

GENERAL ORDER



Title		
Professional Conduct and Intervention Board		
Topic	Series	Number
PER	120	29
Effective Date		
September 29, 2015		
Related to:		
General Order 120.23 (Serious Misconduct Investigations)		
General Order 210.19 (Employee Personnel Records)		

DISTRICT OF COLUMBIA

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I. BACKGROUND

The purpose of this general order is to establish the Professional Conduct and Intervention Board. The purpose of the Board is to identify and examine past events and circumstances surrounding documented and repeated misconduct incidents involving a small number of Metropolitan Police Department (MPD) members in order to identify management improvement areas and to ensure management accountability. The Board's goal is to intervene, provide support, prevent future misconduct, promote improvements in work performance, and identify trends that negatively impact the Department and the citizens of the District of Columbia. The Board will assist the Department in gaining empirical insight into employees who are exhibiting problem behavior and/or performance issues and will use this information to recommend policy improvements and training enhancements to assist employees who are at risk and their managers.

II. POLICY

It is the policy of the Metropolitan Police Department to conduct accurate and fair assessments of all members who are reviewed by the Professional Conduct and Intervention Board.

III. REGULATIONS

- A. Board members shall be aware that all meetings and discussions of the Board are confidential.
- B. Each Board member shall sign a confidentiality agreement.
- C. Board members shall be aware that the discussions in the Board meetings are not subject to Freedom of Information Act and are covered under confidentiality of personnel regulations.
- D. Board members shall be aware that the only person outside the Board who may have access to information of the Board is the Chief of Police.
- E. The Board shall be comprised of:
 - 1. The Assistant Chief of the Internal Affairs Bureau (IAB), who shall serve as the Board Chairperson;
 - 2. The Assistant Chief of the Corporate Support Bureau (CSB);
 - 3. The Director of the Human Resources Management Division (HRMD);
 - 4. The Director of the Office of Risk Management (ORM);
 - 5. The Director of the Labor Relations Branch (LRB);
 - 6. The Director of the Internal Affairs Division (IAD);
 - 7. The Director of the Disciplinary Review Branch (DRB);
 - 8. The Commander of the Metropolitan Police Academy (MPA);
 - 9. The Director of the Policy Development Branch (PDB);
 - 10. The Director of the Medical Services Branch (MSB);
 - 11. The Commander of the Recruiting Division;
 - 12. The Director of the Equal Employment Opportunity (EEO) Division;
 - 13. The Director of the Court Liaison Division (CLD); and
 - 14. The MPD Privacy Officer.

- F. Cases involving both sworn and civilian members may be reviewed by the Board.
- G. The Board shall meet monthly to review cases. The selection of cases for review shall be made at the discretion of the Board and shall be based on one or more of the following criteria:
 - 1. Members who have been arrested;
 - 2. Members who have been involved in alcohol-related misconduct;
 - 3. Members who have had a financial action taken against them (e.g., wage garnishment);
 - 4. Sworn members who have been revoked from the Optional Sick Leave Program;
 - 5. Civilian members who are on sick leave restriction;
 - 6. Members who have received 2 consecutive PD Forms 62-D (Performance Rating Warning Notices);
 - 7. Members who have received a performance rating below “3 - Meets Expectations”;
 - 8. Members who have 3 or more corrective actions in the past 2 years;
 - 9. Members who have 3 or more similar citizen complaints within the past 2 years;
 - 10. Members who have 3 or more uses of force within the past 12 months;
 - 11. Members who have reached the Supervisory Support Program (SSP) threshold of 100 points, who have been the subject of more than one SSP intervention, or whose supervisor has requested an early SSP intervention in accordance with GO-PER-120.28 [Personnel Performance Management System (PPMS) and the Supervisory Support Program (SSP)]; or
 - 12. Members who have been recommended to the Board by the Director of the DRB, the Director of the Internal Affairs Division (IAD) or other command officials.

- H. As part of each case review, Board members shall review the relevant actions taken by the member's supervisors and managers to identify potential areas for management remediation and improvement.
- I. The quorum for each Board meeting shall be eight members.
- J. Board members shall not send a representative in their place to a Board proceeding.
- K. Board members shall be excused from a Board proceeding only by the Board Chairperson.
- L. The review of files by Board members shall be consistent with any applicable laws governing privacy and confidentiality and may include review of medical files, IAD files, recruiting files, personnel files, unit level files, time and attendance files, ORM files, Office of Police Complaints files, and performance management files. All documents and records reviewed by Board members shall be returned to the Board Chairperson at the end of the meeting.
- M. The Board Chairperson shall have the authority to invite subject matter experts [e.g., the Director of the Metropolitan Police Employee Assistance Program (MPEAP) to the meetings].
- N. Board members shall make recommendations to the Board Chairperson, but he or she shall make the final determination regarding Board findings and actions.
- O. The Board shall have the authority to compel the appearance of identified members' supervisors and managers.
- P. The Board Chairperson shall designate a subset of Board members to meet with members who are compelled to appear before the Board.
- Q. Members who are compelled to appear before the Board shall be provided with a written notice of the outcome of the meeting to include the date of the meeting, the members who were present, and any recommended actions. If there are no recommended actions at the time of the meeting, that shall be documented in the notice.
- R. The Board shall have the authority to recommend additional training, and order members to MPEAP if necessary. The Board will set all follow-up dates and hold members accountable for meeting the due dates.

- S. The Board shall have the authority to refer matters to ORM for audits, MSB for evaluation, IAD for integrity checks, and MPA for training. If the Board discovers alleged misconduct during their reviews, the Board shall refer the matter to IAD for further investigation.

IV. ROLES AND RESPONSIBILITIES

- A. The Assistant Chief of IAB shall designate a member to serve as the Professional Conduct Board Administrator.
- B. The Professional Conduct Board Administrator shall:
 - 1. Document Board member attendance as part of the record. Absences, both excused and unexcused, shall be formally noted in the meeting summary.
 - 2. Coordinate with all the units and prepare files to be shared with the Board for their meetings.
 - 3. Track all cases heard by the Board and the follow-ups assigned by the Board for completion.
 - 4. Notify the Board as to the date, times, and locations of the monthly meetings.
 - 5. Prepare a summary of all Board proceedings outlining all findings and recommendations made by the Board and forward to all Board members.
 - 6. Prepare memoranda for Department units as appropriate to transmit Board findings and recommendations.
 - 7. Notify subject members, their supervisors, and managers to appear before the Board when appropriate.
 - 8. Notify subject members, their supervisors, and their commanding officials as to plans of action and decisions by the Board when appropriate.
 - 9. Maintain records of the Board and their actions and decisions consistent with Department record retention requirements.
 - 10. By January 31 of each year, prepare and send to the Chief of Police an annual report with Board findings and statistical information.

11. Complete other Board administrative duties as assigned by the Board.

V. CROSS REFERENCE

- A. GO-PER-120.28 [Personnel Performance Management System (PPMS) and the Supervisory Support Program (SSP)]



Cathy L. Lanier
Chief of Police

CLL:PAB:MOC:AWS:JC