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# COMMITTEE ON THE JUDICIARY AND PUBLIC SAFETY

TOMMY WELLS, CHAIRPERSON  
FY 2015 COMMITTEE BUDGET REPORT

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**TO:** Members of the Council of the District of Columbia

**FROM:** Councilmember Tommy Wells  
Chairperson, Committee on the Judiciary and Public Safety

**DATE:** May 14, 2014

**SUBJECT:** Report and Recommendations of the Committee on the Judiciary and Public Safety on the Fiscal Year 2015 Budget for Agencies Under Its Purview

The Committee on the Judiciary and Public Safety (“Committee”), having conducted hearings and received testimony on the Mayor’s proposed operating and capital budgets for Fiscal Year 2015 (hereinafter “FY 2015”) for the agencies under its purview, reports its recommendations for review and consideration by the Committee of the Whole. The Committee also comments on several sections in the FY 2015 Budget Support Act of 2014, as proposed by the Mayor.

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## I. SUMMARY

### A. FY 2015 AGENCY OPERATING BUDGET SUMMARY TABLE

Operating Budget Summary					
Agency/Fund Type	FY 2013 Actual	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
<b>Office of the Attorney General for the District of Columbia (CB0)</b>	<b>93,644,700</b>	<b>101,247,547</b>	<b>109,630,813</b>	<b>(177,084)</b>	<b>109,453,729</b>
FEDERAL GRANTS	18,748,743	21,233,591	21,202,251	-	21,202,251
INTRA-DISTRICT FUNDS	16,561,674	17,896,752	20,029,769	-	20,029,769
LOCAL FUND	57,336,071	59,971,573	66,163,690	(177,084)	65,986,606
PRIVATE	285,758	318,937	390,903	-	390,903
SPECIAL PURPOSE REVENUE FUNDS	712,454	1,826,694	1,844,200	-	1,844,200
<b>Metropolitan Police Department (FA0)</b>	<b>495,453,519</b>	<b>508,767,136</b>	<b>514,237,845</b>	<b>-</b>	<b>514,237,845</b>
FEDERAL GRANTS	2,968,049	2,857,869	4,010,029	-	4,010,029
INTRA-DISTRICT FUNDS	27,073,584	22,626,837	24,757,852	-	24,757,852
LOCAL FUND	462,042,685	476,289,295	478,099,964	-	478,099,964
PRIVATE DONATIONS	158,529	-	-	-	-
SPECIAL PURPOSE REVENUE FUNDS	3,210,672	6,993,135	7,370,000	-	7,370,000
<b>Fire and Emergency Medical Services Department (FB0)</b>	<b>203,985,939</b>	<b>201,079,518</b>	<b>205,998,541</b>	<b>(277,888)</b>	<b>205,720,653</b>
FEDERAL GRANTS	389,457	1,608,459	1,637,729	-	1,637,729
INTRA-DISTRICT FUNDS	3,685,738	-	-	-	-
LOCAL FUND	198,390,744	197,951,059	202,840,812	(277,888)	202,562,924
SPECIAL PURPOSE REVENUE FUNDS	1,520,000	1,520,000	1,520,000	-	1,520,000

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Agency/Fund Type	FY 2013 Actual	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
<b>Department of Corrections (FLO)</b>	<b>131,128,614</b>	<b>140,254,068</b>	<b>152,779,311</b>	-	<b>152,779,311</b>
INTRA-DISTRICT FUNDS	516,648	300,585	169,454	-	169,454
LOCAL FUND	110,995,508	118,803,483	124,349,408	-	124,349,408
SPECIAL PURPOSE REVENUE FUNDS	19,616,458	21,150,000	28,260,449	-	28,260,449
<b>District of Columbia National Guard (FK0)</b>	<b>6,939,347</b>	<b>10,565,148</b>	<b>12,704,408</b>	-	<b>12,704,408</b>
FEDERAL GRANTS	3,991,828	7,248,997	7,203,527	-	7,203,527
FEDERAL PAYMENTS	306,158	375,000	435,000	-	435,000
LOCAL FUND	2,641,361	2,941,151	5,065,881	-	5,065,881
<b>Homeland Security and Emergency Management Agency (BN0)</b>	<b>125,477,706</b>	<b>93,892,952</b>	<b>109,552,607</b>	-	<b>109,552,607</b>
FEDERAL GRANTS	123,504,339	91,866,134	107,467,357	-	107,467,357
LOCAL FUND	1,973,367	2,026,818	2,085,250	-	2,085,250
<b>Commission on Judicial Disabilities and Tenure (DQ0)</b>	<b>285,820</b>	<b>295,000</b>	<b>295,000</b>	-	<b>295,000</b>
FEDERAL PAYMENTS	285,820	295,000	295,000	-	295,000
<b>Judicial Nomination Commission (DV0)</b>	<b>202,205</b>	<b>270,000</b>	<b>270,000</b>	-	<b>270,000</b>
FEDERAL PAYMENTS	202,205	205,000	270,000	-	270,000
LOCAL FUND	-	65,000	-	-	-
<b>Office of Police Complaints (FH0)</b>	<b>2,036,952</b>	<b>2,110,487</b>	<b>2,241,298</b>	-	<b>2,241,298</b>
LOCAL FUND	2,036,605	2,110,487	2,241,298	-	2,241,298
PRIVATE	347	-	-	-	-
<b>Sentencing and Criminal Code Revision Commission (FZ0)</b>	<b>1,127,838</b>	<b>1,406,556</b>	<b>1,401,315</b>	-	<b>1,401,315</b>
LOCAL FUND	1,127,838	1,406,556	1,401,315	-	1,401,315

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Agency/Fund Type	FY 2013 Actual	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
<b>Office of the Chief Medical Examiner (FX0)</b>	<b>7,554,739</b>	<b>8,789,575</b>	<b>8,724,575</b>	-	<b>8,724,575</b>
INTRA-DISTRICT FUNDS	11,947	-	-	-	-
LOCAL FUND	7,542,792	8,789,575	9,518,949	-	9,518,949
<b>Office of Administrative Hearings (FS0)</b>	<b>8,850,364</b>	<b>9,234,726</b>	<b>10,404,300</b>	-	<b>10,404,300</b>
FEDERAL MEDICAID PAYMENTS	68,000	60,000	60,000	-	60,000
INTRA-DISTRICT FUNDS	1,254,059	1,224,288	1,641,264	-	1,641,264
LOCAL FUND	7,528,305	8,232,367	8,703,036	-	8,703,036
<b>Criminal Justice Coordinating Council (FJ0)</b>	<b>2,658,070</b>	<b>2,406,265</b>	<b>2,496,111</b>	-	<b>2,496,111</b>
FEDERAL GRANTS	77,065	-	-	-	-
FEDERAL PAYMENTS	2,079,357	1,800,000	1,900,000	-	1,900,000
INTRA-DISTRICT FUNDS	50,709	90,697	70,004	-	70,004
LOCAL FUND	435,939	515,568	526,107	-	526,107
PRIVATE	15,000	-	-	-	-
<b>Office of Unified Communications (UC0)</b>	<b>37,455,131</b>	<b>44,013,830</b>	<b>43,759,608</b>	-	<b>43,759,608</b>
INTRA-DISTRICT FUNDS	635,438	260,973	278,178	-	278,178
LOCAL FUND	26,464,734	27,349,777	28,250,102	-	28,250,102
SPECIAL PURPOSE REVENUE FUNDS	10,354,959	16,403,080	15,231,328	-	15,231,328
<b>Department of Forensic Sciences (FR0)</b>	<b>9,702,414</b>	<b>13,267,629</b>	<b>15,162,599</b>	-	<b>15,162,599</b>
FEDERAL GRANTS	-	430,520	159,042	-	159,042
INTRA-DISTRICT FUNDS	2,156,140	446,397	738,048	-	738,048
LOCAL FUND	7,546,274	12,390,712	14,265,509	-	14,265,509

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Agency/Fund Type	FY 2013 Actual	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
<b>Deputy Mayor for Public Safety and Justice (FQ0)</b>	<b>17,268,037</b>	<b>25,501,267</b>	<b>28,290,406</b>	<b>16,713</b>	<b>28,307,119</b>
FEDERAL GRANTS	5,200,861	5,961,382	8,179,371	-	8,179,371
INTRA-DISTRICT FUNDS	264,879	179,693	200,393	-	200,393
LOCAL FUND	11,042,484	17,783,086	18,504,642	16,713	18,521,355
SPECIAL PURPOSE REVENUE FUNDS	759,813	1,577,106	1,406,000	-	1,406,000
<b>Office of Human Rights (HM0)</b>	<b>2,653,882</b>	<b>2,901,549</b>	<b>2,966,650</b>	<b>438,259</b>	<b>3,404,909</b>
FEDERAL GRANTS	323,437	306,919	267,000	-	267,000
LOCAL FUND	2,326,795	2,594,630	2,699,650	438,259	3,137,909
PRIVATE	3,650	-	-	-	-
<b>Uniform Law Commission (AL0)</b>	<b>-</b>	<b>50,000</b>	<b>50,000</b>	<b>-</b>	<b>50,000</b>
LOCAL FUND	-	50,000	50,000	-	50,000
<b>Grand Total</b>	<b>1,146,425,277</b>	<b>1,166,053,253</b>	<b>1,220,965,387</b>	<b>(0)</b>	<b>1,220,965,387</b>

## B. FY 2015 AGENCY FULL-TIME EQUIVALENT TABLE

FTE Summary				
Agency/Fund Type	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
<b>Office of the Attorney General for the District of Columbia (CB0)</b>	<b>763.0</b>	<b>784.2</b>	<b>(1.0)</b>	<b>783.2</b>
FEDERAL GRANTS	145.2	144.6	-	144.6
INTRA-DISTRICT FUNDS	144.9	150.7	-	150.7
LOCAL FUND	464.7	479.7	(1.0)	478.7
PRIVATE	5.5	6.5	-	6.5
SPECIAL PURPOSE REVENUE FUNDS	2.7	2.7	-	2.7
<b>Metropolitan Police Department (FA0)</b>	<b>4,530.0</b>	<b>4,568.0</b>	<b>-</b>	<b>4,568.0</b>
FEDERAL GRANTS	18.6	15.2	-	15.2
INTRA-DISTRICT FUNDS	8.5	4.0	-	4.0
LOCAL FUND	4,502.2	4,546.8	-	4,546.8
SPECIAL PURPOSE REVENUE FUNDS	0.7	2.0	-	2.0
<b>Fire and Emergency Medical Services Department (FB0)</b>	<b>2,100.0</b>	<b>2,100.0</b>	<b>(3.0)</b>	<b>2,097.0</b>
FEDERAL GRANTS	30.0	30.0	-	30.0
LOCAL FUND	2,070.0	2,070.0	(3.0)	2,067.0
<b>Department of Corrections (FLO)</b>	<b>935.0</b>	<b>936.0</b>	<b>(1.0)</b>	<b>935.0</b>
INTRA-DISTRICT FUNDS	-	0.8	-	0.8
LOCAL FUND	915.0	915.2	(1.0)	914.2
SPECIAL PURPOSE REVENUE FUNDS	20.0	20.0	-	20.0
<b>District of Columbia National Guard (FK0)</b>	<b>117.0</b>	<b>126.1</b>	<b>-</b>	<b>126.1</b>
FEDERAL GRANTS	77.5	84.8	-	84.8
LOCAL FUND	39.5	41.3	-	41.3

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Agency/Fund Type	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
<b>Homeland Security and Emergency Management Agency (BN0)</b>	<b>69.0</b>	<b>79.0</b>	-	<b>79.0</b>
FEDERAL GRANTS	52.5	62.5	-	62.5
LOCAL FUND	16.5	16.5	-	16.5
<b>Commission on Judicial Disabilities and Tenure (DQ0)</b>	<b>2.0</b>	<b>2.0</b>	-	<b>2.0</b>
FEDERAL PAYMENTS	2.0	2.0	-	2.0
<b>Judicial Nomination Commission (DV0)</b>	<b>2.0</b>	<b>2.0</b>	-	<b>2.0</b>
FEDERAL PAYMENTS	2.0	2.0	-	2.0
<b>Office of Police Complaints (FH0)</b>	<b>23.3</b>	<b>23.3</b>	-	<b>23.3</b>
LOCAL FUND	23.3	23.3	-	23.3
<b>Sentencing and Criminal Code Revision Commission (FZ0)</b>	<b>10.0</b>	<b>10.0</b>	-	<b>10.0</b>
LOCAL FUND	10.0	10.0	-	10.0
<b>Office of the Chief Medical Examiner (FX0)</b>	<b>70.0</b>	<b>70.0</b>	-	<b>70.0</b>
LOCAL FUND	70.0	70.0	-	70.0
<b>Office of Administrative Hearings (FS0)</b>	<b>77.6</b>	<b>77.6</b>	-	<b>77.6</b>
INTRA-DISTRICT FUNDS	8.0	69.6	-	69.6
LOCAL FUND	69.6	8.0	-	8.0
<b>Criminal Justice Coordinating Council (FJ0)</b>	<b>16.0</b>	<b>16.0</b>	-	<b>16.0</b>
FEDERAL PAYMENTS	13.7	14.1	-	14.1
INTRA-DISTRICT FUNDS	0.4	0.6	-	0.6
LOCAL FUND	1.9	1.3	-	1.3
<b>Office of Unified Communications (UC0)</b>	<b>328.8</b>	<b>328.8</b>	-	<b>328.8</b>
INTRA-DISTRICT FUNDS	6.0	6.0	-	6.0
LOCAL FUND	322.8	322.8	-	322.8
<b>Department of Forensic Sciences (FR0)</b>	<b>125.3</b>	<b>136.3</b>	-	<b>136.3</b>
FEDERAL GRANTS	-	3.0	-	3.0
INTRA-DISTRICT FUNDS	3.0	5.1	-	5.1
LOCAL FUND	122.3	128.2	-	128.2

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Agency/Fund Type	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
<b>Deputy Mayor for Public Safety and Justice (FQ0)</b>	<b>18.3</b>	<b>22.0</b>	<b>-</b>	<b>22.0</b>
FEDERAL GRANTS	7.3	7.2	-	7.2
INTRA-DISTRICT FUNDS	1.8	1.8	-	1.8
LOCAL FUND	9.2	13.0	-	13.0
<b>Office of Human Rights (HMO)</b>	<b>28.0</b>	<b>28.0</b>	<b>5.0</b>	<b>33.0</b>
FEDERAL GRANTS	2.4	2.4	-	2.4
LOCAL FUND	25.6	25.6	5.0	30.6
<b>Grand Total</b>	<b>9,215.3</b>	<b>9,309.3</b>	<b>1.0</b>	<b>9,310.3</b>

**C. FY 2015 AGENCY CAPITAL BUDGET SUMMARY TABLE  
 (DOLLARS IN THOUSANDS)**

Mayor's Proposed Fiscal Year 2015-2020 Capital Budget by Agency								
Agency Name	Code	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	6-Year
Metropolitan Police Department	FA0	20,200	8,000	0	0	13,000	13,000	54,200
Fire and Emergency Medical Services	FB0	22,000	18,000	0	0	25,250	26,000	91,250
Department of Corrections	FL0	1,500	500	0	0	1,250	1,250	4,500
DC Sentencing & Criminal Code Revision Commission	FZ0	425	0	0	0	0	0	425
Office of Unified Communications	UC0	3,000	1,000	0	0	0	0	4,000
<b>Total</b>		<b>47,125</b>	<b>27,500</b>	<b>0</b>	<b>0</b>	<b>39,500</b>	<b>40,250</b>	<b>154,375</b>

Committee's Approved Fiscal Year 2015-2020 Capital Budget by Agency								
Agency Name	Code	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	6-Year
Metropolitan Police Department	FA0	20,200	8,000	-	-	13,000	13,000	54,200
Fire and Emergency Medical Services	FB0	22,000	18,000	-	-	25,250	26,000	91,250
Department of Corrections	FL0	1,500	500	-	-	1,250	1,250	4,500
DC Sentencing & Criminal Code Revision Commission	FZ0	425	-	-	-	-	-	425
Office of Unified Communications	UC0	3,000	1,000	-	-	-	-	4,000
<b>Total</b>		<b>47,125</b>	<b>27,500</b>	<b>-</b>	<b>-</b>	<b>39,500</b>	<b>40,250</b>	<b>154,375</b>

Change from Mayor's Proposed Budget		0	0	0	0	0	0	0
<i>(Dollars in Thousands)</i>								

## D. SUMMARY OF COMMITTEE BUDGET RECOMMENDATIONS

### OFFICE OF THE ATTORNEY GENERAL

#### Operating Budget Recommendations

1. *Eliminate* position #10005975 (Attorney Advisor) and *reduce* FTEs by 1 in Program 2100 (Commercial Division), Activity 2119 (Office of the Division Deputy).
2. *Reduce* CSG 11 by \$132,373 and *reduce* CSG 14 by \$30,710.54 in Program 2100 (Commercial Division), Activity 2119 (Office of the Division Deputy).
3. *Reduce* CSG 70 (Equipment and equipment rental) in Program 1000 (Agency Management) and Activity 1015 (AMP Training & Employee Devel.) by \$14,000.

### METROPOLITAN POLICE DEPARTMENT

#### Capital Budget Recommendations

1. The Committee recommends that an environmental assessment be undertaken for the Henry Daly building as soon as possible to identify all present health and safety issues.
2. The Committee urges the Council to identify funding to add \$4 million to the DGS fiscal year 2015 budget to implement the Henry Daly building suggested remediation plan, in order to address pressing health and safety issues.

### FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT

#### Operating Budget Recommendations

1. *Reduce* FTEs by 3 and *eliminate* the following positions:
  - a. Position # 00013238 (Communications director)
  - b. Position # 00077801 (Program Analyst)
  - c. Position # 00010008 (Firefighter)
2. *Reduce* total CSG 11 by \$234,505 and *reduce* CSG 14 by \$43,383.07 (*total local PS reduction, \$277,888.07*), and by program as follows:
  - a. In Program 1000 (Administrative support), Activity 080A (Communications), *reduce* CSG 11 by \$132,613.00 and *reduce* CSG 14 by \$24,533.04;
  - b. In Program 1000 (Administrative Support), Activity 090A (Performance Management), *reduce* CSG 11 by \$57,591.00 and *reduce* CSG 14 by 10,654.34;
  - c. In Program 3000 (Field Operations), Activity 3201 (Fire Suppression), *reduce* CSG 11 by \$44,301 and *reduce* CSG 14 by \$8,195.69

#### Capital Budget Recommendations

1. The Committee recommends the Council identify funding to add \$7,000,000 to fiscal year 2017, fiscal year 2018, and fiscal year 2019 in order to ensure apparatus are purchased on an appropriate replacement schedule.

