OVERSIGHT OF DISTRICT OF COLUMBIA METROPOLITAN POLICE DEPARTMENT AND THE BOOZ-ALLEN MOU

HEARING

BEFORE THE

SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA

OF THE

COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT HOUSE OF REPRESENTATIVES

ONE HUNDRED FIFTH CONGRESS

FIRST SESSION

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OVERSIGHT OF DISTRICT OF COLUMBIA METROPOLITAN POLICE DEPARTMENT AND THE BOOZ–ALLEN MOU

FRIDAY, SEPTEMBER 26, 1997

HOUSE OF REPRESENTATIVES,
SUBCOMMITTEE ON THE DISTRICT OF COLUMBIA,
COMMITTEE ON GOVERNMENT REFORM AND OVERSIGHT,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:37 p.m., in room 2154, Rayburn House Office Building, Hon. Tom Davis (chairman of the subcommittee) presiding.

Present: Representatives Davis, Morella, Horn, and Norton.

Staff present: Howard Dennis, counsel; Anne Mack, professional staff member; Ellen Brown, clerk; and Cedric Hendricks, minority counsel.

Mr. DAVIS [presiding]. Good afternoon, and welcome. This is the first meeting of the subcommittee since the President signed landmark legislation this summer to fundamentally restructure the relationship between the Federal Government and the Nation's Capital.

We can all take great pride in the substance of the historic new laws and the processes by which we achieved our goals, and with patience and perseverance, working in a true bipartisan way, we seized the opportunity to improve the complex relationship between the Federal Government and the District.

Just 2 days after the President signed this legislation the city received a rare positive signal from the bond market, a key indicator of confidence in the action taken.

This subcommittee has worked diligently and cooperatively to formulate, along with other stakeholders, including the administration and the congressional leadership, a strategic approach which addresses the key issues.

I particularly want to thank the ranking member of this subcommittee, Eleanor Holmes-Norton, for working with me in such a collegial way, as we strive to achieve the reforms that are necessary for the city to survive and thrive.

The economic recovery of the Nation's Capital will benefit the entire reason in the country by helping to realize the bipartisan vision that has been so often expressed by top administration and congressional leaders.

The key elements of the revitalization package include Federal assumption of certain functions performed by State governments, and incentives for economic development and private sector jobs.

Through cost avoidance of the fastest-growing parts of the budget, such as Medicaid and the criminal justice system, the city is in a much stronger position to deliver the essential municipal services that citizens have a right to expect, such as personal safety. And that's indeed why we're here today.

Our hearing today seeks updated information on strategies to improve public safety. We will examine the results to date and the plans to further implement the interim recommendations of the consultant charged with helping the city do a better job of crime prevention.

There have been major changes in the Metropolitan Police Department this year. Prior to the Booz-Allen report, crime had gone up in the District while it had gone down in the country, and in other major cities. The upsurge in crime prior to the Booz-Allen report occurred despite the fact that population in the District had gone down.

That trend has now been reversed. The Office of Chief of Police is now much more in charge of the department, including promotions, and the number of homicides and other major crimes is down.

At the same time, also as a result of information prepared by Booz-Allen, major changes have been made in the homicide unit. There are disturbing reports of excessive overtime, closure rates that are unacceptably low, and secrecy pledges that are apparently being applied to other law enforcement agencies. This subcommittee needs a clear explanation of these matters as part of its oversight responsibility.

It is imperative that we keep up the pace of modernizing our law enforcement mission. The Nation's Capital must be known again as a safe city, where lawbreakers are quickly identified, arrested, prosecuted, convicted and sentenced. The evidence is overwhelming that a new direction is necessary.

So while we've made progress in the area of law enforcement, we clearly have a long way to go. This subcommittee will continue to address this very important regional and national concern in the months ahead.

I now yield to Delegate Norton, ranking member of the subcommittee, for any opening statements she may wish to make.

[The prepared statement of Hon. Thomas M. Davis follows:]

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CHAIRMAN TOM DAVIS
OPENING STATEMENT
HEARING ON PUBLIC SAFETY
DISTRICT OF COLUMBIA SUBCOMMITTEE
SEPTEMBER 26, 1977

GOOD AFTERNOON AND WELCOME. THIS IS THE FIRST MEETING OF THIS SUBCOMMITTEE SINCE THE PRESIDENT SIGNED LANDMARK LEGISLATION THIS SUMMER TO FUNDAMENTALLY RE-STRUCTURE THE RELATIONSHIP BETWEEN THE FEDERAL GOVERNMENT AND THE NATION'S CAPITAL.

WE CAN ALL TAKE GREAT PRIDE IN THE SUBSTANCE OF THE HISTORIC NEW LAWS AND THE PROCESS BY WHICH WE ACHIEVED OUR GOALS.

WITH PATIENCE AND PERSEVERANCE, WORKING IN A TRULY BI-PARTISAN WAY, WE SEIZED THE OPPORTUNITY TO IMPROVE THE COMPLEX RELATIONSHIP BETWEEN THE FEDERAL GOVERNMENT AND THE DISTRICT OF COLUMBIA. JUST 2 DAYS AFTER THE PRESIDENT SIGNED THE LEGISLATION THE CITY RECEIVED A RARE POSITIVE SIGNAL FROM THE BOND MARKET, A KEY INDICATOR OF CONFIDENCE IN THE ACTION TAKEN.

THIS SUBCOMMITTEE HAS WORKED DILIGENTLY AND COOPERATIVELY TO FORMULATE, ALONG WITH OTHER STAKEHOLDERS, INCLUDING THE ADMINISTRATION AND THE CONGRESSIONAL LEADERSHIP, A STRATEGIC APPROACH WHICH ADDRESSES THE KEY ISSUES. I PARTICULARLY WANT TO THANK THE RANKING MEMBER OF THIS SUBCOMMITTEE, ELEANOR HOLMES NORTON, FOR WORKING WITH ME IN SUCH A COLLEGIAL WAY, AS WE STRIVE TO ACHIEVE THE REFORMS THAT ARE NECESSARY FOR THE CITY TO SURVIVE AND THRIVE.

THE ECONOMIC RECOVERY OF THE NATION'S CAPITAL WILL BENEFIT THE ENTIRE REGION AND COUNTRY BY HELPING TO REALIZE THE BI-PARTISAN VISION THAT HAS BEEN SO OFTEN EXPRESSED BY TOP ADMINISTRATION AND CONGRESSIONAL LEADERS.

KEY ELEMENTS OF THE REVITALIZATION PACKAGE INCLUDE FEDERAL ASSUMPTION OF CERTAIN FUNCTIONS PERFORMED BY STATE GOVERNMENTS, AND INCENTIVES FOR ECONOMIC DEVELOPMENT AND PRIVATE SECTOR JOBS. THROUGH COST-AVOIDANCE OF THE FASTEST GROWING PARTS OF ITS BUDGET, SUCH AS MEDICAID AND THE CRIMINAL JUSTICE SYSTEM, THE CITY IS IN A MUCH STRONGER POSITION TO DELIVER THE ESSENTIAL MUNICIPAL SERVICES THAT CITIZENS HAVE A RIGHT TO EXPECT, SUCH AS PERSONAL SAFETY. THAT INDEED IS WHY WE ARE HERE TODAY.

OUR HEARING TODAY SEEKS UPDATED INFORMATION ON STRATEGIES TO

IMPROVE PUBLIC SAFETY. WE WILL EXAMINE THE RESULTS TO DATE AND THE PLANS TO FURTHER IMPLEMENT THE INTERIM RECOMMENDATIONS OF THE CONSULTANT CHARGED WITH HELPING THE CITY DO A BETTER JOB OF CRIME PREVENTION.

THERE HAVE BEEN MAJOR CHANGES IN THE METROPOLITAN POLICE DEPARTMENT THIS YEAR. PRIOR TO THE BOOZ-ALLEN REPORT CRIME HAD GONE UP IN THE DISTRICT WHILE IT HAD GONE DOWN IN THE COUNTRY AND IN OTHER MAJOR CITIES. THE UPSURGE IN CRIME PRIOR TO THE BOOZ-ALLEN REPORT OCCURRED DESPITE THE FACT THAT POPULATION IN THE DISTRICT HAD GONE DOWN.

THAT TREND HAS NOW BEEN REVERSED. THE OFFICE OF CHIEF OF POLICE IS NOW MUCH MORE IN CHARGE OF THE DEPARTMENT, INCLUDING PROMOTIONS, AND THE NUMBER OF HOMICIDES AND OTHER MAJOR CRIMES IS WAY DOWN.

AT THE SAME TIME, ALSO AS A RESULT OF INFORMATION PREPARED BY BOOZ-ALLEN, MAJOR CHANGES HAVE BEEN MADE IN THE HOMICIDE UNIT. THERE ARE DISTURBING REPORTS OF EXCESSIVE OVERTIME, CLOSURE RATES THAT ARE UNACCEPTABLY LOW, AND 'SECRECY PLEDGES' THAT ARE APPARENTLY BEING APPLIED TO OTHER LAW ENFORCEMENT AGENCIES. THIS SUBCOMMITTEE NEEDS A CLEAR EXPLANATION OF THESE MATTERS AS PART OF ITS OVERSIGHT RESPONSIBILITY.

IT IS IMPERATIVE THAT WE KEEP UP THE PACE OF MODERNIZING OUR LAW ENFORCEMENT MISSION. THE NATION'S CAPITAL MUST BE KNOWN AGAIN AS A

SAFE CITY, WHERE LAWBREAKERS ARE QUICKLY IDENTIFIED, ARRESTED, PROSECUTED, CONVICTED, AND SENTENCED. THE EVIDENCE IS OVERWHELMING THAT A NEW DIRECTION IS NECESSARY.

SO WHILE WE HAVE MADE PROGRESS IN THE AREA OF LAW ENFORCEMENT, WE CLEARLY HAVE A WAY TO GO. THIS SUBCOMMITTEE WILL CONTINUE TO ADDRESS THIS VERY IMPORTANT REGIONAL AND NATIONAL CONCERN IN THE MONTHS AHEAD.

Ms. NORTON. Thank you, Mr. Chairman. I appreciate the chairman's willingness to hold this hearing.

This hearing is in furtherance of this subcommittee's responsibility to assure that management reform of District agencies occurs speedily and effectively as the D.C. Responsibility and Management Assistant Authority Act requires.

The police department is the only D.C. agency that shows evidence that systemic, top-to-bottom reform is in progress. It is the only agency that gives at least some sense of what agency reform might look like, and even what success might look like.

The reported 23 percent drop in crime and 40 percent decline in homicides, for May 1996 to May 1997, may not be all due to MPD reforms, but they are fair markers that reform is underway.

One important indication that reform is not complete however, is the recent report of actual decline in homicide closure rates over the past several years, coupled with suspicions of overtime fraud by some detectives in the unit.

This report was shocking, because we had thought that the bad news was all out, and that a department in a reform mode would be reporting at least some improvement everywhere. We would want to know why such acute problems in the homicide unit have come to light so late.

I am particularly interested in the department's progress for another reason as well. In the 104th Congress I went to Senator Orrin Hatch, and got $15 million of $42 million that the Speaker's D.C. Task Force, working with D.C. residents, the department, and other officials, had concluded was necessary for the department.

Senator Hatch, chairman of the Senate Judiciary Committee, promised to help me get the remaining $27 million, "if the money was spent well." There was delay in spending the money because of problems with the D.C. procurement process. I will be anxious to hear whether those problems have been remedied. I hope the department will regard the possibility of additional funds as an incentive for even faster reform.

The department is soon to get help from other Federal agencies. I appreciate that Chairman Davis allowed the inclusion of my D.C. Police Coordination Act in the recent budget rescue package.

The new D.C. police coordination bill requires that Federal police officers, from up to 30 Federal agencies, assist D.C. police with crime prevention and other law enforcement activities in the District.

D.C. police will therefore be freed up to give greater attention to our neighborhoods, because Federal police officers will patrol around their own agencies. In addition, they will operate on radio frequencies with the MPD; donate and share equipment and supplies with MPD, and process and prepare the paperwork on suspects they arrest, rather than turning them over to the D.C. police to process.

Finally, I am particularly interested in the police approach to reform because it seems to be producing results that might be replicated elsewhere. The existence of the police reform model is responsible for the fact that a city management form of government was not summarily imposed on the District. The police reform model became my counter-proposal when Senator Lauch Faircloth

suggested that the government go to a city-managed reform. That might well be the best form of government for the District. I have no idea, we have not yet studied it, and I could not accept the imposition of a new form of government in the rescue package without the consent of the governed.

The police approach had special credibility because it seemed to be producing results. For that reason, it was unnecessary to take down some more of the District's home rule as the Faircloth attachment ultimately did.

Now I'm hoping that the application of the police model to other agencies as is now required, will quickly produce similar reforms governmentwide. The quicker we do that, the better services we will have, and the more ammunition will be available to reclaim our rights.

Thank you very much, Mr. Chairman.

Mr. DAVIS. Thank you very much.

I now yield to the vice chairman of this committee, Mrs. Morella.

Mrs. MORELLA. Thank you, Mr. Chairman. And I want to thank you for holding this important hearing to address public safety in the District of Columbia; welcome our panelists.

When the Control Board first issued their preliminary report it was evidenced the Metropolitan Police Department suffered from low morale and extremely poor management. Less than 10 percent of the officers were assigned as scout cars; two-thirds of the MPD officers made 10 or fewer arrests; half of those officers made no arrest at all. MPD officers made less than their counterparts in the surrounding jurisdictions, and most of them held a second job.

I remember at that time discussing the disconnect between the police and the people that they were serving, and at that time Booz-Allen recommended that the first step to reforming the MPD was to empower the office of the chief of police. Control of the administrative and managerial practices at the MPD was transferred from Mayor Barry to Police Chief Larry Soulsby, who immediately began reorganizing the police department. I commend you for that.

It is my understanding that crime is down in the District by 17 percent; that homicides have also declined by 25 percent; and yet at the same time the number of unsolved homicides is on the rise. I think the term that's been used is a declining closure rate.

To his credit, Chief Soulsby asked Booz-Allen to conduct a review of the Homicide Department, which has resulted in major shake up of the homicide unit.

While the crime rate in the District has declined, so too has the age of our criminals, and that concerns me greatly. Arrest of juveniles under 18 for violent offenses increased by more than 57 percent between 1983 and 1992. And weapons violations among juveniles increased 117 percent. Murder and manslaughter increased by 128 percent.

With a rise in unsolved homicides in the District, it is imperative that juveniles should not get the message that the District is a good place to get away with murder. Public safety is one of the top concerns of people who live in the District, and obviously among people who live in the surrounding suburbs.

I look forward to an update of the findings of the review of the MPD by the firm of Booz-Allen & Hamilton. I look forward to hearing from our expert panelists. Thank you, Mr. Chairman.

Mr. DAVIS. Thank you very much, Mrs. Morella.

I'll now call our first panel to testify, which will consist of Larry D. Soulsby, chief of the Metropolitan Police Department; and Dr. Gary Mather, the senior vice president of Booz-Allen & Hamilton. Dr. Mather is accompanied by James Chip Stewart of Booz-Allen, who will be available to answer any questions.

As you know, it's the policy of this committee that all witnesses be sworn before they may testify.

Would you please rise with me and raise your right hands.

[Witnesses sworn.]

Mr. DAVIS. I ask unanimous consent that any written statements be made part of the permanent record. At this time I ask Chief Soulsby for his statement, to be filed by document.

STATEMENTS OF LARRY D. SOULSBY, CHIEF OF POLICE, METROPOLITAN POLICE DEPARTMENT; AND GARY MATHER, SENIOR VICE PRESIDENT, BOOZ-ALLEN & HAMILTON, INC.

Chief SOULSBY. Good afternoon, Representative Davis and members of the subcommittee. Thank you for the opportunity to appear before you and discuss the transformation of the Metropolitan Police Department, and please bear with me—I've got the first cold of the season—as I go through this.

Today, I'm here to discuss the improvements that we have made in the operation and organization of the Metropolitan Police Department, the accomplishments that we have achieved, the changes that are still occur. Clearly, we are on the road to success and regaining our position as one of the best departments in the country.

In December of last year MOU partnership was formed, comprised of myself, the mayor, city council, the chief judge of Superior Court, Corporation Counsel, the U.S. attorney of the District of Columbia, and members of the Financial Responsibility and Management Assistant Authority to the address public safety crisis faced in the District of Columbia.

One of the first conclusions reached by the MOU partners was the need to enhance the authority of the chief of police. Many of the problems confronting the department were, it was felt, caused by under influences with the chief's leadership and the management of the agency. The Mayor of the District of Columbia, as an MOU partner, instituted a new charter for the Metropolitan Police Department on February 26, 1997, which gives the chief of police the authority to manage and direct the affairs of the agency in all critical areas. I've included a copy of the charter in my statement for you.

Once the Metropolitan Police Department's new charter has been established, it was used as the foundation for developing a new department mission statement; one that is a simple, clear, straightforward description of the department's mission. A mission statement that serves as a guiding principle on which all future actions must be based.

The mission of the Metropolitan Police Department is to eliminate crime, fear of crime, and general disorder, while establishing

respect and trust within the community. The new mission statement is carried by all sworn members and civilian members as a small pocket card to remind them of the department's primary objective in serving the community.

The Metropolitan Police Department has embarked on a comprehensive transformation of its organization and operations; the outcome of which is the development and implementation of immediate and long-term organizational and strategic improvements to meet the goals of eliminating crime and disorder, reducing fear of crime in this city, and establishing respect and trust within the community.

The nationally known and respected management consulting firm of Booz-Allen & Hamilton, Inc., was retained to conduct a comprehensive management study of the department. Many of the initiatives which I speak about today are a result of close working relationships between my executive leadership team, Booz-Allen & Hamilton, and the rank and file members of the department, and are based on the findings which resulted in the Baseline Report: Crime Fighting Efforts in the District of Columbia, that was released on April 3, 1997.

The following reports are examples of major issues addressed by the study and subsequent studies. All of them, individually and cumulatively, are having a significant and positive impact on the department's operations.

Policing 2000 Investment Strategy is a comprehensive list of material needs that the department will need in our efforts to fight crime and disorder in the city.

The new MPD District model, dated April 28, 1997, is a new operating model that coordinates and deploys all available resources on the beat. The model is built upon the principle that members must accept responsibility for eliminating crime and disorder in the community.

The information and technologies piece, dated May 13, 1997, is the Metropolitan Police Department's information infrastructure needs to support the department's new operating model, and the increased needs caused by the new policing strategy.

The District Beat and Boundary Restructuring, dated June 3, 1997; the key to effective problem solving approach to crime and order maintenance is to ensure that officers have the time to develop and implement solutions to problems in their communities. To this end, patrol districts and PSA boundaries were realigned to provide equal workload across the city.

The new policing strategy, dated July 3, 1997; to move the department away from the traditional style of policing a new operating model has been developed. The new operating model introduces problem solving as the basis to address community problems and concerns, while providing the sense of ownership necessary to affect cultural changes within the department.

The Fleet Management Baseline Analysis and Blueprint, dated July 15, 1997, is a report that contains recommendations to enhance managerial controls and approved maintenance performance. It is estimated that recommended improvements will take up to 6 months to fully implement.

Identification and Records Division Baseline and Blueprint, dated July 21st, contains records management improvements that are available, and should be completed within 6 months.

The Infrastructure Redesign of the Property Division, dated July 23. It contains recommendations to improve the property control system.

The Performance Focus Management System, dated July 23. Currently the Metropolitan Police Department lacks an overall management system that establishes performance targets and programs to manage the overall performance. The PFMS system sets and engages progress on agency and individual performance.

The Citizens Complaint Process, dated September 19. A system for the independent review of citizen complaints against police officers that is under the jurisdiction of D.C. Superior Court.

While the information was being collected for the Baseline Report, we recognized that we could not wait for its release before taking actions, but had to take immediate steps to stop the rise of crime that was occurring in this city.

As a consequence, on March 7, 1997, the department instituted an enhanced enforcement effort that targets specific areas of the city to demonstrate and to reassure the citizens of their personal safety and the protection of their property was our foremost objective.

By July crime in these areas had been reduced to 24 percent, and the citizens' feeling of safety in their neighborhoods had begun to improve. I and the other members of my executive team quickly recognized that the success and the crime reduction that had occurred in the targeted areas had to be expanded into all areas of the city.

What we have now done is to remake the department so that the same level of high visibility, community interaction participation, dramatic reduction in crime, and the elimination of fears are realities in every neighborhood of the city, not simply in a handful target areas.

On July 1, 1997, a new operating model was implemented for the Metropolitan Police Department. The new operating model itself is the work of a team made up of 20 experienced and dedicated, sworn and civilian department employees, representing field and support organizational elements throughout the department.

They worked closely for over several weeks with Booz-Allen & Hamilton's project team to develop a new community-oriented philosophy for delivering services to the residents of the District of Columbia. They surveyed their colleagues in the field for ideas, which they then brainstormed and analyzed to develop a new operating model and a District policing strategy.

Men and women on the front lines of policing in the District were able to combine their knowledge and expertise and common sense on how the department organizes and deploys its resources. The plan transforms police patrol in the District, lays the groundwork for productive and sustained citizen-police cooperation. It establishes accountability to neighborhoods for reducing fear, crime and disorder.

Our new operating model realigns patrol district boundaries, and divides the city into 83 police service areas. Each PSA is served by

a team comprised of patrol officers, detectives, and vice officers. This is a decentralization of personnel and authority from specialized units to basic street level patrol teams. The team provides 24 hours, 7 days a week coverage to a geographically, manageable neighborhood-based area.

An essential feature of the new model is that, to the extent possible, officers remain assigned to the individual PSAs, so that it can better know and serve the specific neighborhoods. The long-term assignment is meant to reinforce the team members' sense of ownership and accountability to their PSA and the community.

Another crucial accountability and a management factor is that each team is led by a single PSA sergeant, who has overall responsibility for police service in the PSA. The PSA sergeant is required to develop a thorough knowledge of the area, and will soon be equipped with a beeper whose number will be provided to residents and business people in each PSA.

Within reason in a non-emergency situation, citizens can page their PSA sergeant to seek or provide information, volunteer for neighborhood anti-crime projects, or register concerns.

The PSA structure is designed to serve several purposes; to establish and maintain a closer alliance with the community; to reduce crime and the fear of crime; to provide each and every neighborhood with a clear channel for input into the PSA plans and the operations; and to greatly enhance police ability to obtain the community support, time, and energy in achieving community objectives.

Accompanying the reorganization of patrol is the application of a new strategy, problem-solving approach to drugs, guns, gangs, and disorder, these factors that led to cycles of serious crime and disruption in the community. The problem-solving approach is responsible for many of the crime-fighting success stories in other cities that you have heard about.

Problem solving operates by 1) identifying the underlying cause of clusters of criminal incidents; 2) determining the best plan to eliminate or neutralize the cause; 3) putting the plan into action; and 4) making certain that it works. It is aimed at the source of the chronic crime and disorder, whether they be homicides, the neighborhood drug markets, street corner prostitution, or garbage-clogged alleys that suggest that no one cares about the conditions in the neighborhood.

The new approach means that the Metropolitan Police Department no longer will spend all of its patrol time responding to 911 calls, and reacting after the fact to criminal incidents. With a significant increased number of police officers on the street, the PSA team will have the time and training to attack neighborhood crime and disorder through planning analysis, skillful application of the best practices developed throughout the Nation.

As a part of the new operating model we have consolidated police patrol station operations and decentralized many of our specialized units and headquarters investigative functions to the PSAs, including the transfer of 22 sworn members from our Identification and Records and Communications Division to patrol. In addition, approximately 50 percent of all patrol district support staff has been redeployed to the PSAs.

Today 71 percent of all sworn department personnel are assigned to the seven police districts, with another 17 percent assigned to investigative and direct PSA support street functions. This means that 88 percent of all the department's personnel are assigned to positions that provide direct service to the public or directly assigned, assisting PSA officers in providing the services to persons living, working, and visiting the District of Columbia.

Ultimately, one-fourth of all sworn personnel not currently assigned to patrol districts will be redeployed to PSAs. This will result in a number of officers assigned to patrol districts being significantly higher, which means greater visible police presence, and more patrol officer time available for preventing crime and disorder.

At the time that we are undertaking a comprehensive reorganization of patrol districts, we are also moving forward on several other fronts to improve the management and operation of the departments.

They include: Sworn members of the department were granted a 10 percent pay raise, using District of Columbia funds, effective July 6, 1997. While the 10 percent raise is very helpful, the pay scale still lags behind that of other jurisdictions in the metropolitan area.

In June and July of this year a 1-day new operating model orientation session was held for all district personnel. In August a 2-day training session was held for all 83 PSA sergeants. Also beginning in August, the training division began conducting 2-day training sessions for all PSA team members.

The specialized training covers problem solving, communication skills, and other issues relevant to the implementation of the new operating model. This training is in addition to the in-service and specialized training routinely provided to sworn members.

The department implemented a random drug testing program on May 15, 1997. Members are selected at random to undergo drug screening. To date, 313 members have been tested; results have been negative in all cases.

The department's entry level recruiting standards have been reviewed to ensure accuracy. The standards exceed those required by the Commission on Accreditation for Law Enforcement Agencies.

The department's recruiting procedures have been revised to require more documentation from applicants, and to ensure that case files are thoroughly reviewed. The recruiting unit has been reorganized, and a new recruiting campaign has begun.

Mr. DAVIS. Chief, you don't have to read the whole thing if you don't want to.

Chief SOULSBY. Oh, I'm sorry.

Mr. DAVIS. No, it's fine. But I think we want to get down to the crimes and arrest. You've got a cold, so we want to save you for the questions.

Chief SOULSBY. OK. We'll skip down to the crime part, absolutely.

When we look at the crime and what's occurred, from January 1 through September 24, crime is down 18 percent; crimes against persons, down 16 percent; crimes against property, 18 percent.

Homicide is down 23 percent. It's the lowest period of time since 1988. Robbery is down 26 percent; burglary down 25 percent; stolen autos down 26 percent.

The numbers of arrests in the city, while crime has gone down 18 percent, has gone up by 26 percent.

This one piece I'll go through. While I'm discussing crime, let me take a moment to say a few words about the most outrageous crime of all, homicide.

I am certain that the members of the committee have seen the recent media reports about the changes I have made in the department's homicide branch. A number of management, supervisory and process improvements are being made in response to many deficiencies in those areas.

I am also establishing a working group, similar to the one used for developing the department's new operating model for patrol; to develop a new operating model for all investigative functions, starting with the homicide branch. My ultimate objective is to make the homicide branch more responsive and accountable to the survivors, families and friends of the homicide victims, and close more cases.

A significant contributing factor to the problems with the investigation and management of homicide investigations is the overtime problem. On the average homicide investigators spend two-thirds of their time performing post-arrest investigative and other prosecuted-related activities for the U.S. attorney's office. Most of this time is outside an investigator's regular tour of duty, a situation that mandates the payment of overtime, but not under the supervision of the police department.

This prosecutorial investigative function is performed by most jurisdictions by investigators employed by the district attorney's office, or other prosecuting agency at either the State or local level. The District of Columbia, because of a unique jurisdictional status, does not have either a local district attorney's office or State investigative agency.

The burden of this additional investigative function falls on the Metropolitan Police Department, at a point in most localities where the arresting officers will be relieved of additional investigative functions.

I am aware that the U.S. attorney's office for the District of Columbia is requesting an authorization and appropriation to hire 42 investigators to provide investigative support to its prosecutors. Approval of this request would relieve the department of providing this type of support in many cases, and would result in a significant reduction in overtime expenditures. I strongly urge this committee to support the U.S. attorney's request.

I'll skip through some things. In closing, I want to emphasize that the Metropolitan Police Department is well on the road to success, performance has increased, and morale has greatly improved. The transformation which is underway will result in a police department which all citizens can take pride in.

It has been a significant undertaking in what we've done the last year. It's been very difficult, difficult times, but I am convinced the department will move forward and be better.

[The prepared statement of Chief Soulsby follows:]

STATEMENT
OF
CHIEF OF POLICE LARRY D. SOULSBY

Good morning Representative Davis and members of the Subcommittee. Thank you for the opportunity to appear before the you to discuss the transformation of the Metropolitan Police Department.

