



MURIEL BOWSER
MAYOR

March 28, 2024

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 Body-Worn Camera Program Report, which was prepared by the Metropolitan Police Department ("MPD") 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, 2023 through June 30, 2023.

- Number of hours of body-worn camera recordings collected;
- Number of times body-worn cameras failed while officers were on shift and the reasons for the failures;
- Number of 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;
- Number of times body-worn camera recordings were used by MPD in internal affairs investigations;
- Number of times body-worn camera recordings were used by MPD to investigate complaints made by an individual or group;
- Number of body-worn cameras assigned to each police district and police unit for the reporting period;
- Number of 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
- Number of recordings assigned to each body-worn camera recording category.

The body-worn camera ("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 2,957 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 Pamela A. Smith, Chief of Police, MPD, at pamela.smith1@dc.gov.

Sincerely,


Muriel Bowser

Enclosures



METROPOLITAN POLICE DEPARTMENT

BODY-WORN CAMERA PROGRAM REPORT

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, 2023, 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 (January 1, 2023 – June 30, 2023)

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

There were 225,775 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 chart below represents the best interpretation of the reason for failure after MPD BWC coordinators assess the equipment for failure or damage. Each BWC processed for failure or damage does not necessarily imply an interaction or action was not recorded, as officers frequently identify 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 can more quickly replace any malfunctioning device.

There were 320 BWC failures during the reporting period. To put this figure in context, there were 840,788 videos recorded during that time.

In response to increasing battery issues and degradation, MPD is working with the vendor to replace 2,500 cameras. Of those, 2,100 new ones were already secured as of June 2023. Because the cameras are under warranty, MPD does not incur additional costs to acquire the replacements. Deployment for the next generation BWC is expected to launch in 2024.

| Reasons for Failure ¹ | # |
|----------------------------------|------------|
| Battery charging issues | 250 |
| General hardware failure | 67 |
| Physical damage ² | 3 |
| Total | 320 |

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, 2023 and June 30, 2023, MPD opened 342 investigations into officer failure 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 | | 23 |
| Sustained⁴ | <i>First Violation: No Action/No Discipline⁵</i> | 104 |
| | <i>Education-based development⁶</i> | 29 |
| | <i>Corrective Action⁷</i> | 149 |
| | <i>Job Performance Documentation⁸</i> | 5 |
| | <i>Member Separated⁹</i> | 1 |
| | <i>Suspended without Pay (SWOP)¹⁰</i> | 0 |

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.

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.

| Outcomes | Discipline | # |
|---|----------------------------------|------------|
| | <i>Termination</i> ¹¹ | 0 |
| | <i>Pending DRD</i> ¹² | 27 |
| IS # Cancelled ¹³ | | 0 |
| Tracking Only ¹⁴ | | 0 |
| Open Investigation | | 0 |
| Insufficient Facts ¹⁵ | | 1 |
| Unfounded ¹⁶ | | 3 |
| Grand Total | | 342 |

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 9,713 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 1,476 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 June 30, 2023 there were 2,957 body-worn cameras assigned to the following units:

| Unit | # |
|-----------------------|--------------|
| 1D | 265 |
| 2D | 250 |
| 3D | 259 |
| 4D | 282 |
| 5D | 290 |
| 6D | 310 |
| 7D | 304 |
| District Total | 1,960 |

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 | # |
|--|--------------|
| Criminal Investigations Division | 71 |
| Internal Affairs Division | 35 |
| Joint Strategic & Tactical Analysis Command Center | 73 |
| Metropolitan Police Academy | 170 |
| Other ¹⁷ | 206 |
| School Safety Division | 42 |
| Special Operations Division | 176 |
| Strategic Change Division | 20 |
| Violent Crime Suppression Division | 134 |
| Youth and Family Services Division | 70 |
| Non-District Total | 997 |
| DEPARTMENT TOTAL (as of 06/30/23) | 2,957 |

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, 2023 and June 30, 2023, MPD received, closed, and billed 322 FOIA requests for BWC footage. The outcome of each request is noted in the table below. Additionally, 65 requests received during this time period were still open as of June 30, 2023.

| Disposition | |
|--|-----|
| Closed (From 1/1/23 – 6/30/23) | 257 |
| Granted in full ¹⁸ | 0 |
| Granted in part ¹⁹ | 86 |
| Denied in full ²⁰ | 59 |
| No responsive video found ²¹ | 32 |
| Duplicate request ²² | 9 |
| Referred to another agency ²³ | 7 |
| Fee related ²⁴ | 0 |
| Improper FOIA request ²⁵ | 1 |
| Records not Reasonably Described | 0 |
| Withdrawn ²⁶ | 63 |

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.

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.

| Disposition | |
|------------------------------------|------------|
| Total Closed | 257 |
| Open (Rec'd from 1/1/23 – 6/30/23) | 65 |
| Grand Total | 322 |

The cost of outsourcing BWC redactions to fulfill FOIA requests from January 1, 2023 thru June 30, 2023 was \$50,299.50. This cost includes requests received prior to January 1, 2023, but fulfilled from January 1, 2023 to June 30, 2023, and only captures the redaction cost billed to MPD by the vendor. Staff costs for processing BWC footage is not tracked separately from the costs of processing FOIA requests for other MPD records (e.g., police reports). All MPD FOIA Specialists process 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 January 1 and June 30, 2023. 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 agency administration.

| 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 |
| 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 |

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.

| Category | # of Recordings |
|----------------------------------|------------------------|
| 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 |