## DEPARTMENT OF CORRECTIONS

### Operating Budget Recommendations

1. *Remove* 1 FTE in Community Affairs (4900), Office of Returning Citizens (4901) and *eliminate* position #00075344.
2. *Reduce* CSG 0125 (term-fulltime) by \$71,589.19 and *reduce* CSG 0147 (fringe benefits) in Community Affairs (4900), Office of Returning Citizens (4901) by \$20,689.28.
3. *Increase* Inmate Custody (3600), Community Corrections (3630), CSG 0041 (Contractual Services) by \$92,278.47 to fund Halfway Housing.

## DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE

### Operating Budget Recommendations

1. *Increase* Program 5300 (Justice Grants Administration), Activity 5301 (Grants Management) CSG 50 (Subsidies and Transfers) by \$12,713 to provide funding for transportation tokens/passes for returning citizens.
2. *Increase* Program 5300 (Justice Grants Administration), Activity 5301 (Grants Management) CSG 50 (Subsidies and Transfers) by \$4,000 to provide funding for birth certificates for returning citizens.

## OFFICE OF HUMAN RIGHTS

### Operating Budget Recommendations

1. *Increase* FTEs by 5, and create new positions in Program 2000 (Equal Justice), Activity 2030 (Investigations) with the accompanying local funds as follows:
  - a. Equal opportunity specialist: *increase* CSG 11 by \$64,375 and CSG 14 by \$15,965 (*total PS increase = \$80,340*)
  - b. Equal opportunity specialist: *increase* CSG 11 by \$64,375 and CSG 14 by \$15,965 (*total PS increase = \$80,340*)
  - c. Equal opportunity specialist: *increase* CSG 11 by \$64,375 and CSG 14 by \$15,965 (*total PS increase = \$80,340*)
  - d. Administrative Law Judge: *increase* CSG 11 by \$83,679 + fringe \$20,752 (*total PS increase = \$104,431*)
  - e. Intake specialist: *increase* CSG 11 by \$74,365 and CSG 14 by \$18,443 (*total PS increase = \$92,808*)

## II. AGENCY FY 2015 BUDGET RECOMMENDATIONS

### A. INTRODUCTION

The Committee is responsible for matters affecting the judiciary and judicial procedure which are within the authority of the Council; matters affecting decedents' estates and fiduciary affairs; matters affecting administrative law and procedure; matters affecting criminal law and procedure; ex-offender affairs; matters arising from or pertaining to the police and fire regulations of the District of Columbia; and other matters related to police protection, correctional institutions (including youth corrections), fire prevention, emergency medical services, homeland security, criminal justice, and public safety.<sup>1</sup>

The Committee oversees all of the public safety agencies within the District<sup>2</sup> and interacts with local and federal prosecuting authorities, serving as the Council's liaison with federal partners in the justice system, including the D.C. Courts, the D.C. Public Defender Service, the Court Services and Offender Supervision Agency, and the U.S. Parole Commission. The District agencies that come under the purview of the Committee are as follows:

- Access to Justice Initiative
- Child Support Guidelines Commission
- Commission on Ex-Offender Affairs
- Commission on Judicial Disabilities and Tenure
- Commission on Selection and Tenure of Administrative Law Judges
- Corrections Information Council
- Criminal Justice Coordinating Council
- Department of Corrections
- Department of Forensic Sciences
- Deputy Mayor for Public Safety and Justice
- District of Columbia Judicial Nomination Commission
- District of Columbia National Guard
- District of Columbia Sentencing and Criminal Code Revision Commission
- Fire and Emergency Medical Services Department
- Homeland Security and Emergency Management Agency
- Homeland Security Commission
- Juvenile Justice Advisory Group
- Juvenile Abscondence Review Committee
- Metropolitan Police Department
- Motor Vehicle Theft Prevention Commission
- Office of Administrative Hearings (including the Advisory Committee to the Office of Administrative Hearings)
- Office of Justice Grants Administration
- Office of Police Complaints
- Office of the Attorney General for the District of Columbia
- Office of Human Rights
- Office of the Chief Medical Examiner
- Office of Unified Communications
- Office of Victim Services
- Office on Ex-Offender Affairs
- Police Complaints Board
- Police Officer Standards and Training Board
- Uniform Law Commission
- Security Officer Advisory Commission<sup>3</sup>

<sup>1</sup> See Rules of Organization and Procedure for the Council of the District of Columbia, Council Period 20, Rule 239(a).

<sup>2</sup> Except the Department of Youth Rehabilitation Services—that agency falls under the jurisdiction of the Committee on Human Services.

<sup>3</sup> See Rules, *supra* note 1, at Rule 239(b).

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The Committee is charged with oversight over the performance and annual operating and capital budgets of the agencies listed. In total, the Committee oversees more than 20 agencies, which, in the Mayor’s proposed budget for FY 2015, comprise a total budget of more than \$1.2 billion in gross funds and approximately more than 9,000 full-time equivalents (FTEs).

Committee Chairperson Tommy Wells began his tenure with the Committee in January 2013. He is joined by Councilmembers Anita Bonds, Muriel Bowser, Mary Cheh, and Jack Evans.

The Committee held budget oversight hearings to solicit public input on the proposed budgets for the agencies under its purview on the following dates:

<b>April 10, 2014</b>	Judicial Nomination Commission, Department of Corrections, Office of Returning Citizens Affairs, Justice Grants Administration
<b>April 17, 2014</b>	Office of Victim Services, Corrections Information Council, Department of Forensic Sciences, Office of the Chief Medical Examiner, Office of the Attorney General
<b>May 2, 2014</b>	National Guard, Deputy Mayor for Public Safety and Justice, Metropolitan Police Department, Office of Police Complaints, Office of Unified Communications
<b>May 8, 2014</b>	Access to Justice Initiative, Sentencing and Criminal Code Revision Commission, Fire and Emergency Medical Services Department, Criminal Justice Coordinating Council, Office of Administrative Hearings
<b>May 9, 2014</b>	Commission on Judicial Disabilities and Tenure, Office of Human Rights, Homeland Security and Emergency Management Agency

The Committee received comments from members of the public during these budget oversight hearings. Copies of witness testimony are included in this report as *Attachments A, B, C, D, and E*. A video recording of the hearings can be obtained through the Office of Cable Television or at <http://dccouncil.us/videos/archive/>. The Committee continues to welcome public input on the agencies and activities within its purview.

**B. OFFICE OF THE ATTORNEY GENERAL**

<b>Office of the Attorney General (CB0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	18,748,743	21,233,591	21,202,251		21,202,251
INTRA-DISTRICT FUNDS	16,561,674	17,896,752	20,029,769		20,029,769
LOCAL FUND	57,336,071	59,971,573	66,163,690	(177,084)	65,986,606
PRIVATE	285,758	318,937	390,903		390,903
SPECIAL PURPOSE REVENUE FUNDS	712,454	1,826,694	1,844,200		1,844,200
<b>Grand Total</b>	<b>93,644,700</b>	<b>101,247,547</b>	<b>109,630,813</b>	<b>(177,084)</b>	<b>109,453,729</b>

<b>Office of the Attorney General (CB0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	145.2	144.6	-	144.6
INTRA-DISTRICT FUNDS	144.9	150.7	-	150.7
LOCAL FUND	464.7	479.7	(1.0)	478.7
PRIVATE	5.5	6.5	-	6.5
SPECIAL PURPOSE REVENUE FUNDS	2.7	2.7	-	2.7
<b>Grand Total</b>	<b>763.0</b>	<b>784.2</b>	<b>(1.0)</b>	<b>783.2</b>

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<b>Office of the Attorney General (CB0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	54,702,870	55,364,229	60,347,598	(132,373)	60,215,225
12-REGULAR PAY - OTHER	9,284,415	10,562,656	11,418,168	-	11,418,168
13-ADDITIONAL GROSS PAY	155,926	160,941	160,941	-	160,941
14-FRINGE BENEFITS - CURR PERSONNEL	12,190,969	14,859,037	16,650,804	(30,711)	16,620,094
15-OVERTIME PAY	2,938	-	-	-	-
20-SUPPLIES AND MATERIALS	377,443	419,335	414,701	-	414,701
30-ENERGY, COMM. AND BLDG RENTALS	677,319	785,504	784,290	-	784,290
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	374,328	395,292	381,294	-	381,294
33-JANITORIAL SERVICES	-	-	24,353	-	24,353
34-SECURITY SERVICES	364,623	434,265	385,524	-	385,524
35-OCCUPANCY FIXED COSTS	1,091,938	1,236,794	1,403,869	-	1,403,869
40-OTHER SERVICES AND CHARGES	1,946,982	3,656,326	3,688,644	-	3,688,644
41-CONTRACTUAL SERVICES - OTHER	9,931,825	11,544,198	11,592,851	-	11,592,851
50-SUBSIDIES AND TRANSFERS	1,844,998	1,474,977	1,474,977	-	1,474,977
70-EQUIPMENT & EQUIPMENT RENTAL	698,126	353,993	902,799	(14,000)	888,799
<b>Grand Total</b>	<b>93,644,700</b>	<b>101,247,546</b>	<b>109,630,813</b>	<b>(177,084)</b>	<b>109,453,730</b>

<b>Office of the Attorney General (CB0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-AGENCY MANAGEMENT	5,286,078	5,320,313	6,155,826	(14,000)	6,141,826
100F-AGENCY FINANCIAL OPERATIONS	893,420	960,841	1,036,752	-	1,036,752
1200-PERSONNEL LABOR & EMPLOYMENT DIVISION	2,875,849	2,902,522	3,298,778	-	3,298,778
2100-COMMERCIAL DIVISION	8,849,983	9,529,445	12,108,518	(163,084)	11,945,434
3100-LEGAL COUNSEL DIVISION	2,386,292	2,823,262	2,864,222	-	2,864,222
4000-CHILD SUPPORT SERVICES DIVISION	26,958,490	31,082,600	31,280,460	-	31,280,460
5100-CIVIL LITIGATION DIVISION	9,641,081	9,839,868	11,309,216	-	11,309,216
5200-PUBLIC INTEREST DIVISION	13,145,597	14,123,535	14,837,805	-	14,837,805
6100-PUBLIC SAFETY DIVISION	9,165,953	10,004,745	11,240,164	-	11,240,164
7000-SOLICITOR GENERAL DIVISION	2,247,053	2,109,218	2,150,354	-	2,150,354
8100-FAMILY SERVICES DIVISION	5,728,033	5,733,671	6,090,014	-	6,090,014
9200-SUPPORT SERVICES DIVISION	2,175,678	2,192,684	2,458,347	-	2,458,347
9300-OFFICE OF THE ATTORNEY GENERAL	4,291,193	4,624,841	4,800,359	-	4,800,359
<b>Grand Total</b>	<b>93,644,700</b>	<b>101,247,545</b>	<b>109,630,815</b>	<b>(177,084)</b>	<b>109,453,731</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Office of the Attorney General (OAG) is to enforce the laws of the District of Columbia and to provide legal services to the District government. OAG is charged with conducting the District's legal business. To discharge these duties, OAG is divided into ten operating divisions.<sup>4</sup>

<sup>4</sup> The agency's operating divisions are: (1) Office of the Solicitor General; (2) Child Support Services; Civil Litigation; (4) Commercial; (5) Family Services; (6) Health and Human Services; (7) Legal Counsel; (8) Public Safety; (9) Personnel, Labor and Employment; and (10) Agency Management.

OAG represents the District in virtually all civil litigation, prosecutes certain criminal offenses on the District's behalf, and represents the District in a variety of administrative hearings and other proceedings. In addition, OAG is responsible for advising the Executive Office of the Mayor, the D.C. Council, the D.C. Courts, and various Boards and Commissions; for reviewing legislation and regulations; and for supervising lawyers working in the General Counsel offices of 28 agencies. In all, the Attorney General supervises the legal work of approximately 350 attorneys and an additional 350 administrative/professional staff.

**b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

**Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the Office of the Attorney General is \$109,630,813, an increase of \$8,383,267 or 5.3 percent, over the current fiscal year. The proposed budget supports 784.2 FTEs, an increase of 21.2 FTEs, or 2.8 percent, from the current fiscal year.

***Local Funds:*** The Mayor's proposed budget is \$66,164,000, an increase of \$6,192,000 or 10.3 percent, over the fiscal year 2014 approved budget of \$59,972,000. This funding supports 497.7 FTEs, an increase of 15 FTEs, or 3.2 percent, over the fiscal year 2014 approved level.

***Special Purpose Revenue Funds:*** The Mayor's proposed budget is \$1,844,000 an increase of \$18,000, or 1.0 percent, over the fiscal year 2014 approved budget of \$1,827,000. The funding supports 2.7 FTEs, which remains the same as the fiscal year 2014 approved level.

***Federal Resources:*** The Mayor's proposed budget is \$21,202,000, a decrease of \$31,000 or -0.1 percent, from the fiscal year 2014 approved budget of \$21,234,000. The funding supports 144.6 FTEs, a decrease of -0.6 FTEs, or -0.4 percent, from the fiscal year 2014 approved level.

***Private Donations:*** The Mayor's proposed budget is \$391,000, an increase of \$72,000, from the fiscal year 2014 approved budget of \$319,000. The funding supports 6.5 FTEs, an increase of 1.0 FTE from the fiscal year 2014 approved level.

***Intra-District Funds:*** The Mayor's proposed budget is \$20,030,000, an increase of \$2,133,000 or 11.9 percent, from the fiscal year 2014 approved budget of \$17,896,752. The funding supports 150.7 FTEs, an increase of 21.2 FTEs, or 2.8 percent, from the fiscal year 2014 approved level.

**Committee Analysis and Comments**

***Agency Accomplishments:*** The OAG has achieved numerous successes during the course of the last year. Under Attorney General Irvin B. Nathan, the OAG has obtained victories or settlements in a number of cases, which brought in or saved the District substantial sums, started new initiatives, and achieved significant milestones that benefit the government and the District. OAG resolved hundreds of suits where the total demand against the District was

approximately \$2.2 billion.<sup>5</sup> As a result of motions, settlements, and trials, OAG resolved all of these actions for approximately \$20.0 million, about one percent of its exposure.<sup>6</sup>

***Procurement Reform Initiative:*** In his fiscal year 2015 budget proposal, the Mayor included a large-scale procurement reform initiative, which purportedly would streamline processing operations by authorizing agencies to manage the purchase of the goods and services that are needed to perform individual agency functions. As part of this initiative, the OAG's proposed budget includes an enhancement of \$2,064,084 and 13 FTEs to provide legal guidance that is integrated throughout the procurement process in order to ensure compliance with the law. The Committee expects the OAG to keep the Council informed on the progress and success of this new initiative.

***Document Management System:*** The Mayor proposed an increase of \$531,525 in OAG's fiscal year 2015 budget in order to implement a new internal Document Management System, which will complement the OAG Litigation Support Document Management System already in place. These systems will provide comprehensive electronic document management, which will greatly decrease the amount of time that is currently spent manually searching for documents and information. The new system will also allow easy transition of cases to new attorneys, with no loss of information. Attorney General Nathan testified that the new system will save the OAG an estimated \$4.5 million in annual lost productivity costs.<sup>7</sup> The Committee is pleased that the OAG is upgrading its document management capabilities and expects to receive updates from the agency on how the new document system has improved productivity.

***Truancy-Related Cases:*** OAG's local budget was increased by \$165,000 and 2 FTEs so that the agency can more effectively handle truancy-related cases. This increase reflects OAG's new responsibilities for preventing and stopping truancy under the Attendance Accountability Amendment Act of 2013, which took effect at the beginning of the 2013-2014 school year. The Committee expects the OAG will keep the Council informed of its efforts in this area and any recommendations the OAG may develop in response to its role in reducing truancy in the District.

***Charles F.C. Ruff Law Fellows Program:*** The Charles F.C. Ruff Law Fellows Program will continue to be funded in the Mayor's proposed fiscal year 2015 budget. OAG has secured commitments from area law schools, including: 1) the University of the District of Columbia; 2) George Washington University; 3) Georgetown University; and 4) American University to fund, on a matching basis with the District, salaries for Fellows to join the OAG for one year. This program, along with OAG's extensive *pro bono* program, allows the agency to maximize its capability through the increase of lawyers at little cost to the District. The Committee commends the OAG on offering such valuable experiences to District-area law school graduates and hopes that the program is continued and expanded in the future.

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<sup>5</sup> *Office of the Attorney General: Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety*, 2 (Apr. 17, 2014) (written testimony of Irvin B. Nathan, Attorney General, Office of the Attorney General).

<sup>6</sup> *Id.*

<sup>7</sup> *Id.* at 10.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 budget for the Office of the Attorney General as proposed by the Mayor, with the following modifications:

1. *Eliminate* position #10005975 (Attorney Advisor) and *reduce* FTEs by 1 in Program 2100 (Commercial Division), Activity 2119 (Office of the Division Deputy).
2. *Reduce* CSG 11 by \$132,373 and reduce CSG 14 by \$30,710.54 in Program 2100 (Commercial Division), Activity 2119 (Office of the Division Deputy).
3. *Reduce* CSG 70 (Equipment and equipment rental) in Program 1000 (Agency Management) and Activity 1015 (AMP Training & Employee Devel.) by \$14,000.

### **b. Policy Recommendations**

1. The Committee commends OAG for implementing a new document management system, but cautions that such systems are only valuable if used properly. Accordingly, the Committee recommends that OAG ensure that attorneys are appropriately trained on how to use the new system and that supervisors ensure that line attorneys take advantage of the system's capabilities. In addition, the Committee hopes that the new data system will allow the agency to better evaluate its attorneys and track key performance indicators.