Today, I am here to discuss the improvements that we have made to the operations and organization of the Metropolitan Police Department, the accomplishments that we have achieved, and the changes that are still to occur. Clearly, we are on the road to success and regaining our position as one of the best police departments in the country.

NEW DEPARTMENT CHARTER

In December of last year an MOU partnership was formed comprised of myself, the Mayor, the City Council, the Chief Judge of the Superior Court, the Corporation Council, the U.S. Attorney for the District of Columbia, and the Financial Responsibility and Management Assistance Authority to address the public safety crisis facing the District of Columbia. One of the first conclusions reached by the MOU Partners was the need to enhance the authority of the Chief of Police.

Many of the problems confronting the department were, it was felt, caused by undue interference with the Chief's leadership and management of the agency. The Mayor of the District of Columbia, as an MOU Partner, instituted a new charter for the Metropolitan Police Department on February 26, 1997, which gives a Chief of Police the ability to manage and direct the affairs of the agency in all critical areas.

Charter of the
Metropolitan Police Department

The Charter for the office of the Chief of Police, of the Metropolitan Police Department of the District of Columbia, is to develop and execute effective strategies that prevent and reduce crime, disorder, fear of crime, and improve the quality of life for all citizens in the District of Columbia. This will be accomplished in partnership with the community, and other appropriate government agencies, and in accordance with constitutional values and applicable laws. The Chief of Police will serve as the Chief Executive Officer of the department; as such, the Chief is responsible for establishing professional standards that maintain a higher level of integrity and ethical conduct that is generally accepted of others, and will be responsible and accountable for all activities involving the Metropolitan Police Department. All operations of the department, including planning, organizing, staffing, coordinating, directing, reporting, and budgeting of department and related community resources, will be oriented toward serving the needs of a diverse community, as well as the federal interests associated with Washington's unique role as the Nation's Capital.

NEW DEPARTMENT MISSION STATEMENT

Once the Metropolitan Police Department's new Charter had been established it was used as the foundation for the development of a new department mission statement, one which is a simple, clear, straightforward description of the department's mission. A mission statement that serves as the guiding principle upon which all future actions must be based.

Mission of the
Metropolitan Police Department

The mission of the Metropolitan Police Department is to eliminate crime, fear of crime, and general disorder, while establishing respect and trust within the community.

The new mission statement is carried by all sworn and civilian members on a small pocket card to remind them of the department's primary objectives in serving the community.

BASELINE REPORT

The Metropolitan Police Department has embarked on a comprehensive transformation of its organization and operations. The outcome of which is the development and implementation of immediate and long-term organizational and strategic improvements to meet the goals of eliminating crime and disorder, reducing the fear of crime in the District of Columbia, and establishing respect and trust within the community.

The nationally known and respected management consulting firm of Booz•Allen & Hamilton, Inc., was retained to conduct a comprehensive management study of the department. Many of the initiatives of which I speak about today are the result of a close working collaboration between my executive leadership team, Booz•Allen & Hamilton, and rank and file members of the department and are based upon the findings that were presented in the *Baseline Report: Crime Fighting Efforts in the District of Columbia* that was released on April 3, 1997.

The following reports are examples of the major issues addressed by the study. All of them, individually and cumulatively, are having a significant, positive impact on department operations.

- Policing 2000 Investment Strategy
  March 21, 1997

  A comprehensive list of material needs that have been forwarded to the Office of Management and Budget to support the department in its efforts to fight crime and disorder in the city.

- The New MPD District Model
  April 28, 1997

  A new operating model that coordinates and deploys all available resources on the beat. The model is built upon the principle that members must accept responsibility for the elimination of crime and disorder in their community.

- MPD Information/Enabling Technologies
  May 13, 1997

  The MPD information infrastructure needs to support the department's new operating model and the increase needs caused by the new policing strategy.

- District and Beat Boundary Restructuring
  June 3, 1997

  The key to an effective problem-solving approach to crime and order maintenance is to ensure that officers have the time to develop and implement solutions to problems in their communities. To this end, patrol districts and PSA boundaries were realigned to provide equal work load across the city.

- New Policing Strategy
  July 3, 1997

  To move the department away from the traditional system of policing, a new operating model has been developed. The new model introduces problem-solving as the basis to address community problems and concerns, while providing the sense of ownership necessary to effect cultural changes within the department.

- Fleet Management Baseline Analysis and Blueprint
  July 15, 1997

  Report contains recommendations to enhance management controls and improve maintenance performance. It is estimated that recommended improvements will take up to six months to implement.

- ID&R Division Baseline and Blueprint
  July 21, 1997

  Developed the Identification and Records Division Baseline and Blueprint. Contains records management improvements that are achievable in next six months.

- Infrastructure Redesign: Property Division
  July 23, 1997

  An infrastructure redesign blueprint for the Property Division that contains recommendations to improve property control.

- Performance Focused Management System (PFMS)
  July 23, 1997

  Currently, the MPD lacks an overall management system that establishes performance targets and programs to manage overall performance. The PFMS sets and gauges progress on agency and individual performance.

- Citizen Complaint Process
  September 19, 1997

  A system for the independent review of citizen complaints against police offices that is under the jurisdiction of the D.C. Superior Court.

ENHANCED ENFORCEMENT EFFORT

While the information was being collected for the baseline report, we recognized that we could not wait for its release before taking action, but had to take immediate action to stop the rise in crime that was occurring in our city. As a consequence, on March 7, 1997, the department initiated an Enhanced Enforcement Effort that targeted specific areas of the city to demonstrate and to reassure citizens that their personal safety and the protection of their property was our foremost objective. By July, crime in these targeted areas has been reduced by 24 percent and citizens feelings of safety in their neighborhoods had begun to improve.

I, and the other members of my executive team, quickly recognized that the success in crime reduction that was occurring in the targeted areas had to be expanded to all areas of the city. What we have now done is to remake the department so that the same level of high visibility, community interaction and participation, dramatic reductions in crime, and the elimination of fear are realities in every neighborhood in the city, not simply in a handful of target areas.

NEW OPERATING MODEL

On July 1, 1997, a New Operating Model was implemented for the Metropolitan Police Department. The New Operating Model itself is the work of a team made up of 20 experienced and dedicated sworn and civilian department employees representing field and support organizational elements throughout the department. The "Group of 20" (or "G20" as they are sometimes called) worked closely for several weeks with the Booz•Allen project team to develop a new community-oriented philosophy for delivering police services to residents of the District of Columbia.

The Group of 20 surveyed their colleagues in the field for ideas, which they then brainstormed and analyzed to develop the New Operating Model and District Policing Strategy. Men and women on the front lines of policing in the District were able, for the first time, to contribute their knowledge, expertise, and common sense on how the department organizes and deploys its resources. The plan transforms police patrol in the District, lays the groundwork for productive and sustained citizen-police cooperation. It establishes accountability to neighborhoods for reducing levels of crime, fear of crime, and disorder.

Our New Operating Model realigns patrol district boundaries and divides the city into 83 Police Service Areas (PSA's) that operate within the framework of the department's seven patrol districts. Each PSA is served by a team comprised of patrol officers, detectives, and vice investigators. This is a decentralization of personnel and authority away from specialized units to basic street-level police patrol teams. The team provides 24-hour, seven days-per-week coverage to a geographically manageable, neighborhood-based area.

An essential feature of the new model is that, to the extent possible, officers remain assigned to individual PSAs so they can better know and serve specific neighborhoods. The long-term assignment is meant to reinforce the team members' sense of ownership and accountability to their PSA and community. Another crucial accountability and management factor is that each team is led by a single PSA sergeant who has overall responsibility for police service within the PSA.

The PSA sergeant is required to develop a thorough knowledge of the area, and will soon be equipped with a beeper whose number will be provided to residents and business people in the PSA. Within reason and in non-emergency situations, citizens can page their PSA sergeant to seek or provide information, volunteer for neighborhood anti-crime projects, or register concerns.

The PSA structure is designed to serve several purposes: to establish and maintain a closer alliance with the community to reduce crime and the fear of crime; to provide each neighborhood with a clear channel for input into PSA plans and operations; and, to greatly enhance police ability to obtain the community's support, time, and energy in achieving common objectives.

PROBLEM-SOLVING APPROACH

Accompanying the reorganization of patrol is the application of a new strategic problem-solving approach to drugs, guns, gangs, and disorder, those factors that lead to cycles of serious crime and disruption in communities. The problem-solving approach is responsible for many of the crime-fighting success stories in other cities that you may have heard about. Problem-solving operates by (1) identifying the underlying cause of a cluster of criminal incidents; (2) determining the best plan to eliminate or neutralize the cause; (3) putting the plan into action; and (4) making certain it is working. It is aimed at the sources of chronic crime and disorder, whether they be homicides, neighborhood drug markets, street corner prostitution, or garbage clogged alleys that suggest no one cares about conditions in a neighborhood.

The new approach means that the MPD no longer will spend all its patrol time responding to 911 calls and reacting after the fact to criminal incidents. With the significantly increased number of officers on the streets, the PSA teams will have the time and training to attack neighborhood crime and disorder through planning, analysis, and skillful application of the best police practices developed throughout the nation.

Problem-solving encourages officers to use a variety of methods, not just arrests, to solve problems. These methods include using civil laws to control public nuisances, offensive behavior, and conditions contributing to crime; attaching new conditions to parole and probation; issuing citations in lieu of

arrests; and tracking repeat offenders. The message here is: not everyone has to be locked-up every time for every offense. For example, civil action permanently closing down a nightclub known for persistent drug trafficking can be more effective than recurring police raids.

CONSOLIDATION AND DECENTRALIZATION

As a part of our New Operating Model, we have consolidated patrol district station operations and decentralized many of our specialized units and headquarters investigative functions to the PSA's, including the transfer of 22 sworn members from our Identification and Records and Communications Divisions to the patrol districts. In addition, approximately 50 percent of all patrol district support staff have been redeployed to the PSA's. Today, 71 percent of all sworn department personnel are assigned to the seven patrol districts with another 17 percent assigned to investigative and direct PSA support functions. This means that 88 percent of all department personnel are assigned to positions that provide direct services to the public or are directly assisting PSA officers in the provision of services to persons living, working, and visiting the District of Columbia.

Ultimately, one-fourth of all sworn personnel not currently assigned to the patrol districts will be redeployed to the PSA's. This will result in the number of officers assigned to the patrol districts being significantly higher, which means greater visible police presence and more patrol officer time available for preventing crime and disorder.

The department's Narcotics and Special Investigations Division and Criminal Investigations Division have been consolidated into one operational unit. This consolidation allows for greater utilization of our investigative personnel and frees both uniformed and undercover detectives for strategic positioning in the PSA's. As a result, 88 detectives have been reassigned to the seven patrol districts.

MANAGEMENT AND STANDARDS

At the same time that we are undertaking a comprehensive reorganization of the patrol districts, we are also moving forward on several other fronts to improve the management and operations of the department. These include:

- Sworn members of the department were granted a 10 percent pay raise using District of Columbia funds effective July 6, 1997. While the 10 percent pay raise is very helpful, the pay scale still lags behind that of other jurisdictions in the Washington Metropolitan Area.

- In June and July of this year a one-day New Operating Model orientation session was held for all district personnel. In August, a two-day training session was held for the 83 PSA sergeants. Also, beginning in August the Training Division began conducting two-day training sessions for all PSA team members. The specialized training covers problem-solving, communications skills, and other issues relevant to the implementation of the New Operating Model. This training is in addition to the in-service and specialized training routinely provided to sworn members.

- The department implemented a random drug testing program on May 15, 1997. Members are selected at random to undergo drug screening. To date, 313 members have been tested; results have been negative for all tests.

- The department's entry level recruiting standards have been reviewed to ensure adequacy. The standards exceed those required by the Commission on Accreditation for Law Enforcement Agencies.

- The department's recruiting procedures have been revised to require more documentation from applicants and to ensure that the case files are thoroughly reviewed. The Recruiting Unit has been reorganized and a new recruiting campaign begun.

- Starting on October 1,1997, the Training Division will begin using a computer-assisted judgmental training program as a part of our recertification program. A computer-assisted training program for domestic violence is also being installed in the seven patrol districts, the Special Operations Division, the Criminal Investigations Division, and the Youth and Family Services Division. This new system will allow us to conduct training off-site, thereby eliminating the need for officers to travel away from their units for needed training.

PERFORMANCE MANAGEMENT

The department is instituting a Performance-Focused Management System to consolidate and focus organizational and individual performance standards under a single, interrelated umbrella. The achievement of specific department-wide goals will be reflected in the performance ratings of individual members, especially for the ranks of captains and above.

The department's Performance Management System for the ranks of officer through lieutenant concludes its pilot rating year on September 30, 1997. The individual performance standards for the 1997-98 rating year have been revised to reflect the performances requirements of the New Operating Model and District Policing Strategy.

The ranks of captain through assistant chief are being added to the system for the coming year. These ranks will be more focused on the achievement of department and organizational element objectives, rather than the traditional personal performance indicators.

CRIME & ARRESTS - JANUARY THROUGH SEPTEMBER

When looking at the preliminary crime and arrest statistics for the first nine and one-half months of 1997, you will see that our efforts are having an impact. Crime from **January 1 through September 24, 1997**, is down 18 percent city-wide when compared to the same time period in 1996. Each of the department's seven patrol districts have achieved crime decreases, with five of the seven districts having double-digit reductions.

Looking at individual crime categories for the same time period we find that:

- Crimes Against Persons were ***down*** 16 percent.
- Crimes Against Property were ***reduced*** 18 percent.
- Homicide was ***down*** 23 percent. The ***homicide total through the end of August was the lowest*** number for the ***first eight months of any calendar year since 1988***.

- Robbery, a crime contributing to the sense of fear and victimization in the community, was ***down*** 26 percent.

- Burglary, an invasive crime that makes citizens apprehensive about the safety and security of their homes, was ***down*** 25 percent.

- Stolen Auto, seen at this point last year as a crime that was totally out of control, was ***down*** by 26 percent.

The total number of arrests that have been made by the men and women of the department in the period of **January 1, 1997, through August 31, 1997**, have ***increased*** by 26 percent when compared to the same period in 1996. In ***1997 the arrest trend has changed from a decrease to an increase and the crime trend from an increase to a decrease***.

While these crime reduction achievements are significant, I believe that we can and must do even better. As I have already stated publicly, I believe that we can achieve even greater decreases in crime. The men and women of the department are working hard to bring about a lasting sense of safety and security to our communities. Our challenge is to continue this progress in the coming months.

While I am discussing crime, let me take a moment to say a few words about the most outrageous crime of all: homicide. I am certain that members of the committee have seen the recent media reports about the changes I have made in the department's Homicide Branch. A number of management, supervisory, and process improvements are being made in response to many deficiencies in those areas. I am also establishing a working group, similar to the one used for the development of our New Operating Model for patrol, to develop a new operating model for all investigative functions. My ultimate objective is to make the Homicide Branch more responsive and accountable to the survivors, families, and friends of the homicide victims themselves.

A significant contributing factor to the problems with the investigation and management of homicide investigations is the overtime problem. On the average, homicide investigators spend two-thirds of their time performing post-arrest investigative and other prosecution-related

activities for the U.S. Attorney's Office. Most of this time is outside of an investigator's regular tour of duty, a situation which mandates the payment of overtime compensation.

This prosecutorial investigative function is performed in most other jurisdictions by investigators employed by the district attorney's office or other prosecuting agency at either the state or local level. The District of Columbia, because of its unique jurisdictional status, does not have either a local district attorney's office or state investigative agency. The burden of this additional investigative function falls on the Metropolitan Police Department, at a point in most localities where the arresting officer would be relieved of additional investigative duties.

I am aware that the U.S. Attorney's Office for the District of Columbia is requesting authorization and appropriations to hire 42 investigators to provide investigative support to its prosecutors. Approval of this request would relieve the department of providing this type of support and would result in a significant reduction in overtime expenditures. I strongly urge the committee to support the U.S. Attorney's request.

FUTURE ACTIVITIES

I have indicated the principal actions taken to date. Each of these actions is having a positive impact, but much work remains to be done. This week, I have assigned several experienced sworn and civilian employees to work directly with Booz•Allen project teams on implementation of the major infrastructure blueprints. In addition, one of the teams will be auditing the New Operating Model to ensure that our changes are becoming institutionalized in the department's patrol districts and other operational elements.

Our overriding objective remains focusing our sworn strength, to the greatest extent possible, in two areas: direct front-line service delivery to the community or investigative and specialized operations which directly support front-line service. Among the tools we are exploring to achieve this objective are: the consolidation of functions, automation of reporting processes, civilianization, and technology enhancements.

CONCLUSION

The transformation of the department will help to fulfill two personal goals that I have set. The first is to provide the dedicated men and women of the Metropolitan Police Department with the opportunity to intensify their professional skills and focus their talents on the essence of policing: preventing crime, eliminating disorder, and serving citizens.

My second goal is that in the coming months, every resident of the District of Columbia will be on a first name basis with at least one member of their neighborhood PSA team. The police are a part of the community and are empowered by the community, it is not a matter of us-*versus*-them. It is a matter of we -- citizens and police -- working together to improve the quality of life for all who live, work, and visit our Nation's Capital by eliminating crime, fear of crime, and general disorder, and establishing mutual respect and trust within the community.

In closing, I want to emphasize that the Metropolitan Police Department is well on the road to success, performance has increased and morale has greatly improved. The transformation which is underway will result in a police department in which all citizens can take great pride.

METROPOLITAN POLICE DEPARTMENT

Fiscal Year 1997

Accomplishments

September 24, 1997

The mission of the Metropolitan Police Department is to eliminate crime, fear of crime and general disorder, while establishing respect and trust within the community.

12-19-96	Joined with the Mayor, the City Council, the Chief Judge of the Superior Court, the Corporation Council, the U.S. Attorney for the District of Columbia, and the Financial Responsibility and Management Assistance Authority to create a unique partnership to address the public safety crisis facing the District of Columbia. (MOU Partners)
12-28-96	The consulting firm of Booz-Allen & Hamilton was retained to conduct an extensive review of MPD organization and operations.
01-24-97	Eleven civilian employees of the Office of Finance and Budget were terminated for failure to meet job qualifications.
02-03-97	Began the process of establishing a sub-station for the Sixth District. Sub-station to be opened October 1, 1997.
02-26-97	Appointed a new management team made up of three newly appointed Assistant Chiefs of Police.
02-26-97	Mayoral delegation to the Chief of Police the personnel, budget, and procurement authority necessary to implement changes in the MPD.
03-01-97	Developed a new Charter for the Metropolitan Police Department that empowers the Office of the Chief of Police.
03-01-97	Established a new Mission Statement for the Metropolitan Police Department.
03-07-97	In conjunction with the Enhanced Enforcement Initiative, established a zero tolerance approach to crime and order maintenance problems.
03-07-97	Initiated the Enhanced Enforcement Effort that redeployed 400 sworn personnel into seven areas of the city that experienced the highest rates of crime and violence. This initiative ended on July 13, 1997.

03-24-97	Suspended the 28 day scheduling policy for sworn members of the department. This enables the department to deploy officers more rapidly to crime areas.
04-03-97	Issuance of Base-Line Report: Crime Fighting Efforts in the District of Columbia.
04-04-97	The Dream City Foundation, Inc. was established to raise funds for the purchase of safety and related equipment for department personnel. The first fund raising event is scheduled for October 6, 1997.
04-06-97	Established a new Commander's rank with additional compensation, resulting in greater accountability being placed on commanders.
04-14-97	Established committee to review department's conduct and disciplinary rules and procedures.
04-14-97	Formed an MPD new operating model development team to work with Booz-Allen & Hamilton to develop a new policing model for the District of Columbia.
04-15-97	Implemented a program to improve the dissemination of accident reports to citizens that have been received from the patrol districts and the Special Operations Division.
04-21-97	Began training 120 Crime Scene Search Officers so that they can provide more efficient service to the citizens of the District of Columbia. Training completed on August 31, 1997.
04-28-97	Received initial delivery of 400 state-of-the-art vests/body armor. Funding provided by the $15 million congressional appropriation.
05-02-97	To provide security for MPD personnel during prisoner transport, 100 transport cages were purchased for MPD vehicles. Funding provided by the $15 million congressional appropriation.
05-05-97	To support the GSA procurement effort and the department's network system, 139 computer workstations were purchased. Funding provided by the $15 million congressional appropriation.

05-12-97 Established a committee to review current civilian positions and make recommendations on positions currently held by sworn personnel.

05-16-97 Implemented the Random Drug Testing Program for sworn members of the MPD.

06-01-97 In conjunction with the D.C. Coalition Against Domestic Violence established a Domestic Violence Hot-Line. Funding for this initiative obtained through a federal VAWA grant.

06-01-97 Began process to survey 200 police vehicles that are no longer serviceable for law enforcement purposes.

06-05-97 A one-day orientation training program was begun for MPD personnel regarding the new operating model. Training was completed on July 18, 1997.

06-08-97 Centralized the Vending Unit function into the Special Operations Division.

06-12-97 Computers and software purchased to provide Judgmental Training for police recruits in Community Policing. Funding for this initiative provided by Comprehensive Community Programs grant funds.

06-23-97 The award to Printrak was issued for the enhancement of the Automated Fingerprint Information System. System upgrade will occur the week of October 15, 1997. Funding provided by the $15 million congressional appropriation.

06-25-97 Began to receive the first of 160 Honda motorcycles. Funding provided by the $15 million congressional appropriation.

07-01-97 Purchased equipment to establish City-wide Watch (Reverse 911) Program. The program can be used to notify citizens by telephone of critical events occurring in their community. Funding for this initiative provided by Comprehensive Community Programs grant funds.

07-01-97 Procurement completed, contract awarded, and project started for Distributed Identification of prisoners at the patrol districts. System to become operational in February, 1998.

07-02-97 Software upgraded for the department's Computer Aided Dispatch system in the Communications Division.

07-06-96 The K-9 function was transferred to the Special Operations Division.

07-06-97 Implemented a new operating model for the Metropolitan Police Department:

- Established 83 Police Service Areas (PSA) to replace the obsolete 138 scout car areas.
- Realigned patrol district boundaries to support the implementation of the new operating model.
- Reallocated equipment such as scout cars, radios, etc., to the PSAs.
- Assigned a sergeant to each PSA to serve as the beat leader.
- Established teams for each area comprised of the beat leader, a Master Patrol Officer, one detective, one vice officer, and a minimum of 14 other officers.
- Decentralized specialized units such as non-specialized investigations and Community and Youth Services into the PSAs.
- Reorganized the Homicide Branch so that current cases are investigated by detectives assigned to the seven patrol districts. Natural deaths, cold cases, and high profile cases will continue to be investigated by detectives assigned to a centralized unit in the Criminal Investigations Division.
- Sixty Homicide Branch detectives and officials and 28 Narcotics and Special Investigations Division detectives and officials were transferred to the patrol districts.
- Restructured the station operations for the seven patrol districts.
- Established new administrative procedures for each patrol district.
- Consolidated the Narcotic and Special Investigations Division into the Criminal Investigations Division.

07-06-97 A good faith 10 % pay raise was instituted for all sworn personnel. This pay raise elevated member's pay closer to the average pay of surrounding jurisdictions.

07-15-97 Purchased and instituted Missing Person Unit case tracking software for the Youth and Family Services Division.

07-15-97 The purchase order was submitted to the Data General Corporation for the purchase of lap top computers, laser printers, and related software for access to the department's Washington Area Criminal Intelligence System. Funding provided by the $15 million congressional appropriation.07-10-97Took delivery of 12 Harley Davidson motor cycles. Funding provided by the $15 million congressional appropriation.

07-15-97 Developed the Fleet Management Baseline Analysis and Blueprint. Report contains recommendations to enhance management controls and improve maintenance performance. It is estimated that recommended improvements will take up to six months to implement.

07-21-97 Computers and software purchased to install Domestic Violence Satellite Training at the patrol districts, SOD, Communications Division, and the Criminal Investigations Division. Funding for this initiative provided by a federal grant.

07-21-97 Developed the Identification and Records Division Baseline and Blueprint. Contains records management improvements that are achievable in next six months.

07-21-97 177 Mobile Data Computers ordered for installation in police vehicles. Funding provided by the $15 million congressional appropriation and COPS More funds.

07-22-97 Initiated a crime patrol program within the Special Operations Division which deploys personnel from all branches of SOD to various Police Services Areas throughout the city that have the highest instances of violent crime and/or homicides.

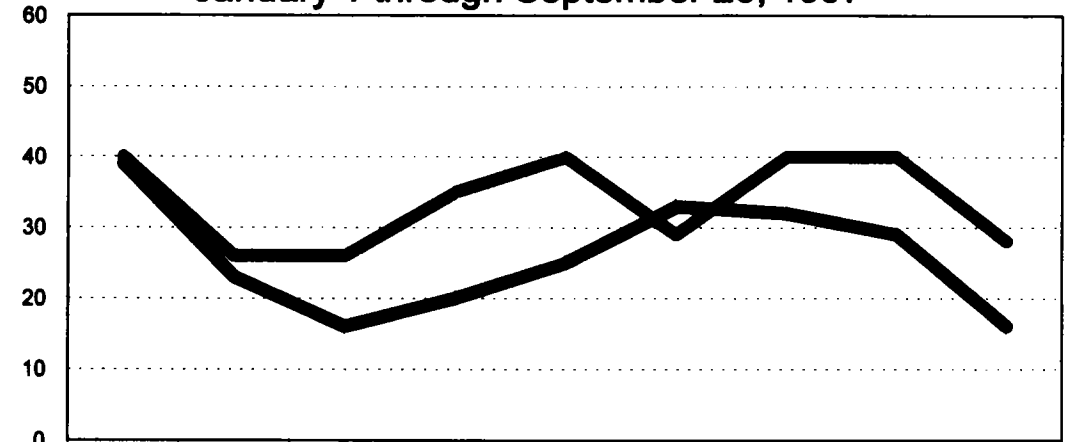
07-28-97	To assist the MPD in the in the procurement of supplies and equipment, two specialists from GSA were assigned to provide on-site support to the Office of Finance and Budget.
08-01-97	Received shipment of 150 new police cars to replenish fleet. Funding provided by the $15 million congressional appropriation.
08-03-97	Three additional Crime Scene Search Officers were assigned to the Mobile Crime Laboratory.
08-04-97	Conducted survey to ensure compliance with federal law concerning sworn members involvement in incidents of domestic violence.
08-06-97	Developed an infrastructure redesign blueprint for the Property Division. Contains recommendations to improve property control.
08-08-97	Began the process of developing a blueprint for Community Involvement Strategy to enhance community involvement with the department.
08-10-97	The Youth and Family Services Division established a centralized juvenile processing system for the handling of all juveniles arrested within the District of Columbia. This change improves overall prisoner processing and eliminates backlogs in the Central Cell Block.
08-10-97	The Warrant Section of the Special Operations Division was reassigned to the Criminal Investigations Division to enhance the CID capabilities to identify, track, and arrest the most violent gang members in the city.
08-12-97	A two day training program was conducted for the 83 sergeants who are assigned as beat leaders for the PSAs.
08-19-97	A two day problem-solving training program was implemented for all members of the department who are assigned to the PSAs. The training will continue through January, 1998.

