<sup>11</sup> The temporary removal of an employee from performing their work duties and from receiving pay.

<sup>12</sup> The member was fired for the conduct.

<sup>13</sup> Violations referred to the Disciplinary Review Division for penalty and still awaiting outcome.

<sup>14</sup> Occurs when an internal investigation is initially started but then cancelled; for example, because the incident summary numbers were duplicative.

<sup>15</sup> 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.

<sup>16</sup> Where the investigation determined that there are no facts to support the incident complained of actually occurred.

| Unit   | #            |
|--|--------------|
| 5D   | 302          |
| 6D   | 338          |
| 7D   | 340          |
| <b>District Total</b>                              | <b>2,048</b> |
| Criminal Investigations Division                   | 51           |
| Joint Strategic & Tactical Analysis Command Center | 72           |
| Metropolitan Police Academy                        | 176          |
| Violent Crime Suppression Division                 | 162          |
| Other <sup>17</sup>                                | 230          |
| School Safety Division                             | 68           |
| Special Operations Division                        | 177          |
| Strategic Change Division                          | 18           |
| Youth and Family Services Division                 | 54           |
| <b>Non-District Total</b>                          | <b>1,008</b> |
| <b>DEPARTMENT TOTAL (as of 6/30/22)</b>            | <b>3,056</b> |

**7. How many Freedom of Information Act requests did MPD receive for body-worn camera 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 January 1, 2022 and June 30, 2022, 253 FOIA requests were received, closed, and billed by MPD. The outcome of each request is noted in the table below. Additionally, 76 requests received during this time period were still open as of June 30, 2022.

| Disposition                              |     |
|--|-----|
| Closed (From 1/1/22 – 06/30/22)          | 177 |
| Granted in full <sup>18</sup>            | 0   |
| Granted in part <sup>19</sup>            | 71  |
| Denied in full <sup>20</sup>             | 47  |
| No responsive video found <sup>21</sup>  | 20  |
| Duplicate request <sup>22</sup>          | 4   |
| Referred to another agency <sup>23</sup> | 1   |
| Fee related <sup>24</sup>                | 0   |
| Improper FOIA request <sup>25</sup>      | 2   |

<sup>17</sup> Includes members in non-operational roles who may be deployed to operations.

<sup>18</sup> There were no redactions made to the requested video footage.

<sup>19</sup> Some redactions were made to the requested video footage.

<sup>20</sup> The footage pertained to ongoing investigations, juvenile records, sexual assault, domestic violence or the video was from inside a personal residence.

<sup>21</sup> Videos were purged in accordance with MPD's retention schedule.

<sup>22</sup> The requestor made an identical request under a different FOIA reference number that is already in process.

<sup>23</sup> Sometimes requests are referred to other agencies because the footage pertains to access to information under their purview.

<sup>24</sup> The requestor did not respond to the Department's request to pay.

<sup>25</sup> The requestor did not provide all of the information needed to fulfill the request.

| Disposition                        |            |
|------------------------------------|------------|
| Records not Reasonably Described   | 0          |
| Withdrawn <sup>26</sup>            | 32         |
| <b>Total Closed</b>                | <b>177</b> |
| Open (Rec'd from 1/1/22 – 6/30/22) | 76         |
| <b>Grand Total</b>                 | <b>253</b> |

Between, January 1, 2022 and June 30, 2022, the total cost of outsourcing BWC redactions associated with FOIA requests was \$68,358. This cost includes requests that were received prior to January 1, 2022 but were not completed and/or billed until the period of January 1, 2022 to June 30, 2022. 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 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 January 1, 2022 and June 30, 2022. Each video is required to be tagged with the most serious offense but may include multiple offenses. 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 |
|--|-----------------|
| <b>Event Type</b>  |                 |
| Incident, No Arrest  | 470,060         |
| All Other Misdemeanors   | 203,667         |
| All Other Felonies   | 158,298         |
| Murder / Manslaughter  | 26,806          |
| Contact / Stop   | 31,436          |
| Traffic Stop   | 25,579          |
| Search or Arrest Warrant   | 12,516          |
| All Other Sexual Offenses (not including 1 <sup>st</sup> or 2 <sup>nd</sup> Degree Sexual Assault) | 5,019           |
| Found Shell Casings  | 1,053           |
| Death Report / Suicide   | 2,540           |
| First and Second Degree Sexual Assault   | 752             |
| First Amendment Assembly, Civil Unrest, or Other Related Incident                                  | 735             |
| Forcible Entry   | 531             |

<sup>26</sup> 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 inform the FOIA office of such.

| Category  | # of Recordings |
|---|-----------------|
| Warrantless Search  | 612             |
| Crime Involving a Public Official Misdemeanor <sup>27</sup> | 194             |
| Consent Search  | 107             |
| Crime Involving a Public Official Felony <sup>28</sup>      | 60              |
| <b>Administrative Tracking</b>                              |                 |
| Vehicle Inspection  | 98,702          |
| Pending Warrant/Papered Case/Ongoing Criminal               | 64,606          |
| Video Testing   | 98,702          |
| Court Liaison Division                                      | 40,362          |
| Internal Investigations                                     | 22,638          |
| Youth & Family Services Division                            | 5,200           |
| Internal Affairs Division                                   | 2,531           |
| Office of Police Complaints                                 | 1,862           |
| Freedom of Information Act                                  | 922             |
| Civil Litigation  | 1,662           |
| Redaction   | 398             |
| Citizen Viewing   | 140             |
| Pending/Supervisory Review                                  | 768             |
| Recruit Training  | 165             |
| Training  | 25              |

<sup>27</sup> This category does not indicate how the public official is involved, such as a witness, victim, or suspect.

<sup>28</sup> This category does not indicate how the public official is involved, such as a witness, victim, or suspect.