## C. METROPOLITAN POLICE DEPARTMENT

<b>Metropolitan Police Department (FA0) - Operating Budget by Fund Type</b>					
Fund Type	FY 2013 Actual	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
FEDERAL GRANTS	2,968,049	2,857,869	4,010,029		4,010,029
INTRA-DISTRICT FUNDS	27,073,584	22,626,837	24,757,852		24,757,852
LOCAL FUND	462,042,685	476,289,295	478,099,964		478,099,964
PRIVATE	158,529	-	-		-
SPECIAL PURPOSE REVENUE FUNDS	3,210,672	6,993,135	7,370,000		7,370,000
<b>Grand Total</b>	<b>495,453,519</b>	<b>508,767,136</b>	<b>514,237,845</b>	-	<b>514,237,845</b>

<b>Metropolitan Police Department (FA0) - FTEs by Fund Type</b>				
Fund Type	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
FEDERAL GRANTS	18.6	15.2	-	15.2
INTRA-DISTRICT FUNDS	8.5	4.0	-	4.0
LOCAL FUND	4,502.2	4,546.8	-	4,546.8
SPECIAL PURPOSE REVENUE FUNDS	0.7	2.0	-	2.0
<b>Grand Total</b>	<b>4,530.0</b>	<b>4,568.0</b>	-	<b>4,568.0</b>

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<b>Metropolitan Police Department (FA0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	312,372,309	313,709,507	322,917,237	-	322,917,237
12-REGULAR PAY - OTHER	4,043,502	4,610,101	3,990,061	-	3,990,061
13-ADDITIONAL GROSS PAY	29,965,037	24,160,840	25,842,497	-	25,842,497
14-FRINGE BENEFITS - CURR PERSONNEL	50,344,132	55,151,659	55,794,150	-	55,794,150
15-OVERTIME PAY	28,305,034	28,323,374	28,870,343	-	28,870,343
20-SUPPLIES AND MATERIALS	4,400,611	3,785,910	4,073,000	-	4,073,000
30-ENERGY, COMM. AND BLDG RENTALS	40,329	259,700	50,000	-	50,000
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	204,271	200,000	200,000	-	200,000
32-RENTALS - LAND AND STRUCTURES	-	750,000	-	-	-
35-OCCUPANCY FIXED COSTS	-	100,000	-	-	-
40-OTHER SERVICES AND CHARGES	16,293,853	10,482,300	10,191,414	-	10,191,414
41-CONTRACTUAL SERVICES - OTHER	47,077,912	63,034,575	57,895,636	-	57,895,636
50-SUBSIDIES AND TRANSFERS	160,700	60,700	300,639	-	300,639
70-EQUIPMENT & EQUIPMENT RENTAL	1,930,094	4,138,471	4,112,868	-	4,112,868
91-EXPENSE NOT BUDGETED OTHERS	315,735	-	-	-	-
<b>Grand Total</b>	<b>495,453,519</b>	<b>508,767,137</b>	<b>514,237,845</b>	<b>-</b>	<b>514,237,845</b>

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<b>Metropolitan Police Department (FA0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-REGIONAL FIELD OPERATIONS	102	-	-	-	-
1001-PATROL SERVICES & SCHOOL SECURITY BUREAU	294,805,614	281,179,095	289,169,964	-	289,169,964
100F-AGENCY FINANCIAL OPERATIONS	3,379,308	3,447,382	3,719,609	-	3,719,609
2000-INVESTIGATIVE FIELD OPERATIONS	25	-	-	-	-
2001-INVESTIGATIVE SERVICES BUREAU	55,899,570	57,253,232	56,160,962	-	56,160,962
3000-SPECIAL FIELD OPERATIONS	325,038	-	-	-	-
4001-STRATEGIC SERVICES BUREAU	5,130,423	4,959,563	5,275,511	-	5,275,511
5000-POLICE BUSINESS SERVICES	315,588	-	-	-	-
5001-CORPORATE SUPPORT BUREAU	12,739,671	13,161,728	14,053,589	-	14,053,589
6001-PROFESSIONAL DEVELOPMENT BUREAU	37,188,606	41,279,114	41,448,715	-	41,448,715
7001-ASSISTANT CHIEF INTERNAL AFFAIRS BUREAU	8,142,916	8,419,029	8,702,617	-	8,702,617
8000-SECURITY OPERATIONS	(63)	-	-	-	-
9001-HOMELAND SECURITY BUREAU	53,650,680	70,955,994	67,752,067	-	67,752,067
9960-YR END CLOSE	50	-	-	-	-
AMP1-AGENCY MANAGEMENT PROGRAM	23,875,990	28,112,000	27,954,810	-	27,954,810
<b>Grand Total</b>	<b>495,453,518</b>	<b>508,767,137</b>	<b>514,237,844</b>	<b>-</b>	<b>514,237,844</b>

Mayor's Proposed Fiscal Year 2015-2020 Capital Budget, MPD, by Project								
Project Name	Number	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	6-Year
CCTV/Shotspotter Integration	PDB23C	750	0	0	0	0	0	750
6th District Relocation	PDR01C	5,000	0	0	0	0	0	5,000
Specialized Vehicles - MPD	PEQ20C	4,550	5,000	0	0	10,000	10,000	29,550
Specialized Vehicles - MPD	PEQ22C	3,900	3,000	0	0	0	0	6,900
MPD Scheduled Capital Improvements	PL110C	3,000	0	0	0	3,000	3,000	9,000
MPD Locker Room Renovation	PLR01C	3,000	0	0	0	0	0	3,000
<b>Agency Total</b>		<b>20,200</b>	<b>8,000</b>	<b>0</b>	<b>0</b>	<b>13,000</b>	<b>13,000</b>	<b>54,200</b>

Committee's Approved Fiscal Year 2015-2020 Capital Budget, MPD, by Project								
Project Name	Number	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	6-Year
CCTV/Shotspotter Integration	PDB23C	750	0	0	0	0	0	750
6th District Relocation	PDR01C	5,000	0	0	0	0	0	5,000
Specialized Vehicles - MPD	PEQ20C	4,550	5,000	0	0	10,000	10,000	29,550
Specialized Vehicles - MPD	PEQ22C	3,900	3,000	0	0	0	0	6,900
MPD Scheduled Capital Improvements	PL110C	3,000	0	0	0	3,000	3,000	9,000
MPD Locker Room Renovation	PLR01C	3,000	0	0	0	0	0	3,000
<b>Agency Total</b>		<b>20,200</b>	<b>8,000</b>	<b>0</b>	<b>0</b>	<b>13,000</b>	<b>13,000</b>	<b>54,200</b>

(Dollars in Thousands)

## 1. COMMITTEE ANALYSIS AND COMMENTS

### a. Agency Mission and Overview

The mission of the Metropolitan Police Department (MPD) is to safeguard the District of Columbia and protect its residents and visitors by providing the highest quality police service with integrity, compassion, and a commitment to innovation that integrates people, technology, and progressive business systems.

MPD provides crime prevention and response services through patrols, investigations, and homeland security services. The Patrol Services and School Security division delivers community policing to the District's neighborhoods through 46 police service areas in seven police districts and oversees the provision of security services to the District of Columbia Public Schools. The Investigative Services division investigates violent, property, and narcotic crimes and provides forensic support for those cases. The Homeland Security division coordinates domestic security and intelligence operations, as well as traffic safety and special events. The Internal Affairs Bureau investigates use of force, potential equal employment opportunity violators, and other complaints against MPD officers and employees. The Strategic Services, Professional Development, and Corporate Support Bureaus support the work of the entire department through research, crime analysis, strategic direction, recruitment, hiring and training personnel, fleet management, procurement, and other administrative support services.

## **b.    Mayor’s Proposed Fiscal Year 2015 Operating Budget**

### **Proposed Operating Budget Summary**

The Mayor’s fiscal year 2015 budget proposal for the MPD is \$514,237,845, an increase of \$5,470,709 or 1.1 percent, above the current fiscal year. The proposed budget supports 4,568 FTEs, an increase of 38 FTEs, or 0.8 percent, from the current fiscal year.

**Local Funds:** The Mayor’s proposed budget is \$478,100,000, an increase of \$1,811,000, or 0.4 percent, above the fiscal year 2014 approved budget. This funding supports 4,546.8 FTEs, an increase of 44.5 FTEs, or 1.0 percent, from the fiscal year 2014 approved level.

**Special Purpose Revenue Funds:** The proposed budget is \$7,370,000, an increase of \$377,000, or 5.4 percent, from the fiscal year 2014 approved budget. This funding supports 2.0 FTEs, an increase of 1.3 FTEs from the fiscal year 2014 approved level.

**Federal Resources:** The proposed budget is \$4,010,000, an increase of \$1,152,000, 40.3 percent, from the fiscal year 2014 approved budget. This funding supports 15.2 FTEs, a decrease of 3.3 FTEs, or 17.8 percent, from the fiscal year 2014 approved level.

**Intra-District Funds:** The proposed budget is \$24,758,000, an increase of \$2,131,000, or 9.4 percent, from the fiscal year 2014 approved budget. This funding supports 4.0 FTEs, a decrease of 4.5 FTEs, or 52.8 percent, from the fiscal year 2014 approved level.

### **Committee Analysis and Comments**

**Overall budget:** Approximately 85 percent of the MPD budget is for personal services (PS). The remaining 15 percent of the total budget – approximately \$76.8 million dollars – covers a variety of nonpersonal services (NPS), including specialized law enforcement purchases, such as uniforms, firearms, and ammunition; contracts of the Police and Fire Clinic; fleet; automated traffic enforcements; and information technology.<sup>8</sup> Of the total budget, only \$4.3 million, or less than one percent, is not tied up in obligated spending, such as salaries, benefits, and contracts for goods and services.<sup>9</sup> The Mayor’s proposed fiscal year 2015 budget includes a 1.9 percent increase in the local budget, the largest the MPD has received in the past six budgets – however, when compared to the fiscal year 2008 budget, MPD’s local budget has increased just one-tenth of one percent.<sup>10</sup> At a time where the District is experiencing residential growth of 1,000 residents per month, ever-increasing nightlife, and booming economic development, the lack of corresponding growth in MPD’s budget is a concern.

**Staffing:** Although the Mayor and Council worked together last year to add more officers, MPD – and thus the District – is facing a staffing crisis with the looming retirement bubble. The rapid hiring of more than 1,500 officers between 1989 and 1991 created retirement

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<sup>8</sup> *Metropolitan Police Department: Budget Oversight Hearing before the Committee on the Judiciary and Public Safety*, 1 (May 2, 2014) (written testimony of Cathy Lanier, Chief of Police, Metropolitan Police Department).

<sup>9</sup> *Id.*

<sup>10</sup> *Id.*

eligibility for 21 percent of the sworn members of the force in 2015 and 30 percent by 2017. The percentages are vastly greater among the higher ranks. For example, among management positions (Captain and Lieutenant), 63 percent will be eligible for retirement in just three years; for command staff (Inspector and above), the number of eligible staff jumps to 74 percent.

**Exhibit 1: Cumulative Retirement Eligibility by end of Calendar Year**

Rank (excluding recruits)	Current as of 12/31/13	Cumulative Retirement Eligibility by end of Calendar Year									
		2013	% of Current	2014	% of Current	2015	% of Current	2016	% of Current	2017	% of Current
<b>A/Chief</b>	6	1	17%	2	33%	3	50%	4	67%	4	67%
<b>Commander</b>	14	6	43%	6	43%	10	71%	11	79%	11	79%
<b>Inspector</b>	11	1	9%	3	27%	6	55%	7	64%	8	73%
<b>Captain</b>	41	10	24%	14	34%	24	59%	27	66%	31	76%
<b>Lieutenant</b>	123	18	15%	25	20%	44	36%	58	47%	73	59%
<b>Sergeant</b>	415	57	14%	81	20%	128	31%	146	35%	178	43%
<b>Detective</b>	342	39	11%	72	21%	117	34%	142	42%	174	51%
<b>Officer</b>	2842	127	4%	243	9%	451	16%	556	20%	654	23%
<b>Total</b>	3794	259	7%	446	12%	783	21%	951	25%	1133	30%
<b>Command Staff (Inspector &amp; above)</b>	31	8	26%	11	35%	19	61%	22	71%	23	74%
<b>Managers (Captain &amp; Lieutenant)</b>	164	28	17%	39	24%	68	41%	85	52%	104	63%
<b>Front Line (Detective &amp; Officer)</b>	3184	166	5%	315	10%	568	18%	698	22%	828	26%

*Source: The Metropolitan Police Department*

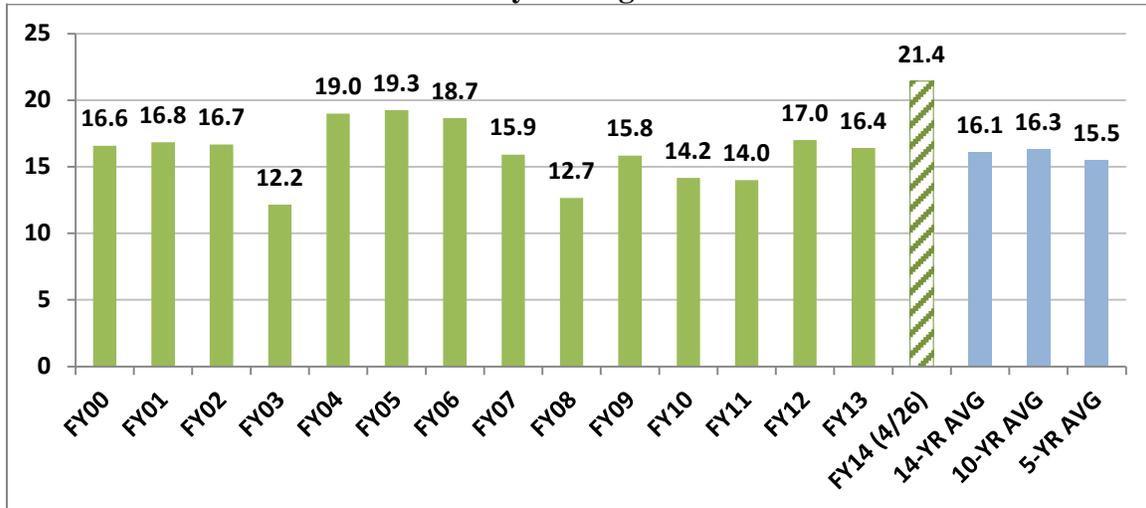
As Chief Lanier stated in her testimony, the retirement bubble is already upon us.<sup>11</sup> Chief Lanier expects more than 300 separations by the end of fiscal year 2015 and stressed the necessity of hiring 300 officers a year for the foreseeable future simply to maintain the current number of sworn members (approximately 4,000). The Department currently has the capacity to hire 300 recruits per year without sacrificing quality control in its hiring; however, the Department is currently only authorized to hire at the attrition rate. When the attrition rate increases to more than 300 per year, the Department will be unable to hire enough officers each year to replace those lost. Without a deeper staffing bench in place, the District will be unable to maintain necessary staffing levels.

The Department has worked hard to recruit and hire new officers. In the past, Chief Lanier made it a goal to hire 300 new officers a year. With an historical average monthly attrition rate of 16 officers, 300 new hires a year would allow the Department to fill all positions lost through attrition and hire an additional 100 officers. Within a few years, these new hires would

<sup>11</sup> *Id.*

create a buffer of extra officers to compensate for the inevitable rising attrition levels in the coming years. In fiscal year 2014 to date, the monthly attrition rate has risen to 21.4 – 26 percent over the previous year’s rate and a 14-year high.

**Exhibit 2: Monthly Average Attrition at MPD**



*Note: Annual averages exclude the partial year data for FY14. Source: The Metropolitan Police Department*

Despite the urgency of this problem, the Mayor’s proposed budget does not provide additional sworn FTEs or the necessary funding to allow Chief Lanier to hire officers above the rate of attrition in fiscal year 2015. Since 2008, the city’s population has grown by nine percent to well over 600,000. Another 500,000 people come into the District to work each day and more than 15,000,000 tourists visit each year. The evening and weekend population is skyrocketing with development booming all around the city. Despite this growth, the Department’s local budget has increased just one-tenth of one percent (0.1%) since fiscal year 2008. Chief Lanier testified that while a force of 4,000 sworn officers is sufficient to meet the public safety needs of the city today, it will not be enough after continued growth in coming years.<sup>12</sup>

Hiring police officers is a two-and-a-half year endeavor, from the start of recruiting to a patrol assignment. To meet the immediate hiring needs, Chief Lanier suggested a second strategy: Civilianize up to 100 positions currently filled by sworn members. Positions such as management analyst, mechanic, legal instrument examiner, and court liaison specialist do not require a sworn officer to fill them. By replacing the sworn officers currently holding these positions with civilians, these 100 officers would be able to transition immediately to patrol services.

Addressing the retirement bubble cannot be delayed. Both the Fraternal Order of Police and the Department have expressed their great concern over this matter and urged the District to increase funding to allow for higher staffing. The approximate cost of civilianizing 100 positions

<sup>12</sup> *Metropolitan Police Department: Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety (May 2, 2014) (oral testimony of Cathy Lanier, Chief of Police, Metropolitan Police Department).*

is \$6 million.<sup>13</sup> The approximate cost of hiring 50 new police recruits is \$2.6 million.<sup>14</sup> The Committee urges the Council to provide as much funding as possible for both plans. Such funding would allow the Chief the flexibility to civilianize positions as needed based on fluctuations in attrition, and to simultaneously build up a buffer of officers for long-term stability.

**Exhibit 3: Cost to Hire Addition Sworn Officers**

Additional Hires	Total Additional Cost	Salaries	Fringe	Equipment (Prog - 070D/ Obj - 0703)	Uniform/Supplies (Prog - 5130/ Obj - 0207)	Recruiting (Prog - 6320/ Obj - 0408)	Police and Fire Clinic (Prog - 6340/ Obj - 0409)
10	796,384	572,605	100,778	15,000	56,000	30,000	22,000
15	1,147,370	818,767	144,103	22,500	84,000	45,000	33,000
20	1,498,356	1,064,929	187,427	30,000	112,000	60,000	44,000
25	1,802,136	1,270,949	223,687	37,500	140,000	75,000	55,000
30	2,035,107	1,416,758	249,349	45,000	168,000	90,000	66,000
35	2,279,880	1,572,602	276,778	52,500	196,000	105,000	77,000
50	2,636,549	1,719,004	302,545	75,000	280,000	150,000	110,000

Source: The Metropolitan Police Department

**Technology improvements:** Investing in technology is imperative to maintaining a modern police force, implementing smarter policing, and increasing efficiency. Chief Lanier testified that “laptops and handheld devices have enabled officers and detectives to do more work from the field – completing reports, identifying suspects, and solving crimes without having to go back to a desk.”<sup>15</sup> In fiscal year 2014, the Committee redirected \$750,000 to be used to improve computers, and upgrade video technology and software for law enforcement purposes; MPD used these funds to purchase new desktop computers. The Mayor should continue to make it a priority to purchase and keep up to date with new technology.