08-25-97	Announced a national search for a professional to oversee the Information Services Division.
08-25-97	Announced a national search for a professional to oversee the Technical Services Bureau.
08-25-97	Updated the insignia and markings on new marked patrol vehicles.
08-28-97	Community Work Stations were established in 19 Safeway stores through the District of Columbia.
08-29-97	Eleven sworn members of the MPD were terminated for disciplinary reasons through the Chief's new personnel authority.
08-31-97	Established mandatory minimum staffing requirements for each of the department's 83 PSAs to ensure that street-level PSA staffing is the highest operational priority in each of the seven patrol districts.
09-01-97	Redeployed twenty sworn personnel from the Identification and Records Division and the Communications Division to the patrol districts.
09-01-97	Purchased 660 pagers for issuance to PSA personnel for the implementation of Community Policing. Funding for 400 of the pagers was provided by Comprehensive Community Programs grant funds.
09-01-97	Developed training curriculum for personnel assigned to the seven patrol districts.
09-05-97	A Homicide Investigations Review Board comprised of distinguished homicide investigation experts was created to conduct a two week review of the MPD Homicide Branch.
09-08-97	Initial implementation of the Performance Focused Management System to establish organizational performance targets and to measure and manage performance. • PSA Performance Review • District Mission Review • Human Resources and Technical Service Review

09-13-97	Three civilian employees of the Office of Finance and Budget were terminated for failure to meet job qualifications.
09-14-97	All officials of the Homicide Branch and patrol district homicide units were replaced with a new management team.
09-15-97	Began the installation of new communications consoles in the department's communications center. Funding provided by the $15 million congressional appropriation.
09-15-97	Selected a Integrated Systems Administrator for the coordination of information services, report management systems, computer aided dispatch, and mobile data computers.
09-15-97	The staff review function was reassigned to the Identification and Records Division to improve productivity and overall service to the district's PSAs.
09-15-97	Purchased seven Telecommunications Devices for the Deaf (TDD) machines to ensure equal access to 911 for the deaf and hearing impaired.
09-16-97	Submitted prepared emergency regulations governing changes to Chapter 8 of the DPM concerning personnel regulations.
09-19-97	GTE selected as the vendor to develop the MPD records management system, mobile computing, and automated reporting.
09-19-97	Established a partnership with the Department of Public Works to assist the MPD with the removal of trash and debris from specific locations, and the removal of abandoned autos.
09-22-97	Additional domestic violence investigators selected who will begin training on October 1, 1997.

09-22-97	Completed programming and communications modifications for TACIIS migration to new UNIX platform.
09-22-97	A regional basic Homicide Investigators class was established. The first class of 12 detectives from MPD began training. This class will be repeated in November and include interview and interrogation techniques.
09-22-97	Initiated search for Homicide Branch commander.
09-23-97	Implementation of streamlined process for the requisition of supplies, equipment, and services. (PD 160)
09-24-97	Completed criminal history checks for sworn personnel in compliance with federal law regarding weapons handling and domestic violence.

Metropolitan Police Department
Monthly Homicide Comparison
January 1 through September 23, 1997



	January	February	March	April	May	June	July	August	September
1996	40	26	26	35	40	29	40	40	28
1997	39	23	16	20	25	33	32	29	16

1996 1997

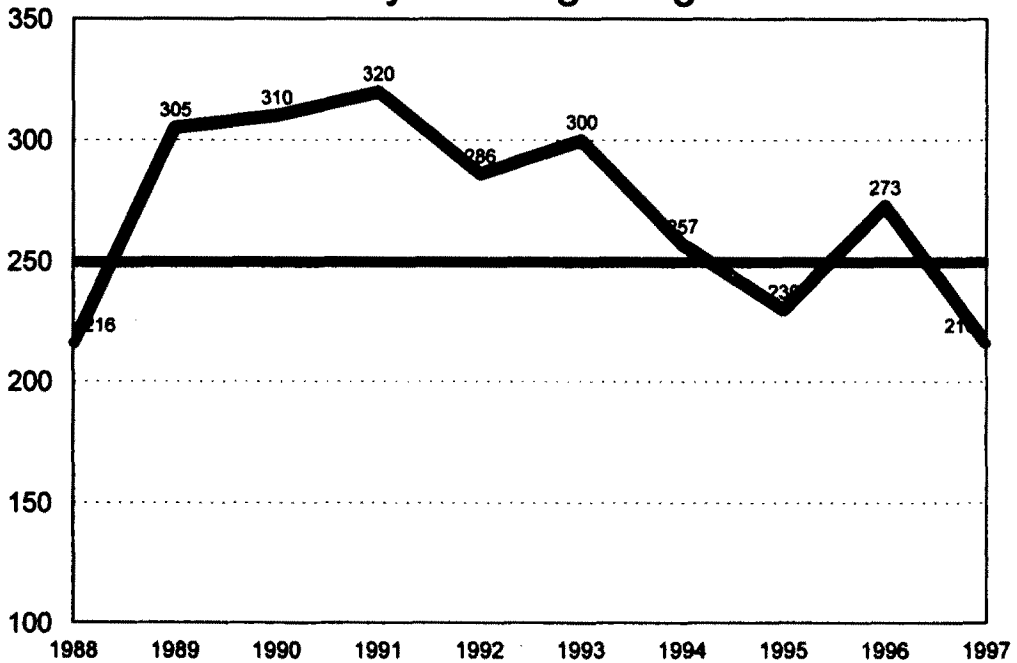
Year to Date - 96	Year to Date - 97	Percentage Difference
304	233	-23

Preliminary Data Source: Metropolitan Police Department Tactical Crime Analysis Unit.

9/24/97

Metropolitan Police Department

Total to Date Homicide Comparison
January 1 through August 31



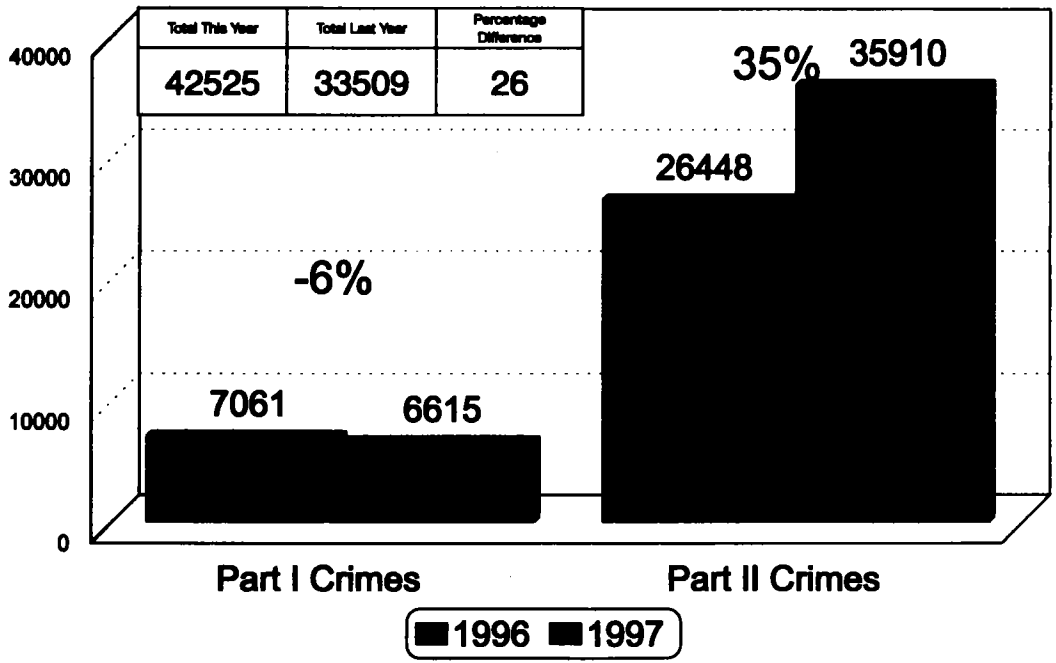
Preliminary Data Source: Metropolitan Police Department Tactical Crime Analysis Unit.

9/24/97

Metropolitan Police Department

Adult & Juvenile Arrest Comparison

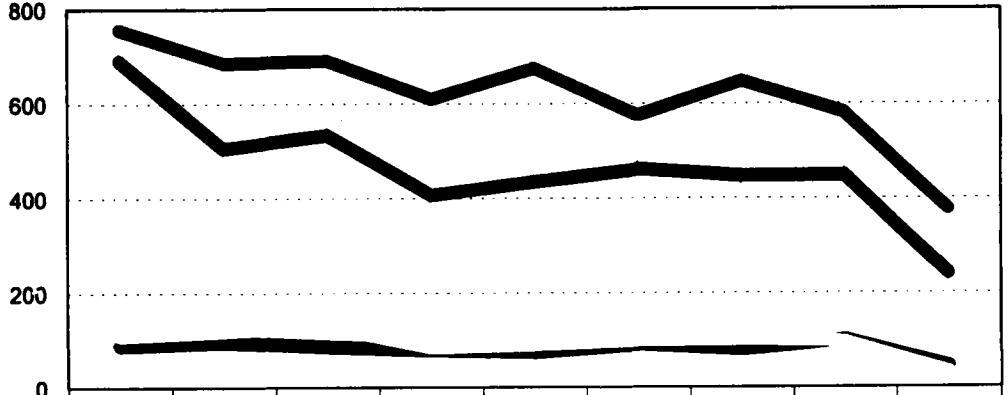
January 1 through August 31



Preliminary Data Source: Metropolitan Police Department Tactical Crime Analysis Unit.

9/24/97

Metropolitan Police Department
Robbery Offense / Arrest Comparison
January 1 through September 18, 1997



	January	February	March	April	May	June	July	August	September
1996 Offense	756	685	690	609	674	575	647	580	376
1997 Offense	691	506	534	407	435	462	447	449	240
1996 Arrest	107	117	127	83	89	98	100	96	33
1997 Arrest	88	96	86	78	74	91	80	100	44

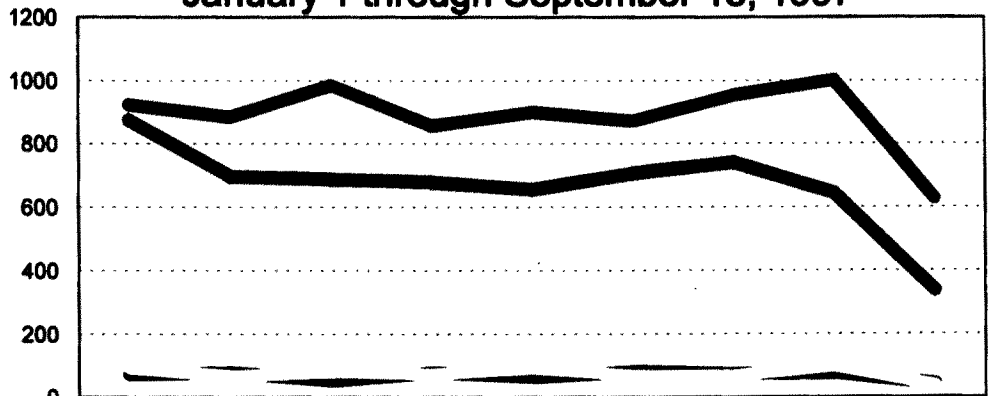
1996 Offense	1996 Arrest	Percentage Closed W/Arrest
5592	850	15

1997 Offense	1997 Arrest	Percentage Closed W/Arrest
4171	737	18

Preliminary Data Source: Metropolitan Police Department Tactical Crime Analysis Unit.

9/24/97

Metropolitan Police Department
Burglary Offense / Arrest Comparison
January 1 through September 18, 1997



	January	February	March	April	May	June	July	August	September
1996 Offense	923	884	986	855	899	871	953	1002	627
1997 Offense	874	696	687	678	655	706	740	643	335
1996 Arrest	91	66	80	73	91	67	68	97	36
1997 Arrest	73	78	54	78	65	81	74	77	42

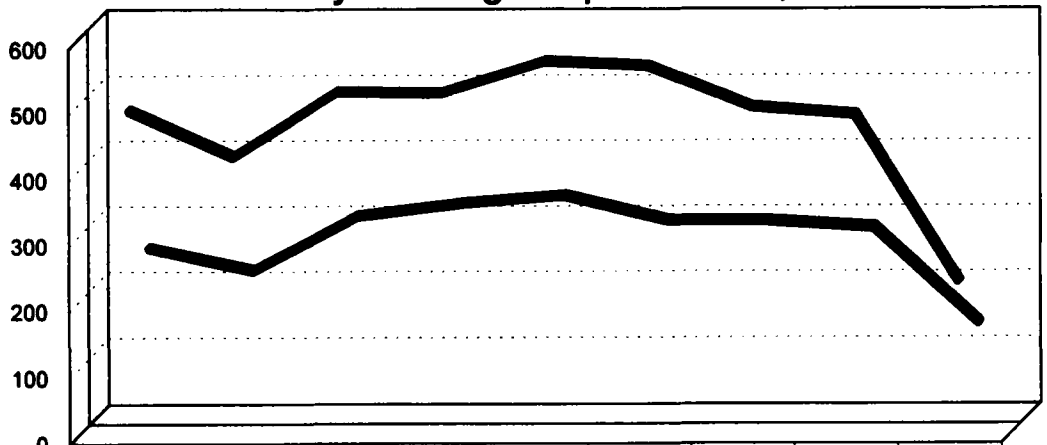
1996 Offense	1996 Arrest	Percentage Closed W/Arrest
8000	669	8

1997 Offense	1997 Arrest	Percentage Closed W/Arrest
6014	622	10

Preliminary Data Source: Metropolitan Police Department Tactical Crime Analysis Unit.

9/24/97

Metropolitan Police Department
Assault Offense / Arrest Comparison
January 1 through September 18,1997



	January	February	March	April	May	June	July	August	September
Offense	492	421	520	518	567	560	497	485	231
Arrest	252	217	300	320	332	294	293	283	138

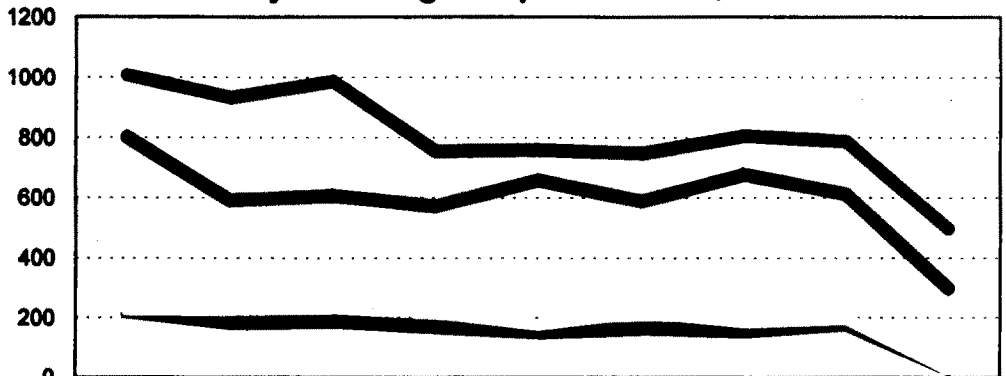
Offense Arrest

Offense	Arrest	Percentage Closed W/Arrest
4291	2429	57

Preliminary Data Source: Metropolitan Police Department Tactical Crime Analysis Unit.

9/24/97

Metropolitan Police Department
Stolen Auto Offense / Arrest Comparison
January 1 through September 18, 1997



	January	February	March	April	May	June	July	August	September
1996 Offense	1008	932	988	754	759	747	805	787	495
1997 Offense	801	591	606	571	658	587	677	611	296
1996 Arrest	225	223	257	215	175	217	183	195	26
1997 Arrest	220	182	188	168	151	165	154	178	26

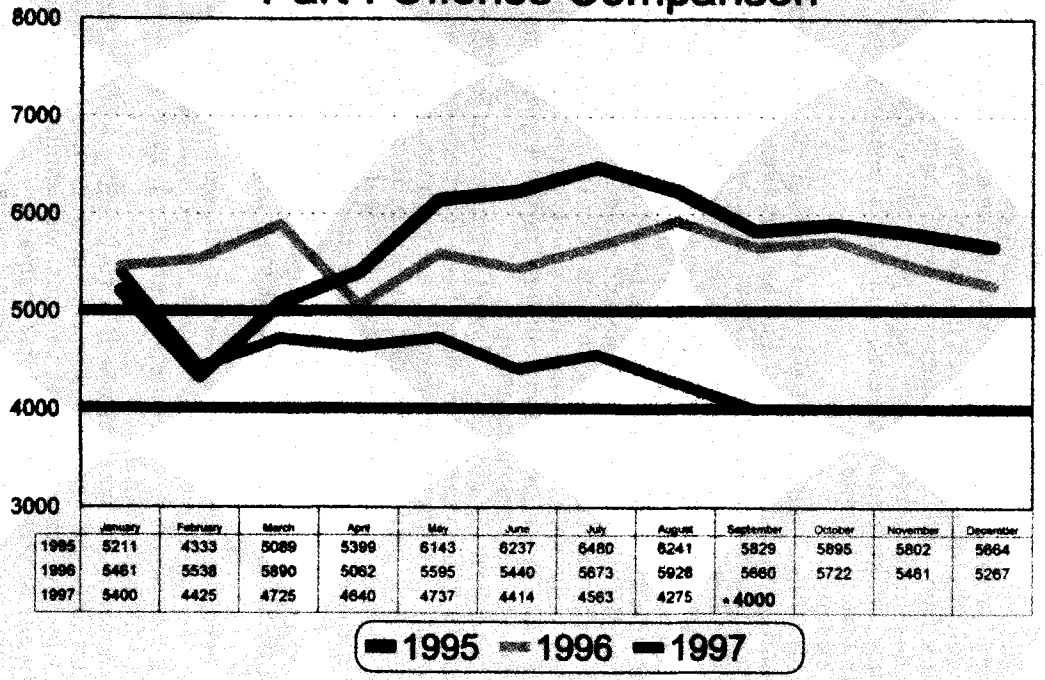
1996 Offense	1996 Arrest	Percentage Closed W/Arrest
7275	1716	24

1997 Offense	1997 Arrest	Percentage Closed W/Arrest
5398	1432	27

Preliminary Data Source: Metropolitan Police Department Tactical Crime Analysis Unit.

9/24/97

Metropolitan Police Department
Part-I Offense Comparison



	January	February	March	April	May	June	July	August	September	October	November	December
1995	5211	4333	5089	5399	6143	6237	6480	6241	5829	5895	5802	5664
1996	5461	5538	5890	5062	5595	5440	5673	5928	5660	5722	5461	5267
1997	5400	4425	4725	4640	4737	4414	4563	4275	*4000			

* Goal for September, 1997

Preliminary Data Source: Metropolitan Police Department Tactical Crime Analysis Unit.

9/24/97

Mr. DAVIS. Chief Soulsby, thank you very much. We will hear from Gary Mather in just a minute. But first, I want call to attention again to page 11 of your testimony where you say the total number of arrests that have been made have increased by 26 percent, while the number of crimes are down 18 percent.

I think that says a lot in terms of what these officers are doing day to day on the street, given appropriate direction. They're reducing crime, making more arrests, and that's certainly the way you want the trend lines to go.

Mr. Mather.

Mr. MATHER. Thank you. I won't go over all my written remarks. I just had a few comments that I'd like to make.

So good afternoon, Chairman Davis, members of the subcommittee, and ladies and gentlemen. I'm Gary Mather, senior vice president of Booz-Allen & Hamilton. I have overall responsibility for our firm's role in helping to transform the MPD.

When the D.C. Financial Control Board chose our firm to work with the MPD, high rates of crime and violence beset the city. Concerned with the crime's heavy toll, the Control Board charged our firm, not only with diagnosing the police department's problems and failures, but also to find solutions to those problems, and actively help in implementing them.

And transforming any large, flawed organization is difficult. Over the past 10 to 15 years much have been learned about what works in causing fundamental change in an organization. And I think that is a key point that I'd like to make; is that the process of change in many corporate settings is the deal. There's lots of interesting strategies and things that one could do, and reports that could be generated. But the step by step, and the methods that causes fundamental structural change in an organization is the most difficult part, and the part that most organizations have trouble with.

The need for change was evident when we began our work last winter. We found a basic disconnect, as we said earlier, in the department between how resources were used, and what the public expected from the MPD.

The department was absorbed in responding to calls for service and pursuing and arresting suspects after crimes occurred. Meanwhile, the city's residents and the business community wanted the department to prevent and combat crime.

Our first advice, and what appeared to us to be the most important thing to get done, was to adopt a new mission that reflected the needs of the District of Columbia, and not the inertial course the MPD was on. So to fulfill this mission, Booz-Allen & Hamilton embarked on several major projects that were designed to make permanent structural changes in the MPD.

The patrol is at the heart of policing, so our firm's first objective—hence the order that happened between the PSAs and homicide, and other things that we're doing, we felt patrol was the most important thing that needed to get fixed. And relative to the process for getting this thing done, we picked 20 sworn officers who came out to our facilities for 3 weeks, and worked 10 hours a day, and we would create a framework really for them to think through being exposed to different approaches that had been used around

the country; a framework for them to think through what might work to get crime to come down. And I think that within a couple of days it became clear to them that geographic accountability was the only way that one could really focus on preventing crime, and being accountable for the crimes, that get committed within a particular geography, was the way to get that done. And so the model that the chief described was put in place.

Putting a model in place, and restructuring, and putting people in different—an organizational construct, is sort of a stage setter for the real transition, because, just because you put people into a new structure doesn't mean that they're fundamentally different people. They still have 30 years, in some cases, of experience of doing things a particular way.

And so what's happening now is there's a performance management system and a series of transitional steps that will get these officers heading in a different direction over time. This is not going to happen instantaneously. I mean, you cannot change the fabric of an organization on a dime; it has to happen through processes that you put in place that the chief has adopted, and so on.

That's one of the reasons why we created for the MPD a system of the Police Service Area Performance Review. The review is tied to efforts to determine how well each PSA is doing; to achieve the department's mission; and to provide feedback and direction.

Why spend so much time on something like this? Because at the PSA level is where the action is, and the efforts begun early this year to prevent crime and dissipate fear of crime, and infuse order, will be won and lost at that level.

But it's not just the efforts of the front line officers and their operations that are going to be subject to performance review. The department currently lacks an overall management system that establishes performance targets for the department, and programs to manage overall performance. So we've developed a Performance Focused Management System for the work of the entire MPD.

The system seeks to determine, for example, how well the police address basic community concerns, and I think that's an important thing. You need to focus on what the people feel, not what you might think is important for you to do; but what do the people and the public feel directly, and how can we do things that cause that to change. Things like, are the streets safe. Do I feel threatened by quality of life offenses? Do the police care about my problems?

So overall, the Performance Focused Management System establishes a clear structure of accountability that links all of MPD's activities to the department's new mission.

Let me skip the part about restructuring district operations, and headquarters, and all that, because I think the chief talked about that already.

Another important contribution of our firm is to help formulate a fair, workable citizen complaint process. We believe that we've developed an independent outside review process that can achieve fairness for both citizens and police officers. Simply put, the process would use retired judges and mediators with the D.C. Superior Court to review citizen complaints and recommend disciplinary action.

Independent complaint examiners and investigators would investigate cases. Less serious complaints would go to conciliation or mediation. Retired or senior judges would review more serious allegations, and send recommendations for disciplinary action to a three-member police tribunal. The tribunal's decisions would be made public, and could be appealed to the police chief. The committee of the community members would review the actions quarterly.

And I must say, we've agonized over different ways that one might position such a function, from being totally residing within the police department, to being totally resident within some kind of a community group. And I think that what's at work here is a balancing between the functions of such a group, and the actions that have to take place, and where do you get that position such that it can be most effective. And that was the basis of our recommendation.

Another thing that has been discussed already is the business of homicide. Booz-Allen brought in an outside team of veteran homicide experts to examine MPD's homicide division, and has been reported the team found several deficiencies.

We had no institutionalized process for homicide investigation; no clear audit trail, no selection criteria for picking homicide detectives; little, if any, expert training, no performance standards; and an absence of accountability. And so it was clear that we needed a restructuring process, in our view, for the entire investigative function, not just homicide, but homicide seemed like the right place to begin with.

The chief has taken several steps to deal with the immediate problems in the homicide division, which he mentioned. In the longer term, we plan to submit the department's entire investigative structure to the same process we used to upgrade patrol.

With the help of our staff and outside consultants, a select team of MPD detectives will design an operating model for investigations, just as the team of 20 sworn officers I mentioned earlier, and civilians, successfully develop the department's new police service operating model.

I think to sum up, Booz-Allen is engaged in recasting the structures and converting processes that will substantially transform the MPD, and help it to fulfill the department's new mission.

[The prepared statement of Mr. Mather follows:]

Good afternoon, Chairman Davis, members of the subcommittee, and ladies and gentlemen. I am Gary Mather, Senior Vice President of Booz-Allen & Hamilton. I have overall responsibility for our firm's role in helping to transform the Metropolitan Police Department (MPD) of the District of Columbia.

My purpose today is to review the steps which Booz-Allen & Hamilton has taken during the past eight months to fulfill that role.

We are all aware of conditions in the city early this year when the D. C. Financial Responsibility and Management Assistance Authority ("Control Board") chose our firm to work with MPD.

High rates of crime and violence beset the city. The reality of crime and the fear of crime combined to drive residents and businesses from Washington and erode its tax base. At home and abroad, the Nation's capital appeared besieged by crime and disorder.

Concerned with crime's heavy toll, the Control Board charged our firm with doing far more than just compiling another report diagnosing the police department's problems and failures.

Booz-Allen & Hamilton's job was also to find solutions to those problems and actively help in implementing the needed transformation of MPD.

Let me note that transforming any large, flawed organization is difficult, but it is a craft that we have developed.

Management firms can prepare studies and offer advice.

Washington, DC is papered with consultants' studies.

The tough job – the one we have mastered – is creating and sustaining change.

Over the past ten to fifteen years, much has been learned about what works in causing fundamental change in organizations.

Booz-Allen & Hamilton has embraced this knowledge which we are now using to drive the transformation of MPD.

Working side-by-side with teams of select officers and civilians revamping MPD's patrol and investigations is just one example of the tested methods we use to produce permanent, improved processes.

This method creates disciples who sow enthusiasm for productive new models.

The process of change can be painstaking and long term. But as we apply a variety of proven approaches, needed vital changes will take hold in MPD.

When we began our work last winter, we found a basic disconnect in the department between how resources were used and what the public expected from the MPD.

The department was absorbed in responding to calls for service, pursuing and arresting suspects after crimes occurred, writing reports and gathering data, and providing testimony in court. The MPD reacted to crime rather than confronting it.

Meanwhile, the city's residents and the business community wanted the department to anticipate, prevent, and combat crime -- to be actively deployed against crime.

Our first advice was for the department to adopt a new mission that reflected the needs of the District of Columbia and not the inertial course the MPD was on.

The mission the department embraced early this year has been the lodestar for all parties working to transform the department. I will read it:

The mission of the Metropolitan Police Department is to eliminate crime, fear of crime, and general disorder while establishing respect and trust within the community.

To help the department fulfill this mission, Booz-Allen & Hamilton embarked on several major projects that are designed to make permanent, structural changes in the MPD.

Development of the projects was prompted by what was discovered in our baseline review of the department.

One of the review's most important findings was that only about 16 percent of the department's sworn officers were available for uniformed patrol.

Patrol is the heart of policing. Unless a police agency's uniformed force is on the streets and in the neighborhoods in sufficient number, it cannot begin to gain the confidence of citizens and fight crime.

Our firm's first objective was to fix the MPD's patrol problem. As a temporary measure, 400 officers were assigned to supplement patrol in high-crime areas and crime rates began to drop.

But for long-term structural repair, we looked to a hand-picked team of 20 MPD captains, lieutenants, sergeants, officers, and civilians who worked with our staff in developing a new operating model for the department.

The team's model divides the city up into 83 Police Service Areas (PSA) staffed by an average 18 officers and led by a PSA sergeant. Each team includes street officers, detectives, and vice investigations.

The model's basics are that

- Each team is responsible for both preventing and responding to crime in its geographic area
- Each team is to nurture police-community efforts against crime and the fear of crime
- Each team uses an approach called problem-solving to target the chronic causes of crime: drugs, gangs, guns, and disorder

Since the new model was activated in July, the number of police officers on the streets has grown to about 1460 from 570.

As other parts of the department are streamlined, more officers likely will be available. Chief Larry D. Soulsby will speak to the success of the PSA model and the invigorated sergeants and officers who are leading efforts to achieve the MPD's new mission in Washington's neighborhoods.

We know from work in both the private and government sector that it is not enough to create a model and set it in motion.

Those who animate a model -- who seek to achieve its ends -- must be held accountable.

That is why we have created for the MPD a system of Police Service Area Performance Review which is being instituted.

The review is tied to efforts to determine how well each PSA is doing to achieve the department's mission and to provide feedback and direction.

The system reviews a PSA unit's efforts to build itself into a successful team and to establish and foster close ties with the communities.

Were the PSA sergeants and his or her colleagues successful in identifying and categorizing top community concerns? Did they do the same for top police concerns?

PSA teams are to be evaluated on how they identify the chronic crime- and disorder-causing problems in their areas.

How do they analyze a problem and what action do they plan to resolve it -- whether the problem is a neighborhood crack house or litter-filled alleys or street-corner prostitution? What outcomes do they anticipate from their problem-solving efforts?

