



MURIEL BOWSER
MAYOR

October 5, 2021
The Honorable Phil Mendelson
Chairman, Council of the District of Columbia
1350 Pennsylvania Avenue, NW, Room 504
Washington, DC 20004

Dear Chairman Mendelson:

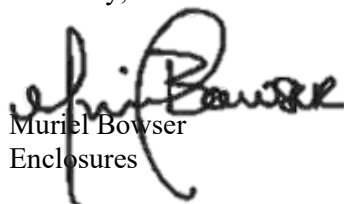
In accordance with section 3004 of the Body-Worn Camera Regulation and Reporting Requirements Act of 2015, effective October 22, 2015(D.C. Law 21-36; D.C. Official Code § 5-116.33), please find enclosed the Metropolitan Police Department's (MPD) biannual report on the Body-Worn Camera (BWC) program. The report provides data for the following reporting requirements for the time period of July 1, 2020, through December 31, 2020:

- 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 body-worn camera recordings were 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 MPD received for body-worn camera recordings during the reporting period, and the 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 3,275 assigned body-worn cameras throughout the Department.

Please contact Chief of Police Robert J. Contee III at robert.contee@dc.gov if you have any questions.

Sincerely,


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 bi-annually. 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 the end of 2020, more than 3,200 BWCs were deployed to full-duty officers and sergeants in public contact positions in all police districts and other specialized units, and lieutenants and captains in patrol.

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 there is documented evidence present 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, 2020 – December 31, 2020)

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

There were 211,871 hours of BWC recordings collected during the 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 BWCs fail and the timing of the failure cannot always be determined. MPD policy requires that officers conduct a test shot with the BWC at the beginning of their shift to ensure it is functioning. The below chart represents the Body Worn Camera Coordinator's best interpretation after assessing each BWC processed for failure or damage.

To reduce down time due to BWC failures, unassigned BWCs are positioned at all major deployment locations. The Department has also updated the camera model to the Axon Body 3 as of 9/1/2020. The new camera model has a wider field of vision, an extra microphone, and extended battery life.

Reasons for Failure ¹	#
Battery charging Issues	10
General hardware failure	13
Physical damage	5
Total	28

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, 2020, 150 internal investigations were opened for failure to turn on BWCs during interactions. The outcomes (as of August 4, 2021), 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	#
Exonerated²		13
Sustained³	<i>No Action/No Discipline⁴</i>	18
	<i>Education-based development⁵</i>	30
	<i>Corrective Action⁶</i>	64
	<i>Job Performance Documentation⁷</i>	3
	<i>Suspended without Pay</i>	2
	<i>Member Separated</i>	1
	<i>Termination</i>	1
Incident Summary (IS) # Cancelled⁸		1
Tracking Only⁹		15
Open Investigation		1
Unfounded¹⁰		1
Grand Total		150

¹ For the purposes of this question, failure includes 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 Where a preponderance of the evidence shows that the alleged conduct did occur, but did not violate MPD policies, procedures, or training.

³ 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.

⁴ Investigation determined that it is a first offense with no aggravating circumstances or negative consequences to the public or operations of the Department so no discipline is assessed.

⁵ 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.

⁶ Consists of unit-level discipline including a PD750 Dereliction Report, letter of prejudice, or official reprimand.

⁷ Department form (PD-62) that supervisors may use to record observations of subordinate's job-related behaviors.

⁸ Occurs when an internal investigation is initially started but then cancelled; for example, because the incident summary numbers were duplicative.

⁹ 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.

¹⁰ Where the investigation determined that there are no facts to support the incident complained of actually occurred.

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 7,993 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 1,106 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, 2020, 3,275 body-worn cameras were assigned to the following units.

Unit	#
1D	318
2D	313
3D	323
4D	316
5D	340
6D	373
7D	374
District Total	2,357
Criminal Investigations Division	24
Joint Strategic & Tactical Analysis Command Center	69
Metropolitan Police Academy	183
Narcotics and Special Investigations Division	130
Other ¹¹	252
School Safety Division	93
Special Operations Division	173
Strategic Change Division	16
Youth and Family Services Division	44
Non-District Total	918
DEPARTMENT TOTAL (as of 12/31/20)	3,275

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, 2020, MPD received 109 FOIA requests. The outcomes of each request are noted in the table below.

¹¹ Includes but not limited to members in the Corporate Support Bureau and members in administrative roles.

Disposition	#
Closed (reflect from prior year)	103
Granted in full ¹²	0
Granted in part ¹³	38
Denied in full ¹⁴	28
No responsive video found ¹⁵	15
Duplicate request ¹⁶	2
Referred to another agency ¹⁷	1
Fee related ¹⁸	0
Improper FOIA request ¹⁹	7
Non agency record ²⁰	0
Withdrawn ²¹	12
Open (12/31/20)	6
Total	109

Between, July 1 and December 31, 2020, the total cost of outsourcing BWC redactions associated with all FOIA requests was \$106,752.

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, 2020. Each video is required to be tagged with the most serious offense but may carry multiple categories. The event type category represents MPD

¹² There were no redactions made to the requested video footage.

¹³ Some redactions were made to the requested video footage.

¹⁴ The footage pertained to ongoing investigations, juvenile records, sexual assault, domestic violence or the video was from inside a personal residence.

¹⁵ Videos were purged in accordance with the Department’s retention schedule.

¹⁶ The requestor made an identical request under a different FOIA reference number that is already in process.

¹⁷ Sometimes requests are referred to other agencies because the footage pertains to access to information under their purview.

¹⁸ The requestor did not respond to the Department’s request to pay.

¹⁹ The requestor did not provide all of the information needed to fulfill the request.

²⁰ Refers to a request for a record not maintained by MPD.

²¹ 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.

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		468,338
All Other Misdemeanors		91,735
All Other Felonies		64,089
Contact / Stop		35,107
Traffic Stop		23,713
First Amendment Assembly		10,101
Search or Arrest Warrant		6,521
Murder / Manslaughter		3,429
Death Report / Suicide		1,633
Warrantless Search		1,045
All Other Sexual Offenses		883
First and Second Degree Sexual Assault		481
Found Shell Casings		353
Forcible Entry		260
Crime Involving a Public Official Misdemeanor		156
Consent Search		114
Crime Involving a Public Official Felony		62
Administrative Tracking		
Vehicle Inspection		75,171
Video Testing		54,775
Pending Warrant/Papered Case/Ongoing Criminal		38,308
Court Liaison Division		18,850
Internal Investigations		7,993
Internal Affairs Division		1,915
Civil Litigation		1,267
Freedom of Information Act		1,149
Office of Police Complaints		1,106
Youth & Family Services Division		984
Pending/Supervisory Review		105
Citizen Viewing		82
Recruit Training		22
Training		10
Redaction		5

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