**Body cameras:** In the past year, MPD has been researching the possibility of a pilot program to test body-worn cameras. These small cameras, typically affixed to the lapel, hat, or sunglasses worn by a patrol officer, are capable of recording video footage of interactions between police and individuals on the street. The footage captured by these cameras can be used as evidence in criminal and civil litigation, to resolve citizen complaints, and to help train officers on proper procedures. In other jurisdictions where body-worn cameras are used, rates of complaints of police abuse have dropped dramatically. While the Mayor’s proposed fiscal year 2015 budget does not directly fund this pilot, at the MPD budget hearing, Chief Lanier testified

<sup>13</sup> This cost is an estimate provided by the Metropolitan Police Department.

<sup>14</sup> See Exhibit 3.

<sup>15</sup> *Metropolitan Police Department: Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety* (May 2, 2014) (written testimony of Cathy Lanier, Chief of Police, Metropolitan Police Department).

that the Executive had identified fiscal year 2014 funding to begin the pilot within the next 12 months.

On May 8, 2014, the Police Complaints Board issued a report and recommendations entitled, “Enhancing Police Accountability Through an Effective On-Body Camera Program for MPD Officers.” The report expounded on the many potential benefits of body-worn cameras for MPD, while also stressing the need for the creation, prior to implementation, of thoughtful policies regarding the initiation, retention, and notice of recordings, as well as privacy issues and access to recordings. The Board proposed that MPD establish an advisory panel of stakeholders to assist in the development of a policy to govern a body-worn camera pilot program. The Committee agrees that stakeholder input should be solicited as MPD explores this pilot program, however, the Committee supports the development and testing of a pilot project now. The Committee expects MPD to develop policies regarding the initiation, retention, and notice of recordings, as well as privacy issues and access to recordings, before the pilot is expanded.

***Report of the Hate Crimes Assessment Task Force:*** As the result of an initiative led by the Anti-Defamation League, a task force composed of a small group of national civil rights organizations, advocacy groups and recognized academic authorities took a careful look at hate crimes in the District, with a specific focus on MPD’s interactions with the LGBT community. The task force produced a report on its findings and made recommendations to MPD on ways to improve LGBT community relations and treatment of LGBT victims of crime. Chief Lanier agreed to implement nearly all of the recommendations in the report, including an overhaul of the training MPD provides its officers on LGBT cultural competency. At the budget hearing, Chief Lanier testified that the Department did not require additional funding to implement the recommendations. The Committee expects to see these improvements made and will monitor MPD’s progress in the coming year.

***Bicycle Accident Reports:*** The Office of Police Complaints issued two separate reports on bicycle safety in recent years and the Committee addressed questions about it to Chief Lanier at the Department’s performance and budget oversight hearings. When a cyclist is involved in a traffic accident with a motor vehicle, the police often fail to interview the cyclist, who is frequently transported away from the accident scene by emergency services before the police arrive. The Committee is disappointed that the Department has failed to remedy this problem and will continue to push for greater improvements. Additionally, the Committee recommends the Department add a new box to its accident report form so that accidents involving cyclists can be more easily tracked.

***Labor and Management Relations:*** In 2008, the collective bargaining agreement between the District and the police union expired. The negotiations that followed for a new contract went on unsuccessfully for five years, followed by several months of mediation in 2013. Finally, in the fall of 2013, the parties entered into interest arbitration. Both parties were required to submit their last best offers, and on Feb. 3, 2014, Arbitrator M. David Vaughn granted a final award in favor of the city’s plan. On April 4, 2014, the Mayor transmitted the award to the Council in the form of Proposed Resolution 20-727, the *Settlements and Interest Arbitration Award between the District of Columbia Government and the Fraternal Order of Police MPD Labor Committee (Compensation Unit 3) Emergency Declaration Resolution of 2014*. On May 6,

2014, the Council voted 11-2 to approve the award. As a result, the police will receive a four percent wage increase retroactive to April 1, 2013; a three percent wage increase on October 1, 2014; a three percent wage increase on October 1, 2015; and a three percent wage increase on October 1, 2016. The Committee hopes the new contract will usher in a period of improved relations between union members and Department management.

***Police Escort and Reimbursement:*** The Budget Support Act subtitle, “Metropolitan Police Department Escort and Reimbursement Act of 2014”<sup>16</sup> authorizes the MPD to receive reimbursement for, and issue regulations on, police escort services needed to protect public health and safety. Currently, MPD is authorized under the law to engage in “reimbursable details” in certain situations, such as a parade or festival, when there is an event on public space or an event that has an impact on public space.<sup>17</sup> MPD assigns officers to work overtime at these events and the private entity sponsoring the event then repays MPD the overtime cost. However, the law does not currently allow MPD to provide reimbursable details for things like escorting hazardous materials or oversize vehicles through the city or escorting firework transports on the Potomac. This subtitle will give MPD authority to seek reimbursement for these kinds of police escorts in the future, so that overtime costs do not fall on taxpayers. The Committee supports passage of this subtitle, as amended.<sup>18</sup>

### **c. Mayor’s Proposed Fiscal Year 2015-2020 Capital Budget**

#### **Proposed Capital Budget Summary**

The Mayor’s proposed capital budget for MPD is \$54,200,000 over six years. This plan includes funding to:

- Renovate former Merritt Middle School in W7 to convert it to MPD 6th District facility and Youth Investigative Division (to replace existing location MPD has outgrown). Existing project; fiscal year 2015 funding of \$5,000,000 completes the total \$14,000,000 cost.
- Complete scheduled capital improvements at MPD facilities. The fiscal year 2015 allotment is \$3,000,000; projected fiscal year 2019 is \$3,000,000; and projected fiscal year 2020 is \$3,000,000 for a six year total of \$9,000,000.
- Integrate CCTV and ShotSpotter technologies. Existing project; fiscal year 2015 funding of \$750,000 completes the total \$4,750,000 cost.
- Renovation of MPD District Station Locker Rooms. New project; fiscal year 2015 funding is total project cost of \$3,000,000.
- Replace aging vehicles. Two existing projects (PEQ20 and PEQ 22), together include \$8,450,000 in fiscal year 2015 and \$8,000,000 in fiscal year 2016.

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<sup>16</sup> Title III. Public Safety and Justice, Subtitle A, of the Bill 20-750, the “Fiscal Year 2015 Budget Support Act of 2014”.

<sup>17</sup> MPD is also authorized to assign reimbursable details to nightlife establishments. *See* D.C. Official Code § 25-798.

<sup>18</sup> *See* Section IV. Fiscal Year 2015 Budget Support Act Recommendations, Section A.

### **Committee Analysis and Comments**

***Fleet replacement:*** MPD's goal has been to maintain the existing fleet of police vehicles according to an established replacement cycle, typically every 5 years. Due to previous budget cuts, MPD was well behind this standard replacement schedule for its patrol vehicles, which receive substantial wear and tear as they are in constant use. By the end of fiscal year 2016, the fleet should be back on track with the preferred replacement schedule; in order to maintain this replacement schedule, the Department needs approximately \$8,000,000 annually. The Mayor's proposed 6-year capital plan does not include any funding for vehicles after 2016. The Committee is concerned that without a clear commitment from the Executive, the fleet will again decline from overuse and deferred replacement.

***Building maintenance:*** The Henry Daly building, located at 300 Indiana Avenue NW, serves as the MPD headquarters. In addition, the building serves as a major service center for the Court Services and Offender Supervision Agency and the District Department of Motor Vehicles. The current conditions of the building have deteriorated to the point where operations of the tenants are disrupted several times a year. Reports of rodent infestations, flooding, power outages, mold, and air quality issues are common. To address these concerns, the Department of General Services (DGS) developed a remediation plan of \$4,003,500, however the Mayor did not fund the plan in the fiscal year 2015 budget. The Committee is troubled by these reports and the impact such disruptions may have on public safety. Furthermore, the Daly building is one of the many Works Progress Administration contributions to the District and should be maintained and preserved in District inventory. The Committee recommends that the Executive immediately order an environmental assessment of the building and develop a plan for the future of the Daly building. The Committee urges the Council to provide funding to DGS to implement the remedial plan.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the FY 2015 budget for the Metropolitan Police Department, as proposed by the Mayor.

### **b. Fiscal Year 2015 Capital Budget Recommendations**

1. The Committee recommends that an environmental assessment be undertaken for the Henry Daly building as soon as possible to identify all present health and safety issues.
2. The Committee urges the Council to identify funding to add \$4 million to the DGS fiscal year 2015 budget to implement the Henry Daly building suggested remediation plan, in order to address pressing health and safety issues.

**c. Policy Recommendations**

1. The Committee urges the Council to make sworn staffing a Council-wide priority. MPD should receive additional FTEs and funding to recruit beyond the attrition rate. This would allow the Department to begin building a buffer of new officers. However, the lead time from recruiting new hires to when they are street ready is approximately two and a half years. In order to allow the Chief to address increased attrition as it occurs, the Committee urges the Council to also provide funding to civilianize positions; doing so would provide flexibility to immediately take sworn officers off desk duty and return them to active patrol.
2. The Committee recommends the Department to add a check box to its accident report form that will allow for tracking of traffic accidents that involve bicycles.
3. The Committee expects the Department to develop a new and comprehensive training curriculum for officers on LGBT cultural competency in the near future and will monitor the progress made throughout the next year.

**D. FIRE AND EMERGENCY MEDICAL SERVICES DEPARTMENT**

<b>Fire and Emergency Medical Services Department (FB0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	389,457	1,608,459	1,637,729		1,637,729
INTRA-DISTRICT FUNDS	3,685,738	-	-		-
LOCAL FUND	198,390,744	197,951,059	202,840,812	(277,888)	202,562,924
SPECIAL PURPOSE REVENUE FUNDS	1,520,000	1,520,000	1,520,000		1,520,000
<b>Grand Total</b>	<b>203,985,939</b>	<b>201,079,518</b>	<b>205,998,541</b>	<b>(277,888)</b>	<b>205,720,653</b>

<b>Fire and Emergency Medical Services Department (FB0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	30.0	30.0	-	30.0
LOCAL FUND	2,070.0	2,070.0	(3.0)	2,067.0
<b>Grand Total</b>	<b>2,100.0</b>	<b>2,100.0</b>	<b>(3.0)</b>	<b>2,097.0</b>

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<b>Fire and Emergency Medical Services Department (FB0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	137,617,672	141,868,599	137,529,457	(234,505)	137,294,952
12-REGULAR PAY - OTHER	672,049	584,225	1,898,972	-	1,898,972
13-ADDITIONAL GROSS PAY	7,281,468	7,104,133	14,223,979	-	14,223,979
14-FRINGE BENEFITS - CURR PERSONNEL	23,527,119	25,833,391	26,644,918	(43,383)	26,601,535
15-OVERTIME PAY	9,335,302	3,094,686	3,094,686	-	3,094,686
20-SUPPLIES AND MATERIALS	5,057,010	4,595,192	4,697,173	-	4,697,173
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	103,138	-	-	-	-
40-OTHER SERVICES AND CHARGES	4,876,383	3,189,224	2,918,742	-	2,918,742
41-CONTRACTUAL SERVICES - OTHER	7,205,906	6,582,133	6,740,104	-	6,740,104
50-SUBSIDIES AND TRANSFERS	6,705,371	7,029,290	7,029,290	-	7,029,290
70-EQUIPMENT & EQUIPMENT RENTAL	1,604,521	1,198,644	1,221,219	-	1,221,219
<b>Grand Total</b>	<b>203,985,939</b>	<b>201,079,517</b>	<b>205,998,540</b>	<b>(277,888)</b>	<b>205,720,652</b>

Committee on the Judiciary and Public Safety  
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<b>Fire and Emergency Medical Services Department (FB0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-ADMINISTRATIVE SUPPORT	17,849,877	16,330,871	17,124,888	(225,391)	16,899,497
100F-AGENCY FINANCIAL OPERATIONS	1,247,047	1,257,327	1,371,357	-	1,371,357
2000-FIRE PREVENTION AND EDUCATION	5,343,993	5,962,734	6,338,152	-	6,338,152
3000-FIELD OPERATIONS	156,342,471	158,416,795	161,444,023	(52,497)	161,391,526
4000-EMPLOYEE PREPAREDNESS	11,944,342	9,764,581	9,351,738	-	9,351,738
5000-OPERATIONS SUPPORT	8,282,925	6,714,759	7,135,548	-	7,135,548
6000-POLICY AND PLANNING	2,806,898	2,481,078	2,930,738	-	2,930,738
7000-STATE SAFETY OVERSIGHT PROGRAM	168,310	151,373	302,097	-	302,097
9960-YR END CLOSE	75	-	-	-	-
<b>Grand Total</b>	<b>203,985,939</b>	<b>201,079,518</b>	<b>205,998,541</b>	<b>(277,888)</b>	<b>205,720,653</b>

Mayor's Proposed Fiscal Year 2015-2020 Capital Budget, FEMS, by Project								
Project Name	Number	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	6-Year
Fire Apparatus	20600C	4,000	4,000	0	0	0	0	8,000
Fire Apparatus	20630C	9,000	9,000	0	0	15,000	15,000	48,000
E-22 Firehouse Replacement	LC437C	4,000	0	0	0	0	0	4,000
Engine Company 23 Renovation	LC537C	0	0	0	0	3,750	3,750	7,500
Relocation of Engine Company 26	LC837C	0	0	0	0	4,000	4,750	8,750
Engine 27 Major Renovation	LE737C	4,000	4,000	0	0	0	0	8,000
FEMS Scheduled Capital Improvements	LF239C	1,000	1,000	0	0	2,500	2,500	7,000
<b>Agency Total</b>		<b>22,000</b>	<b>18,000</b>	<b>0</b>	<b>0</b>	<b>25,250</b>	<b>26,000</b>	<b>91,250</b>

Committee's Approved Fiscal Year 2015-2020 Capital Budget, FEMS, by Project								
Project Name	Number	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	6-Year
Fire Apparatus	20600C	4,000	4,000	0	0	0	0	8,000
Fire Apparatus	20630C	9,000	9,000	0	0	15,000	15,000	48,000
E-22 Firehouse Replacement	LC437C	4,000	0	0	0	0	0	4,000
Engine Company 23 Renovation	LC537C	0	0	0	0	3,750	3,750	7,500
Relocation of Engine Company 26	LC837C	0	0	0	0	4,000	4,750	8,750
Engine 27 Major Renovation	LE737C	4,000	4,000	0	0	0	0	8,000
FEMS Scheduled Capital Improvements	LF239C	1,000	1,000	0	0	2,500	2,500	7,000
<b>Agency Total</b>		<b>22,000</b>	<b>18,000</b>	<b>0</b>	<b>0</b>	<b>25,250</b>	<b>26,000</b>	<b>91,250</b>

(Dollars in Thousands)

## 1. COMMITTEE ANALYSIS AND COMMENTS

### a. Agency Mission and Overview

The mission of the Fire and Emergency Medical Services Department (FEMS) is to promote safety and health through excellent pre-hospital medical care, fire suppression, hazardous materials response, technical rescue, homeland security preparedness, and fire prevention and education. FEMS performs all these services—collectively known as all-hazards protection—through 33 neighborhood fire stations that deploy 39 EMS transport units (ambulances), 33 engine companies, 16 ladder trucks, three heavy-rescue squads, one hazardous materials unit, and one fire boat company. Fourteen of these transport units and 20 of these engine companies are staffed by paramedics providing advanced life support (ALS) care. FEMS responds to more than 160,000 emergency 911 calls each year and transports more than 101,000 patients to local hospitals.<sup>19</sup> Fire and safety inspection, education, and intervention programs touch more than 10,000 District residents each year through community presentations, smoke alarm installations, health status/disease prevention screenings, car seat installations, and CPR instruction. FEMS also provides services for special events unique to the nation's capital, such as

<sup>19</sup> See FEMS' Answer to Committee Question #1 for Public Roundtable on PR20-703, the "FEMS Redeployment Redistribution Resolution of 2014."

demonstrations, public gatherings, and presidential inaugurations. Additionally, the Department provides fire suppression and emergency medical protection for presidential motorcades and helicopter landings.

FEMS is responsible for the internal training and development, along with human resources administration, of more than 2,000 employees. The Department's cost recovery programs for ambulance transport collected approximately \$27.9 million in gross payments for EMS fees.<sup>20</sup>

## **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the Fire and Emergency Medical Services Department is \$205,998,541, an increase of \$3,401,234, or 2.4 percent over the current fiscal year. The proposed budget supports 2,100.0 FTEs, which represents no change from the current fiscal year.

**Local Funds:** The Mayor's proposed budget is \$202,840,812, an increase of \$3,371,812 or 1.7 percent over the fiscal year 2014 approved budget of \$199,469,000. This proposed budget supports 2,070 FTEs, no change from the fiscal year 2014 approved level.

**Special Purpose Revenue Funds:** The Mayor's proposed budget is \$1,520,000 representing no change from the fiscal year 2014 approved budget. This funding supports 0.0 FTEs, representing no change from the fiscal year 2014 approved level.

**Federal Funds:** The Mayor's proposed budget includes \$1,638,000 in federal funds, an increase of \$29,000 from the fiscal year 2014 approved budget. This funding supports 30.0 FTEs, representing no change from the fiscal year 2014 approved level.

### **Committee Analysis and Comments**

**Emergency Medical Services Bureau:** The District of Columbia currently has 650,000 residents, which represents an increase of approximately 45,000 since April 1, 2010.<sup>21</sup> FEMS Chief Kenneth Ellerbe testified that approximately 80 percent of the total calls received by the Department are related to emergency medical services.<sup>22</sup> Demand for service continues to rise, but the rate of attrition at FEMS still exceeds the Department's hiring and recruiting rate.<sup>23</sup> There

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<sup>20</sup> See FEMS' Answer to Committee Fiscal Year 2013 Performance Question #19.

<sup>21</sup> United States Census Bureau, "State and Country Quick Facts," March 27, 2014, available at <http://quickfacts.census.gov/qfd/states/11000.html>.

<sup>22</sup> See *Fire and Emergency Medical Services: FY 2015 Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety*, (May 8, 2014) (oral testimony of Chief Kenneth Ellerbe, Fire and Emergency Medical Services).

