



MURIEL BOWSER
MAYOR

March 1, 2024

The Honorable Phil Mendelson
Chairman, Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Room 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, 2022 through December 31, 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 have been at the forefront of major city police departments in using BWCs. To that end, this reporting period reflects 2,946 assigned body-worn cameras throughout the Department.

Please contact Acting Chief of Police Pamela A. Smith at pamela.smith1@dc.gov if you have any questions.

Sincerely,


Muriel Bowser

Enclosures



A Report on MPD's Use of

Body-Worn Cameras

July 1 - December 31, 2022



Pamela A. Smith
Acting Chief of Police

WE ARE GOVERNMENT OF THE
WASHINGTON DISTRICT OF COLUMBIA
DC **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 MPD by improving police services, increasing accountability and transparency for individual interactions, and strengthening police-community relations. As of December 31, 2022, more than 2,900 sworn MPD members in public contact positions at the rank of captain and below had body-worn cameras.

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 (July 1, 2022 – December 31, 2022)

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

There were 205,382 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 262 BWC failures during the reporting period. To put this figure in context, there were 817,397 videos recorded during that time.

Responding to increasing battery issues and degradation, MPD is working with the vendor to replace 2,500 cameras; of those, 1,500 new ones have already be secured as of March, 2023. Because the cameras are under warranty, MPD does not incur additional costs to acquire the replacements. The next generation BWC is scheduled for release and deployment during 2023.

Reasons for Failure ¹	#
Battery charging issues	214
General hardware failure	34
Physical damage ²	14
Total	262

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, 2022 and December 31, 2022, MPD opened 448 investigations into officers' failures to turn on BWCs during interactions. The outcomes 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	#
Exonerated³		20
Sustained⁴	<i>First Violation: No Action/No Discipline⁵</i>	68
	<i>Education-based development⁶</i>	76
	<i>Corrective Action⁷</i>	193
	<i>Job Performance Documentation⁸</i>	1

¹ 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.

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 violation with no aggravating circumstances or negative consequences to the public or MPD 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.

Outcomes	Discipline	#
	<i>Member Separated</i> ⁹	4
	<i>Suspended without Pay (SWOP)</i> ¹⁰	12
	<i>Termination</i> ¹¹	8
	<i>Pending DRD</i> ¹²	4
IS # Cancelled ¹³		0
Tracking Only ¹⁴		0
Open Investigation		59
Insufficient Facts ¹⁵		2
Unfounded ¹⁶		1
Grand Total		448

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 15,169 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))

The Office of Police Complaints (OPC) used 1,833 BWC videos during the reporting period to investigate external complaints. 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 December 31, 2022, there were 2,946 body-worn cameras assigned to the following units:

Unit	#
1D	271

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.

¹² Violations referred to the Disciplinary Review Division for penalty and still awaiting outcome.

¹³ Occurs when an internal investigation is initially started but discontinued. This happens when investigating officials inadvertently pull an incident summary number twice for the same violation.

¹⁴ 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.

¹⁵ Not enough evidence exists to sustain the allegation.

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

Unit	#
2D	255
3D	253
4D	281
5D	294
6D	328
7D	311
District Total	1,993
Criminal Investigations Division	51
Internal Affairs Division	35
Joint Strategic & Tactical Analysis Command Center	68
Metropolitan Police Academy	159
Other ¹⁷	193
School Safety Division	46
Special Operations Division	175
Strategic Change Division	15
Violent Crime Suppression Division	148
Youth and Family Services Division	63
Non-District Total	953
DEPARTMENT TOTAL (as of 12/31/22)	2,946

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 July 1, 2022 and December 31, 2022, MPD received, closed and billed 254 FOIA requests for BWC footage. The outcome of each request is noted in the table below. Additionally, 58 requests received during this time period remain open as of December 31, 2022.

Disposition	
Closed (From 7/1/22 – 12/31/22)	196
Granted in full ¹⁸	1
Granted in part ¹⁹	67
Denied in full ²⁰	47
No responsive video found ²¹	26

¹⁷ Includes members working overtime or part-time in an administrative capacity or members in non-operational roles who may be deployed to operations.

¹⁸ There were no redactions made to the requested video footage.

¹⁹ Some redactions were made to the requested video footage.

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

²¹ Videos were purged in accordance with MPD's retention schedule.

Disposition	
Duplicate request ²²	9
Referred to another agency ²³	1
Fee related ²⁴	0
Improper FOIA request ²⁵	2
Records not Reasonably Described	1
Withdrawn ²⁶	44
Total Closed	196
Open (Rec'd from 7/1/22 – 12/31/22)	58
Grand Total	254

The total cost of outsourcing BWC redactions associated with fulfilling FOIA requests from July 1, 2022 to December 31, 2022 was \$40,678. This cost includes requests that were received prior to July 1, 2022, but not completed and/or billed until the period of July 1, 2022 to December 31, 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). All MPD FOIA Specialists process and respond to FOIA requests for BWC footage and 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, 2022 and December 31, 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
Event Type	
Incident, No Arrest	498,972
All Other Misdemeanors	213,258
All Other Felonies	158,520
Contact / Stop	37,034
Murder / Manslaughter	37,009
Traffic Stop	26,316
Search or Arrest Warrant	12,076

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

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

²⁴ The requestor did not respond to the Department's request to pay.

²⁵ The requestor did not provide all of the information needed to fulfill the request.

²⁶ The Department's FOIA office may have requested additional information from the requestor; either the requestor did not respond or the requestor decided they are no longer interested in receiving the video and informed the FOIA office of such.

Category	# of Recordings
Death Report / Suicide	9,665
All Other Sexual Offenses (not including 1 st or 2 nd Degree Sexual Assault)	6,559
Found Shell Casings	1,715
First Amendment Assembly, Civil Unrest, or Other Related Incident	1,255
Forcible Entry	765
Warrantless Search	724
First and Second Degree Sexual Assault	506
Crime Involving a Public Official Misdemeanor ²⁷	206
Consent Search	132
Crime Involving a Public Official Felony ²⁸	101
Administrative Tracking	
Vehicle Inspection	96,940
Pending Warrant/Papered Case/Ongoing Criminal	82,006
Video Testing	48,378
Court Liaison Division	44,868
Internal Investigations	27,224
Youth & Family Services Division	6,614
Internal Affairs Division	5,726
Office of Police Complaints	2,659
Civil Litigation	2,101
Freedom of Information Act	1,750
Pending/Supervisory Review	685
Redaction	322
Citizen Viewing	150
Training	63
Recruit Training	56

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

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