The teams are also evaluated on resource utilization and the activities of each team's detectives and vice investigators and on the contributions of support personnel.

The PSA Performance Review system will permit supervisors along the line and through to headquarters to gauge how well each of the 83 PSAs are performing and what additional guidance and help they will need to achieve their goals.

Why spend so much effort on a system to evaluate tiny slices of the MPD's overall patrol effort?

Because it is at the PSA level that the efforts begun early this year to prevent crime, to dissipate fear of crime, and to address disorder will be won or lost.

But it is not just the efforts of frontline officers and their operations that are going to be subject to performance review.

Booz-Allen & Hamilton has developed what we call a Performance Focused Management System for the work of the entire MPD.

The department currently lacks an overall management system that establishes performance targets for the department and programs to manage overall performance.

The Performance Focused Management System has three components: team reviews, executive committee leadership, and an individual performance appraisal system.

I will not get into flow-chart details, but I note that even Chief Soulsby will get a report card.

The entire system is geared to how well MPD accomplishes its mission.

In the language of management consulting, the new review system provides a valuable measure of organizational performance across several dimensions including the following:

- alignment of mission to community needs
- alignment of resources to mission
- performance of individual operations elements
- performance of supporting activities
- performance of individual officers and civilians

The new system establishes organizational performance targets and a mechanism to measure and manage performance.

This approach translates into determining, for example, how well the police address basic community concerns:

- Are the streets safe?
- Do I feel threatened by quality of life offenses?
- Do the police care about my problems?

Those are what we call outcome measures. What about output measures? For example:

- Has my PSA officer introduced himself to me?

- Have I noticed an increased MPD presence?

And there are output measures on the department's side of the equation. For example:

- Are officers trained in the new District policing strategy?
- Is there increased community involvement in police initiated activities?
- Is there increased patrol time for officers?

The answer to this last question is especially important.

Our baseline review last spring found that only six percent of the average patrol officer's time was available for crime prevention and community-involvement activities. The relatively few officers on the street at that time spent most of their tours answering one emergency call for service after the other.

In sum, the Performance Focused Management System establishes a clear structure of accountability that links all of MPD's activities to the department's new mission.

I believe creation of the system to be one of our firm's most important contribution to the long-term success of the department.

We plan to monitor closely its implementation.

Our other efforts include creating new structures to make each of the seven district headquarters more efficient and supportive of operations.

Moreover, we have begun the process of finding ways to restructure Headquarters at 300 Indiana Avenue.

The purpose, of course, is to make Headquarters operations more productive and to free additional officers for patrol.

One of our firm's most important projects is to revamp and upgrade the department's infrastructure, including:

- the fleet system with its recurring problems with patrol cars

- the delays in procurement that undermine and sometimes prevent the most cost-efficient purchase of needed equipment

- the inadequate state of the MPD's technological capacity.

In information technology, to cite four examples:

When we began work with the MPD, the information systems were run from an unreliable 1981 mainframe which was no longer supported by hardware or software companies.

Unlike most urban police departments, MPD did not have mobile data computers in patrol cars.

The department had advanced crime mapping technology, but lacked the capacity to use it for such relatively sophisticated purposes as crime analysis.

Detectives lacked computers that were geared to use programs designed to aid investigations.

Booz-Allen & Hamilton now is in the process of creating an integrated information technology system for the MPD that will link new, advanced records management and computer-assisted dispatching systems to sophisticated mobile data computers in patrol cars and personal computers specially configured for investigators.

Designing, obtaining, installing, and sustaining a first-class, productive information technology system for the MPD is a long-term challenge but one we must meet if the department is to fully achieve its mission.

There have been instances in the past of technology plans and purchases that did not work out. This time, technology must be successfully placed in the service of the MPD.

Another important contribution of our firm is to help formulate a fair, workable citizen complaint process.

Cities and their police departments around the country grapple regularly with the challenge of creating a process to investigate and review citizens complaints of police misconduct and abuse that is fair to both citizens and police officers.

We believe we have developed an independent, outside review process that can achieve fairness for both sides.

Simply put, the process would use retired judges and mediators to review citizen complaints and recommend disciplinary action.

They would work within a special office created within the D.C. Superior Court.

Independent complaint examiners and investigators would investigate cases.

Less serious complaints would go to conciliation or mediation. Retired judges in senior status would review more serious allegations, convene hearings, obtain sworn statements, and send findings to the three-member disciplinary police tribunal.

The tribunal's decisions would be made public and could be appealed to the police chief. A committee of community members would review the actions periodically.

A final contribution is to upgrade the MPD's investigations process.

Part of that effort was to bring in an outside team of veteran homicide experts to examine the MPD's homicide division.

As has been reported, the team found several deficiencies -- no institutionalized process for homicide investigation, no clear audit trail, no selection criteria for picking homicide detectives, little if any expert training, no performance standards, and an absence of accountability.

Chief Soulsby has taken several steps to deal with the immediate problems in the homicide division.

In the longer term, we plan to submit the department's entire investigative structure to the same process we used to upgrade patrol.

With the help of our staff and outside consultants, a select team of MPD detectives will design an operating model for investigations just as the team of 20 sworn officers and civilians successfully developed the department's new Police Service Area operating model.

We believe this longer-term effort will markedly and permanently improve MPD's investigations.

To summarize, Booz-Allen & Hamilton is engaged in recasting the structures and converting processes in patrol and investigations, in the essential area of performance management and review, at Headquarters and in the seven district headquarters, in infrastructure and technology, and in citizen complaint review -- that will substantially transform the MPD and help it to fulfill the department's new mission.

Our firm is deeply grateful for this opportunity.

Thank you.

Mr. DAVIS. OK. Thank you very much. That's great testimony. I think it puts everything in perspective; where we've come over the last 9 months; where we're going. The subcommittee now has a few questions. I'm going to start with the vice chairman of the committee, the gentlelady from Maryland, Mrs. Morella.

Mrs. MORELLA. Thank you, Mr. Chairman. I am pleased to have both of you testify, and I think this is a very important hearing, as I said in the opening comments, to find out what has been happening, and particularly the ongoing monitoring and review that's being done. I think it's critically important that we have that kind of hands-on review and oversight.

Chief Soulsby, we all read the newspapers and the reports that we see on television, and really for the past several weeks there have been disturbing reports of excessive overtime in the department; reports of secrecy pledges; and as I mentioned in my opening comments, the unacceptably low closure rates for homicides.

I just wondered if you could touch on each of those three points, in terms of the policy, what the changes are, and the impact of the Booz-Allen report in those areas.

Chief SOULSBY. OK. After information from the team looking at the homicide branch made the changes as a result of their initial findings—in regards to overtime, specifically in that branch, as I said in my statement, about two-thirds of their time is spent outside, where they're in court; where they're summoned into court. Some with cases they're not assigned to. There's many other issues they're looking at.

Our professional responsibility unit—the internal affairs unit—is going back auditing all those records at this time.

We also have internal guidelines within the homicide branch that said that if you worked on overtime on a case, that you had to list the case that you were working on a slip that you turned in for overtime; and you also had to have a résumé, or whatever you did on that case in that jacket. And what we found many times is those things are not there. We have many people working overtime—no indication at all what they worked over on.

As we found in most things—it's a study found—what protocols and procedures that were in place were in fact not followed, no corrective actions were taken, no managerial reports, no anything, nothing to do. Many things—some other reports that they had—it should have been implemented; they did not implement it. It was a lack of supervision, a lack of management within the entire unit.

Mrs. MORELLA. Are you involving the Inspector General's office in helping, and the U.S. attorney's office? Are you getting their assistance in pulling together this scam?

Chief SOULSBY. Obviously we'll work on all these things. It's reported out as a scam, and I think that came out of a 2-second conversation, that was then later reported.

I don't think it's appropriate to call it a scam. What we're doing is we're auditing all the reports, and anything that we find are inappropriate, action will be taken, and we'll be working with the U.S. attorney's office and the other office as we move forward.

In regards to the so-called secrecy agreement, we have seen first hand in this city—in this country—what occurred in Atlanta, with the Richard Jewell situation with the Atlantic bombing, of 50 mil-

lion versions of what can occur goes out. We've also seen in one of the tragic murders we had in town here—the murders of the three people at Starbucks. Within the first 24 hours there were 15 different versions of what the people were investigating, what the motive was, what all different pieces and issues were.

We've had in place, in the department, in our general orders, a release of information to the news media since 1973, specific things that cannot be released and should not be discussed; information which may jeopardize the successful conclusion of an investigation; identity of a suspect prior—a whole list of very specific things; things that are not followed on routine basis.

The essence of what we were doing with this piece here, with this so-called secrecy agreement, is to say, if you're working in homicide, you're not to divulge information about the homicide case. If the media needs information, they can get information through the public information office, or through the commander or the lieutenant in the office. Every single person should not be talking about it.

The information about the case should not be discussed with just anybody. Now that's not to say they can't talk to other law enforcement people. That's not to say that they don't gather and collect information. But you just don't go out and throw intimate details to the wind about homicide cases.

Mrs. MORELLA. Did the Booz-Allen report assist in discerning whether or not your process was workable, appropriate?

Chief SOULSBY. In regards to?

Mrs. MORELLA. In regard to the secrecy pledges.

Chief SOULSBY. No. No, they did not.

Mrs. MORELLA. They were not involved in that. And then with regard to the closure rate for homicide, you've mentioned a lot of that in your testimony. Do you want to add anything more to that? It's important to follow through.

Chief SOULSBY. Well, what we also found is there's many missing or misfiled jackets—many cases. We've checked many files and found that a few days after the homicide, from that point on, virtually no work done in case jackets.

Mrs. MORELLA. Was that just sloppiness, carelessness, or what do you think?

Mr. DAVIS. Would the gentlelady yield for just a second?

Mrs. MORELLA. Yes, indeed.

Mr. DAVIS. Is the lack of automation part of the problem here too?

Chief SOULSBY. That might be part of the problem. But if you're not collecting information—if you don't get a copy of the autopsy report; if you don't pick up a copy of the evidence reports, you don't collect information; you don't write down what you're doing on the file—virtually nothing put in the case jacket.

Ms. NORTON. Will the gentleman yield——

Mr. DAVIS. It's Mrs. Morella's time.

Mrs. MORELLA. I'll yield to you, yes.

Ms. NORTON. But when you say that those things weren't done, and yet the overtime was extraordinary, what was the overtime being used for?

Chief SOULSBY. Again, part was in court, and part to work on cases. That's in essence why we made the change that we did in regards to leadership and supervision. The rules are not followed; lack of accountability across the board. Procedures that were in place, standards were not set.

If an employee is not doing what they're supposed to do, and his supervisor doesn't correct it, or the manager is two levels—the managers above that supervisor don't correct it, then it's time to make a change.

Mr. MATHER. Chief, there's one other dimension of this I might mention, and that is that the U.S. attorney's office could task individual MPD officers to carry out functions to help flesh out a case in an investigation, and the MPD themselves would have no knowledge of that being done. So somebody could, for example, work an 8-hour shift, and then go work another 8-hour shift or more, or work an 8-hour shift and not really be focused that much on that 8-hour shift, and then work another 8 hours, and that's how these big numbers that you've been reading about have accumulated.

So I think that, you never want to have two independent agencies tasking the same resource, and you don't know when somebody shows up for work that they've just been on an 8-hour shift doing something else; that just doesn't make any sense.

But I mean, this disconnect between the total abuse of homicide people, I think is an issue that's got to be resolved.

Chief SOULSBY. And one sidepoint of that. The overtime spent in court was to be 8 to 12 hours a day in many cases, is overtime spent on cases that are already closed. That's not closing new cases. That doesn't do anything to help your closure rate. All that overtime is spent on processing a closed case through the judicial system, after an arrest.

Mr. DAVIS. Thank you. Mrs. Morella.

Mrs. MORELLA. It shows also, something we have passed a law for the Federal sector, that we could really look to in terms of the District of Columbia, called the GPRA, the Government Performance and Results Act, where each agency has to establish what their mission is, how they're going to fulfill it, and in what way. And it almost ties into your need for more training that you mentioned also.

I just have one other point. Do you work with the orange hats? Let me just tell you, one night I went out with—I met them on the street. I went out with your police department; you've got some great people who are police officers. And we went out with a group called HIPS. You know HIPS, don't you? Helping Individual Prostitutes Survive. And we met with some of the orange hats too in the various communities.

Do you work—I know you mentioned 83 PSAS. Do you work with these civilian and citizen groups? Well? Is that something that needs more improving? What kind of reaction are you getting from these people who are trying to help in their own neighborhoods to preserve safety and avert crime?

Chief SOULSBY. I'll say it in two phases. We have worked well in the past, but well is not good enough. What we've done now is we've rebuilt this department through the new operating model

within the last 6 months; totally rebuilt it. And we're trying to straighten our act up from the inside.

We've got to correct, and have our employees do the right thing. Our supervisors supervise and managers manage. And a great big part of that then is, once we are capable of performing, then we must reach out to every single citizen, no matter orange hat or whatever, and work with them closely. But we do walk with orange hats; we do work with them a lot. But we need to do more.

Mrs. MORELLA. My time has expired. At another time I'd like to talk to you more about that other part, the HIPS group, and what's being done.

Thank you. Thank you, Mr. Chairman.

Mr. DAVIS. Thank you, Mrs. Morella. Now, I'll recognize the ranking member, Ms. Norton.

Ms. NORTON. Thank you, Mr. Chairman. Let me ask you a question, and let me tell you why I ask it.

The question is, what took you so long to discover the problems of the homicide division? The reason I ask it is because the public sees you in a total reform mode, not in a discover the problem mode.

This problem is so clear with the overtime, so completely off the charts, it's difficult to see how it could have been missed, so I want to know why it wasn't discovered at the same time that you discovered all the other problems. And I want to know if there are any other surprises out there like this.

Chief SOULSBY. First of all the numbers reported in the media the other day, where they said the homicide branch had used $6 million of overtime, which was one-third. That was incorrect. The Freedom of Information request that they received showed that there was gross moneys paid at $6 million. The overtime money was $2.5 or $2.4 million.

What we've done here as we said back when we started, is we went to the patrol first, because that's where you prevent crime, and then we're going through every single division of this department, reviewing and trying to eliminate—whatever it is, to put people on the street.

What we had here, is in the past year we heard that we needed more manpower. Within the last year we've added 20 detectives to the homicide branch. We talked about we needed vehicles; they got more vehicles. We had supervision, but when you get down to the bottom line, it was a matter of employees at the first level not doing some things they should be doing; supervisors, worked right above them, not correcting them or supervised them, also making as much or more overtime than they were; the first two levels of management over top of them also not doing any corrective—no adverse actions, no corrective actions.

So if you have three layers of supervision over employees who don't correct and don't tell you what's going on, it's very difficult to know everything in every area.

Ms. NORTON. Well, Chief, I think you're right, and I think you did the right thing by not just going to the officers, going to the management as well, because if you can't depend on your management, you're lost.

But you see those records—we were paying that money out. And I'd like to ask Mr. Mather this as well. We were paying these officers. Moreover, the chairman said something very important, that your arrests were up and your crime was down.

Now in this unit your overtime was up and your closures were down. I mean this one almost could not be avoided. And the reason I'd like to know about it, is because it shakes our confidence in the reform process. We say, oh, my God, there's another shoe that came down, and we thought all the shoes were on the ground and they were polishing them up.

I'm really asking if there is—and I understand your priorities. And you know that I think enough of what you've done to have wanted this to be the model of the entire city. But I can't understand how something this clear, clearly out of synch, gets discovered, not by Booz-Allen apparently, but by the the Washington Post, or whoever put it in the Freedom of Information request, and then tells us all about it in the newspapers.

Mr. MATHER. Actually I think—usually, it's the committee that discovered it. Let me just comment on that.

I think part of what's happened here is the process that you use to try to get your arms around an organization when you come in, and you don't know anything about it, except what you read in the paper, and you've got to take some kind of a logical order to it.

If you look at the way we approached the work, when we first showed up on the scene 9 months ago we wanted to get a feeling for the cradle that the department fit within. Now what was the outside environment that this department fit within, and was that an issue relative to budgeting and finance, and the power that the chief had, and so on. Because, if in fact there was a problem there, then when one got to recommendations you couldn't really implement them anyway.

So I mean, we were only 3 weeks into the effort, and I went before the Control Board and said, we really need to empower this chief. And then we got to the issue of the second team, and all that kind of stuff. So that was a progression.

The first thing you do in an effort like this is, you really want to know for real how the people are deployed; where is the cost, where are the people, what are they doing. And if you recall our first effort was that diagnostic which was the Baseline Report. It wasn't how well are they doing it, it was just what are they doing; and where are they physically, and how do they spend their time, and all that kind of thing.

Ms. NORTON. Well, did you do that in the homicide unit?

Mr. MATHER. No, we did not do it—we knew that there were a certain number of people in the homicide division, and we knew that there was an issue there, but we weren't trying to determine the effectiveness of the operation, as much as just figure out where they are and what they're doing. And I think if you recall those first press conferences—actually, I think I made this point at the first press conference, was that famous waterfall chart that said you started off with 100 percent of the people, and you get down to 16 percent by the time the people are making contact with the public. And that's what we wanted to have a feel for.

So when the Baseline Report was done our first conclusion was, where do we want to focus; what's the right place to focus. And it seemed clear to us that there was a huge number of people in buildings, whether they were supporting operations, whether they were detectives, what they were doing. I mean, they're either in district headquarters or they were in headquarters, in the field and out of the field.

And so our feeling was that the crime prevention agenda could be best served by first rolling out this PSA model, and that was an all consuming process. I mean, it took up the entire team, because you had the group of 20 out there. We were basically meeting all day with these people, and at night we would turn it around and have decks ready for them in the morning so that we could get the next wave.

That whole process was just all consuming. And as that process started to take—and I think it was important for us to do this because they had to get convinced; they had to be disciples that would go out there to each of the districts and saying, this is the right thing to do. And they had to be taking the word out there. It couldn't be just coming from the chief, or from us, or from the guys from the top. It had to be people that were buried in the organization that believed that this was the right thing to do.

And as that thing started to take, and it did, we then said OK, we've got infrastructure to deal with, which was going on in parallel to that process; we had the support operations; and we knew all along that we had an investigative problem. All we had to do is look at the closure rates. We looked at the numbers of people that were in the investigative operations. We knew we were going to get to it. And as soon as things started to move over here, we then shifted team resources over to homicide, brought in that team of seven, which we initiated—I don't know what the business is with the the Post; I think the the Post got wind of it after we brought the team in. Because I know we initiated that effort. We went down to the chief and asked him if we could do it, and we wanted to put that team in place to look at it.

They came back with a bunch of recommendations—really more observations than recommendations—and then the Booz-Allen team took those operations, and boiled it down to five or six systemic problems which I said earlier.

So I don't know if it was the right order that you would have used, but that's the way——

Ms. NORTON. Well, it was the right order. We obviously wanted to get a few cops out on the streets. You can see the problem.

Mr. Chairman, just let me get two figures on the record. Is crime down in all 83 police service areas? In other words, is this reduction in crime reflect every police service area?

Chief SOULSBY. We know that in fact crime is down in every single district, but I can't tell you right now whether it's in every area, but I can certainly tell you that by tomorrow.

Ms. NORTON. But it's in every district.

Chief SOULSBY. Every district crime is down, substantial.

Ms. NORTON. Thus far, what has been the cost of the Booz-Allen contract?

Mr. MATHER. I think we've spent $3 million so far, and that's what was done in Chicago. The Chicago effort took us $3 million with less scope than this, and our expectation is we'll spend probably another $2 million over the next year or so. And depending upon certain activities that the department might want to take on that were not originally visioned in the effort—for example, the IT activities. It's conceivable we might get involved with some of that because it's the most cost effective way to do it.

But I'd say that right now the plan calls for a total of about $5 million over the entire period.

Ms. NORTON. Thank you, Mr. Chairman.

Mr. DAVIS. It sounds like $3 million is less than was spent for overtime in the homicide division, from what I'm reading.

Chief SOULSBY. I only wish we had spent it 2 years ago.

Mr. DAVIS. I mean, you have given direction and focus. These men on the street who are putting their lives on the line everyday need that direction and scope. I think we're starting to see results, and this is well spent money as I have seen in this city in a long time.

Let me ask a couple questions. I refer to an article in the Washington Post on September 21st. "D.C. officials suspect police overtime scam." As I look at the numbers that are here in the paper, it looks like as the overtime goes up, the closure rate went down; that there were people getting over $100,000 a year in overtime.

Chief SOULSBY. Right.

Mr. DAVIS. And it was referred to, not directly by you. I think they quote Councilman Evans as saying you told him it was a scam.

Would you describe this as a scam, or is this just the inevitable result of the rules that weren't being enforced by management, and what are we doing to bring this in line with reality?

Chief SOULSBY. Quite frankly, I think it's a little bit of everything. And we're doing a complete and thorough audit of the whole process.

What happened is, prior to a hearing, I talked to him for about 30 seconds in regards to the fact that we've made a change in homicides, and we didn't have much time to talk, and he took a little bit of a conversation and went a long way with it.

But he is one of the MOU partners; been very helpful through the process, but what we do know is there is problems where people got overtime that they shouldn't have got it. We have managers who were making more than they were making, working on cases that they shouldn't; doing things they shouldn't have been doing.

Mr. DAVIS. Chief, do we even know for sure that this overtime was actually logged? We know their cards were turned in.

Chief SOULSBY. Again, as I said, rules were not followed. Since they didn't follow the rules—they didn't tell you what they were working on, and they didn't leave a record in the jacket, as they were required, of what it was. If you had six people working over on this case, and no one said what you did that day, I have no way of knowing whether in fact you were even there.

Mr. MATHER. You can see systemically that if you've got two different organizations, both tasking the same individual, and one pays them overtime, one pays them direct comp, that the system

is set up systemically for problems. And a lot of individuals would basically run to daylight in a situation like that, and say, look, there's money to be made here. And whether they would be prone to abuse—some would be prone to abuse, and some thinks they're doing the right thing.

But I mean systemically this is not a good situation. I mean you should not ever have that kind of a structure.

Chief SOULSBY. You had a choice of doing two jobs, one you get straight time, the other you get time and a half, which one would you choose, right?

Ms. NORTON. Would the gentleman yield a moment?

Mr. DAVIS. I'd be happy to.

Ms. NORTON. And if you got a choice from here—now that you've dealt with the front-line problems and most urgent problems, if you got a choice of going at something that's costing us this much out of taxpayers' pockets, and something that doesn't cost us this much, I hope you will choose the one that cost us this much. I mean, this is a lot of money that the District doesn't have.

Mr. MATHER. We're going at it.

And the worse is, these aren't the guys on the street that we're talking about in this case. This isn't time on the street, and the closure rate was going down, while the overtime was going up.

Chief SOULSBY. Again, the overtime they were using was on closed cases for the most part; cases that are already closed.

Mr. MATHER. This is a big time problem, and we're on it.

Mr. DAVIS. Gary, let me ask you——

Ms. NORTON. Well, I——

Mr. DAVIS. Sure, I'd be happy to.

Ms. NORTON. When he says close, does he mean solved?

Mr. DAVIS. Solved, yes.

Ms. NORTON. Well, why would anybody be working on solved?

Chief SOULSBY. As I said in my testimony, the end of my testimony, once you solve a case; you make an arrest, it goes to court, the U.S. attorney does not have investigators. In their 1998 budget they're asking for 42.

Since they don't have investigators, they CANS our homicide and other investigators over to their office, and they sit in there and check up on little details of the case. In other words, get it ready; be the assistant to get ready and go to trial.

So two-thirds of their time—of all their time—if you had regular duties and other, two-thirds of their time they spend over there, not being supervised, or totally supervised there——

Mr. DAVIS. That's time away from solving a case.

Chief SOULSBY. Absolutely.

Mr. DAVIS. We'll hear from the U.S. attorney.

Ms. NORTON. That ought to come right out of the U.S. attorney's budget, because the U.S. attorney would be a lot more careful in spending that money if it came out of its budget. And I want the U.S. attorney to hear this, because I'm going oppose your 42 investigators, if you don't start using those investigators out of your own budget, and stop taking it out of the police department where we will need them in our neighborhoods.

It's not the first time I've heard this. Let's charge them for it.

Mr. DAVIS. All right.

Chief SOULSBY. It would help me greatly if you would help them get that 42. I think it will save me literally thousands, possibly millions of dollars.

Mr. DAVIS. It's accountability for the moneys. The U.S. attorney's office agrees—we're dealing under a situation that was pre-existing. I don't think anybody disagrees we need to rectify it. But I appreciate you advancing this, moving this forward, and making the appropriate changes, that I hope we can follow through.

Ms. Norton asked how much we'd spend. How much are you saving the city for that $3 million? Obviously we've helped bring crime down, which is important.

Mr. MATHER. I think when we were asked that question—and you can answer it in different ways. I mean there's some cost effectiveness where you've chopped out functions and moved things around. But I mean, if you take a look at the fact that we redeployed a whole pile of officers up to that 1,460 number, and officers that if you'd not been redeployed, if you'd added them from the cop's program or something like that, I don't know what the compensation would be of that difference. Now when you've taken that many officers—900 officers, and deployed them in a different way as opposed to hiring more, that is a huge number right there.

If you look at the infrastructure numbers, you're probably looking at somewhere between $25 and $50 million in that alone.

Now the thing that we always get in trouble with on this is, is it a cost savings that you could remove from the budget, or is it a cost avoidance that says, we want to take those same resources and redeploy them in a different way. And to date what we've been doing is taking resources, and redeploy them in a different way, thereby saving money that you'd have to invest in that thing if you didn't do it that way. And if you want some very detailed analysis on that, we have it. I don't have it with me.

Mr. DAVIS. If you bring it in, we'd be happy to put it in the record.

Mr. MATHER. OK.

Mrs. MORELLA. If the gentleman would yield.

Mr. DAVIS. I'd be happy to yield.

Mrs. MORELLA. I just want to bring out this whole concept of the morale of the police force, in terms of how that equates in terms of it being a valuable asset.

Do you sense that, that they feel more involved? Can you give us any examples of the differences you've seen, if any?

Chief SOULSBY. For the most part the sergeants and officers in these PSAs have taken ownership, and they're enjoying it, and they're telling you—and we are with them. We have COMP–STAT meetings which are—crime meetings with them all over the place.

They're very pleased. They're coming in on their own time. They're calling back. They're giving people their phone numbers. It really is working well. The morale is up significantly. And we've got a long way to go yet, but the morale is up significantly this year compared to last.

Mrs. MORELLA. And you talked to them too, Mr. Mather?

Mr. MATHER. Well, I think what you're discovering in the corporate world is that, if you empower the grassroots people, they will step up to the challenge, and get motivated, and just get with

it. And I think Chip's spent a great deal of time with these people on the operating model development, and I think when they were turned loose on this problem, and got the chance to work the issue, it was a magical thing. I mean, this whole group—the change in them over a 3-week period, from sort of being quiet and reticent when they first showed up to—I mean if you'd seen some of these sessions they were something to behold. I mean these people were engaged, they were passionate, they were really trying—let's move out on this, let's get the thing done. I mean it was impressive.

Mr. STEWART. The other thing is, is that they've demonstrated a lot of enthusiasm for problem solving. They've always been behind the eight ball, always, and answering all of these calls. Now there are more people on each of these PSAs than ever before, so they have free time, and it's being directed and focused, not on just making arrests and giving citations, but on improving the quality of life, the appearance of the neighborhood, and going after the enablers of crime.

That's been a real morale boost in itself to give the officers a chance to deal with the enablers of crime, rather than the outputs.

Mr. DAVIS. Thank you. Let me ask all of you. Are there sufficient inter-jurisdictional agreements? Ms. Norton referred to some of the changes she put in the Balanced Budget Act, that I think have helped coordinate some of the Federal agencies in working with you.

What happens is that the city impacts the suburbs on all of these issues, clearly. It's a regional problem, and to the extent it becomes bad in the city, it spills over. And to the extent that we are capping these things, and solving it, and reducing crime in the city, it's going to have an effect region-wide.

So my question is, are there sufficient inter-jurisdictional agreements in place to facilitate the necessary coordination, communication, and cooperation, which are so critical to the MPD's mission?

Chief SOULSBY. I think the big global answer to that is no, but that's one of the things that we're going to be studying and looking at over the next couple months.