<sup>23</sup> *Id.*

are nine major hospitals in the District,<sup>24</sup> of which only four have massive trauma centers.<sup>25</sup> East of the Anacostia River, there is currently only one hospital, United Medical Center, and no specialized trauma centers. As a result, patients in Ward 7 and 8 may face longer transport times to a hospital, increasing the need for sound medical care while on the transport. The needs of the District have shifted from fire suppression to emergency medical services (EMS), and the Department must reallocate its resources and attention accordingly.

***EMS Taskforce on Mr. “Cecil” Mills Jr. and Mr. Jose Perez:*** In response to two highly-publicized deaths,<sup>26</sup> FEMS, in coordination with the Office of Unified Communications (OUC) and the Deputy Mayor of Public Safety and Justice, formed a task force to examine the agencies’ responses in both situations. The Committee awaits the release of the report and accompanying recommendations.

***Continuing Education Training vs. Recertification Training:*** It is unclear how the Department ensures that its employees remain up-to-date on training in the years following the training academy. In fiscal year 2013, FEMS spent \$425,562 on recertification programs, while only \$16,595 was spent on continuing education courses for members.<sup>27</sup> Members are expected to complete 40 hours of continuing education per year. Currently, the funding level suggests that continuing education requirements are being fulfilled only by recertification requirements, rather than a focused emphasis on more EMS training. The Committee is concerned that FEMS is not reliably tracking employee progress and training after they depart the academy.

***Paramedic Training Program:*** Chief Ellerbe testified that the Department has made progress toward establishing a partnership with the University of the District of Columbia to offer a paramedical training program. He stated that the first class should begin in September 2014. The Committee commends this effort and expects regular reports on its progress.

***Fleet Division:*** In November 2013, the Department publically released an internal audit on the fleet division. Based on the audit’s recommendations, FEMS hired a civilian manager to run the fleet division, reconfigure the preventative maintenance and repair shop, maximize the use of the existing technology, and implement a long term purchasing plan. In addition, FEMS requested six additional FTEs and an additional \$2.3 million in funding to implement the audit’s recommendations.<sup>28</sup> Despite these requests, FEMS stated that all of its budget enhancement requests were denied.<sup>29</sup> The Committee does not understand the Executive’s unwillingness to implement the findings of its own audit.

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<sup>24</sup> Children’s Hospital, Medstar Hospital, Howard University Hospital, Georgetown University Hospital, George Washington University Hospital, Providence Hospital, Sibley Hospital (Johns Hopkins), Washington Hospital Center, and United Medical Center.

<sup>25</sup> MedStar Hospital Trauma Center, Children’s Hospital Trauma Center, George Washington University Hospital Trauma Center, and Howard University Hospital Trauma Center.

<sup>26</sup> See generally *Committee on Judiciary and Public Safety Public Oversight Roundtable “The Office of Unified Communications, the Fire and Emergency Medical Services Department, and the Metropolitan Police Department: Effective Coordination of Public Safety Response and Related Protocols”* (February 24, 2014), available at: [http://dc.granicus.com/MediaPlayer.php?view\\_id=28&clip\\_id=2082](http://dc.granicus.com/MediaPlayer.php?view_id=28&clip_id=2082)

<sup>27</sup> Email from F&EMS Assistant Fiscal Officer Daryl Staats, dated May 12, 2014

<sup>28</sup> FEMS’ Answer to Committee Fiscal Year 2013 Performance Question #30.

<sup>29</sup> See FEMS’ Answer to Committee Fiscal Year 2013 Performance Question #15.

**Vacancies:** At this year’s budget oversight hearing, he testified that the Department had 114 vacancies. Since the beginning of fiscal year 2012, the Department has eliminated 177 positions.<sup>30</sup> FEMS has focused its recruiting efforts on the Fire Cadet Training Academy, generating new recruit classes each year;<sup>31</sup> the Department has opted not to hire other experienced firefighters or firefighter paramedics to compliment the young cadets. While the Committee agrees that the cadet academy can be a great way to find new employees, it should not be the only – or even primary – source of new employees. The Committee is also concerned with the Department’s rate of attrition, which continues to outpace recruitment.<sup>32</sup> The combination of position elimination, vacancies, and attrition raises concerns that the Department is insufficiently staffed to adequately serve the District. FEMS must take immediate action to recruit and hire additional qualified staff members.

**State Safety Oversight Agency:** The Budget Support Act (BSA) subtitle, the “State Safety Oversight Agency Establishment Amendment Act of 2014,” places the State Safety Oversight Agency (SSOA) within FEMS.<sup>33</sup> The SSOA will be responsible for safety oversight of the D.C. Streetcar, set to begin service later this year. When FEMS established the State Safety Office (SSO), Chief Ellerbe designated Captain Kelton Ellerbe as Program Manager for the SSO.<sup>34</sup> This BSA subtitle expands the Program Manager’s duties, making that position head of the SSOA. The Program Manager must develop safety plans with the District Department of Transportation, and then inspect, audit, and report on the implementation of the safety plan. The Committee expects progress updates on this expansion as the streetcar program moves closer to operation.

**Clinical Quality Improvement Program (CQI):** The CQI division reviews the EMS performance on service calls. The CQI program, in addition to providing accountability for employees, also serves as a review of training practices and procedures. If CQI observes frequent mistakes occurring with a certain procedure or with a certain employee, CQI can alert management to a potential gap in service. As part of the 2008 Rosenbaum Task Force<sup>35</sup> recommendations, CQI must be staffed by civilian employees. During the May 8, 2014 budget oversight hearing, Chief Ellerbe testified that the CQI was without a lead inspector. Until this position is filled with a qualified employee, FEMS cannot effectively track its employees’ performance in the field. The Committee expects to be notified when this position has been advertised and when it has been filled.

**3-3-3 Shift:** In responses to advance questions for the fiscal year 2015 budget hearing, FEMS stated, “Because of this [PERB] decision, Department management will shortly announce implementation of a three (3) platoon system, using the previously discussed ‘3-3-3 tour of duty’ shift schedule. . . . A more detailed plan describing changes, assignments, and Department

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<sup>30</sup> Email from FEMS Assistant Fiscal Officer Daryl Staats, May 12, 2014.

<sup>31</sup> See generally, *Fire and Emergency Medical Services: FY 2015 Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety*, (May 8, 2014) (written testimony of Chief Kenneth Ellerbe, Fire and Emergency Medical Services).

<sup>32</sup> Email from FEMS Assistant Fiscal Officer Daryl Staats, May 12, 2014.

<sup>33</sup> Title III. Public Safety and Justice, Subtitle B, of the Bill 20-750, the “Fiscal Year 2015 Budget Support Act of 2014”. See Section IV.

<sup>34</sup> The State Safety Office used to be referred to as the Rail Safety Program.

<sup>35</sup> Available at <http://fems.dc.gov/page/ems-task-force-recommendations>

management's intention to better define and improve operational field supervision for EMS, will be published in the near future."<sup>36</sup> The Committee reiterates that all major changes in how the Department provides emergency medical services, or fire protection and prevention services, must be approved by resolution of the Council.<sup>37</sup> The Committee expects a proposed resolution on a 3-3-3 shift to be submitted to the Council prior to its implementation.

**c. Mayor's Proposed Fiscal Year 2015-2020 Capital Budget**

**Proposed Capital Budget Summary**

The policy initiatives in the Mayor's proposed Capital Improvement Plan (CIP) for the Fire and Emergency Medical Services Department emphasize modernizing fire stations, as well as replenishing an aging fleet that has been long been neglected. The District is currently planning the replacement of Engine 22 Firehouse (\$4,000,000 in fiscal year 2015), the renovation of Engine Company 27 (\$4,000,000 in fiscal year 2015 and 2016), and ongoing capital improvements in the various 35 Fire and EMS facilities (\$1,000,000 in fiscal year 2015 and 2016). Additionally, the CIP contains two capital projects involving the purchase of fleet apparatus for a total of \$13 million.<sup>38</sup>

**Committee Analysis and Comments**

The Committee supports the increase of \$5,000,000 in capital funding for the purchase of fleet apparatus. However, the Committee has significant concerns about the lack of apparatus funding beyond fiscal year 2016. Chief Ellerbe testified that the fleet is approximately 2 to 3 years behind where it needs to be. Accordingly, the Committee urges the Mayor's office to increase funding in the next 6-year capital plan to preserve the progress made in the past 12 months.

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<sup>36</sup> See FEMS' Answer to Committee Fiscal Year 2015 Budget Questions #4b.

<sup>37</sup> See generally, D.C. Official Code § 5-401.

<sup>38</sup> VOLUME 6: FY 2015 TO FY 2020 CAPITAL IMPROVEMENTS PLAN (Budget Books).

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

1. *Reduce* FTEs by 3 and *eliminate* the following positions:
  - a. Position # 00013238 (Communications director)
  - b. Position # 00077801 (Program Analyst)
  - c. Position # 00010008 (Firefighter)
2. *Reduce* total CSG 11 by \$234,505 and *reduce* CSG 14 by \$43,383.07 (*total local PS reduction, \$277,888.07*), and by program as follows:
  - a. In Program 1000 (Administrative support), Activity 080A (Communications), *reduce* CSG 11 by \$132,613.00 and *reduce* CSG 14 by \$24,533.04;
  - b. In Program 1000 (Administrative Support), Activity 090A (Performance Management), *reduce* CSG 11 by \$57,591.00 and *reduce* CSG 14 by 10,654.34;
  - c. In Program 3000 (Field Operations), Activity 3201 (Fire Suppression), *reduce* CSG 11 by \$44,301 and *reduce* CSG 14 by \$8,195.69

### **b. Fiscal Year 2015 Capital Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 capital budget for Fire and Emergency Medical Services, as proposed by the Mayor, but recommends the Council identify funding to add \$7,000,000 to fiscal year 2017, fiscal year 2018, and fiscal year 2019 in order to ensure apparatus are purchased on an appropriate replacement schedule.

### **c. Policy Recommendations**

1. The Committee directs FEMS to act immediately to fill the vacancies that currently exist in the Department. Staffing shortages negatively impact the Department's performance by increasing the workload of current staff without providing more recovery time. The shortage also leaves the District with decreased access to basic and advanced life support during emergency transportation to the hospital.
2. The Committee recommends that the Department focus on continuing education for employees, in addition to the required recertification training mandated by the Department of Health.
3. The Committee urges the FEMS to continue efforts to establish a paramedic training program at UDC and expects updates on its progress.

**E. DEPARTMENT OF CORRECTIONS**

<b>Department of Corrections (FLO) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
INTRA-DISTRICT FUNDS	516,648	300,585	169,454		169,454
LOCAL FUND	110,995,508	118,803,483	124,349,408		124,349,408
SPECIAL PURPOSE REVENUE FUNDS	19,616,458	21,150,000	28,260,449		28,260,449
<b>Grand Total</b>	<b>131,128,614</b>	<b>140,254,068</b>	<b>152,779,311</b>	<b>-</b>	<b>152,779,311</b>

<b>Department of Corrections (FLO) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
INTRA-DISTRICT FUNDS	-	0.8	-	0.8
LOCAL FUND	915.0	915.2	(1.0)	914.2
SPECIAL PURPOSE REVENUE FUNDS	20.0	20.0	-	20.0
<b>Grand Total</b>	<b>935.0</b>	<b>936.0</b>	<b>(1.0)</b>	<b>935.0</b>

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<b>Department of Corrections (FLO) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	46,114,445	51,160,861	55,066,526	-	55,066,526
12-REGULAR PAY - OTHER	1,626,450	1,408,450	526,359	(71,589)	454,770
13-ADDITIONAL GROSS PAY	4,178,291	3,780,000	3,801,424	-	3,801,424
14-FRINGE BENEFITS - CURR PERSONNEL	13,145,486	16,855,630	16,082,442	(20,689)	16,061,753
15-OVERTIME PAY	2,145,775	2,500,000	2,500,000	-	2,500,000
20-SUPPLIES AND MATERIALS	5,602,960	6,003,227	6,486,732	-	6,486,732
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	20,000	60,134	60,134	-	60,134
32-RENTALS - LAND AND STRUCTURES	2,792,500	2,792,500	2,792,500	-	2,792,500
40-OTHER SERVICES AND CHARGES	3,231,646	3,738,418	4,429,974	-	4,429,974
41-CONTRACTUAL SERVICES - OTHER	48,638,388	50,720,350	59,218,265	92,278	59,310,543
50-SUBSIDIES AND TRANSFERS	190,476	180,000	180,000	-	180,000
70-EQUIPMENT & EQUIPMENT RENTAL	3,442,197	1,054,498	1,634,955	-	1,634,955
<b>Grand Total</b>	<b>131,128,613</b>	<b>140,254,068</b>	<b>152,779,311</b>	<b>(0)</b>	<b>152,779,311</b>

<b>Department of Corrections (FLO) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
100F-AGENCY FINANCIAL OPERATIONS	737,190	906,631	964,317	-	964,317
1100-AGENCY MANAGEMENT PROGRAMS	11,671,282	12,567,281	19,558,683	-	19,558,683
2000-INSTITUTIONAL CUSTODY OPERATIONS	20	-	-	-	-
2100-OFFICE OF COMMUNITY AFFAIRS	-	268,390	-	-	-
2500-INMATE SERVICES	41,764,836	42,106,466	47,022,345	-	47,022,345
3600-INMATE CUSTODY	66,580,617	73,247,203	84,857,940	92,278	84,950,218
4800-INSTITUTIONAL SUPPORT SERVICES	10,374,694	11,158,099	-	-	-
4900-COMMUNITY AFFAIRS	-	-	376,026	(92,278)	283,748
96-YR END CLOSE	(25)	-	-	-	-
<b>Grand Total</b>	<b>131,128,614</b>	<b>140,254,070</b>	<b>152,779,311</b>	<b>-</b>	<b>152,779,311</b>

<b>Mayor's Proposed Fiscal Year 2015-2020 Capital Budget, DOC, by Project</b>								
<b>Project Name</b>	<b>Number</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>6-Year</b>
General Renovations at DOC Facilities	CGN01C	1,500	500	0	0	1,250	1,250	4,500
<b>Agency Total</b>		<b>1,500</b>	<b>500</b>	<b>0</b>	<b>0</b>	<b>1,250</b>	<b>1,250</b>	<b>4,500</b>
<b>Committee's Approved Fiscal Year 2015-2020 Capital Budget, DOC, by Project</b>								
<b>Project Name</b>	<b>Number</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>6-Year</b>
General Renovations at DOC Facilities	CGN01C	1,500	500	0	0	1,250	1,250	4,500
<b>Agency Total</b>		<b>1,500</b>	<b>500</b>	<b>0</b>	<b>0</b>	<b>1,250</b>	<b>1,250</b>	<b>4,500</b>

(Dollars in Thousands)

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Department of Corrections (DOC) is to provide a safe, secure, orderly, and humane environment for the confinement of pretrial detainees and sentenced inmates, while

affording those in custody meaningful rehabilitative opportunities that will assist them to constructively re-integrate into the community. The DOC operates the Central Detention Facility (CDF) and houses inmates in the Correctional Treatment Facility (CTF) through a contract with the Corrections Corporation of America; both facilities are accredited by the American Correctional Association (ACA) and the National Commission on Correctional Healthcare. The agency has contracts with four private and independently operated halfway houses: Efforts for Ex-Convicts; Extended House, Inc.; Fairview; and Hope Village. These houses are often used as alternatives to incarceration. Like other municipal jails, 75 to 85 percent of inmates in DOC's custody have one or more outstanding legal matters that require detention, and the median length of stay for inmates is 31 days or less. Ninety percent of DOC's inmates are male; at CTF, DOC also houses female inmates, and a small number of juveniles charged as adults.

Each facility offers inmates a number of programs and services that support successful community re-entry. These include: Residential Substance Abuse Treatment (RSAT); re-entry preparation (re-entry); institutional work details and community work squads; special education (through the District of Columbia Public Schools (DCPS)); adult education and General Educational development (GED) preparation provided by DOC; and comprehensive health and mental health services provided through Unity Health Care (contractual) and the D.C. Department of Mental Health. Inmate personal adjustment and support services, such as food services, laundry, visitation, law library, and an inmate grievance process are also provided by the facilities. DOC facilities operate 24 hours a day, 365 days a year.

***Office of Returning Citizens Affairs (ORCA):*** ORCA's mission is to provide constituent services and information to the returning citizen community through programmatic activities and outreach materials; serve as a liaison between the Mayor, the returning citizen community, and District government agencies; and brief the Mayor and District government agencies about the needs and interests of returning citizens of the District of Columbia.<sup>39</sup>

## **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the Department of Corrections is \$152,779,311, an increase of \$12,525,242, or 8.9 percent, from the current fiscal year. The proposed budget supports 936.0 FTEs, representing an increase of 1 FTEs, a 0.1 percent increase over the current fiscal year.

***Local Funds:*** The Mayor's proposed budget is \$124,349,000, an increase of \$5,546,000, or 4.7 percent, over the fiscal year 2014 approved budget of \$118,803,000. This funding supports 915.2 FTEs, an increase of 0.2 FTEs, or 0.0 percent, over the fiscal year 2014 approved level.

***Special Purpose Revenue Funds:*** The Mayor's proposed budget is \$28,260,000, an increase of \$7,110,000, or 33.6 percent, from the fiscal year 2014 approved budget of

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<sup>39</sup> ORCA previously was part of the Department's Office of Community Affairs; in the FY15 budget proposal, ORCA is not within the new DOC's Community Affairs division.

\$21,150,000. This funding supports 20 FTEs, which represents no change from the fiscal year 2014 approved level.

***Intra-District Funds:*** The Mayor's proposed budget is \$169,000, a decrease of \$131,000, or -43.6 percent, from the fiscal year 2014 approved budget of \$301,000. The funding supports 0.8 FTEs, an increase of 0.8 FTEs from the fiscal year 2014 approved level.

### **Committee Analysis and Comments**

***Suicides at the DC Jail:*** Between November 2012 and June 2013, there were four adult male suicides at the DC Jail. The Department, and specifically Director Faust, deserves praise for responding to these tragedies quickly and implementing a number of changes. First, the Department switched to double celling of inmates based on evidence that placing two inmates per cell decreases the opportunities for successful suicides. Second, the Department eliminated inmate access to shaving razors. Barbers now visit the housing units twice each week to provide shaving services to inmates. Third, the frequency of security checks was increased from every 30 minutes to every 15 minutes in special housing blocks. Fourth, a booking supervisor was assigned to complete a review of inmates during intake and discharge. Fifth, the Department brought in a national expert to assess the Department's policies and established a suicide prevention task force, which conducted a facility cell inspection to evaluate how cells might be made more suicide resistant.

The Department also developed a 4-hour suicide/mental health curriculum for pre-service, in-service and the basic correctional training class. In addition to this 4-hour curriculum, uniformed staff now receives an additional 4 hours of scenario based training. The curriculum is delivered weekly and the Department expects to have the entire DOC staff trained by November 2014.

The Department reports positively on the changes. In 2014 (to date), there were a total of 62 gestures or verbalizations of suicide, and only one inmate was determined to have a serious intent. The Committee will continue to monitor the number of suicides in the DC Jail, in order to ensure that such tragedies are avoided in the future.

***Juvenile Unit:*** In fiscal year 2013, the Council allocated \$10,000 for a third-party assessment of the Juvenile Unit. The Ridley Group was selected to perform the assessment and the Committee received the Ridley Group's report as an attachment to the Department's performance oversight hearing responses. The report highlighted a number of problems with the Juvenile Unit and made recommendations on how the Department could improve conditions for the juveniles. Specifically, the report found that the juveniles are not being provided with sufficient outdoor recreation time, weekend programming, and procedures to file grievances. The report also noted that the Juvenile Unit is too small and that juveniles were being served breakfast at three o'clock in the morning. Since the report's release, the Department has made some improvements to the Juvenile Unit. Breakfast is now served at six o'clock in the morning, and juveniles are afforded additional time outside on weekends. The Department has also created a Scope of Work for soliciting vendors to provide additional programming to the juveniles.

Despite the Ridley Group's findings, the Mayor's proposed fiscal year 2015 budget does not contain any funding to implement the recommendations. The Committee is disappointed that the Executive did not provide such funding; the Council provided funding for this assessment with the expectation that it would lead to an improvement in the conditions of confinement of juveniles.

**Mobile Library:** The Mayor's proposed fiscal year 2015 budget contains \$193,288 in additional funding for the DC Public Library (DCPL) to support mobile library services for incarcerated individuals. This funding includes an increase of non-personal services by \$87,000 to cover costs associated with mobile carts for library materials, collections to serve DC Jail and collection delivery costs. In addition, the DCPL personal services budget increased by \$106,288 and 1.5 FTEs to support two positions: one full-time Librarian and one part-time Library Technician. The Committee strongly supports this initiative as a means of increasing literacy, improving inmate mental health, decreasing conflicts, providing reentry literature, and reducing recidivism for DC inmates. Although this funding is being provided through DCPL, the DOC will play an important role in ensuring that the new library system is successful. The Committee will closely follow the implementation of the new library system to ensure its success.

**Retirement benefits for Corrections Officers:** The Committee received testimony from Sergeant John Rosser, Chairman of the Fraternal Order of Police DC Corrections Union, regarding the need for a law enforcement retirement equal to or better than neighboring jurisdictions. Sergeant Rosser indicated that the Department has difficulty retaining qualified corrections employees because the District does not offer a competitive retirement package.<sup>40</sup>

At the budget oversight hearing, Director Faust indicated that he was supportive of efforts to provide better retirement benefits to corrections officers. Director Faust noted that corrections officers in neighboring Virginia have pension and salary equality with police officers. The Committee understands that providing such benefits may be costly, but the Committee believes such an effort should be seriously considered as a component of the District's commitment to public safety.

**Video Visitation:** All social visits at the DC Jail are conducted electronically by video. Persons wishing to visit an inmate at the jail may do so at the Department's Video Visitation Center, located at the DC General Hospital complex, or at one of the new visitation locations added in fiscal year 2013: Martin Luther King Public Library and Deanwood Recreation Center.<sup>41</sup> DOC is working with the Executive to expand video visitation locations in the District. Advocacy groups, including DC Lawyers for Youth and Camping for Youth Justice, provided

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<sup>40</sup> Corrections officers at the Department used to be included in the District's law enforcement retirement plans until Congress passed the Revitalization Act of 1997, which placed corrections officers outside of law enforcement retirement.

<sup>41</sup> *Online Scheduling for Video Visitation*, Department of Corrections, <http://doc.dc.gov/service/online-scheduling-video-visitacion> (last visited: May 2, 2013).

testimony to the Committee highlighting how in-person contact with family and friends is beneficial to the reentry process, as it helps inmates manage their emotions and behavior.<sup>42</sup>

Last year, the Committee asked Director Faust to explore ways DOC could offer some limited version of in-person visitation. Specifically, it was requested that DOC review the visitation policy again and consider if any modification may be made to allow the option for in-person visits.<sup>43</sup> Almost a year later, the Department indicated by email that allowing in-person visitation in some form would not be feasible.<sup>44</sup> In its advance questions to the Department, the Committee asked the Department how much it would cost to implement in-person visitation to juveniles and/or some portion of the adult male population in the Central Detention Facility. The Department's response indicated that providing in-person visitation would cost \$264,039.79 for the Juvenile Unit and \$1,023,178.22 for the Central Detention Facility.<sup>45</sup>

In March 2014, the Department changed its visitation policy for juveniles to allow a limited number of juveniles to have in-person visits, based on good behavior. Director Faust indicated that nine of the 25 juveniles had the opportunity to visit with family members in-person. The Committee commends the Department for expanding the opportunities for in-person visitation, albeit in a very limited manner, and encourages the Department to take further steps to expand this privilege. In particular, the Committee requests that the Department consider providing in-person visits to all juveniles, given the unique nature of their confinement. Whereas the median length of stay for adult males in DOC custody is 109.4 days,<sup>46</sup> convicted juveniles stay in DOC custody until they turn eighteen, which means they can stay in DOC custody for as long as two years. Providing in-person visits to juveniles is especially important given the findings of neurological research that demonstrates that brain development is not complete until a person reaches his or her 20s.<sup>47</sup>

***The Office of Returning Citizens Affairs:*** ORCA was created to support the District's returning citizen population, individuals who would otherwise be left to navigate their way back

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<sup>42</sup> Testimony of Alex Peerman, DC Lawyers for Youth, at p. 2 ("Family contact is particularly important for the rehabilitation and reentry of youth and the conditions under which video visitation occurs is not conducive to meaningful family contact.").

<sup>43</sup> Letter from Councilmember Wells, Chairperson, Committee on the Judiciary and Public Safety, to Thomas N. Faust, Director, Department of Corrections, (February 25, 2013) (on file with the Committee).

<sup>44</sup> "After looking closely at the feasibility of establishing a dual visitation system (video and in-person) for inmates housed at the Central Detention Facility, the Department has determined that we will continue with video visitation only. In conducting our evaluation, multiple variables were taken into consideration including overall facility safety and security, increased inmate movement, efficiency of operations, contraband control, modifications to the visitation screening process, staff resources, overall costs and actual benefits to the visiting public. We have concluded that it is neither financially nor operationally feasible to run dual visitation systems. The change would significantly impact day to day operations, increase safety and security concerns within the jail, and strain limited budgetary and staff resources." Email from Sylvia Lane, January 9, 2014.

<sup>45</sup> Department of Correction's responses to the Committee on the Judiciary and Public Safety's advance questions, questions 12, 13, and 14.

<sup>46</sup> DC Department of Corrections Facts and Figures, April 2014, available at <http://doc.dc.gov/sites/default/files/dc/sites/doc/publication/attachments/DC%20Department%20of%20Corrections%20Facts%20n%20Figures%20April%202014.pdf>.

<sup>47</sup> *Using Adolescent Brain Research to Inform Policy* (National Juvenile Justice Network, September 2012), available at [http://www.njjn.org/uploads/digital-library/Brain-Development-Policy-Paper\\_Updated\\_FINAL-9-27-12.pdf](http://www.njjn.org/uploads/digital-library/Brain-Development-Policy-Paper_Updated_FINAL-9-27-12.pdf).

into society on their own. The Council for Court Excellence estimates that approximately 8,000 people a year return to the District after serving a sentence in prison or jail; a great number of these individuals are returning from time spent in federal Bureau of Prison facilities all across the nation.<sup>48</sup> Upon their release, these individuals face obstacles that make reentry exceedingly difficult. Individuals with criminal records face legal discrimination in housing, employment, and education. These challenges illustrate the importance of ORCA's mandate, and the Committee strongly supports efforts to reintegrate returning citizens in the District. However, the Committee has serious concerns that ORCA is not meeting the needs of the District's many returning citizens.

The Committee asked ORCA numerous advance questions, and conducted both performance oversight and budget hearings with Director Thornton, yet it is still unclear what services ORCA provides. When discussing ORCA's accomplishments, Director Thornton stated that ORCA assisted 152 returning citizens in obtaining employment in fiscal year 2013. Chairperson Wells asked Director Thornton why this number was not higher and what ORCA can do to raise the number of people placed in jobs. Director Thornton responded that ORCA was not a "job placement agency." There seems to be some confusion about whether ORCA functions as a referral agency or a direct services agency.

It is equally unclear how much funding ORCA receives, whether directly or indirectly. ORCA's entire proposed fiscal year 2015 budget is as follows:

<b>COMP SOURCE GROUP</b>	<b>FY 15 Budget</b>
11 - REGULAR PAY - CONT FULL TIME	\$211,984.30
12 - REGULAR PAY - OTHER	\$71,589.19
14 - FRINGE BENEFITS	\$81,952.74
20 - SUPPLIES AND MATERIALS	\$10,500.00
<b>TOTAL</b>	<b>\$376,026.23</b>

The Committee was at first quite confused as to how ORCA was operating at all given its minimal non-personal operating budget of \$10,500. ORCA later disclosed that "DGS is paying for the 6,000 square feet that ORCA will occupy so the cost for that which totals \$291,268 in FY 15" and that "[t]he Office of the Chief Technology Officer (OCTO) . . . used federal funding . . . to set up a computer lab at ORCA's new resource center, including computers, printers and at least one projector." The Committee also asked ORCA how it was able to visit corrections facilities outside of the District. ORCA responded that these activities "are paid for by in-kind services from the men and woman on the outreach teams" and that ORCA has "also been assisted thru the Deputy [M]ayor's office with transportation." None of this information was provided in the responses to advance questions about the budget and operation of ORCA.

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<sup>48</sup> See Council for Court Excellence, "Unlocking Employment Opportunity for Previously Incarcerated Persons in the District of Columbia," p. 7.

From ORCA's responses, it appears that the Deputy Mayor for Public Safety is very involved in ORCA's operations, with the same answer offered repeatedly: "ORCA is closely working with ODMPSJ on FY 15 initiatives." Yet, when asked during his own budget hearing why ORCA only placed 152 clients in jobs in fiscal year 2013, Deputy Mayor Quander called the figure inaccurate, stating that he knew that ORCA placed a higher number of its clients in jobs. Chairperson Wells then pointed out that this figure was provided to the Committee in ORCA's annual report, to which Deputy Mayor Quander merely responded "no." If the figures provided in ORCA's annual report are incorrect, the Committee requests Deputy Quander provide the Committee with revised figures and supporting documentation. In the meantime, the contradictory information frustrates the oversight process, especially when the Committee is using information provided to it in ORCA's published report.

The Committee received public testimony requesting additional funding for ORCA<sup>49</sup> and noting that other jurisdictions devote far more funding for reentry and rehabilitation of returning citizens than the District currently does.<sup>50</sup> The Committee certainly agrees that the District should provide robust funding for reentry services, however the Committee has serious hesitations about allocating more funding to ORCA as the agency is currently organized and operated. While the Committee is committed to allocating more money to reentry services in the fiscal year 2015 budget, at this time the Committee cannot add funding through ORCA until the agency is able and willing to articulate clear goals and a substantive plan for achieving those goals, which includes communicating openly about its performance, spending, and budget. The Committee instead recommends increasing funds for direct services to returning citizens, such as transportation tokens and birth certificates, through the Justice Grants Administration.<sup>51</sup>

### **c. Mayor's Proposed Fiscal Year 2015-2020 Capital Budget**

#### **Proposed Capital Budget Summary**

**General Renovations:** The Department's capital budget for fiscal year 2015 contains \$1,500,000 for general renovations, which includes renovations for security, HVAC, windows, roof, mechanical, electrical, elevator/escalator, and energy. The DOC facilities operate 24 hours a day, 365 days a year. It is imperative that this building is maintained. The safety and well-being of the staff and the inmates must be the number one priority.

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<sup>49</sup> See, e.g., *Office of Returning Citizens Affairs: Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety*, 1 (Apr. 10, 2014) (written testimony of William Shelton, Second Chance for All Inc.) (requesting an additional \$500,000 to support "4 additional FTEs, creation of a handbook for DC residents who are incarcerated and returning home with all of the available federal and local resources, services, and providers, and material and supplies").

<sup>50</sup> For example, Philadelphia's Office of Reintegration Services for Ex-Offenders had a \$1.4 million budget in fiscal year 2013.

<sup>51</sup> See Section II, chapter P: Deputy Mayor for Public Safety and Justice.

## **Committee Analysis and Comments**

***Environmental Inspection Reports:*** As mandated by the Jail Improvement Act,<sup>52</sup> the Department of Health conducted environmental inspections of DOC facilities from September 17, 2013 to October 11, 2013. A re-inspection of the April 2013 findings was conducted simultaneously with this month-long inspection. The report noted that several of the structural and mechanical deficiencies observed in previous inspections remained outstanding, including: 1) leaking roof; 2) water penetration through the walls; 3) mold growth on the walls; 4) leaking/inoperable plumbing fixtures; 5) damaged shower stalls; 6) malfunctioning electrical lighting; 7) improper drainage of condensate pipes; 8) peeling paint on metal desks, tables, and bed frames; and 9) damaged concrete walkway around the exterior premises, among others.<sup>53</sup> The Committee understands the difficulties and challenges of operating a corrections facility 24 hours a day, 365 days a year; and many of the challenges faced by the Department are beyond its control. For example, the Department has little control over the size of its inmate population or the age of its facilities. However, the Department is either unable or unwilling to address deficiencies that are entirely within its control, such as the “active infestation of vermin/pests throughout the facility.”<sup>54</sup> While the Committee recognizes the age and condition of the jail, the District has an obligation to maintain this facility in an acceptable manner. Accordingly, the Committee is concerned that the Department’s budget does not include sufficient funds to address these ongoing environmental, structural, and mechanical deficiencies.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 operating budget for the DOC as proposed by the Mayor, with the following modifications:

1. *Remove* 1 FTE in Community Affairs (4900), Office of Returning Citizens (4901) and eliminate position #00075344.
2. *Reduce* CSG 0125 (term-fulltime) by \$71,589.19 and *reduce* CSG 0147 (fringe benefits) in Community Affairs (4900), Office of Returning Citizens (4901) by \$20,689.28.
3. *Increase* Inmate Custody (3600), Community Corrections (3630), CSG 0041 (Contractual Services) by \$92,278.47 to fund Halfway Housing.

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<sup>52</sup> District of Columbia Jail Improvement Amendment Act of 2003, effective January 30, 2004 (D.C. Law 15-062; codified in scattered cites in the D.C. Official Code).

<sup>53</sup> Jail Inspection Report, *Department of Health*, (December 5, 2013).

<sup>54</sup> *Id.* at 5.

**b. Fiscal Year 2015 Capital Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 capital budget for the DOC as proposed by the Mayor.

**c. Policy Recommendations**

1. The Committee recommends that the DOC continue to work with advocates to improve the juvenile unit at CTF.
2. The Committee commends the DOC for providing some of the juveniles with in-person visits as part of an incentive system, but recommends that the DOC continue to pursue options to expand in-person visits, or at the very least, to expand options for video visits.
3. The Committee recommends ORCA immediately engage in a strategic planning process to develop clear goals and a substantive plan for achieving those goals.

**F. DISTRICT OF COLUMBIA NATIONAL GUARD**

<b>District of Columbia National Guard (FK0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	3,991,828	7,248,997	7,203,527		7,203,527
FEDERAL PAYMENTS	306,158	375,000	435,000		435,000
LOCAL FUND	2,641,361	2,941,151	5,065,881		5,065,881
<b>Grand Total</b>	<b>6,939,347</b>	<b>10,565,148</b>	<b>12,704,408</b>	<b>-</b>	<b>12,704,408</b>

<b>District of Columbia National Guard (FK0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	77.5	84.8	-	84.8
LOCAL FUND	39.5	41.3	-	41.3
<b>Grand Total</b>	<b>117.0</b>	<b>126.1</b>	<b>-</b>	<b>126.1</b>

<b>District of Columbia National Guard (FK0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	3,139,746	5,453,074	3,608,732	-	3,608,732
12-REGULAR PAY - OTHER	163,215	231,021	2,718,841	-	2,718,841
13-ADDITIONAL GROSS PAY	24,690	29,640	83,093	-	83,093
14-FRINGE BENEFITS - CURR PERSONNEL	646,868	1,494,913	1,322,463	-	1,322,463
15-OVERTIME PAY	55,871	14,000	141,760	-	141,760
20-SUPPLIES AND MATERIALS	337,689	210,866	328,045	-	328,045
30-ENERGY, COMM. AND BLDG RENTALS	371,747	506,383	506,383	-	506,383
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	10,630	11,500	16,000	-	16,000
40-OTHER SERVICES AND CHARGES	518,398	1,751,483	2,636,569	-	2,636,569
41-CONTRACTUAL SERVICES - OTHER	393,761	396,000	616,000	-	616,000
50-SUBSIDIES AND TRANSFERS	256,261	382,910	549,462	-	549,462
70-EQUIPMENT & EQUIPMENT RENTAL	1,020,471	83,357	177,061	-	177,061
<b>Grand Total</b>	<b>6,939,347</b>	<b>10,565,147</b>	<b>12,704,409</b>	<b>-</b>	<b>12,704,409</b>

<b>District of Columbia National Guard (FK0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-AGENCY MANAGEMENT	871,444	3,111,788	4,226,358	-	4,226,358
4000-YOUTH PROGRAMS	2,947,227	3,771,772	4,663,753	-	4,663,753
6000-JOINT FORCE HEADQUARTERS, DC	3,120,676	3,681,587	3,814,297	-	3,814,297
<b>Grand Total</b>	<b>6,939,347</b>	<b>10,565,147</b>	<b>12,704,408</b>	<b>-</b>	<b>12,704,408</b>

## 1. COMMITTEE ANALYSIS AND COMMENTS

### a. Agency Mission and Overview

The District of Columbia National Guard (DCNG) services both federal and District missions. Joint Force Headquarters – District of Columbia (JFHQ-DC) maintains and provides trained and ready DCNG units, personnel, and equipment to achieve the federal war-fighting mission, to support the District of Columbia Emergency Response Plan, and to add value to the community through local programming. JFHQ-DC facilitates the integration of federal and state activities to provide expertise and situational awareness to the District of Columbia and the Department of Defense.