Mr. DAVIS. Because I think everybody in the region—I know I speak for our officers out in the Virginia suburbs, that we are all interested in helping solve this problem. It is a region problem. It affects all of us; people coming into town; people moving across boundaries, back and forth. We clearly have moved the ball down the field, to use a football analogy on this issue. We're still a long way from the goal line and where we want to be. But I think we have resources here that—whether it's helicopters, boats, and everything—that we can continue to coordinate, and help give you the technology and the assistance that your officers need out there.

I'm very impressed with the study—because this is just not another study that is gathering dust on a shelf. We're having the day to day implementation. It is going to take a while to change the culture, as I think Dr. Mather talked about earlier. We have to keep our expectations in mind with how quickly you can turn something like that around.

But when we see some of these decisive actions, when we see some of the scams, and some of the other problems that have been around for years that haven't been addressed, we feel a little more

confident in what is going on. And I, for one, want to just thank you for what you're doing. Let's keep it up. We want to give you the tools to do that.

I think we may have some questions by my colleagues before we let this panel go. Mrs. Morella, do you have any additional questions?

Mrs. MORELLA. Just one additional question. Again, back to the secrecy agreement, or whatever, I remember reading, as goes the Washington Post, the article that this information is not shared with other law enforcement agencies.

Could you explicate that? I mean, it seems to me that there is secrecy, and then there is secrecy, and there is the——

Chief SOULSBY. Well, obviously that's not the intent of that. The intent is to talk about intimate little details.

We deal with other agencies all the times. We have FBI agents who are assigned to the office, which they share our records; we talk. But what we don't want to talk about is exactly how the person—something occurred in a crime. Those are the types of things—is it a need to know, or is it just want to know. And I think a lot of the reporting from the media is because they see their sources.

As one Post reporter told me, "You've eliminated all my sources in the homicide branch, and one fell through." And the other thing in that article they said was, "The reason we like this—we don't like the secrecy agreement—is because we've always been able to get things beyond what public information tells us; we can intimate little details."

For instance, if you have a child murdered, like we had earlier this week, it's important that the investigators in the case know the details of what occurred. Only the investigators should know, along with the criminal, as we go through and try to find the criminal. It might be nice to know, it might be gossipy to know, but do you really need to know every intimate little detail of a crime scene in the media.

Now as far as working with other agencies, all this secrecy agreement says is what they're talking about here is go to the supervisor. If we need to share with FBI, tell the supervisor we've got to go share some information with the FBI in regards to this. If you need to give stuff back, it can be released. But we just don't want it open, going all over the place.

Mrs. MORELLA. So the procedure is an agency or department—let's say Montgomery County police department check in with a supervisor——

Chief SOULSBY. Right.

Mrs. MORELLA [continuing]. Of the D.C. police, and then the determination——

Chief SOULSBY. A homicide supervisor. I'm talking about a low level supervisor; I'm not talking about a major supervisor.

Mrs. MORELLA. Right. And then that supervisor has criteria, basically criteria?

Chief SOULSBY. They're still working out the outlines. Trust me. They will share, and they will deal the information. They're not trying to——

Mrs. MORELLA. Would any of the information be shared with Congress?

Chief SOULSBY. Yes.

Mrs. MORELLA. But it would be the same way.

Chief SOULSBY. It would be shared with Congress, obviously.

What we're talking about is just clamping down on just the loose talking of everything. And again, all this is, what was already in our orders for the most part, but they weren't enforced upon.

When you read 15 versions of what might have occurred at a crime scene, and then you go pick up the case jacket, and none of that's in the case jacket, it makes no sense.

Mrs. MORELLA. Is that OK with you, Dr. Mather and Mr. Stewart?

Mr. MATHER. I think that's correct.

Mrs. MORELLA. You think it's fine. Good. Thank you. Thank you, Mr. Chairman.

Mr. DAVIS. Thank you. Ms. Norton.

Ms. NORTON. Just one more question. Mr. Chairman, you will of course see us, you will see the Control Board, you will see citizens pushing you further, but I think we ought to say for the record, that what the police department did was a breath of fresh air in a city which had no evidence of change before and after or anyplace else. It was helping to drive people out of the city; that the manifest evidence of change simply wasn't there, and I'm sure there's all kinds of change going on.

But you focused on the right place. You focused on putting the officers out in the streets, because the moment you put them out there, people from all—the press went out and said, "Have you seen any, have you seen any?" And uniformly people say, yes, I see more, and your crime began to go down.

Your priorities are really on straight, even though you will hear criticism, and you will hear public officials like us pressing you. It's very professional what you've done; there's a lot more to be done. But people are working hard and producing some results that deserve to be told.

I agree with the chairman; this is money well spent. Because I am convinced from the lack of change in the District Government, that there is no internal capacity by the District Government to reform itself from top to bottom. If that were so then surely we would have seen something now.

It may be because of buyouts and early retirements. It may be, as I suspect, because in order to do the kind of wholesale reform we need you need some kind of outside understanding of the state-of-the-art, and that is why I will not complain about consultants being brought in.

I agree with the chairman. That $3 million is very well spent, when you consider the two-page story that the Washington Post ran, in the middle of the negotiations, I might add, for the rescue package; showing that, and documenting by dollar and cent that there were hundreds of millions of dollars being wasted in the D.C. government. Compare that to whatever we're going to spend on consultants.

If people get us some results, I think that, and that more than anything else, will have the effect of turning around some of this alarming flight.

My question though is, how do we know that the—and how do you know, since you must measure yourselves—how do we know that the progress we see—and I can only look at data and be convinced by data. You've got the data there.

How do I know that that progress results largely, or if all, from the implementation of your reform initiatives?

And second, what are your priorities now for the coming fiscal year, now that you have done your work with front line officers and the need to get people out on the street?

Mr. MATHER. Well, I mean, if you look at the charts that the chief has submitted over the course of the project, it's very convincing. When you notice that over a 10-year period you had a situation, and then you suddenly took this action, and it just instantaneously happened now.

That could be a fluke. I mean, I don't know if there's any way we can convincingly prove that it wasn't. But I mean if you look at where the crime reduction occurred, it occurred right where these actions took place.

Second, as the thing picked up there was a natural kind of a sprinkle effect that occurred throughout the city, where when you put an initiative like this, I mean people take notice, and they react to it.

So my sense is that, I'd extremely surprised—I mean if we had a very cold winter, you know one could start saying, well, you know, people don't like to commit crimes when it's uncomfortable for them to do it; but we didn't. I mean it wasn't that—so there was no other factor that I could see that would come into play.

Ms. NORTON. Are there any other contributing factors?

Mr. MATHER. I don't see any. I mean there could be, I suppose. But I mean, the cause and effect were just so obvious. When these actions were taken, the impact just happened, almost instantaneously, and it continues to.

And my feeling is that, there was a big job to be done here. When you start something like this you just don't realize what you're dealing with, and a lot of people told us it couldn't be done. I mean, it was just too complicated, too embedded, and this and that. And that was a little bit of a challenge in itself.

I think what's happening here—what you're seeing is—that the onion is slowly but surely being peeled back, and we're very fortunate to have a chief that's on this. I mean, I think the chief from day one has made the comment, "Don't worry about me in this. Don't worry about what happens to me. Let's get this department changed. Let's do the right thing. Let's keep this thing moving." And we have never had a reluctant client in this. I mean every time we've identified things, the chief has jumped right on it and made things happened proactively.

So I think what's going to happen, if you look at the next 6 months or 9 months, we'll get this homicide thing straightened out. We've move on to the investigative function. We'll get the infrastructure straightened out. There's the job of getting a new tech-

nology architecture to map against this new operating model, because the current technology doesn't map against it.

There's a whole bunch of stuff to do, and I think our job is to pick the right sequence, and just get these things in play, and react to what the chief would like to do, and so on, and it will happen. I think we've turned the corner.

Mr. STEWART. It is not quite done. I want to be sure that everybody doesn't declare victory, because we are not there. We have the right indicators.

One of the things that you asked about is, how do you know you're on the right track. Well, homicides are now being solved in the PSAs, in the districts, by investigators that have been deployed out in the field in the new model. They have a closure rate out there in some of those places, as high as 60 and 70 percent. That is a tremendous trend; that is extraordinarily good news. And they are moving ahead, and the enthusiasm is there. And there has been a lot of cynicism on this department, and in the media, and in the community, that nothing could be done, except they've just added more officers and more money.

We've been able to show that with a better strategy, with a management team in place, and with accountability, that you can make a difference, and a significant difference.

Ms. NORTON. Mr. Chairman, may I ask it for the record. The part of the tardiness in getting to management at all, Mr. Chairman, I think is because neither the Control Board nor the city laid out in advance what its goals were for a given period or a given fiscal year.

May I ask that Chief Soulsby, with the help perhaps of Booz-Allen, submit for the record what the goals of the department are for achievement during the fiscal year that begins October 1st.

Chief SOULSBY. We're in the process of developing that. We've already discussed it with MOU partners, and we're trying to come up with those things. But I'll certainly get them to you very shortly.

Mr. DAVIS. Thank you, we'll make it part of the record.

Let me just say that for our money here we're not just buying just a study or a report, but we're buying implementation. That's what makes this so much different from some of the things we've done in the past. The key indication here is that crime is down, and yet the number of arrests are up.

We have some tangible evidence that it's working. We're a long way from where we want to go and need to go, but we're going in the right direction. We just want to say, thank you. Keep it up. We'll have you back here periodically for reports, and when you need resources, we hope you won't hesitate to call, but thank you very much.

Mr. STEWART. Thank you, Mr. Chairman.

Mr. DAVIS. Now, I'd like to call our next panel to testify, which will consist of Chief Judge Eugene Hamilton of the District of Columbia Superior Court; and Ms. Mary Lou Leary, the acting U.S. attorney. We appreciate you all being here, and sitting through the previous testimony.

As you know it's the policy of the committee that all witnesses be sworn before they testify, and you can just stay seated and raise your right hand.

[Witnesses sworn.]

Mr. DAVIS. Thank you very much. I ask unanimous consent that any written statement you care to submit be made part of the permanent record. I think the Members have read it, so you can summarize it so we can get to the questions as quickly as possible.

I understand this will be the first time that Ms. Leary will be testifying before Congress, since assuming the role as acting U.S. attorney. We're happy to have you here today. I saw you on Fox this morning; I thought you did a very credible job, and thank you very much.

Ms. LEARY. Thank you, it's a pleasure to be here.

Mr. DAVIS. We'll let the judge go first.

STATEMENTS OF HON. EUGENE HAMILTON, CHIEF JUDGE, DISTRICT OF COLUMBIA SUPERIOR COURT; AND MARY LOU LEARY, ACTING U.S. ATTORNEY GENERAL

Judge HAMILTON. Thank you, Mr. Chairman. Chairman Davis and members of the subcommittee, thank you very much for the opportunity to present testimony this afternoon, regarding an evaluation of the progress that's been made in implementing the recommendations of the preliminary interim Booz-Allen study of the Metropolitan Police Department, which was released in March of this year.

Specifically, I have been asked to present my views on the effectiveness and impact of any changes apparent at the trial court level, and my views of the effectiveness of these changes in improving public safety.

By the end of 1996—to set the stage in this matter—crime and the perception of crime in the District of Columbia, from the trial court level, was at an alarmingly high rate, and the event that we're all familiar with that sent a bone chilling shockwave throughout the entire District of Columbia and the Washington area, was the assassination style murder on February 5, 1997, of Master Parole Officer, Brian T. Gibson, of the Metropolitan Police Department, as he was simply seated in a marked Metropolitan Police Department scout car at the intersection of Georgia and Missouri Avenues, in full police uniform.

The murder of this officer really drove a stake through the spirit and the will of the entire community of those who lived and worked in the District of Columbia, as well as the Metropolitan Police Department officers were virtually completely demoralized by this dastardly incident; and many persons who live and work in this city, and officers were just about ready to throw up their hands in complete resignation to the belief that the city was irrevocably lost to crime.

Fortunately, however, on December 10, 1996, the MOU partners—that is to say the Mayor, the chief of police, the chairman of the council, the chair of the council's Judiciary Committee; the chief judge of the Superior Court; U.S. attorney for the District of Columbia; the Corporation Counsel; and the D.C. Financial Responsibility and Management Assistance, had entered into a Memorandum of Understanding to ensure the safety of the District of Columbia, reduce crime, and the fear of crime, and improve the quality of life in public order throughout the District of Columbia.

Fortunately, the MOU partners had on December 31, 1996, retained Booz-Allen & Hamilton to review the Metropolitan Police Department, with a view toward making recommendations for a new model to operate which would greatly increase the efficiency and effectiveness of the Department. The review was accelerated, and Booz-Allen submitted its interim plan for reducing crime, fear of crime and disorder in the District of Columbia on February 26, 1997, 21 days after Officer Gibson was murdered.

Booz-Allen's research documented clearly and scientifically that the District of Columbia in the early part of 1997 was in the throws of a bad case of the broken window syndrome, as the syndrome is defined by George Kelling and Catherine Coles, in their work, "Fixing Broken Windows". This syndrome is marked by an ever-increasing state of lawlessness, where crime breeds on crime at an exponential rate, and if left untreated will consume an ever-increasing area.

The research showed that this process had indeed set in the District of Columbia, and that the city was indeed in a state of lawlessness, where daylight street robberies were virtually committed at will, and persons were not even safe on the streets when they traveled in groups in cars, and the worse such area was that of Takoma Park in the vicinity of the metro station, where some residents had been robbed on numerous times and assaulted with dangerous weapons, even when they were traveling in groups of three or more.

The research also showed that there were increasing amounts of the District that were becoming open air drug markets, open air beer gardens, and fertile areas for aggressive panhandling. In short, the research showed that numerous crimes, from minor quality of life crimes to robberies, had reduced large areas of the city to very dangerous and undesirable areas to live or work, or even just visit.

Booz-Allen reported that the primary cause of this state of affairs was a dysfunctional Metropolitan Police Department. The department was dysfunctional because the common structure had become weakened; the leadership of the department lacked the structured resources and the power to study the crime problem, and craft a plan to reverse the broken window syndrome as it then existed. The officers were depressed, demoralized, disrespectful of authority, and for the most part, were waiting simply for the best time to retire.

What caused this deplorable condition in the department? The chief of police just did not have the internal structure and the power to run the department. The chief of police needed to be empowered, to plan, procure, hire, fire, and promote, and make any action taken in this regard stick, and everyone needed to know and understand that in the department the buck started and stopped with the chief.

Indeed Booz-Allen's interim plans, stated at page 3—Booz-Allen has recommended that the MOU partners concentrate their reform efforts in three important areas; 1) empower the office of the chief of police and energize the entire MPD; 2) work with the MPD to implement immediately anti-crime measures that reflect best practices in leading edge crime-fighting strategies; 3) restructure the

MPD to emphasize modern management practices, integrity, accountability, and high performance. And that is exactly what the MOU partners did; they empowered the chief to run the department.

The department then implemented—developed and implemented its zero tolerance for crime initiative. Basically that deployed over 400 additional Metropolitan Police Department police officers to the streets of the District of Columbia, and the theory of the strategy is, that to reduce crime there must be enforcement with respect to all crime, from the least areas to the most areas, and that is exactly what began to occur.

As a direct result of that we begin to experience a tremendous increase in the numbers of cases that we were receiving in the courts immediately. We papered over 5,000 cases in the court in March, then almost—just under 5,000 in April, and about 4,500 in May. And all of these figures were a tremendous increase over the case loads that we had been dealing with before.

All of these figures are set out in my statement, Mr. Chairman, and I would refer you and the members of the committee to my statement.

The surprising thing that we found as a result of this zero tolerance policy, is that our figures for supervising probationers in the court began to make a dramatic climb, and starting with 7,800 people under probation, they rose quite rapidly to approximately 9,200 people. In other words, zero tolerance has incapacitated a large number of persons who would otherwise be committing serious violent crimes. These persons are under supervision by the court.

In closing, Booz-Allen & Hamilton has done an outstanding job in virtually redesigning the Metropolitan Police Department, which has enabled the department through a zero tolerance for crime initiative, and other management changes to greatly reduce crime and the fear of crime in the District of Columbia.

The MOU partners have enabled the entire restructuring process to be successfully, and the partners should continue in their present alliance for the foreseeable future, and be fully authorized. Moreover, all of the structural changes that have been made in the department should also be made permanent.

I don't want to give you the idea that the work of restructuring the Metropolitan Police Department is by any measure complete; it is not. You must remember that we started out with an almost completely dysfunctional department, including all of its branches.

Booz-Allen, in its process, is in the process of studying the homicide branch, and I am certain that the chief, with the assistance and advice of Booz-Allen and the MOU partners, will design and implement a state-of-the-art homicide branch that will greatly increase the effectiveness and efficiency of that branch, as well as other branches of the department. And the court stands ready to manage its judicial and administrative resources in such a way as to continue to participate as a criminal justice partner in any initiative that has as its goal the reduction of crime and improvement of the quality of life for the citizens of the District of Columbia.

Thank you, Mr. Chairman, for giving me this opportunity, and of course I stand ready to ask—any questions that——

[The prepared statement of Judge Hamilton follows:]

STATEMENT OF THE HONORABLE EUGENE N. HAMILTON
CHIEF JUDGE OF THE SUPERIOR COURT OF THE DISTRICT OF COLUMBIA
BEFORE THE HOUSE SUBCOMMITTEE ON
OVERSIGHT OF GOVERNMENT MANAGEMENT, DISTRICT OF COLUMBIA

SEPTEMBER 26, 1997

Chairman Davis and Members of the Subcommittee, thank you for the opportunity to present testimony regarding an evaluation of the progress made in implementing the recommendations of the preliminary interim Booz-Allen study of the Metropolitan Police Department, released in March of this year. Specifically, I have been asked to present my views on the effectiveness and impact of any changes apparent at the trial court level, and my views on the effectiveness of these changes in improving public safety.

By the end of 1996, crime and the perception of crime in the District of Columbia was at an alarmingly high rate. The event that just sent a bone chilling shock wave throughout not only the District of Columbia, but the entire Washington Area was the assassination style murder on February 5, 1997 of Master Patrol Officer Brian T. Gibson of the Metropolitan Police Department, as he was seated in a marked Metropolitan Police Department Scout Car at the intersection of Georgia and Missouri Avenues in full Metropolitan Police Department Uniform.

The murder of Officer Gibson drove a stake through the spirit and will of the entire community of those who live and work in the District of Columbia and the Metropolitan Police Department Officers were virtually completely demoralized. Many persons who live and work in the City and the Officers were just about ready to throw up their hands in complete resignation to the belief that the City was irrevocably lost to crime.

Fortunately, on December 10, 1996, the MOU Partners, The Mayor of the District of Columbia, the Chief of the Metropolitan Police Department, the Chairman of the Council of the District of Columbia and the Chair of the Council's Judiciary Committee, the Chief Judge of the Superior Court of the District of Columbia, the United States Attorney for the District of Columbia, the Corporation Counsel of the District of Columbia and the D.C. Financial Responsibility and Management Assistance Authority had entered into a Memorandum of Understanding to ensure the safety of the District, reduce crime and the fear of crime and improve the quality of life and public order throughout the District of Columbia.

Fortunately also, the MOU Partners had on December 31, 1996 retained Booz-Allen and Hamilton, Inc. to review the Metropolitan Police Department with a view toward making recommendations for a new model to operate which would greatly increase the efficiency and effectiveness of the Department. The review was accelerated and Booz-Allen submitted its *Interim Plan For Reducing Crime, Fear Of*

Crime And Disorder In The District Of Columbia on February 26, 1997, 21 days after Officer Gibson was murdered.

Booz-Allen's research documented clearly and scientifically that the District of Columbia in the early part of 1997 was in the throws of a bad case of the "Broken Windows" syndrome as that syndrome is defined by George L. Kelling and Catherine M. Coles in their work *Fixing Broken Windows* . This syndrome is marked by an ever-increasing state of lawlessness, where crime breeds on crime at an exponential rate and if left untreated will consume an ever-increasing area.

The research showed that an ever-increasing amount of the City was in a lawless state, where daylight street robberies were virtually committed at will and persons were not even safe on the streets when they traveled in groups or cars. The worst such area was Takoma Park in the area of the Metro Station.

The research showed there were an increasing amounts of the District that were becoming open air drug markets, open air beer gardens and fertile areas for aggressive panhandling. In short, the research showed that numerous crimes from minor quality of life crimes to robberies had reduced large areas of the City to very dangerous and undesirable areas to live or work or even just visit.

Booz-Allen reported that the primary cause of this state of affairs was a dysfunctional Metropolitan Police Department. The Department was dysfunctional because the command structure had become weakened, the leadership of the

Department lacked the structure, resources and the power to study the crime problem and craft a plan to reverse the "Broken Window" syndrome as it existed.

The Officers were depressed, demoralized, disrespectful of authority and for the most part were waiting for the best time to retire.

What caused this deplorable condition in the Department? The Chief of Police just did not have the internal structure and the power to run the Department. The Chief of Police needed to be empowered to plan, procure, hire, fire and promote and make any action taken in this regard stick and everyone needed to know and understand that in the Department, the buck started and stopped with the Chief.

Booz-Allen's Interim Plan stated at p. 3:

Booz-Allen has recommended that the MOU partners concentrate their reform efforts in three important areas:

> One: Empower the Office of the Chief of Police and energize the entire MPD.
>
> Two: Work with the MPD to implement immediately anti-crime measures that reflect best practices and leading edge crime fighting strategies.
>
> Three: Restructure the MPD to emphasize modern management practices, integrity, accountability, and high performance.

This is exactly what the MOU Partners did, they empowered the Chief to run the Department. The MOU Partners formed a protective shield around the Department to promote confidence in and support of the MPD and its leadership and then sought and obtained the structure, resources and internal authority to assume control of the Department. There was no clear cut authority for the MOU Partnership, but compelling necessity dictated that action be taken and every MOU Partner assumed the responsibility to take action. The Office of the Chief of Police as well as the entire MPD has been energized, but the MOU Partners should be fully authorized, for the continued health of the MPD depends on the continued work of such an entity.

To implement the second Recommendation of the Plan, on March 1st of this year, the Metropolitan Police Department initiated its "Zero Tolerance For Crime Initiative" and deployed over 400 additional metropolitan police department officers to the streets of the District of Columbia. The theory of the strategy is that to reduce crime there must be enforcement with respect to all crime from the least serious to the most serious.

Is this theory valid? Yes. Today, six months after the genesis of the increased deployment of officers, the court is in a position of analyzing and narrating the real, actual net effect that has occurred directly due to the implementation of the "Zero Tolerance For Crime Initiative."

It is easy to see that a direct result of a deployment in large numbers of officers to the streets of the District of Columbia, who had orders to closely scrutinize all suspicious activities that might be infractions of the law, would soon deliver the intended outcome–arrests. That was understood by all at the time. But let me explain that the natural progression that directly results from any arrest within the District's Criminal Justice System first begins by engaging the services of almost all of the participants in the Criminal Justice System, at appropriate intervals of time during the case, drawing each of them, in their own role to "touch" the case as each arrest enters the system and/or moves through the system.

At first, the Metropolitan Police Department's increased intervention did net an increase in arrests, as was the expectation. Next, arrests moved to one or more, and frequently all of the "other" players after the Metropolitan Police Department, as follows:

United States Attorney's Office

Corporation Counsel

Pretrial Services Agency

Criminal Justice Act Office (Public Defender Service)

Court's Judicial Officers

Court's Criminal Division

Court's Interpreter's Services

U.S. Marshals Service

D.C. Court of Appeals

Probation

Department of Corrections

These arrests, as an intervention to reduce crime, have had a far-reaching impact on the Criminal Justice system. This particular intervention initiated new, unanticipated arrests into the system at a concentrated, unprecedented flow, that set up a new "change" dynamic that was neither "typical" nor "statistically expected", and was without precedent. Not only did these new arrests begin to flow into the system in unprecedented numbers at the beginning of March, 1997, but the new arrests that begin life through an "intake" process at the Metropolitan Police Department, quickly become "intake" for all of the other supporting players throughout the Criminal Justice System--the courts, probation, and all the way through, in some cases ultimately to the Department of Corrections.

While this dynamic is occurring as a direct result of the deployment of additional officers, a parallel--and somewhat reverse dynamic also occurs. As the impact of the "Zero Tolerance For Crime Initiative" started to have its intended effect and the "message" got out that the citizens of the District of Columbia had "had enough" and new arrests for both felonies and misdemeanors, as well as the number of warrants that were executed peaked during March and April. Then from May to

date the number of arrests for felonies and the execution of warrants leveled off. At the same time, from May to the present, the number of arrests for misdemeanors remained high.

Then, a most unexpected statistic occurred–at least one which would have been subtle to any casual review of the 6-month post-intervention statistics. The court's Social Services Division's caseload as to both felonies and misdemeanors increased, as some of the arrestees early-on plead guilty and were placed under court supervision. Those arrestees that went to trial may have been allowed to participate in one of the numerous court-supervised diversionary, alternative programs, and others still within the case management systems are yet to be disposed as we speak today, but will continue to be followed throughout the upcoming months.

But this progression of handling the new arrests, whereas concentrated at the time of arrest and still concentrated at arraignment, soon takes on the form of "case load pending" in the various Divisions or Branches of the court and reside on court calendars that are assigned to adjudicate the matters. Therefore, the influx of cases initially at the arraignment court level, soon become distributed and spread out over many months, carried in the number of "pending cases", until all matters are heard and a final disposition is taken. Even upon final disposition, there are areas of the court that remain involved for other reasons, even after the case itself is "disposed" out of statistical caseload pending counts. For instance, if a Defendant is incarcerated,

or on probation, some types of court services, although less concentrated for that particular case, may from time to time be called upon to again play a role with that particular Defendant prior to his/her return to the community without some type of court supervision.

As I would like to point out from today's perspective, some six months after the first intervention on March 1, 1997, I am now in the unique position of being able to have followed most of the arrests that resulted directly from the "Zero Tolerance For Crime Initiative." I would like to report to the Chairman and members of this Subcommittee my findings, as follows:

At the end of 1995, there were 8,262 cases pending in the Superior Court's Criminal Division, and by the end of 1996, there were 9,367 cases pending in the Criminal Division. Comparing years 1995 and 1996, the court experienced a 13% increase in end-of-the-year inventory of criminal cases. Court statisticians account for "cases pending" at any statistical review or report, to which new filings are added, and naturally some of the total caseload is also disposed, reducing the pending. In the Criminal Division in 1995, there were 45,011 new cases filed and in 1996, there were 47,309 new cases filed. 1997 opened the year with a pending caseload of 8,919 cases, a 13% increase from pending at the close of 1995.

On March 1, 1997, the Metropolitan Police Department commenced its enhanced enforcement activity in the District of Columbia. On March 1, 1997, the

Court received 188 cases from arrests made for the most part on February 28, 1997. Then, on March 3, 1997, the Court received 252 cases from arrests made on March 1 and March 2, 1997. This trend of greatly increased arrests continued throughout the spring and summer of this year, and then tapered off. Specifically, in March and April the average daily arrests processed in the Court were 189 and 180, respectively.

The entire criminal justice system in the District of Columbia answered the call and pulled together to meet the concentrated influx of cases. **(See: Figure 1)**

In March, there were 5,009 new filings in the Criminal Division. This number is comprised of the following four major categories: Felony (987); U.S. Misdemeanor (1,947); D.C.-Traffic (1,787); and Special Proceedings (288). These 5,009 new filings, as compared in that one month (March) to averages of the two previous months (January, February) spiked from an expected average of 3,558 per month to March's 5,009. D.C.-Traffic also spiked in March to 1,787 from an expected average of 1,002. U.S. Misdemeanor spiked in March to 1,947 from an expected average of 1,457; and lastly, the more serious crimes, Felony, spiked to 987 from an expected average of 838.