**Federal Mission:** Support the readiness of DCNG units to perform federally assigned missions, both at home and abroad. District of Columbia personnel provide direct support to key functional areas, including operations, training, and readiness, to ensure DCNG units can defend the nation and the capital.

**District Mission:** Emergency Preparedness/Emergency Response; Prepare for and respond to requests for National Guard – National Capital Region (JFHQ-NCR).

**Community Mission:** Maximize the use of available Department of Defense family and youth programs to support the citizens of the District of Columbia.

### b. Mayor's Proposed Fiscal Year 2015 Operating Budget

#### Proposed Operating Budget Summary

The Mayor's fiscal year 2015 budget proposal for the DCNG is \$12,704,408, an increase of \$2,139,261 or 20.2 percent, over the current fiscal year. The proposed budget supports 126 FTEs, an increase of 9 FTEs from the current fiscal year.

**Local Funds:** The Mayor's proposed budget is \$5,065,881, an increase of \$2,124,730, or 72.2 percent, over the fiscal year 2014 approved budget of \$2,941,151. This funding supports 41.2 FTEs, a 4.4 percent increase from the fiscal year 2014 approved level of 39.5 FTEs.

**Federal Resources:** The Mayor's proposed budget is \$7,638,527, an increase of \$14,527, or 0.2 percent, over the fiscal year 2014 approved budget of \$7,624,000. This funding supports 84.8 FTEs, an increase of 7.2 FTEs, or 9.4 percent, from the fiscal year 2014 approved level.

### **Committee Analysis and Comments**

On May 2, 2014, the DC National Guard celebrated its 212<sup>th</sup> year of dedicated services to the residents of the District.<sup>55</sup> Over the years, the National Guard has evolved from farmers putting down their plows and picking up weapons to defend their town, to civilians who attend college or work jobs while maintaining their training part time, always ready to be called into duty.<sup>56</sup> While the Guard originally focused on protecting local communities, it eventually grew into a force that complements the Active Duty Army. Guard units assist residents endangered by storms, floods, fires, and other disasters. Guard units may also be deployed overseas and engaged in combat when help is needed anywhere in the world. Others may use expertise gained in civilian careers to build schools and hospitals, train local peace keepers, or teach local farmers how to use land more efficiently.<sup>57</sup>

**Youth ChalleNGe:** Award-winning and nationally recognized as one of the most effective programs targeting at-risk youth, the National Guard Youth ChalleNGe program trains and mentors youth ages 16 to 19, who are at the greatest risk of substance abuse, teen pregnancy, delinquency, and criminal activity. The National Guard Youth ChalleNGe Program is an evidence-based program designed to provide opportunities to adolescents who have dropped out of school but demonstrate a desire to improve their potential for successful and productive lives.<sup>58</sup>

It is a constant struggle to find resources and programs to aid at-risk youth and combat juvenile violence. MDRC, a social policy research organization, recently concluded a multi-year evaluation of the Youth ChalleNGe Program and found it significantly improves the educational attainment, employability, and income earning potential of those who participate in the program.<sup>59</sup> The program teaches teenagers skills and self-confidence to make the right choices to stay on the path to being a productive citizen of the District. The program is voluntary, and consists of a five-and-a-half month residential phase followed by a one-year residential phase. At the May 2, 2014 budget oversight hearing, Major General Schwartz testified that the program is gaining steam with each new enrollment class, and the program will be graduating its second resident class in early July 2014.

Due to the support of the Council and the Executive, the Oak Hill property in Laurel, Maryland has been undergoing renovation to become a dedicated site for the program. With the Oak Hill facility, DCNG will be able to house 200 cadets annually – significantly more cadets than ever before. The Oak Hill Facility is expected to be fully complete in July 2015.

The Mayor's fiscal year 2015 proposed budget continues to adequately fund this program. Based on technical adjustments, the budget contains increases of \$1,103,392 for facility maintenance by DGS at the Oak Hill Education Campus, as well as \$981,000 for the

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<sup>55</sup> *DC National Guard: Budget Oversight Hearing before the Committee on the Judiciary and Public Safety*, p. 1 (May 2, 2014), (written testimony of Major General Errol R. Schwartz, Commanding General, DC National Guard).

<sup>56</sup> <http://www.dcnationalguard.com/about.html>

<sup>57</sup> *Id.*

<sup>58</sup> [http://www.ngyf.org/about\\_youth\\_challenge.html](http://www.ngyf.org/about_youth_challenge.html)

<sup>59</sup> *Id.*

Youth ChalleNGe Program based on fiscal year 2013 execution. Additionally, the \$900,000 provided to the program in local dollars leverages an additional \$2.7 million in matching federal dollars (25 percent local funds, 75 percent federal funds).

**About Face Program:** The About Face Program is an after school and summer program sponsored by the DCNG for economically disadvantaged 14 to 17 year old youth. The program serves a large base of youth, who have the opportunity to earn minimum wage plus benefits while gaining valuable work experience.<sup>60</sup> The program was founded with a 5 year, \$1.3 million grant from the Office of the State Superintendent of Education. The program is in year three of five, and funding after the fifth year has yet to be determined.

**Youth Leaders' Camp:** The Youth Leaders' Camp focuses on recruiting students 12 to 15 years old who demonstrate leadership potential. The flagship event is an annual 13-day, residential camp that helps youth develop a sense of responsibility, self-respect, and self-esteem, while having to work in cooperation with counselors and other campers.

**Armory Costs:** While the DCNG is housed in the Armory, other tenants, such as the Metropolitan Police Department and the District of Columbia Sports and Entertainment Commission, use the facility and frequently host sporting and community events. The DC Armory contains five main buildings and the drill floor. The air conditioning has been upgraded in all the buildings, but not on the drill floor. Such an improvement could enhance the use of the drill floor as a shelter, as well as for Events DC functions. Due to the local weather, the heat makes the main drill floor extremely difficult to use during the months of May to September. Major General Schwartz testified that the cost of a new air conditioning unit would be approximately \$10 – 25 million, depending on the engineering of the unit. While this is a large investment, the installation of an air conditioning unit in the approximately 80,000 foot space would enable year round use of the facility.

The DC Armory is more than 70 years old and is in need of maintenance and upgrades. The Committee believes the District should continue to assist in the upkeep of this facility, and provide a safe and modernized home to the National Guard.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 budget for the District of Columbia National Guard as proposed by the Mayor.

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<sup>60</sup> *Id.*

**G. HOMELAND SECURITY AND EMERGENCY MANAGEMENT  
 AGENCY**

<b>Homeland Security and Emergency Management Agency (BN0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	123,504,339	91,866,134	107,467,357		107,467,357
LOCAL FUND	1,973,367	2,026,818	2,085,250		2,085,250
<b>Grand Total</b>	<b>125,477,706</b>	<b>93,892,952</b>	<b>109,552,607</b>	-	<b>109,552,607</b>

<b>Homeland Security and Emergency Management Agency (BN0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	52.5	62.5		62.5
LOCAL FUND	16.5	16.5		16.5
<b>Grand Total</b>	<b>69.0</b>	<b>79.0</b>	-	<b>79.0</b>

<b>Homeland Security and Emergency Management Agency (BN0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	3,868,940	2,836,272	4,930,262	-	4,930,262
12-REGULAR PAY - OTHER	931,909	2,801,417	1,867,382	-	1,867,382
13-ADDITIONAL GROSS PAY	123,696	189,911	189,911	-	189,911
14-FRINGE BENEFITS - CURR PERSONNEL	937,194	1,437,588	1,515,660	-	1,515,660
15-OVERTIME PAY	122,949	175,000	175,000	-	175,000
20-SUPPLIES AND MATERIALS	20,026	31,800	61,283	-	61,283
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	115,077	100,000	100,000	-	100,000
40-OTHER SERVICES AND CHARGES	7,722,495	1,383,604	2,161,364	-	2,161,364
41-CONTRACTUAL SERVICES - OTHER	2,944,135	6,192,114	4,008,094	-	4,008,094
50-SUBSIDIES AND TRANSFERS	108,592,271	77,085,165	93,989,690	-	93,989,690
70-EQUIPMENT & EQUIPMENT RENTAL	99,014	1,660,080	553,960	-	553,960
<b>Grand Total</b>	<b>125,477,706</b>	<b>93,892,951</b>	<b>109,552,606</b>	<b>-</b>	<b>109,552,606</b>

<b>Homeland Security and Emergency Management Agency (BN0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-AGENCY MANAGEMENT	8,221,124	2,263,935	2,337,915	-	2,337,915
2000-PLANS AND PREPAREDNESS	552,249	1,815,844	1,723,283	-	1,723,283
3000-OPERATIONS	1,948,839	2,055,500	2,645,506	-	2,645,506
4000-HOMELAND SECURITY GRANTS	114,558,700	87,757,672	102,845,903	-	102,845,903
5000-TRAINING & EXERCISE	196,794	-	-	-	-
<b>Grand Total</b>	<b>125,477,706</b>	<b>93,892,951</b>	<b>109,552,607</b>	<b>-</b>	<b>109,552,607</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the District of Columbia's Homeland Security and Emergency Management Agency (HSEMA) is to support and coordinate homeland security and emergency management efforts, ensuring that the District all-hazards emergency operations are prepared to protect against, plan for, respond to, and recover from natural and man-made hazards.

HSEMA coordinates all planning and preparedness efforts, training and exercises, and homeland security grants, and facilitates a common operating procedure during events to facilitate good decision-making and response. The agency is comprised of four major divisions: (1) The Plans and Preparedness Division, which facilitates the comprehensive planning that promotes resiliency in government agencies, our communities and critical infrastructure; (2) The Operations Division, which provides situational awareness, logistical and resource support, and field command operation to coordinate incident response, mitigation, and recovery, and to support District and federal agencies during special events; (3) The Homeland Security Grants Division, which is the State Administrative Agency (SAA) for the federal homeland security grant programs that are awarded to the District and to the National Capital Region (NCR) (encompassing Maryland and Virginia); and (4) The Agency Management/Office of the Director, which provides leadership to internal agency operations to perform its overall mission efficiently and effectively, leads the Mayor's Special Events Task Force, and supports a community engagement program and public information program to connect with and inform the public, as well as provides leadership as a member of the NCR homeland security policy advisory group.

### **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

#### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the Homeland Security and Emergency Management Agency is \$109,552,607, an increase of \$15,659,656, or 16.7 percent, from the current fiscal year. The proposed budget supports 79.0 FTEs, an increase of 10.0 FTEs, or 14.5 percent, over the current fiscal year.

**Local Funds:** The Mayor has proposed a budget of \$2,085,250, representing an increase of \$58,433 or 2.9 percent, from the fiscal year 2014 approved budget. This funding supports 16.5 FTEs, representing no change from the fiscal year 2014 budget.

**Federal Resources:** The Mayor has proposed a budget of \$107,467,357, representing an increase of \$15,601,357 or 17.0 percent, from the fiscal year 2014 approved budget. This funding supports 62.5 FTEs, an increase of 10.0 FTEs, or 19.0 percent, over the fiscal year 2014 approved level.

### **Committee Analysis and Comments**

***The End of Federal Sequestration:*** During last year's budget oversight hearing, Director Geldart testified that the \$8,000,000 reduction in federal grants for fiscal year 2014 was due to an anticipation of sequestration of federal funds. In the proposed fiscal year 2015 budget, federal funding has been restored.

***Homeland Security Grants (FTO):*** Starting in fiscal year 2014, Intra-District budget authority was provided during the budget formulation under the paper agency of Homeland Security Grants (FTO). The performance period for federal grants has decreased from three years to two years, which resulted in a shorter time for HSEMA to redistribute federal funding to District agencies and non-profit agencies. HSEMA has streamlined the sub-granting process to other agencies so that as soon as funding and paperwork from the federal government are received, funding can be distributed to the sub groups in a quicker time, allowing for a more effective period of performance. The Committee commends HSEMA on the improved efficiency in grant transmission.

***Emergency Planning:*** The Committee is pleased with the efforts of HSEMA to organize and properly prepare the District for large-scale emergencies. With its oversight of the Washington Regional Threat and Analysis Center, and the continuing revitalization of the Emergency Preparedness Council, it is clear that HSEMA is working to improve communication among regional entities during emergency events. The Committee encourages HSEMA to continue to improve its communication with the public and its coordination with various partners. Additionally, the Committee urges HSEMA to continue to work on the local level with ANC Commissioners, neighborhood community groups, and organizations to promote emergency preparedness planning in the case of an attack or heightened security situation.

The Committee recognizes the importance of each of these initiatives in improving HSEMA's ability to respond to emergencies and threats to the District of Columbia. Accordingly, the Committee encourages HSEMA to continue improving the capability of the District to prepare for, respond to, and recover from threatened or actual natural disasters, acts of terrorism, or other man-made disasters.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 operating budget for Homeland Security and Emergency Management Agency, as proposed by the Mayor.

### **b. Policy Recommendations**

The Committee recommends that HSEMA work closely with local and national organizations to streamline the event permitting process in the Mayor's Special Events Task Group. During the agency's February 28, 2014 performance oversight hearing, the Committee

received public testimony regarding the difficulties local organizations have had navigating an opaque and confusing permitting process. In response to such testimony, Director Geldart has made an effort to reach out to various groups who have previously experienced problems with the planning group. Such conversations must continue in order to ensure that all organizations, no matter the size or amount of disposable income, have a fair, clearly-defined process by which to obtain permission to host community events in the District.

## H. COMMISSION ON JUDICIAL DISABILITIES AND TENURE

Commission on Judicial Disabilities and Tenure (DQ0) - Operating Budget by Fund Type					
Fund Type	FY 2013 Actual	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
FEDERAL PAYMENTS	285,820	295,000	295,000	-	295,000
<b>Grand Total</b>	<b>285,820</b>	<b>295,000</b>	<b>295,000</b>	<b>-</b>	<b>295,000</b>

Commission on Judicial Disabilities and Tenure (DQ0) - FTEs by Fund Type				
Fund Type	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
FEDERAL PAYMENTS	2.0	2.0	-	2.0
<b>Grand Total</b>	<b>2.0</b>	<b>2.0</b>	<b>-</b>	<b>2.0</b>

Commission on Judicial Disabilities and Tenure (DQ0) - Operating Budget by CSG (Gross Funds)					
CSG	FY 2013 Actual	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
11-REGULAR PAY - CONT FULL TIME	193,276	199,233	200,160	-	200,160
13-ADDITIONAL GROSS PAY	4,642	-	-	-	-
14-FRINGE BENEFITS - CURR PERSONNEL	21,534	26,626	22,018	-	22,018
20-SUPPLIES AND MATERIALS	2,500	4,000	4,000	-	4,000
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	7,638	9,250	9,045	-	9,045
40-OTHER SERVICES AND CHARGES	22,382	26,092	27,712	-	27,712
41-CONTRACTUAL SERVICES - OTHER	31,048	27,000	28,000	-	28,000
70-EQUIPMENT & EQUIPMENT RENTAL	2,800	2,800	4,065	-	4,065
<b>Grand Total</b>	<b>285,820</b>	<b>295,001</b>	<b>295,000</b>	<b>-</b>	<b>295,000</b>

<b>Commission on Judicial Disabilities and Tenure (DQ0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
2000-JUDICIAL DISABILITIES TENURE	285,820	295,000	295,000	-	295,000
<b>Grand Total</b>	<b>285,820</b>	<b>295,000</b>	<b>295,000</b>	<b>-</b>	<b>295,000</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Commission on Judicial Disabilities and Tenure (CJDT) is to preserve an independent and fair judiciary by making determinations concerning discipline, involuntary retirement, reappointment, and fitness of judges of the District of Columbia courts. The CJDT was created by the District of Columbia Court Reorganization Act of 1970. The agency's role was later expanded by the Home Rule Act of 1973 and the Retired Judge Service Act of 1984. In performing its prescribed duties, the CJDT has jurisdiction over the following areas: (1) removal of a judge from a District of Columbia court for conduct warranting disciplinary action; (2) involuntary retirement of a judge for reasons of health; (3) evaluation of a judge who seeks reappointment at the end of his or her term; and (4) review of a retiring judge who wishes to continue performing judicial duties as a senior judge.

CJDT consists of seven members: one is appointed by the President of the United States; two are appointed by the Board of Governors of the District of Columbia Bar; two are appointed by the Mayor of the District of Columbia; one is appointed by the Council of the District of Columbia; and one is appointed by the Chief Judge of the United States District Court for the District of Columbia. The term of office for the President's appointee is five years; all others serve six-year terms.

### **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

#### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the Commission on Judicial Disabilities and Tenure is \$295,000 representing no change from the current fiscal year. The proposed budget supports 2.0 FTEs, representing no change from the current fiscal year.

**Federal Resources:** The Mayor has proposed a budget of \$295,000 representing no change from the fiscal year 2014 approved budget. This funding supports 2.0 FTEs, representing no change from the fiscal year 2014 approved budget.

### **Committee Analysis and Comments**

**Public Awareness:** In submitted testimony regarding the fiscal year 2015 budget, Judge Kessler noted that in fiscal year 2013, the Commission received 60 complaints; the Commission determined that 35 did not warrant further inquiry, 28 were dismissed for lack of jurisdiction, and seven were dismissed for lack of merit.<sup>61</sup> Of the 25 matters investigated, the Commission dismissed 22 complaints when it determined no further action was warranted, disposed of two complaints through an informal conference with the judge involved, and the one case pending at the end of the fiscal year was dismissed for lack of merit.<sup>62</sup> Given the high number of cases dismissed for lack of jurisdiction, the Committee believes the public may need more information on the Commission's jurisdiction. The Committee recommends the Commission consider adding a section to its website's Frequently Asked Questions page to illustrate what types of cases are outside its purview.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 operating budget for the Commission on Judicial Disabilities and Tenure as proposed by the Mayor.

### **b. Policy Recommendations**

The Committee recommends the Commission consider adding a section to its website's Frequently Asked Questions page to illustrate what types of cases are outside its purview.

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<sup>61</sup> Testimony of Judge Kessler, p. 3.

<sup>62</sup> *Id.* at p. 4.