As we expected, the new case filings, as a direct result of the Zero Tolerance Initiative, continued at higher than expected monthly averages, as experienced in January and February prior to the accelerated police presence. The total filings beginning with March, as compared to an "expected" total filing of 3,558, was the

5,009 in March, then 4,950 in April, then 4,390 in May and then really tapering off with 4,134 in June, 4,042 in July and 4,078 in August. This dynamic of the initial "spiking" and then the gradual tapering off was a direct indication of the effectiveness of the program. Those who were committing crimes, or were already being sought on warrants, were being picked up and brought into the Criminal Justice System, and for the most part were now under court supervision. **(See: Figure 2)**

Cases that grow out of the large number of arrests that have been made will, most likely, take months before they can be disposed of by a judgment of guilty or not guilty and during this time, these cases and the defendants must be managed by the Courts and other criminal justice agencies. In addition, after a judgment of guilty, these cases and defendants might continue to be "managed" for many years thereafter. Managing these cases and defendants requires that both judicial officers and court staff bring to the task a great deal of attention, care, technical knowledge and skills. Case management requires highly complicated legal, psychological, social and other principles. In short, the heightened arrests in many instances are just the start of a long, intensive and expensive process.

Most of the new arrestees are persons who are charged with quality of life offenses. A large proportion of these persons' criminal behavior is driven by their personal, social, mental health and substance addiction problems, which in many

cases are controllable with professional intervention, strict supervision by the court's staff and the imposition of graduated sanctions where necessary by judicial officers. These persons who come into the criminal justice system charged with quality of life crimes are perfectly capable of more serious and violent offenses, if left on the street long enough unsupervised.

The court's Social Services Division administers Probation Services for the District of Columbia. Not impacted initially at the beginning of the Zero Tolerance Initiative, Probation by this date, is now the "player" within the Criminal Justice System presently providing services to some of those first arrestees. As the numbers of arrestees dropped and tapered off from the first spiking–the second spiking was found to be in Adult and Juvenile Probation Services. Court statisticians account for those receiving probationary services within two major categories: Diagnostic and Supervision. In March and April, "Diagnostic" spiked as some of the new arrestee plead guilty and quickly moved into appropriate diversionary programs. In later months, those of May, June, July and August, the number of cases within Diagnostic remained at levels over 30 percent of what had been expected prior to the Zero Tolerance Initiative. A Probationer goes from Diagnostic during the Pretrial Phase to Supervision after sentencing until all terms of probation are successfully completed. Therefore, the "Supervision" caseload, beginning in April and to-date really spiked.

Beginning in March, and continuing to-date, monthly "Supervision" figures were 7,823, 8,243, 8,563, 8,877, 9,108 and 9,266. **(See: Figure 3)**

In other words, Zero Tolerance has incapacitated a large number of persons who would otherwise be committing serious and violent crimes. This is the anticipated preventative aspect of Zero Tolerance.

The most surprising preventative effect of Zero Tolerance has been that as a result of the increase in enforcement and increase in the number of adult probationers–the court experienced a reverse dynamic that fewer juveniles were being placed on probation. This suggests that due largely to adult probationary services, and effectiveness of their programs, many probationers have become more responsible parents who are learning to exercise their appropriate disciplinary, parental authority over their children and controlling their behavior. **(See: Figure 4)**

IN CLOSING, Booz-Allen & Hamilton, Inc. has done an outstanding job in virtually redesigning the Metropolitan Police Department which has enabled the Department through its "Zero Tolerance for Crime Initiative" and other management changes to greatly reduce crime and the fear of Crime in the District of Columbia. The MOU Partners have enabled the entire restructuring process to be successful and the Partners should continue in their present alliance for the foreseeable future and be fully authorized. Moreover, all of the structural changes that have been made in the Department should be made permanent.

I don't want you to get the idea that the work of restructuring the MPD is by any measure complete. It is not. Remember we started out with an almost completely dysfunctional Department, including all of its Branches. Booz-Allen is in the process of studying the Homicide Branch and I am certain that the Chief with the assistance and advise of Booz-Allen and the MOU Partners will design and implement a state of the art Homicide Branch that will greatly increase the effectiveness and efficiency of that Branch as well as the other Branches of the Department.

The Court stands ready to manage its judicial and administrative resources in such a way as to continue to participate as a Criminal Justice partner in any initiative that has as its goal the reduction of crime and the improvement of quality of life for the citizens of the District of Columbia.

Thank you for giving me this opportunity to testify on behalf of the Superior Court of the District of Columbia. I will be happy to answer any questions that you may have, or provide additional data, now or at any future date that meets with your convenience. Thank you.

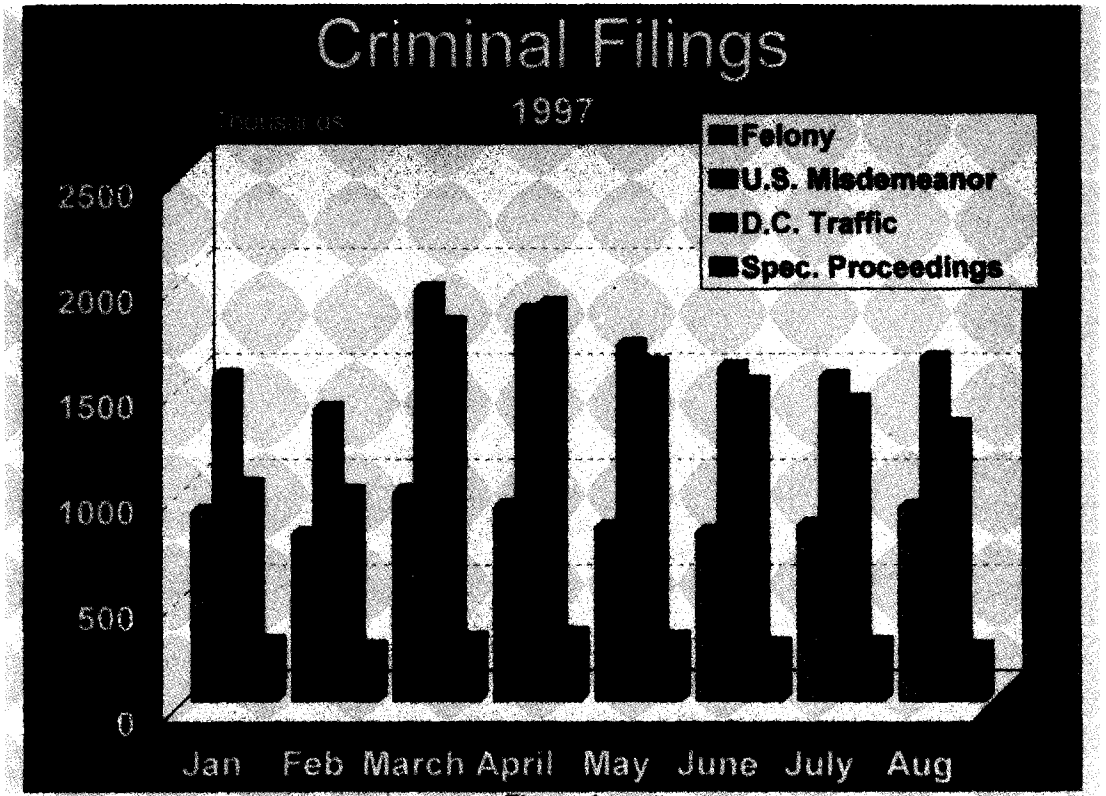

Criminal Filings
1997
Thousands
2500
2000
1500
1000
500
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Figure 1

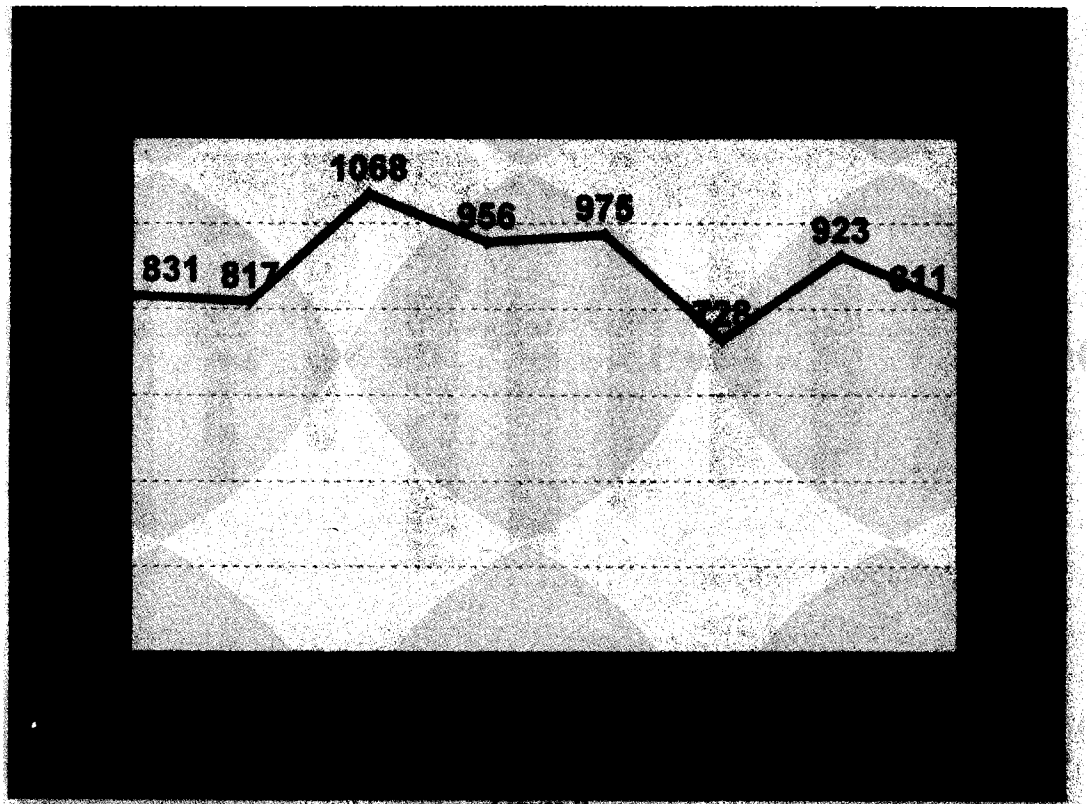

Figure 2

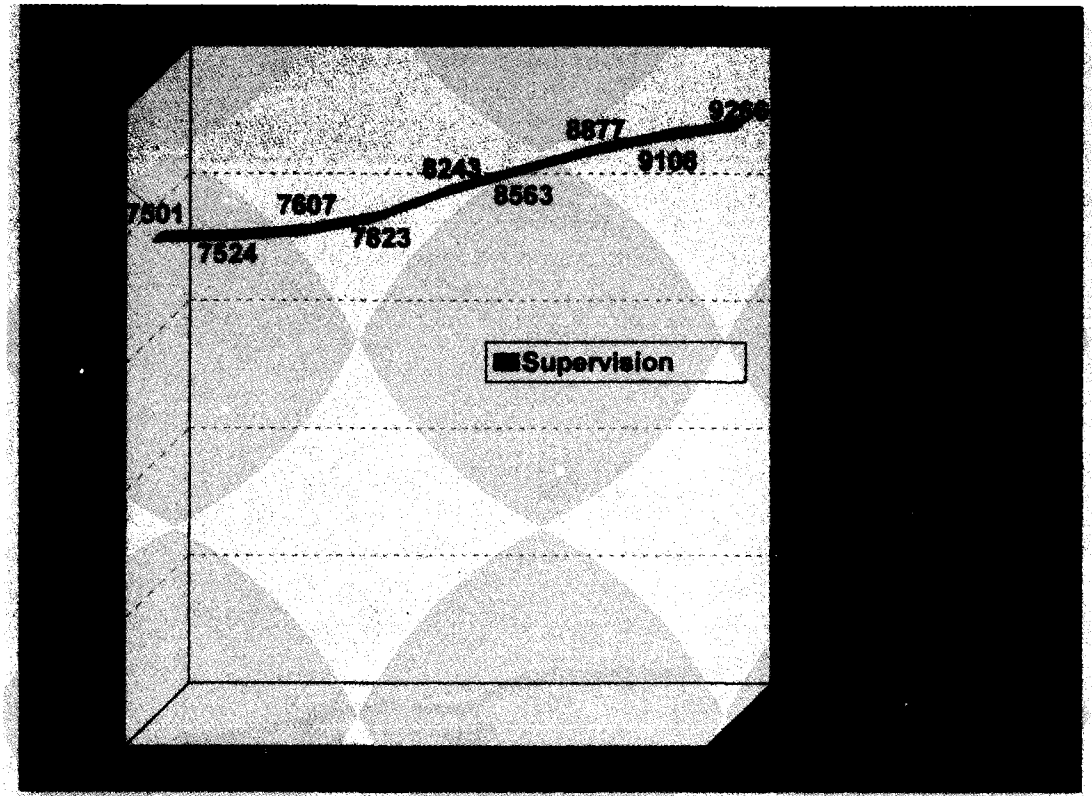

Figure 3

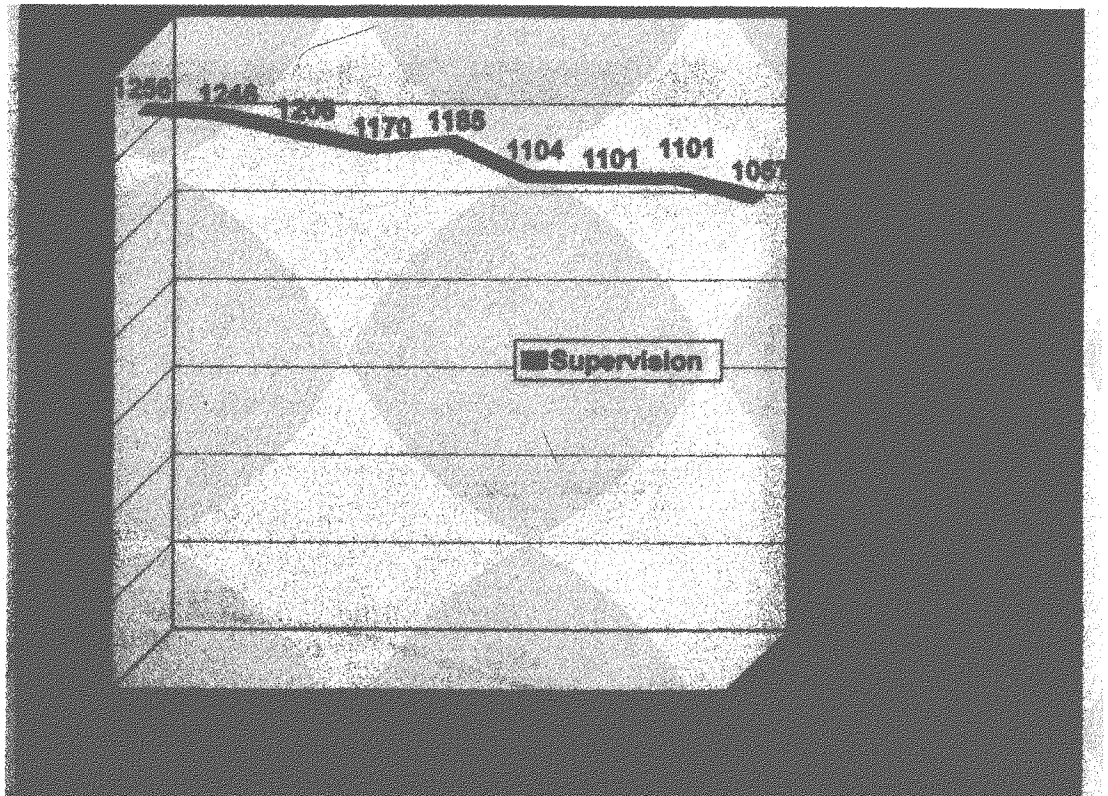

Figure 4

Mr. DAVIS. You have a swearing in at 4:30, it's my understanding, is that right?

Judge HAMILTON. That's right.

Mr. DAVIS. Well let me try to—Ms. Leary, with your permission, let me just try to move him off quickly, and then we can move to you.

I appreciate your statement. A couple things caught my eye. You note on page 13 that zero tolerance has incapacitated a large number of persons who'd otherwise be committing serious and violent crimes. That's the way it's suppose to work, and you are validating the observations we've seen in other cities, and we're told today by Booz-Allen & Hamilton and the chief that that is working.

Judge HAMILTON. Yes, sir.

Mr. DAVIS. But you go on to say—and I think I've never really thought about this—the most surprising preventive effect of zero tolerance has been, that as a result of the increase in enforcement, and increase in the number of adult probationers, the court experienced a reverse dynamic with fewer juveniles being placed on probation because their folks were learning parenting skills and becoming better parents, which when you talk about working the system stops crime at its root. Here you have law enforcement—stricter law enforcement really helping that dynamic, and that was something that we don't hear much about.

Judge HAMILTON. That's exactly right, Mr. Chairman. We have gone from approximately 1,200 juveniles on probation in January of this year, down to 1,057 in August of this year; and that is a direct result of the caretakers of these children exercising increased parental responsibility.

Mr. DAVIS. I just say that traditionally the arguments up here on the Hill are, you're either going to be preventive or you're going to be a strict requirement enforcer. Here we find that the strict enforcement really helps the prevention aspects by helping people become better parents.

I really appreciate you sharing your observation on that, because I think it helps bring some focus to the debate that these are not mutually exclusive objectives.

Judge HAMILTON. Exactly.

Mr. DAVIS. I don't know if any of my colleagues want to make any comments or questions at this time.

Mrs. MORELLA. Just hope that leadership team is working. I know that you're one of the partners——

Judge HAMILTON. Yes.

Mrs. MORELLA [continuing]. And I know you're streamlining the court procedures. Are you satisfied with the progress that's being made in all objective——

Judge HAMILTON. Yes, ma'am, everything seems to be going fine.

Mrs. MORELLA. Keep up the good work. We want to hear from you all again too, as we continue to do our oversight. Thank you.

Judge HAMILTON. Thank you.

Ms. NORTON. Just two brief questions, Judge Hamilton. I was surprised that you didn't say anything—and perhaps that's because there's no problem—about the effect of this front end work; more people being arrested, more work being done by the front line cops

on the courts. Does that mean that you can—there is room to absorb more in the way of new people coming before the courts?

Judge HAMILTON. No, it has increased our workload and our case load tremendously. I didn't say anything about it in my oral statement, but it's contained in my statement.

Our numbers have been up tremendously that we've been dealing with.

Ms. NORTON. I just caution, we all need to—before they get to the point where—you're not going to get anymore judges, so—you've got to do what other jurisdictions have done. But before we get there it's going to be important for us all to talk about what kind of action may we take to prevent the cloggings of the courts, so that we have a good result.

Let me ask you about sentencing commission. Unfortunately, we've gone to determining sentencing and abolishing parole, when there were ways, it seems to me to get at the same goal without that kind of drastic action.

Now there are more than one way to skin this cat though; that is to say the 85 percent of sentenced served.

One way is simply to give the judge no discretion—and to say this is the sentence you will apply. That's more like these insane Federal sentencing guidelines, that is putting a generation of black men behind bars for penny ante, though from our point of view, serious drugs problems, but certainly not the kind of drug problems that the kingpins have, and get less time for.

There's a second way of doing so as well, and that is to have determinate sentencing, but to leave it to the judge to decide what that number will be. Which do you believe is the preferable practice?

Judge HAMILTON. The latter.

Ms. NORTON. And why is that, sir?

Judge HAMILTON. Well, because it leaves with the judge the discretion to determine what the appropriate sentence is, knowing when you impose as sentence—as you point out—85 percent of that sentence will be served, which has to be faced upfront. And I think it really puts the entire responsibility where it should be, and that's with the sentencing judge.

Ms. NORTON. And you think we can do this—while not creating new disparities, which is the reason for the sentencing guidelines in the first place, for the disparities among judges.

Judge HAMILTON. Yes, I do, yes, ma'am.

Ms. NORTON. Thank you very much, Mr. Chairman.

Mr. DAVIS. Judge, well, hopefully you can get back.

Judge HAMILTON. Thank you very much.

Mr. DAVIS. Thank you very much. Ms. Leary, thank you for being so patient, and welcome.

Ms. LEARY. Well, thank you very much. It's a pleasure to be here, Mr. Chairman and members of the subcommittee. And I will simply summarize of the comments that I made in my written submission, because I know the hour is late, and we've heard from some of the MOU partners on some of the same issues.

I'd like to begin by emphasizing the same point that you heard from all of those who testified before you today, and that is that, it's clear that violent crime on the streets of the Capitol is down,

and we are all gratified by that particular result. We're safer in our homes, we're safer in our places of work than we were just a year ago. Homicide rate is down; all violent crime is down. And we hope and believe that along with that the fear of crime is dissipating, and that the Nation's Capital is becoming a more desirable, more comfortable place for people to live.

I really do believe that one of the most important factors in this progress that we've made has been the unprecedented level of cooperation that we've seen through the MOU partnership, and you've heard about the membership of that particular group, which includes the Control Board, the U.S. attorney's office, the court, Corporation Counsel, and others.

That group has come together; we meet very often, and we've really forged a very productive working relationship, looking at the problems of crime and the criminal justice system in the District of Columbia. And I would like to stress, the emphasis has been on looking at the Metropolitan Police Department through the Booz-Allen review, but I think—I believe that one of the other great benefits of the MOU partnership is that we are coming together for the first time to look at a system as a whole, and everyone of the MOU partners is doing what he or she can with his or her particular agency to improve the overall picture, and we all have a responsibility for that.

We are laying the foundation for a group that could continue to work, and for a cooperative spirit, for people to come together on these criminal justice issues over the course of the coming years. The U.S. attorney's office is very happy to be a part of that project.

I can tell you about some of the things that we have done as MOU partners, or some of the initiatives that we've undertaken that actually work hand in glove with the goals of the MOU partnership.

I think one of the most significant initiatives of the U.S. attorney's office in the last year, works absolutely hand in glove with the reorganization of MPD along these police service area lines, and that is our pilot project in the 5th District of the Metropolitan Police Department. And it's called Community Prosecution Pilot.

We've taken a team of 19 very experienced prosecutors, and we have devoted those prosecutors to the prosecution of crime in one particular geographic area, defined by MPD's 5D borders.

You've heard the phrase, geographic accountability, when Chief Soulsby testified. We are working along the exact same lines. Those prosecutors have forged new relationships in the community in the 5th District. They go to community meetings, they go to the schools, they meet with the police officers, they show up at roll call and provide specialized training for issues that they see arising in 5D.

We have two prosecutors who are dedicated to community work; they don't carry case loads. They screen and process the intake of cases just in that district, and they are based in 5D; not downtown in our office, but out in the neighborhood, where they meet with citizens, where they are available to the police to provide consultation where they work as coordinators with other D.C. government agencies, to address, not just the prosecution of violent crime, but the kinds of quality of life issues that I think we all have become

educated to agree are the kinds of things that lead to decay in the communities, and to lawlessness, and more serious crime.

One of the projects that our prosecutors have actually been very actively involved with along those lines is a nuisance property task force, to act as a catalyst to rid neighborhoods of abandoned cars, boarded up buildings, crack houses, and the like; those kinds of things that lead to violent crime and more serious problems in the neighborhood. As prosecutors, quite frankly, we would love to put ourselves out of business, through these kinds of efforts that would make the neighborhood safer and would reduce crime.

Every indication so far is that this approach has been extremely successful, and we expect that success to continue. We do have pending on the Hill right now, a budget request that would allow the office to expand that initiative city-wide, and we hope that when it gets to Congress the right result we'll obtain.

There are a lot of good things like that initiative to report, but we have to be candid and say, there's an awful lot of work ahead of us. You saw Chief Soulsby removal of the entire management team at the homicide section in recent weeks, and his expressions of concern about excessive use of overtime.

Those issues underscore this point; there's a lot of work ahead of us, and we are going to be working very very closely with MPD to help get that work done. I think one of the most important contributions that we can make is one that we've redoubled our efforts in, and that is in training of the police department.

Historically, we've provided a significant number of training programs for MPD, but during the course of the MOU partnership we have intensified those efforts. And in 1997, just in the first 9 months, we've already provided 11 specialized training institutes for MPD, each one a duration of several days. And in addition to that we have worked with MPD to coordinate Federal assistance from our partners at DEA, FBI, and ATF, on several specialized initiatives. We have worked just in the last few days to garner Federal assistance for MPD in dealing with this nightmare of a homicide issue which has come to the floor, and it's been in the press in the last few days.

We've modified our intake procedures to accommodate this huge influx of cases that are coming out of MPD's zero tolerance efforts. We have streamlined the procedures, whereby we can authorize the release of property that may have been held as evidence to free up MPD's storage areas. And we have worked with MPD to help them find other resources in the Federal Government, to help them in all of their law enforcement efforts. We expect to continue to do that. We will be a very very active MOU partner as we have been. And I expect that the entire community will benefit from the success of that effort, and certainly we know that the safety of this community depends on the success of that effort. So I thank you for your time.

[The prepared statement of Ms. Leary follows:]

Mr. Chairman and Members of the Subcommittee:

It is a pleasure to be here today to testify on behalf of the U.S. Attorney's Office for the District of Columbia and to have this opportunity to address the efforts we are making to improve public safety in the District of Columbia.

I would like to begin by emphasizing one key point: According to the latest police department statistics, violent crime on the streets of our Nation's Capital, though still much too high, is clearly decreasing. Today, we are safer in our homes and places of work than we were just one year ago. For example, the murder rate alone has dropped 24 percent. The Metropolitan Police Department (MPD), despite a number of serious, continuing challenges, is an organization that appears to be on the mend. We are making real progress.

I believe the most important factor which has resulted in this progress, and which will be critical in bringing about continued improvement, is the vital spirit of cooperation and commitment to change we have witnessed among the members of our local working group which has come to be called M.O.U. Partners. This group, which includes representatives of the D.C. Financial Responsibility and Management Assistance Authority, the City Executive and City Council, the Corporation Counsel, the Superior Court, the Police Department, and the U.S. Attorney's Office, meets every two weeks and has forged a solid and productive working relationship focused on reducing crime by improving law enforcement. We are all determined to do everything in our power to continue to make our Nation's Capital a much safer place. Even more importantly, we are laying a solid foundation of cooperation among all members of the criminal justice system so that in the future we will be able to continue to work together to address critical community needs.

In addition to a substantial reduction in the crime rate, much that is good has been happening. For example, a little more than a year ago, the U.S. Attorney's Office, in close coordination with the Police Department, embarked on a pilot project in the Fifth Police District called Community Prosecution. This project reflects the wave of the future of successful law enforcement across the entire country by uniting police, prosecutors and citizens in a cooperative effort to rid our communities of both crime and public nuisances which can make life dangerous, difficult and, at the very least, unpleasant.

We have created within our office an entirely new section of experienced Assistant U.S. Attorneys whose mission is to attack and prevent crime in the Fifth District. By becoming very familiar with the problems in each neighborhood and by working closely with the officers, community groups, and citizens who live and work there, these prosecutors are able to devise strategies to use the criminal justice system and related government regulatory agencies to rid the Fifth District neighborhoods of the many problems of troubled neighborhoods. This effort often involves focusing not only on violent crime but also on quality-of-life offenses which can make a neighborhood both feel and be unsafe. We have learned that these low-level offenses, previously thought to be "minor" and unimportant, are, in fact, harbingers of the kind of social decay that leads not only to dangerous, violent crimes but also to a substantial deterioration in the quality of life in affected neighborhoods, ultimately causing residents and businesses to leave the area, which, in turn, may lead to the decline of a neighborhood. When criminals see an area that appears lawless because of neglected, abandoned buildings and automobiles with trash, weeds and debris everywhere, they are often emboldened to commit crimes. Conversely,

when a neighborhood is well maintained and police are vigilant in arresting those committing offenses involving public disorder, before the problems get out of hand, all levels of criminal activity decrease.

By all accounts, our cooperative effort has been quite successful and is expected to complement the recent reorganization of the police department into Police Service Areas, thus bringing police and prosecutors together with residents to prevent crime and restore peace to troubled neighborhoods in every part of the city. It appears to us that the law enforcement strategy of attacking not only violent crime, but quality-of-life offenses, actually works. Neighborhoods not only look and feel safer; they are safer.

Because we believe strongly that we should expand our community prosecution effort citywide in conjunction with the police department's reorganization into a community policing structure, I should mention that the President's budget request for additional prosecutors and support staff, which would enable our office to implement this critically-needed approach on a citywide basis in every police district, is currently pending before Congress; and we are very hopeful that it will be fully funded. In addition, the President has requested that the Superior Court Division of the U.S. Attorney's Office be permitted to hire its own investigators to work closely with MPD homicide investigators to assist them in their work by assuming the responsibilities typically handled by investigators in local prosecutor's offices.

However, as much as we have accomplished by rolling up our sleeves and working together, a great deal remains to be done to make the Metropolitan Police Department as good as it should be. Chief Larry Soulsby's recent removal of the entire

management team of the department's homicide squad and his expressions of concern about allegations of excessive use of overtime by homicide investigators dramatically underscore this point. From technology to investigations, from evaluations to training, there is a long road ahead of us, but we are all fully committed to working together to do what needs to be done. For example, it is widely understood that training is a critical means of improving the performance of any organization, and the M.O.U. Partners have identified this as an important issue for MPD. The U.S. Attorney's Office is strongly committed to assisting the police department with training in everything from how to testify in court to how to investigate homicides. Over the past several years, our office has invested enormous energy and personnel resources in training police officers and we fully intend to continue to do so. Indeed, recently we have intensified our training efforts in order to assist MPD with its reorganization. We have attached an addendum to our written testimony which spells out in some detail the nature and extent of the training we are providing to the police department on a daily basis.

In conclusion, I want to thank this Subcommittee for inviting us to testify about public safety in the District of Columbia and for the strong support it has shown for our efforts. The cooperative spirit and hard work of all of the M.O.U. Partners have been critical to the successes we have attained thus far and I am certain will continue. The safety of our community will depend on it.

ATTACHMENT

The United States Attorney's Office is committed to improving the quality of law enforcement in the District of Columbia. To that end, our office has worked closely with the District of Columbia Metropolitan Police Department ("MPD") to provide training for MPD officers throughout their careers.

The first training that an MPD officer receives from the United States Attorney's Office ("USAO") occurs when he or she is a recruit at the Police Training Academy. The USAO regularly supplies Assistant United States Attorneys ("AUSAs") to lecture recruits at the Academy on Constitutional Law issues, including the law on arrest, search and seizure, Miranda, and other rights of the defendant. These Constitutional law classes are taught by AUSA's from our Appellate Division and are quite detailed and extensive.

The USAO also regularly provides lecturers to The Police Training Academy to address police recruits on the issue of an officer's obligations when he or she testifies in court. This training addresses problems that might arise during an officer's testimony, an officer's obligations to preserve his notes and reports under the Jencks Act, as well as matters related to an officer's demeanor and appearance in court. In addition to receiving lectures on the topic of testifying in court, recruits often receive practice and instruction in testifying in conjunction with the Attorney Basic Training Program that we provide to new AUSAs. Most recently, members of the current class of recruits participated in direct and cross examination exercises with our new attorneys on the 19th and 22nd of September 1997.

After an officer has graduated from the Academy, he or she may receive specialized training that is provided or sponsored by the USAO in a number of areas throughout his or her career. The specialized classes are conducted and sponsored by the USAO's Law Enforcement Coordinating Committee ("LECC"). These classes are varied and address a wide range of issues affecting law enforcement. A few of the training classes provided by the USAO are described more fully below.

Evidence Technician Training focuses on the collection and preservation of evidence at the crime scene, as well as the presentation of that evidence at trial. These classes provide lectures on techniques, as well as practical experience in photographing crime scenes and evidence and in lifting latent fingerprints. In addition to a basic course in evidence technician training, we have also provided a one-week recertification program for evidence technicians. The most recent Evidence Technician Training classes were offered in April, June and July of 1997. The re-certification program was recently offered from September 8 to September 12, 1997.

Homicide Investigators regularly receive training from the USAO. These classes focus on the investigation of homicides, processing the homicide crime scene and legal issues that are of particular interest to homicide investigators. Since 1990, we have offered at least twelve training programs specifically designed for homicide investigators.

At least two or three times a year, the USAO provides training for firearms examiners within the MPD Firearms Units. During this training, AUSAs act as prosecutors, defense counsel and judges during a moot court session. After the session, supervisors from the Firearms Unit and the participating AUSAs critique the future examiners and discuss issues relating to testifying in court. The USAO has also provided training for firearms instructors five times since 1993. This training is available to firearms instructors at MPD. The most recent firearms instructor training was held on September 8-19, 1997.

At least once and sometimes twice a month, AUSAs provide in-service training to MPD on testimonial issues, including testifying on direct and cross-examination and an officer's obligations under the Jencks Act.

Currently, AUSAs are participating in an on-going training program for officers who will be members of the 82 Police Service Areas (PSA). We are focusing on our commitment to the PSA concept as well as specific issues concerning community policing and prosecution.

The USAO has offered specialized courses for law enforcement in a number of areas. For example, in addition to specialized training for homicide investigators, we have provided specialized training to sex offense, domestic violence and youth division investigators. In 1995, sex offense investigators from MPD attended a two-week training program conducted by the USAO. Most recently, MPD officers attended a three-day seminar on physical child abuse and received specialized training on interviewing child victims from the USAO's Child Interview Specialist.

In addition to our current training programs, the USAO is developing additional programs for MPD; for example, a program on Constitutional law issues for police officer instructors at the Academy. We are also looking forward to participating in the creation and review of computer-training programs that are being developed by MPD. These programs will be available to officers to use on their own schedules and will address a wide array of law enforcement topics, including advice on how best to testify in court. In October of 1997, the USAO in conjunction with the United States Secret Service and Bell Atlantic NYNEX is planning a seminar on cellular telephone technology. This seminar will address both the prosecution of cases involving cellular telephone fraud, as well as the use of cellular technologies by law enforcement investigators.

In partnership with the Metropolitan Police Department, the United States Attorney's Office has provided training for MPD officers beginning with their days as recruits at the Police Training Academy through their service in specialized units within the police force. Whether it be on "the basics" of police investigations or the use of the newest technologies in solving crimes, the USAO remains committed to providing training for MPD officers.

Mr. DAVIS. Thank you very much. I appreciate your being here today. Is this your first time before a congressional committee?

Ms. LEARY. That's right, but I'm very happy to be here, because I think these are really important issues.

Mr. DAVIS. We appreciate all you're doing, and it sounds like you've been innovative and creative. I can't imagine what it's like in an urban setting to do prosecuting, and having the responsibility you do with the superior court as well as the Federal court. It probably makes it unique among U.S. attorneys offices.

Ms. LEARY. It's totally unique, but it makes it the best U.S. attorney's office in the country.

Mr. DAVIS. Well, we've heard some of the statistics today, and we've seen that—the rates are down; the arrests are up. But let me ask you, as you review cases and the people under you review cases each day, are we finding—are we more efficient; are we more professional; are we more productive, in terms of what we're seeing from officers today, or will this follow, do you think? In terms of the preparation for case as you work through it, is there any change at this point in that? And I don't know that you'd see that yet.

Ms. LEARY. I think that things are changing, and I would say that we still have a long way to go. And that's one of the reasons that we work so hard with MPD to provide training. For instance, we do mock testimony workshops, where they come in with our new recruits to the U.S. attorney's office, and we teach them all about the courtroom procedure, and we do exercises to train them in how to testify better; how to prepare their paperwork better; how to investigate cases.

So, we've seen some improvement. We have a long way to go. And clearly, some of the changes at MPD in supervision and in personnel, are going to require even more effort on our part. You have a lot of people coming into homicide for instance, who have no real experience; at least not the level of experience that you'd want them to have. So, we've got work to do. Things are getting better, but we still have a lot of work to do.

Mr. DAVIS. Do you see any change in attitude or morale, or anything at this point, or are you distant enough from that where you may not see that at the street level?

Ms. LEARY. Well, we see hundreds of officers everyday in our cases, and I think that the things—people are of course taking some time to get adjusted to these major changes, but I do think in the long run this is going to work out better. I think that good officers—and most of them are really good, hard-working, dedicated officers—want to be held accountable; they want to get to know their community; they want to be problem solvers, and that's the goal of this whole initiative.

Mr. DAVIS. Everybody wants to be on a winning team, and when you start reversing the process, and just turning it around a little bit, I think people feel they're a part of something exciting that's happening, and we need to continue to keep it going.

We want to continue to hear from your office, in terms of how things are going. We'll probably have you all back here in a few more months just to see how it is going, because you're an important part of that team that puts things together. You've got the of-

ficers on the street, you've got the backup folks, but you're right there in court, putting the cases together, deciding——

The judge talked about the zero tolerance and some of the petty crimes that used to not go forward, that are now going forward, and it looks like a lot of these are being pled out very early in the process. Instead of clogging up the courts——

Ms. LEARY. Well, a lot of them are being pled out, and that's a good result.

Our case loads—I'll tell you quite frankly—have increased quite a bit, as a result of this. But we feel that this is work that has to be done, and so we're going to do it.

Mr. DAVIS. From the case load that your average attorneys have there, as you start moving toward some of the zero tolerance of lower level crimes, and those numbers increase what is that doing to the workload, or are you getting enough pleas out of it that you can—you still absorb them within your current structure.

Ms. LEARY. Frankly, we're not getting enough pleas to absorb the whole of it. Case loads have increased significantly, and I think the court has also seen a big increase in their pending case load, which means you can't get these cases through the system.

Mr. DAVIS. You still have a wave coming.

Ms. LEARY. So we still have that wave coming. Basically we're just working harder.

Mr. DAVIS. Would you talk to me a little bit? I know Ms. Norton is going to ask you about these investigators that you have requested——

Ms. LEARY. Right.

Mr. DAVIS [continuing]. Getting more accountability into this system. Because, clearly, if you don't have to worry about paying for the investigators, and you can just request them from the police department, it makes it a very easy decision.

Ms. LEARY. Mr. Chairman, I think there's been—there's a misunderstanding of how the system works.

When the police make an arrest, they make an arrest based on a standard which is called probable cause. In order to convict someone—and I really do believe that the prosecutor and the police must work together for that result. The end result cannot be just making an arrest; an end result has got to be successful prosecution.

And so when they make an arrest based on probably cause, that's very very different from beyond a reasonable doubt, which is the standard that we must meet——

Mr. DAVIS. To get a conviction, sure.

Ms. LEARY [continuing]. In order to convict. It's a long road from probable cause to reasonable doubt. And when the police make an arrest, there is still a tremendous amount of investigative work that must be done in order to convict.

When prosecutors send what's called a CANS—which is a form of subpoena to the police department, requesting the presence of police officers, detectives, to work on a particular case—they're coming to meet with our prosecutors in order to do the following things; interview witnesses, get leads, investigate those leads, go out on the street and find the witnesses to this crime, testify before the grand jury, because in the District of Columbia we are required

to present every felony to a grand jury, and the police are the ones who must provide that testimony.

Mr. DAVIS. You don't have a preliminary hearing?

Ms. LEARY. We do have a preliminary hearing.

Mr. DAVIS. Do you have both?

Ms. LEARY. We have both. And so there's a tremendous amount of work that must be done by the police after an arrest is made, in order for us to successfully convict.

In the Federal system often times they're not working off an arrest. You've got an investigation going up front, and so all the investigative work is done before an individual's arrest. That's always true, but it's true in many Federal cases.

In the superior court division, on street crimes you have the opposite dynamic; you make the arrest, you've got to get this guy off the street. And then you have all this investigative work to do, or he's going to be right back out on the street again, because you won't be able to get him held at a detention hearing, and you won't be able to get him convicted when it comes time for a jury trial. And that is the goal of the work that we do with the police department.

Second, I would like to stress, that MPD controls overtime. There seems to be a perception that the U.S. attorney's office can order the police around, and decide how they're getting paid or when they're getting paid, and that is a total misperception.

We request of MPD that they send their officers to us, and when they're there they are very busy doing just the kind of work that I've described to you. And how they get paid is MPD's business.

We actually spent about 3 years——

Mr. DAVIS. And whether they go or not can be MPD's business.

Ms. LEARY. That's MPD's business.

We spent about 3 years, working with MPD, to help them develop a management tool, to control overtime, and to give them control over when their officers do the kind of work that I've described to you that has to be done.

In other words, they can send somebody over on his regular shift to do the work; we just need to get the work done. I don't care if you do it in the middle of the night, or first thing in the morning, as long as it gets done in time so that we can successfully prosecute this case.

That particular tool, which was an MOU, with respect to what we call the CANS system, or the notification system, is ready to go. Unfortunately MPD does not have the technology that's required for the automation that we need to make that system work, but they are working on it, and they expect to have it up and running they say probably around the first of the year. But that management tool—and that's a management issue. Hopefully it would be in their hands.

Mr. DAVIS. So the scam—I don't want to get you in the middle of the verbiage on this, but the scam is really one where management has the opportunity to oversee your requests, and they just didn't have those tools in place.

Ms. LEARY. They did not have those tools in place. And they also have their own systems, whereby they allow officers to sign "on the

book" to do work. We don't even have any knowledge of when people are doing that, so our hands are tied on that.

But I think it is—I have to stress that it's a partnership. It's the job of both the prosecutor and MPD, to ensure that we have successful convictions, not just arrests.

Mr. DAVIS. Thank you. Let me yield to my friend and colleague, Ms. Norton.

Ms. NORTON. Ms. Leary, let me thank you for your work, during the time when we're in transition, and for the smooth way in which you're clearly working with the police department.

Ms. LEARY. Thank you.

Ms. NORTON. Now, I want to caution you, that for a while there you were talking like the doctors talk about their work; what they need is—they got a patient, and they've got to do whatever it takes to make that patient well. As a result, increasingly they don't control whether they make that patient well, because the cost of health care ran away with the doctors, and they now have been left in the wake.

You just said you don't care whether it's the middle of the night or the first thing in the morning. Well, I tell you who does care whether it's the middle of the night or the first thing in the morning. And that's the taxpayers of the District of Columbia, because if it's in the middle of the night it might be overtime; for that matter if it's the first time in the morning it might be overtime too. It's according to when the officer was on duty.

And I must tell you, that I didn't get from Chief Soulsby's testimony that this was—his testimony clearly implied that this was the U.S. attorney, and the U.S. attorney needs these things, and that wasn't under his control. And you make it sound like, well, it really is their fault because they don't have the proper management in place. And what that says to me, that both of you are right to some degree, and that the offices on this matter simply do not coordinate what they do.

Ms. LEARY. And that's the importance of this tool that we worked—spent all that time working out with them, so that they could exercise management over that. And when I say I don't care if it's the middle of the night or the first thing in the morning, what I mean is, that's up to MPD to manage that time. We need to get the work done on the cases, but they can manage it so that it can be done on a regular time, and not on overtime.

Ms. NORTON. Yes, but one really wonders whether or not the U.S. attorney's office doesn't really call the shots here. I mean, you've got to go to court; you've got to get this thing done, and without some real discipline on both sides, it seems to me that the U.S. attorney's like the doctor, I'm sorry I need this because we need this to get well. The U.S. attorney says, I need this because I got this case going to court. If nobody—if on both sides people aren't sitting down and saying right.

Now, when do you go to court, and could this guy do it tomorrow morning? Do you have in place something that would allow that question to be asked?

Ms. LEARY. Exactly, Ms. Norton. We sat down and talked about this over a period of about 2½ or 3 years with MPD, recognizing that both agencies have a very serious responsibility with respect

to this particular issue, to keep costs down, to work efficiently, and to make sure that things get done in the best way possible for both agencies.

Ms. NORTON. Ms. Leary, what have you done to keep this cost down? Not you, I'm sorry. What has the U.S. attorney's office done to keep this cost—this cost of this overtime down? What measures have you taken? We know what they didn't do. What measures have you taken to keep the cost of this overtime down?

Ms. LEARY. We took the initiative to develop a Memorandum of Understanding with the police department, so that we would give them control over when the police officers come to do the work on the cases. We took the initiative and we were leaders in that effort over this lengthy period of time.

Second, we have certainly made strong efforts within the office to education AUSAs about problems associated with overtime. Supervisors in the individuals sections of the U.S. attorney's office have to sign off on many of the requests that go over to the police department for police officers to come and appear, under circumstances where for instance you need a police officer to come at the last minute because some kind of an emergency has arisen in the case. So we have developed our own accountability systems within our office.

Ms. NORTON. Well, all I can say is, this scam went on, and the use of detectives went up. It looks at the very least the testimony said two-thirds of the time it's gone to the U.S. attorney's office. He testified that they're working on closed cases. And while we have been clear with Chief Soulsby, the concern we have about that, it seems to me we have to equally be clear with the U.S. attorney.

Now I want to be clear with it because of 42 investigators. Now $10 million in overtime—I guess that was the last fiscal year; 42 investigators would be about—new investigators would be about $3 million.

Ms. LEARY. That's correct.

Ms. NORTON. So that means that we ought to be able to save—with the addition of 42 investigators, I would take it therefore that we would not have to have our cops pulled out and pulled into overtime, because you would have investigators of your own to do the work.

Ms. LEARY. Ms. Norton, I can't—having our own investigators would help the problem enormously. It will not eliminate the need for police officers to work on cases after they have made an arrest.

Ms. NORTON. So how are you going to use these investigators? I understand of course that the police officer has to come to—the police officer has made the arrest. The police officer has to come to court; the police officer has to testify. What I do not understand is that the police officer has to be the investigator on these cases from start to finish; that I do not understand. And I don't understand why I should support 42 new investigators unless you can tell me that some of those investigators will be used to relieve some of this overtime that comes almost exclusively on the taxpayers of the District of Columbia.

Ms. LEARY. Well that's exactly what they will do. They will be relieving some of this overtime——

Ms. NORTON. How much?

Ms. LEARY [continuing]. Overtime burden.

Ms. NORTON. How much? How are you going to use them? Will they be deployed so that—how much less—have you figured out how much less police time—remember this is on the street police time—will be necessary if you get 42 new investigators?

Ms. LEARY. Well, Ms. Norton, I can tell you that they will be able to help us locate witnesses. They will be able to help us review the evidence. They will help us prepare exhibits for trial. There are a number of tasks that we could do with our own in-house investigators that most D.A.s' offices have throughout the country.

Ms. NORTON. Most D.A. offices use police officers in this way as well?

Ms. LEARY. Most of them do use police officers to investigate, however, there are differences. The fact that we have to present all our felonies to a grand jury in the District of Columbia makes us unique. Most prosecutors' offices don't do that.

Ms. NORTON. Do you believe that's necessary?

Ms. LEARY. I believe that it's beneficial to the system.

Ms. NORTON. So you would not want to change that?

Ms. LEARY. No, no.

Ms. NORTON. But most offices don't do that, and yet we ought to do that. And we ought to pay for that, even though most D.A. offices don't do that. Why should we do that?

Ms. LEARY. I think that the grand jury process actually works to the benefit of the system as a whole, because cases do work out in the grand jury system, so that you either get pleas or dismissals, based on the information——

Ms. NORTON. So why doesn't anybody else do it?

Ms. LEARY. It's a constitutional requirement. We're not exempt from the requirement. In the District of Columbia we're not exempt from the requirement that felonies go to a grand jury.

Ms. NORTON. So we don't have any choice, you're telling me.

Ms. LEARY. That's right.

Ms. NORTON. I see.

Ms. LEARY. But I can assure you that those investigators will make a difference.

Ms. NORTON. Well, you know what, that's not good enough. I believe that in light of the overtime scandal—if it turns out to be that, and almost everyone—almost all the testimony here indicates that at least some scamming was involved here—that ought to be able to represent the taxpayers in the District of Columbia, that a substantial amount—and I think at the very least we're entitled to a ball park figure—of the overtime that has, by the way been a constant problem between the U.S attorney. We're not talking about something that arose through the discovery in the past few years; this is something that one has heard over and over again, about overtime and people going over to the U.S. attorney's office.

I think we deserve more than saying to the U.S. attorney, here is some new investigators for you. I think we deserve to know how much you think that will help relieve overtime by our own police officers, who would otherwise be assigned to crimes in the streets, and for whom we are paying, not straight time, but overtime—a city still in the throws of trying to pull itself up. And yours is not

one of the offices that has had to be cut; it's services out here that have had to be cut.

So I would like your office to submit to this committee, within the next week, before your—before the conference is over on your appropriation, how much you think 42 new investigators might be used to relieve some of the overtime pressure on the D.C. police department.

Ms. LEARY. We'll be happy to do that, Ms. Norton.

Ms. NORTON. Appreciate it.

[Note.—The information referred to can be found at the end of the hearing.]

Ms. NORTON. Thank you very much. I've concluded my questions.

Mr. HORN. I would just like to ask you a few questions about an area that maybe you have no involvement or legal authority with.

What role, if any, does the U.S. attorney's office have in collecting alimony when people have fled the jurisdiction of the District of Columbia? There are Federal laws, I believe. Could you tell us a little bit about your role in that area?

Ms. LEARY. We can prosecute people under the new Federal—it's what's called the Deadbeat Dad Statute.

Mr. HORN. Right.

Ms. LEARY. But it should be called the Dead Beat Parent Statute. And we have an assistant U.S. attorney, senior person in our office, who is designated to pursue that type of investigation and prosecution.

Mr. HORN. How many cases—Do you know how many cases were handled, and how do you judge, fiscal year or calendar year?

Ms. LEARY. This year we had one Federal prosecution under that particular statute.

Mr. HORN. Under that. How many cases have been referred to that U.S. attorney?

Ms. LEARY. I don't have that number off the top of my head, but I will tell you this. Because the system in the District of Columbia for tracking child support payments is not very—it's not functioning at a very high level; that's one of the biggest problems we've had. We're handicapped by a lack of referrals.

Mr. HORN. We're lacked at—where is the level that is missing outside your office?

Ms. LEARY. At the city level. The agency's——

Mr. HORN. Well, what part of the city are we talking about?

Ms. LEARY. I believe it's Department of Human Services. I'd have to check on that, but I believe that's correct.

Mr. HORN. Do they have to make a recommendation before the U.S. attorney acts?

Ms. LEARY. We have to get referrals, because they're the ones who know whether the child support payments are being made or not.

Mr. HORN. Well how about the individual knowing if they don't get the check? Can they walk into your office and get service?

Ms. LEARY. We have not had any such referrals.

Mr. HORN. Do the individuals in the District of Columbia even know that the Federal Government has a role in this now, and can be helpful to them? Have we tried to educate them?

Ms. LEARY. I think there's been—I mean, I've seen a lot of publicity about this particular statute, so I think the general public is aware of it. And we have been meeting with city agencies to try to educate them about it, and try to educate them about the kinds of things that they need to do in order to make—to get referrals over to our office.

Mr. HORN. Now is the senior U.S. attorney involved in this particular area, a male or a female?

Ms. LEARY. Female.

Mr. HORN. OK. Well, usually I find females do pretty good collecting, especially if they've been divorced and they didn't get any alimony, so I'm all for it.

Let me ask you on this. I'd like furnished for the record at this point, how many people walk through the door, how many references came from the appropriate department of the District of Columbia, and how many cases were prosecuted, and what's the result, if any, of that case being prosecuted?

Ms. LEARY. I can provide you with that information.

Mr. HORN. OK. Chairman, without objection, I'd like to have that material put in the record at this point.

Mr. DAVIS. Without objection, so ordered.

[Note.—The information referred to can be found at the end of the hearing.]

Mr. HORN. Now, I authored a loan collection bill 2 years ago, that has delighted many people that are trying to chase dead beat dads, and many people that just owe the State and/or the District of Columbia money, and have skedaddled. In other words, they could get a loan on housing, and they've taken the money and run.

It was part of the omnibus Appropriations bill; it's about 100 pages long. But the State officials, like the commissioner of revenue in Massachusetts, said I'd made his day, because he collect millions of dollars of alimony through that law, which one, means access to the Federal tapes to get the address of where that person is now employed, paying Social Security, whatever; and two, getting the lien on that checking account. And I just wondered if you're taking advantage of that Loan Improvement Act of 1996, or whenever it was.

But I'd like to know at this point in the record, is that law being used. It's being used by States all over the United States, and this is a unique jurisdiction, so in a sense, you're the commissioner of revenue when it comes to this case; unless the commissioner here is doing it.

Do we know if D.C. has an operation like a State does, where you've got a commissioner of revenue, and they worry about uncollected taxes, uncollected alimony; anything owed to the institutions of the State, and they get into alimony through the court system being a State court system.

Ms. LEARY. Well, I believe the District of Columbia has some mechanisms for dealing with that, but I'd be happy to provide you with some information, subsequent to the hearing.

Mr. HORN. OK. We'll put at this point in the record, Mr. Chairman, if you would.

Mr. DAVIS. No objection.

Mr. HORN. Now my last question is this. Do you have drug courts in the District of Columbia?

Ms. LEARY. Yes, we do.

Mr. HORN. How successful are they?

Ms. LEARY. They have been very successful over time. Although I will say that when mandatory minimum penalties for drug offense were eliminated in the District of Columbia, a number of participants in the drug court decreased. But the drug court program is continuing, and it is quite successful in the sense that people are getting the kind of treatment that they need, and when people get the appropriate treatment we do see some decrease in recidivism.

Mr. HORN. The reason I asked that question, I frankly hadn't heard of them, and yesterday I happened to vote for Ms. Waters', of California, amendment, and Dr. Colburn, who also had an amendment there. He's read a lot of the literature, and he noted that there have been great results from the drug court, especially in reducing recidivism.

Ms. LEARY. Right.

Mr. HORN. And of course given the jammed nature of our court, if you can get those cases out and dealt with by somebody that knows what they're doing, and some common sense, that might solve a lot of our problems.

Ms. LEARY. Well, I agree with you entirely. And these zero tolerance efforts on all fronts—drugs or quality of life offenses, whatever—are going to require creative approaches like that to deal with people, if you're going to prevent—unless you want the courts to get completely clogged.

Mr. HORN. Right. I thank you very much.

Ms. LEARY. Thank you.

Mr. DAVIS. Ms. Leary, thank you very much. We appreciate your being here. You have a couple of things you are going to submit to the record. But I want to thank you for being here.

Ms. LEARY. Well, it was a pleasure being here.

Mr. DAVIS. Your debut was very successful. I want to thank everybody. Without objection, the record will remain open for 10 days. Without objection, I ask that a written statement submitted by the Control Board, and any other written statements from businesses or members be made part of the permanent record.

The subcommittee will continue to work with all interested parties in an ongoing effort to continue the progress that has been made in implementing the Booz-Allen report of the Metropolitan Police Department. These proceedings are closed.

That's going to be made part of the record.

Mr. HORN. Stick it in the record.

Mr. DAVIS. That's a good point.

Mr. HORN. The case that the drug court has had, and how many did they process.

Mr. DAVIS. Without objection, that will be made part of the record as well.

These proceedings are closed.

[Whereupon, at 4:50 p.m., the subcommittee was adjourned subject to the call of the Chair.]

[Additional information submitted for the hearing record follows:]

U.S. Department of Justice

United States Attorney

District of Columbia

Judiciary Center
555 Fourth St. NW
Washington, D. C. 20001

OCT 7 1997

The Honorable Thomas M. Davis
Chairman, Subcommittee on the
District of Columbia
Committee on Government Reform & Oversight
U.S. House of Representatives
Washington, D.C. 20515

Dear Mr. Chairman:

I was very pleased to have the opportunity to testify before the House Government Oversight Subcommittee on the District of Columbia regarding improving public safety in the District of Columbia. Several questions were raised at the hearing to which I am happy to respond.

Questions from Congresswoman Eleanor Holmes Norton

Congresswoman Norton asked how the 43 investigators we have requested for the Superior Court Division of the U.S. Attorney's Office (USAO) will be used and how much in police overtime costs the investigators will save.

As we discussed in our FY 98 budget justification (pertinent portions attached), investigators are badly needed by the sections of our Superior Court Division which investigate and prosecute violent crime, particularly homicides. Most local prosecutors' offices employ investigators in a variety of ways to assist their local police departments. In the District of Columbia we would use them to assist the Metropolitan Police Department (MPD) by collecting evidence and preparing cases for trial. As recent events have made painfully clear, this kind of assistance is very much needed.

When an arrest is made in any case, but particularly in a homicide case, there remains a great deal of critical investigative follow-up to be done to raise the quantum of evidence from probable cause, required for the arrest, to beyond a reasonable doubt, required for trial. In today's typical homicide case, this usually involves extensive efforts to corroborate the testimony of witnesses with other evidence which must be painstakingly assembled.

Witnesses are often in great fear of their safety and must be protected from threats and intimidation. All of this is very labor intensive, and requires sophisticated teamwork.

How much MPD overtime cost might be saved simply cannot be estimated with any reliability. However, it may be helpful to conceptualize the potential cost savings by employing the following analysis: On the assumption that all of the work done by USAO investigators would replace work currently being accomplished by MPD homicide investigators on overtime, we can multiply the hours that would be worked by 43 USAO investigators (89,440) by the average hourly wage of homicide investigators on overtime ($34.00). Applying this calculation, a little over $3 million of MPD overtime money could theoretically be saved annually by the use of USAO investigators. This would yield the maximum overtime savings for MPD, which could, of course, be reduced substantially by MPD's use of sound management practices.

Some have suggested that a solution could be found by simply allocating a certain amount of money to the U.S. Attorney's Office to pay MPD's overtime costs. However, this would be completely unworkable because Assistant U.S. Attorneys would not be able to persuade MPD investigators to do any post-arrest investigation during their regular tours of duty, thus depleting any pool of overtime funds very quickly. In other words, the allocation of overtime work can only be done by an investigator's MPD supervisor who is aware of the workload the investigator is carrying and can make decisions about whether particular tasks should be accomplished during the investigator's regular tour of duty or on overtime. Since Assistant U.S. Attorneys do not supervise MPD investigators, nor control their overall workload, particularly with respect to open cases, this approach would not be feasible.

Unfortunately, there has been a substantial amount of misunderstanding about the level of supervisory control which Assistant U.S. Attorneys have over MPD investigators. They do not work for us in any sense of the term. They are employees of the District of Columbia. The relationship is one born of professional cooperation and commitment to getting the job done. Once an accused has been arrested and held in jail by the court, the government is under an enormous burden to move the investigation along as quickly as possible toward indictment and trial, or, in rare circumstances, to exoneration. We and the police have a strong moral and ethical obligation to prevent the case from languishing. However, while Assistant U.S. Attorneys must get the work done well and promptly, we have no control over, nor involvement in, establishing the duty or pay status of MPD investigators when they assist in investigations.

I want to make very clear that several years ago the U.S. Attorney's Office made great efforts to solve this problem. We were concerned that the process of investigating cases after arrest relied too heavily on the availability of money for overtime. We asked then Chief of Police Fred Thomas to work with us to create a system that would allow our prosecutors to

investigate cases by providing MPD management the opportunity to become involved in the process. The Memorandum of Understanding (copy attached) we entered into with MPD would allow MPD officials to assign the work requested by prosecutors and would encourage them to take responsibility for ensuring that the work was done properly, with as little reliance on overtime as possible. Unfortunately, because of delays in installing the necessary computer system (TACIS), that M.O.U. has yet to be implemented and the problem persists. However, through our M.O.U. Partners we are attempting to bring TACIS on line as quickly as possible, but estimates for completion are for early next year.

Questions from Congressman Steve Horn

Congressman Horn asked about our role in collecting child support, including the number of cases referred to our Office by the District of Columbia child support office, the number of people who have walked through our door seeking our assistance, the number of cases prosecuted and the results. He also asked whether we are using the Debt Collection Improvement Act of 1996 to do these cases.

Two cases have been referred to this Office for Federal prosecution by the District of Columbia Office of Paternity and Child Support Enforcement (OPCSE), one in March and another in April, 1996. Both matters were declined, one because of an invalid child support order and the other because the non-custodial parent did not have the ability to pay the obligation.

Our "walk-ins" to date number two. Both were referrals from private counsel. The first was successfully prosecuted in Federal court in July 1997 resulting in a conviction and payment of restitution in the amount of $21,000. The second was just recently referred and is being reviewed by our Office.

The District of Columbia Office of Paternity and Child Support Enforcement has been closely scrutinized recently due to concerns about mismanagement and an overwhelming caseload, currently estimated at 93,000. Privatization of OPCSE is under consideration. In recognition of these problems, the U.S. Attorney's Office has adopted a proactive approach to generate Federal referrals. In a series of meetings this summer with the Family Services Division of the D.C. Office of Corporation Counsel, and the United States Department of Health and Human Services Inspector General's Office, a Memorandum of Understanding was developed. The Office of Corporation Counsel, which is charged with enforcing child support orders in the District of Columbia, will screen its pending cases, prepare referral packages with the investigative aid of H.H.S. Inspector General agents, then forward appropriate cases to this Office for Federal prosecution. Cases meeting our intake criteria will be investigated and prepared for filing and trial, again with the assistance of H.H.S. Inspector General agents. The Office of Corporation Counsel has agreed to provide

additional attorneys as Special Assistant U. S. Attorneys to try these cases. We anticipate that we will be able to identify subjects with delinquent obligations in excess of $5,000, then prioritize and screen the list for parents who are appropriate subjects for Federal prosecution.

Our Office has not yet had occasion to make use of the Debt Collection Improvement Act of 1996 in cases brought under the Child Support Recovery Act; however, we have made effective use of debt collection provisions dealing with administrative offset for other types of debt. We fully expect that continued use of the Act will enhance our ability to recover certain debts owed to the United States.

Congressman Horn also asked the number of cases our drug court has handled. Since its inception in 1994 , the Superior Court Drug Court, under the leadership of Chief Judge Eugene Hamilton, has placed 1038 defendants in the drug intervention program.

If you or members of the Subcommittee have any further questions, I will, of course, be happy to answer them.

Sincerely,

Mary Lou Leary

MARY LOU LEARY
United States Attorney

Enclosures

cc: The Honorable Eleanor Holmes Norton,
Ranking Minority Member

MEMORANDUM OF UNDERSTANDING ON THE PRINCIPLES AND RULES OF THE OFFICER COURT APPEARANCE SYSTEM

I. PURPOSE

The United States Attorney for the District of Columbia and the Chief of the Metropolitan Police Department of the District of Columbia, as signatories for the agencies which are parties to this Memorandum of Understanding, are committed to the identification and prosecution of all persons who commit crimes in the District of Columbia.

We recognize the current financial difficulties facing the District of Columbia and the need to make the investigation and prosecution of crime as thorough, fair and efficient as possible, as well as to minimize police overtime costs.

Recognizing our shared commitment to these goals, we hereby agree to the Principles and Rules outlined below to be followed for reducing the number of officers necessary to prosecute a given case and for expeditiously and efficiently notifying and supervising those officers who are necessary for further investigative work and court appearances.

II. GUIDING PRINCIPLES

It is the policy of the U. S. Attorney's Office (USAO) and the Metropolitan Police Department (MPD) that prosecutors and police officials must work together, using the command structure of the Metropolitan Police Department, to ensure that all necessary case preparation, including testimony before the grand jury and in court, is accomplished professionally, promptly and efficiently in all cases.

It is the policy of the USAO and MPD that a case will not be considered closed until the prosecution is completed and post-conviction matters have been resolved.

It is the policy of the USAO that police officers will be asked to complete the investigation and assist in the prosecution of cases only while they are in an on-duty status, except as specifically provided in this Memorandum. Police officers will not be summoned to the USAO to perform routine investigative work which should be done on their assigned tour of duty. Because a prosecutor's signature on a MPD 140 constitutes formal authorization for the payment of compensation to the officer for

work done for that prosecutor on a particular case or investigation, off-duty officers will be required to appear only as specifically provided in this Memorandum, or with the prior approval of the Director of the Court Liaison Division.

It is the policy of the USAO and the MPD to make the Computer Assisted Notification System (CANS) work as effectively and efficiently as possible. All Appearance CANS notifications, filed in accordance with this Memorandum, shall be treated by the MPD as if they were subpoenas.

It is the policy of the USAO and the MPD that any employee of either organization who fails to carry out his or her required duties in sending or responding to an Appearance or Investigative CANS notice or who abuses the overtime system will be subject to appropriate discipline.

To forecast better the need for officers to appear in court, to ensure that there will be adequate staffing on all tours of duty, and to facilitate the communication between agencies necessary for the successful prosecution of cases, the CANS system has been devised to include two types of notification:

1. An Appearance CANS which is to be used only to summon an officer for an actual appearance in any court proceeding, grand jury or witness conference.

2. An Investigative CANS which is to be used to notify MPD personnel of administrative or investigative case-related functions which must be performed for the successful prosecution of the cases in question. See Section III.D. on pages 10-11 for specific functions which are subject to the Investigative CANS process.

III. OPERATIONAL POLICIES AND PROCEDURES FOR THE UNITED STATES ATTORNEY'S OFFICE

A. Use of the Appearance CANS

1. General Procedures

a. Assistant U.S. Attorneys (AUSAs) may summon officers to appear only for a time when they reasonably expect to be available to speak with them or to present their testimony. Except as set forth in Section III.B.2 on page 5-6, there is no set time for which officers must be summoned.

supervisor's approval. The circumstances under which such a request would ordinarily be approved include the following:

(a) in the days immediately following the defendant's arrest, the officers are essential for grand jury witness conferences;

(b) a witness has been located on short notice;

(c) a prosecutor's schedule has changed due to circumstances such as a trial date continuance or a guilty plea;

(d) the officer is needed for preparation of motions hearing testimony; or,

(e) the officer is needed to complete a witness conference terminated because of unforeseen events such as the unavailability of a grand jury or the witness' assertion of a privilege; or

5. the appearance requested by the emergency CANS notice is the result of the officer's failure to appear on a date for which a timely CANS notice was submitted to MPD, a copy of which should be attached. Under these circumstances, if the prosecutor wishes to file an emergency CANS notice, he or she must do so within 10 days of the officer's initial failure to appear.

D. Use Of Investigative CANS

If a prosecutor needs to obtain documents of any kind (including notes of police officers), to have subpoenas served or a telephone call returned, or to have any other investigative work performed, the prosecutor must use an Investigative CANS form to notify the officer and the officer's supervisory officials. All officers performing investigative functions 1 through 15 below must be notified by an Investigative CANS. Only Primary and Secondary Case Officers may be notified by means of

an Appearance CANS to perform investigative function number 16 listed below. Should the USAO employ USAO investigators, those investigators shall be utilized to the maximum extent to perform investigative functions listed below.

Investigative functions which are subject to the Investigative CANS include for example:

1. Serving subpoenas;

2. Transporting witnesses to or from court;

3. Contacting witnesses for informational or investigative purposes;

4. Picking up and delivering photos or other evidentiary materials to the prosecutor's office;

5. Performing additional investigative work on a case at the request of the prosecutor;

6. Obtaining handwriting or voice exemplars from a suspect or a defendant;

7. Transcribing tapes or comparing tapes to a voice exemplar;

8. Having a weapon test-fired;

9. Obtaining a property release from the prosecutor;

10. Executing blood orders and delivering serological evidence to the Mobile Crime Lab and the FBI for analysis;

11. Transporting or accompanying the prosecutor to a crime scene for pre-trial preparation;

12. Obtaining booking orders or processing a prisoner at CCB as a result of a booking order by the court;

13. Pre-arrest consultation and/or hearings with prosecutors;

14. Obtaining or returning arrest warrants or custody orders;

15. Obtaining or returning search warrants;

16. Participating with the prosecutor in conferences with other witnesses conducted at the grand jury, trial or hearing preparation stage which are investigatory in nature.

Questions arising from the use of the Investigative CANS should be directed to the Director of the Court Liaison Division.

E. Resolving Questions And Problems

Should MPD have any questions concerning a CANS notice issued by an AUSA, MPD will timely notify the AUSA's supervisor. The AUSA's supervisor will investigate and report on the reasons for the CANS notice to MPD. If the CANS procedures were violated, the AUSA's supervisor will take the necessary steps to ensure compliance, and take appropriate disciplinary action, if warranted. USAO supervisors should have frequent discussions with MPD supervisory officials concerning the compliance by AUSAs and by MPD members with the procedures set out in this Agreement.

Should the USAO have any questions concerning a CANS notice, a representative of the USAO will contact MPD in a timely manner. MPD will investigate and report back to the USAO.

IV. OPERATIONAL POLICIES AND PROCEDURES FOR THE METROPOLITAN POLICE DEPARTMENT

A. Operational Requirements Of The CANS System

The MPD will take all necessary actions to prevent any failures of the CANS notification system. MPD will continue to improve its current automated system to serve CANS notices, including the following steps:

1. Promptly serve all unserved appearance CANS notices that are delivered to the Court Liaison Division including the implementation of procedures to serve officers when they check out of the Court Liaison Division Office with any unserved CANS notices;

2. Promptly and accurately input and review data regarding new CANS notices into the CANS system;

3. Promptly deliver all CANS notices to listed officers each of whom will be required to acknowledge receipt;

4. Promptly communicate through TACIS the service of a CANS notice to the Court Liaison Division and the AUSA who sent the CANS notice;

5. Promptly deliver investigative CANS Notices to the listed officers to whom they are addressed and to the MPD commander responsible for supervising the performance of the requested work;

6. Timely deliver information, documents, evidence or other work requested in an investigative CANS notice by the most appropriate means; e.g. a telephone call, a FAX delivery, a package delivery, a personal delivery by any officer or by the officer doing the work;

7. Promptly notify the AUSA who submitted the CANS if an officer is unable to appear in response to an Appearance CANS and the reason for the non-appearance and

8. Promptly notify the USAO of any system failures which impact the service of CANS notices on MPD members.

B. Primary and Secondary Case Officers

In all criminal cases prosecuted by the USAO, MPD shall designate an officer or investigator as the "Primary Case Officer" on the MPD Form 168. Any officer so designated must be knowledgeable of the facts of the case. In many cases an officer may be designated on the MPD Form 168 as the Secondary Case Officer. In the absence of the Primary Case Officer, the Secondary Case Officer will have the same responsibilities in the case as the Primary Case Officer.

1. Role of Primary Case Officer in Case Investigation

a. Whenever possible, the Primary Case Officer will be present at the USAO for the papering of the case.

b. The Primary Case Officer will be responsible for calling MPD Court Liaison Division for the Preliminary Hearing or Detention Hearing date by 8:30 a.m. on the day after papering. The Primary Case Officer shall report for the Preliminary or Detention Hearing by 8:30 a.m. on the scheduled date.

c. The Primary Case Officer will assist the prosecutor in securing witnesses and developing their testimony. He or she will be responsible for participating with the prosecutor in all stages of the investigation of the case and in all investigative witness interviews through the final disposition of the case.

d. The Primary or Secondary Case Officer may be summoned for all grand jury and witness conferences by means of the Appearance CANS.

2. Role of Primary Case Officer at Trial

During trial, it will be the Primary Case Officer's responsibility to ensure the presence and availability of all MPD evidence in MPD's court evidence office, to transport that evidence to the appropriate courtroom and to ensure its safe return to the property office at the end of each court day, including when the evidence is needed during jury deliberations.

3. Other Responsibilities of Primary Case Officer

In conjunction with Court Liaison Division, it will be the Primary Case Officer's continuing responsibility throughout the investigation and prosecution of the case, including during the trial, to assist in ensuring that all officers working on the investigation or testifying at trial are made

available on time and in an on-duty status whenever possible. During the trial, it will be the Primary Case Officer's responsibility to minimize the time each officer spends in court waiting to testify.

When the scheduled appearances of police witnesses are staggered, the Primary Case Officer will coordinate efforts to secure the timely appearance of the witnesses. The Primary Case Officer, in conjunction with Court Liaison Division officials, will also ensure that officers are signed out of court immediately upon the completion of their testimony unless the prosecutor or the court requires the continued presence of the officer as provided in Section III.A 2.c. on pages 3-4 of this Memorandum. During a trial or hearing, release of officers may be done only with the permission of the prosecutor and the Court. If the prosecution requests the officer's continued presence, the officer will obtain whatever approval is necessary from Court Liaison Division officials.

4. In the event it becomes necessary to change the designation of an officer in a case as the Primary Case Officer or Secondary Case Officer, a representative of the USAO will consult with the appropriate supervisor of the officer or officers involved.

C. Scheduling Appearances

MPD shall provide the prosecutor with schedules for all police officers involved in a case, showing the shifts they will be working, days off and any scheduled leave. All officers are under a continuing obligation throughout the pendency of the case or investigation to provide to prosecutors and to the lead officer any changes in, or additions to, their schedules. This should be accomplished through the implementation of an automated system to the maximum extent possible.

MPD and the officer will provide the prosecutor and/or the court with suggested dates for court appearances. The prosecutor will advise the court of the suggested dates.

Officers who are present at papering and who are needed for grand jury must discuss their schedules with the prosecutor and, whenever possible, set appropriate grand jury dates at that time, consistent with this Memorandum.

D. Investigative CANS

All investigative work will be done on duty except with the approval of the commanding officer. Investigative CANS forms will be directed automatically via the electronic time and attendance system to the pertinent officer, (who ordinarily will be the lead officer) through the officer's commander, both of whom will be responsible for ensuring that the investigative work requested by the prosecutor will be accomplished on or before the date specified.

E. Extended Investigations

Upon a supervisory attorney's written notice to the unit commander, MPD will assign an official to supervise all major investigations, defined as those requiring the commitment of more than the Primary and Secondary Case Officers for an extended period of time, i.e., more than 28 calendar days. It will be that official's responsibility to staff the investigation appropriately, keeping overtime expenses to a bare minimum, and to keep other officials within the MPD apprised of the course of the investigation, as appropriate. That official will not be summoned for an appearance to work on the case, unless he or she is also a fact witness or is needed for discussions concerning the progress of an investigation. Such limited appearances will be scheduled in accordance with this Memorandum. Sergeants are supervisors and shall be used only to ensure that necessary work has been performed; they shall not be used as lead or investigating officers without the specific approval of their commander.

In extended grand jury investigations, defined as those investigations running on a day-to-day basis for more than 28 days, MPD will ensure that the Primary and Secondary Case officers and any other officers it assigns to that investigation will be placed on a day-work tour of duty for the duration of the investigation, unless or until it determines it would be unwise to do so.

F. Authorization To Leave Court Briefly For Investigative Purposes

MPD commanders and the Director of the Court Liaison Division officials are authorized to allow an officer who is signed into court to leave court briefly for the purpose of locating a witness or visiting a crime scene with the prosecutor provided that these activities are in direct furtherance of the case. Officers signed into court must, however, have the specific authorization of an official of the Court Liaison Division to do so.

G. Sign Out Policies And Procedures

If a prosecutor signs out an officer and needs to see the officer at a time more than two hours later in the same day, the intervening time will be evaluated by CLD Court Liaison Division officials to determine pay status. An officer may be excused from court by an official of the Court Liaison Division for cause, after consultation with the appropriate AUSA supervisor.

Any officer who is checked into Court Liaison Division for a witness conference or grand jury appearance for a period of time greater than three hours will be routinely audited. The results of the audit will be forwarded to the appropriate attorney supervisor for inquiries when deemed appropriate by the Director of Court Liaison.

Officers will not request a prosecutor to sign them out on behalf of another prosecutor. Officers who cannot be signed out by the prosecutor must report to an official of the Court Liaison Division and explain the reason the appropriate prosecutor was unavailable to sign them out.

When an officer who has finished testifying is released by the prosecutor in a continuing trial, the officer shall immediately check out of court; however, it will be the officer's responsibility to advise the prosecutor before being excused if the officer will be unavailable to be called back again at a later point in the trial if needed by the prosecution or the defense. In a trial, if an officer who has completed testimony and has been released is needed for further testimony or investigative work, the Court Liaison Division will make all reasonable efforts to ensure the officer's appearance.

H. Failure To Comply Or Report

If an officer fails to comply or report as required by an Appearance or Investigative CANS notice, the Court Liaison Division will take appropriate follow-up action, by obtaining the presence of the officer or his compliance with the request as submitted by the prosecutor or the Court, and by initiating the appropriate disciplinary procedures for such failures.

The procedures arising from failures to comply with appearance CANS shall be initiated by the Court Liaison Division, and need not be reported by the prosecutor, although consultation with the prosecutor will be appropriate in many circumstances. Procedures arising from failures to comply with investigative CANS will be initiated by the Court Liaison Division upon notification of the prosecutor. MPD will notify the U.S. Attorney's Office of the results of inquiry and/or disciplinary procedures arising out of any failure to comply with a CANS notice.

For trials and other court hearings, Court Liaison Division will make all reasonable efforts to notify an officer who has failed to appear and arrange for his immediate appearance. The results of that effort shall be immediately communicated to the prosecutor and the court. An official from Liaison shall also be available, upon request, to appear in court to explain the absence of any officer for a court hearing.

For witness conferences and grand jury conferences, the Court Liaison Division will also make all reasonable efforts to notify the officer who has failed to appear and arrange for his or her immediate appearance. If those efforts are unsuccessful, the prosecutor may request an immediate follow-up conference for that officer by filing an emergency CANS notice as provided by this Memorandum.

If a CANS request has been timely submitted, and the officer was not notified of the appearance, the Court Liaison Division will begin an immediate investigation to determine the reason the officer was not served.

Failure to notify an officer of a timely CANS notice will be a rare occurrence.

V. DURATION

This Memorandum shall remain in effect until cancelled by mutual consent of the parties hereto and contingent upon available funding and beneficial cost savings. However, each agency retains the right to terminate this agreement at any time by deliverance of thirty (30) days notice to the other agency. Upon termination of this Memorandum, all equipment will be returned to the supplying agency unless otherwise agreed to by the parties. This agreement shall commence on the date of acceptance by MPD and USAO as signified by the signatures of the authorized representatives and remain in full force and effect until termination as provided herein.

VI. REVISION

The terms of this Memorandum may be amended by written approval of the parties. Any modifications to this Memorandum shall have no force and effect unless and until each modification is reduced to writing and signed by all parties. Such modifications are effective upon the date of approval.

VII. APPROVAL

LARRY D. SOULSBY, CHIEF
Metropolitan Police Department
District of Columbia

ERIC H. HOLDER, JR.
United States Attorney
District of Columbia

12-13-96
DATE

INITIATIVES

DISTRICT OF COLUMBIA, SUPERIOR COURT	Perm Pos.	WY	Amount
Criminal Decision Unit			
In-House Investigators	43	21	$3,289
Victim and Witness Assistance	11	6	776
Operation Ceasefire	6	3	635
Total	60	30	$4,700

In-House Investigators

The United States Attorneys request 43 investigator positions, 21 WY, and $3,289,000 in support of the In-House Investigation initiative of the United States Attorney's Office, Superior Court Division, District of Columbia to strengthen the investigations of violent criminals prior to trial, in order to produce convincing evidence.

The initial proposal to the Department to hire in-house investigators to assist the United States Attorney's office in its crime fighting efforts was submitted in February 1995, with the application for resources through the Attorney General's Anti-Violent Crime Task Force Fund. Subsequently, in June 1995, the United States Attorney was asked to testify before Congress about public safety issues confronting the District of Columbia.

Representative Fred Heineman (R-NC) was tasked by Speaker Gingrich with assessing the needs of the various law enforcement agencies charged with protecting the citizens of our community, and devising a plan geared towards assisting the agencies with their various missions. This resulted in Representative Heineman offering an amendment to H.R. 2546 (104th Congress) that contained funding proposals for various public safety initiatives, one of which was our proposal for in-house investigators for the United States Attorney's office. Unfortunately, that provision never passed, and we are in the same posture that we were one year ago.

The rationale behind assigning special investigators to our office is clear: the primary means of making the streets of Washington safer is to incarcerate, for lengthy periods of time, those individuals who commit violent crimes; the primary means of incarcerating violent criminals is to have strong evidence against them at time of trial; and the only way to have strong evidence against a violent criminal at time of trial is to have a high quality investigation conducted prior to trial. To state this latter point succinctly, our prosecutions are only as good as our investigations. And the quality of the investigations being conducted in the District of Columbia would be significantly improved by the hiring of special investigators assigned to the United States Attorney's office.

Here in Washington, once an arrest is made in a case, the burden of completing the investigation seems to shift to the prosecution. One may argue about the appropriateness of this shifting of responsibility, and we prosecutors have never been particularly comfortable with the arrangement, but the fact remains nonetheless. The only way prosecutors have been able to complete these investigations has been to make personal pleas to certain Metropolitan Police Department (MPD) officers and detectives, calling them in to explain what needs to be done in a case, and then asking them to go out on the streets and complete the required tasks.

This process of bridging the gap between probable cause, which is the level of proof which MPD needs to make an arrest, and proof beyond a reasonable doubt, which we must provide to obtain a guilty verdict in a criminal case, has its difficulties. First, because MPD officers and detectives do not work for the United States Attorney's Office, we can only ask them to take certain investigative steps; we cannot require them to do so. Thus, we have little recourse when the speed with which an investigative task is done, the manner in which it is done, or even the failure to do it at all, is unsatisfactory to us and decreases the chance that we will be able to successfully convict a violent criminal.

Second, the officers and detectives who are called in by prosecutors to complete the investigative process are very often working on overtime. This situation leads to a large overtime expenditure by the police department each year. During FY 1994 alone, the MPD spent more than $10 million on court overtime. The vast majority of this court overtime expenditure was devoted to paying detectives to conduct follow-up investigations in homicide cases. Therefore, we can anticipate a substantial savings in the police overtime budget if special investigators are assigned to the United States Attorney's Office to conduct follow-up investigations in violent crime cases.

The concept of assigning investigators to a prosecutor's office is not unique. The Manhattan District Attorney's Office has more than 100 investigators; the State's Attorneys Office in Miami has more than 40 investigators, process servers, investigative accountants, and investigative supervisors; and the Middlesex County Prosecutor's Office in New Jersey has more than 90 investigators and investigative supervisors on its staff. These prosecutors' offices are directly comparable to the United States Attorney's Office for the District of Columbia because, unlike any other United States Attorney's Office in the nation, we are responsible not only for prosecuting defendants who violate federal law, but also for prosecuting virtually all adult defendants who commit criminal offenses under the District of Columbia Code. To handle these prosecutions effectively, we — like other big-city prosecutors' offices — need investigators employed directly by our Office.

To maximize the efficiency and effectiveness of these investigators, they need to be hired by, employed by, paid by and housed at the United States Attorney's Office. Under the provisions of local law, these investigators would instantly have broad — but appropriate — authority to conduct investigations on behalf of our Office. District of Columbia Code Section 23-109 states: "Any special investigator appointed by the Attorney General and assigned to the United States Attorney for the District [of Columbia] shall have authority to execute all lawful writs, process, and orders issued under authority of the United States, and command all necessary assistance to execute his duties, and shall have the same powers to make arrests as are possessed by members of the Metropolitan Police Department of the District of Columbia."

We estimate that in order for this new program to be effective, the United States Attorney's Office would need to hire at least 43 investigators. These investigators would be assigned to the following sections in our Superior Court Division: the Homicide Section, the Violent Crime Section, the 5D Community Prosecution Section, the General Felonies Section, the Sex Offense Unit, and the Domestic Violence Unit. In addition, one would be chosen to serve as the supervisory Chief Investigator.

The hiring of special investigators assigned to the United States Attorney's Office will provide a higher quality of investigation in violent crime cases in the District of Columbia and should result in a higher conviction rate. It should also allow the local police department to expend fewer resources on costly police overtime pay, making that money available within the department to meet other critical needs.

We will measure our success, if provided the resources, by the percentage of arrested violators who are convicted.

EXPANSION OF VICTIM AND WITNESS ASSISTANCE SERVICES

The United States Attorneys initiative seek 11 positions, 6 WY, and $776,000 to promote the participation of victims and witnesses throughout each stage of criminal justice proceedings.

The Victim-Witness Assistance Unit (VWAU) provides a myriad of services to victims and witnesses of crime, including crisis intervention, referrals for social and mental health services, information on the criminal justice system, assistance with employers and creditors, and court escort to victims of crime. Specialized and more intensive services are provided to crime victims who have experienced domestic violence, child sexual and physical abuse, and rape as well as survivors of homicide. In order to meet the level of need for assistance to victims, the VWAU is in the process of expanding its services to include:

(1) publication of District-specific materials for victims and United States Attorney's office staff on different types of crime;
(2) a model advocacy program for child victims;
(3) a court school for children who have to testify;
(4) a pro-active approach to risk assessment in domestic violence and stalking cases;
(5) development and updating of a community resource directory;
(6) assistance to victims with preparation of Victim Impact Statements and parole notification;
(7) identification and assistance to children in domestic violence cases;
(8) reaching out to non-English speaking and hearing-impaired populations; and
(9) development of more flexible options for witness protection assistance.

The involvement of advocates is important in misdemeanor cases, since the AUSAS have active caseloads of approximately 200+ cases each and little or no time to contact and meet with victims and witnesses. More serious felony cases may be fewer but also require more intensive assistance from advocates.