## I. JUDICIAL NOMINATION COMMISSION

<b>Judicial Nomination Commission (DV0) - Operating Budget by Fund Type</b>					
Fund Type	FY 2013 Actual	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
FEDERAL PAYMENTS	202,205	205,000	270,000		270,000
LOCAL FUND	-	65,000	-		-
<b>Grand Total</b>	<b>202,205</b>	<b>270,000</b>	<b>270,000</b>	-	<b>270,000</b>

<b>Judicial Nomination Commission (DV0) - FTEs by Fund Type</b>				
Fund Type	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
FEDERAL PAYMENTS	2.0	2.0		2.0
<b>Grand Total</b>	<b>2.0</b>	<b>2.0</b>	-	<b>2.0</b>

<b>Judicial Nomination Commission (DV0) - Operating Budget by CSG (Gross Funds)</b>					
CSG	FY 2013 Actual	FY 2014 Approved	FY 2015 Mayor's Proposed	FY 2015 Committee Variance	FY 2015 Committee Proposed
11-REGULAR PAY - CONT FULL TIME	157,896	159,934	180,655	-	180,655
14-FRINGE BENEFITS - CURR PERSONNEL	12,221	15,009	18,209	-	18,209
20-SUPPLIES AND MATERIALS	8,273	4,000	11,000	-	11,000
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	6,002	7,058	6,985	-	6,985
40-OTHER SERVICES AND CHARGES	17,813	80,499	50,528	-	50,528
70-EQUIPMENT & EQUIPMENT RENTAL	-	3,500	2,623	-	2,623
<b>Grand Total</b>	<b>202,205</b>	<b>270,000</b>	<b>270,000</b>	-	<b>270,000</b>

<b>Judicial Nomination Commission (DVO) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
2000-JUDICIAL NOMINATION	202,205	270,000	270,000	-	-
<b>Grand Total</b>	<b>202,205</b>	<b>270,000</b>	<b>270,000</b>	<b>-</b>	<b>-</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the District of Columbia Judicial Nomination Commission (JNC) is to promote justice by screening, selecting, and recommending candidates to the President of the United States for nomination to judicial vacancies on the District of Columbia Superior Court and the Court of Appeals, and to appoint the chief judges to those courts. The JNC was established by Section 434 of the Home Rule Act of 1973. The JNC selects and recommends to the President of the United States three candidates qualified to fill any judicial vacancy on the D.C. Court of Appeals or the D.C. Superior Court. The President selects his nominee from these three candidates and submits that individual's name to the United States Senate for confirmation. The JNC consists of seven members: one is appointed by the President of the United States; two are appointed by the Board of Governors of the D.C. Bar; two are appointed by the Mayor of the District of Columbia; one is appointed by the Council of the District of Columbia; and one is appointed by the Chief Judge of the U.S. District Court for the District of Columbia. The term of office for the President's appointee is five years; all others serve six-year terms.

### **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

#### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the Judicial Nomination Commission is \$270,000, representing no change from the current fiscal year. The proposed budget supports 2.0 FTEs, representing no change from the current fiscal year.

**Federal Resources:** The Mayor has proposed a budget of \$270,000 representing an increase of \$65,000 in federal payments to offset the one-time increase of \$65,000 in local funds provided by the Council in the fiscal year 2014 budget to provide support for a technical upgrade to the online application system. This funding supports 2.0 FTEs, representing no change from the fiscal year 2014 approved budget.

**Committee Analysis and Comments**

***Online Application System – Intuit:*** The Commission uses an online application system called Intuit to manage the judicial applications received by the office. The Commission continues to work with the Office of the Chief Technology Officer (OCTO) to develop an online system to store completed questionnaires. In testimony before the Committee, the Commission expressed concern about the potentially high maintenance costs for a system provided through OCTO. The Committee urges the Commission to evaluate all available options in order to find the one that best meets the Commission’s needs without compromising its limited non-personal services funding.

**2. COMMITTEE RECOMMENDATIONS**

**a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 operating budget for the Judicial Nomination Commission as proposed by the Mayor.

**J. OFFICE OF POLICE COMPLAINTS**

<b>Office of Police Complaints (FH0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
LOCAL FUND	2,036,605	2,110,487	2,241,298	-	2,241,298
PRIVATE	347	-	-	-	-
<b>Grand Total</b>	<b>2,036,952</b>	<b>2,110,487</b>	<b>2,241,298</b>	<b>-</b>	<b>2,241,298</b>

<b>Office of Police Complaints (FH0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
LOCAL FUND	23.3	23.3		23.3
<b>Grand Total</b>	<b>23.3</b>	<b>23.3</b>	<b>-</b>	<b>23.3</b>

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 Fiscal Year 2015 Budget Report

<b>Office of Police Complaints (FH0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	1,194,607	1,300,614	1,470,129	-	1,470,129
12-REGULAR PAY - OTHER	328,007	286,801	260,587	-	260,587
13-ADDITIONAL GROSS PAY	6,071	5,000	5,000	-	5,000
14-FRINGE BENEFITS - CURR PERSONNEL	287,469	349,719	333,109	-	333,109
15-OVERTIME PAY	22,650	-	-	-	-
20-SUPPLIES AND MATERIALS	10,000	10,000	10,240	-	10,240
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	500	3,000	3,000	-	3,000
40-OTHER SERVICES AND CHARGES	90,638	41,568	44,325	-	44,325
41-CONTRACTUAL SERVICES - OTHER	82,396	103,240	104,110	-	104,110
70-EQUIPMENT & EQUIPMENT RENTAL	14,613	10,546	10,799	-	10,799
<b>Grand Total</b>	<b>2,036,952</b>	<b>2,110,488</b>	<b>2,241,299</b>	<b>-</b>	<b>2,241,299</b>

<b>Office of Police Complaints (FH0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-AGENCY MANAGEMENT PROGRAM	679,257	637,350	668,882	-	668,882
2000-COMPLAINT RESOLUTION	1,129,379	1,235,217	1,322,826	-	1,322,826
3000-PUBLIC RELATIONS	82,956	82,420	88,000	-	88,000
4000-POLICY RECOMMENDATION	145,360	155,500	161,591	-	161,591
<b>Grand Total</b>	<b>2,036,952</b>	<b>2,110,487</b>	<b>2,241,299</b>	<b>-</b>	<b>2,241,299</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Office of Police Complaints (OPC) is to increase public confidence in the police and promote positive community-police interactions. OPC receives, investigates, adjudicates, and mediates police misconduct complaints filed by the public against the Metropolitan Police Department (MPD) and the D.C. Housing Authority Police Department (DCHAPD) police officers. In addition to these responsibilities, the agency issues policy recommendations to the Mayor, the Council, and the Chiefs of Police of MPD and DCHAPD, proposing reforms that will promote greater police accountability by reducing the level of police misconduct or improving the citizen complaint process.

### **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

#### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the Office of Police Complaints is \$2,241,298, an increase of \$130,811, or 6.2 percent, over the current fiscal year. The proposed budget supports 23.2 FTEs, representing no change from the current fiscal year.

**Local Funds:** The Mayor has proposed a budget of \$2,241,298, an increase of \$130,811, or 6.2 percent, over the current fiscal year. The proposed budget supports 23.2 FTEs, representing no change from the current fiscal year.

#### **Committee Analysis and Comments**

**Delays in Completing Investigations:** OPC, on average, is required to investigate approximately 65 percent of the cases it receives, and completes approximately 30 investigations per year per budgeted investigator. OPC investigators have higher caseloads than comparable investigators in other jurisdictions, such as New York City or San Francisco. In fiscal year 2013, only 45 percent of investigations at OPC were completed within six months; for the first half of fiscal year 2014, that figure is at 41.26 percent. High caseloads inevitably lead to delays in completing investigations, which in turn impacts the public's confidence in the independent police review mechanism. It may also sap the morale of officers who have to contend with unresolved complaints pending against them. OPC requested funding for two additional staff members to cut down on delays, but the Mayor's proposed budget fails to provide the necessary funding. The Committee recognizes the need for additional investigators, but is without the recurring budget dollars necessary to fund ongoing positions.

**Policy Recommendations:** In 2013, OPC published three reports: (1) *Warrantless Entries into Private Homes by MPD Officers* (June 12); (2) *Bicycle Safety and MPD Enforcement of the District's Biking Laws* (Sept. 13); and (3) *MPD Enforcement of the District's Window Tint Law* (Nov. 21). The first report focused on complaints of unlawful warrantless entries into district homes, researched best practices, and made recommendations to MPD for discipline, improved

training, and better record keeping; most of these recommendations have been adopted by MPD. The second report was a follow up to an earlier report on bicycle safety in 2011. The report found that MPD had implemented most of the recommendations OPC made in 2011, but called for MPD to improve record keeping and regular analysis and reporting of bicycle accidents. The third report analyzed MPD's enforcement of the window tint law during traffic stops and related concerns about the possible racial profiling of African-American motorists.

***Enforcement of OPC determinations:*** On January 22, 2014, Attorney General Irvin Nathan issued an opinion regarding two legal issues arising out of OPC police misconduct investigations. Mr. Nathan concluded that (1) the Chief of Police is not required to impose discipline on an officer after a factual finding of misconduct by OPC; and (2) the Chief of Police may discipline an MPD officer who has asserted his Fifth Amendment right in response to investigative questions by OPC. The Committee will continue to monitor these issues to determine whether legislative action is needed.

***Change in Directors:*** Former OPC Director Philip Eure resigned on May 9, 2014 to accept an appointment as the first NYPD Inspector General with oversight responsibility over the New York police. As the original director of OPC since the OPC became operational in 2001, Director Eure has been an integral creator of what the OPC is today—a model of police oversight recognized across the nation. The Committee would like to thank Director Eure for his years of service to the District and wishes him well in his future endeavors.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 operating budget for Office of Police Complaints, as proposed by the Mayor.

**K. DISTRICT OF COLUMBIA SENTENCING AND CRIMINAL CODE  
 REVISION COMMISSION**

<b>Sentencing and Criminal Code Revision Commission (FZ0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
LOCAL FUND	1,127,838	1,406,556	1,401,315	-	1,401,315
<b>Grand Total</b>	<b>1,127,838</b>	<b>1,406,556</b>	<b>1,401,315</b>	<b>-</b>	<b>1,401,315</b>

<b>Sentencing and Criminal Code Revision Commission (FZ0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
LOCAL FUND	10.0	10.0		10.0
<b>Grand Total</b>	<b>10.0</b>	<b>10.0</b>	<b>-</b>	<b>10.0</b>

<b>Sentencing and Criminal Code Revision Commission (FZ0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	624,506	811,244	837,196	-	837,196
12-REGULAR PAY - OTHER	66,073			-	-
13-ADDITIONAL GROSS PAY	6,116	16,159	16,159	-	16,159
14-FRINGE BENEFITS - CURR PERSONNEL	143,836	242,562	174,974	-	174,974
20-SUPPLIES AND MATERIALS	13,246	19,919	25,721	-	25,721
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	(37)	-	-	-	-
40-OTHER SERVICES AND CHARGES	65,394	85,739	101,406	-	101,406
41-CONTRACTUAL SERVICES - OTHER	198,504	214,827	233,358	-	233,358
70-EQUIPMENT & EQUIPMENT RENTAL	10,200	16,106	12,500	-	12,500
<b>Grand Total</b>	<b>1,127,838</b>	<b>1,406,556</b>	<b>1,401,314</b>	<b>-</b>	<b>1,401,314</b>

<b>Sentencing and Criminal Code Revision Commission (FZ0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-MANAGEMENT	527,085	737,554	729,893	-	729,893
2000-DATA COLLECTION (AIP)	600,753	669,002	671,422	-	671,422
<b>Grand Total</b>	<b>1,127,838</b>	<b>1,406,556</b>	<b>1,401,315</b>	<b>-</b>	<b>1,401,315</b>

Mayor's Proposed Fiscal Year 2015-2020 Capital Budget, SCCRC, by Project								
Project Name	Number	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	6-Year
DC IT/IJIS Integration	FZ037C	425	0	0	0	0	0	425
<b>Agency Total</b>		<b>425</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>425</b>
Committee's Approved Fiscal Year 2015-2020 Capital Budget, SCCRC, by Project								
Project Name	Number	FY 2015	FY 2016	FY 2017	FY 2018	FY 2019	FY 2020	6-Year
DC IT/IJIS Integration	FZ037C	425	0	0	0	0	0	425
<b>Agency Total</b>		<b>425</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>425</b>

(Dollars in Thousands)

## 1. COMMITTEE ANALYSIS AND COMMENTS

### a. Agency Mission and Overview

The mission of the District of Columbia Sentencing and Criminal Code Revision Commission (SCCRC) is to implement, monitor, and support the District's voluntary sentencing guidelines, to promote fair and consistent sentencing policies, to increase public understanding of sentencing policies and practices, and to evaluate the effectiveness of the guidelines system in order to recommend changes based on actual sentencing and corrections practice and research. The sentencing guidelines provide recommended sentences that enhance fairness so that offenders, victims, the community, and all parties will understand the sentence, and sentences will be both more predictable and consistent. The commission provides analysis of sentencing trends and guideline compliance to the public and its representatives to assist in identifying sentencing patterns of felony convictions. Additionally, the SCCRC has been charged with preparing comprehensive recommendations for revising the language of criminal statutes, organizing them in logical order, and re-classifying statutes as necessary. This includes an analysis of current criminal statutes and the development of recommendations that reorganize and reformulate the District's Criminal Code. The SCCRC also advises the District of Columbia on matters related to criminal law, sentencing, and corrections policy.

The SCCRC is composed of 20 members, 15 voting members and five non-voting members. The membership includes judges, attorneys, criminal justice professionals, and citizens, many of whom have substantial day-to-day experience and expertise with the Code. The 15 voting members include one seat appointed by the Mayor of the District of Columbia, one seat appointed by the Council of the District of Columbia, and one seat appointed by the Chief Judge of the District of Columbia Superior Court. Among the SCCRC's institutional members are the Attorney General for the District of Columbia, the United States Attorney for the District of Columbia, the Public Defender Service of the District of Columbia, and judges of the Superior Court.

## **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the District of Columbia Sentencing & Criminal Code Revision Commission is \$1,401,315, a decrease of \$5,241 or -0.4 percent from the current fiscal year level. The proposed budget supports 10 FTEs, which represents no change from the fiscal year 2014 level.

**Local Funds:** The Mayor's proposed budget is \$1,401,315, a decrease of \$5,241 or -0.4 percent from the fiscal year 2014 approved budget of \$1,406,556. This funding supports 10 FTEs, which represents no change from the fiscal year 2014 level.

### **Committee Analysis and Comments**

**Criminal Code Revision:** In 2006, the Council directed the Commission to review and develop recommendations for revisions to the District's criminal laws. The project is scheduled to be completed in September 2016. In the past year, the Commission developed a comprehensive Project Management Plan that outlines priorities, establishes milestones, and sets a timeline for the remainder of the project. The Committee also drafted general provisions, reorganized existing criminal offenses, and has begun revising specific property offenses. For the remainder of 2014, the Commission expects to complete, among other things, the revision of drug offenses (expected completion date: July 2014) and weapon offenses (expected completion date: November 2014). The Committee commends the Commission for its work on this project and its success in meeting the deadlines described in the Project Management Plan. The Committee has concerns about whether Commissioners will be able to resolve disagreements regarding the revision of some controversial felony offenses, but is pleased that the Commission is carefully monitoring the project's progress. The Committee expects the Commission will keep the Council informed of any obstacles it encounters.

**Voluntary Sentencing Guidelines:** In 2013, the Commission adopted policy changes that altered the substance of the Guidelines; specifically, the Commission modified the Guidelines to allow any party to challenge a presentence report writer's initial scoring of an out-of-District conviction. The Commission also adopted technical changes to increase the consistency and transparency of the Guidelines Manual. In addition, the Commission published two Sentencing Guidelines Alerts, which contained changes to the rankings of certain While Armed Sex Offenses and certain terrorism offenses. The Committee commends the Commission for ranking these new offenses and for quickly responding to the addition of new offenses in the criminal code.

**Sentencing Data and Analysis:** In December 2013, the Commission's new data system GRID went live. The new system enables the Commission to improve and expand both the quality and quantity of information it uses to analyze sentences and to calculate compliance with the Guidelines. In the future, the increased number of data variables available will allow the Commission to better analyze sentencing practices in the District and provide the basis for a comprehensive evaluation of the impact and effectiveness of the Sentencing Guidelines. The

Committee is impressed with the new system's capabilities and its potential to inform policy decisions with District-specific empirical data.

**c. Mayor's Proposed Fiscal Year 2015-2020 Capital Budget**

**Proposed Capital Budget Summary**

The Mayor's proposed fiscal year 2015 contains an additional \$425,000 in capital funding for the development and implementation of a Bi-directional XML interface for its new data system. This funding has been added to Project No. FZ037, an existing project.

**Committee Analysis and Comments**

***Bi-Directional Interface:*** The Commission's capital funding will be used to develop and implement a Bi-directional XML interface to securely and efficiently transfer offender criminal history information to and from CSOSA. These capital funds will build upon the existing deployed interface in order to automate the first bi-directional process. It is estimated that the project will be completed by February 28, 2015. The Committee commends the Commission for developing these bi-directional capabilities and looks forward to seeing a demonstration of these new capabilities when they are fully implemented. The Committee is concerned, however, that the Commission may not have sufficient funds to operate the bi-directional interface. At the Commission's budget hearing, Executive Director Barbara Tombs-Souvey testified that the Commission needed additional funding to operate the bi-directional interface in the amount of \$55,000 for operational and maintenance costs required for nine months of fiscal year 2015. Director Tombs-Souvey stated that this additional funding was unintentionally overlooked and not included in the Mayor's proposed budget because it was unknown to the agency whether its fiscal year 2015 capital budget request for \$425,000 to develop and implement the bi-directional interface would be approved. Director Tombs-Souvey stated that the agency was working with the Deputy Mayor of Public Safety to secure this additional funding. The Committee will closely monitor the implementation of the bi-directional interface to ensure that the Commission has the funding it needs to fully operate the GRID system.

**2. COMMITTEE RECOMMENDATIONS**

**a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 budget for the Sentencing and Criminal Code Revision Commission as proposed by the Mayor.

**b. Fiscal Year 2015 Capital Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 capital for the Sentencing and Criminal Code Revision Commission as proposed by the Mayor.

**L. OFFICE OF THE CHIEF MEDICAL EXAMINER**

<b>Office of the Chief Medical Examiner (FX0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
INTRA-DISTRICT FUNDS	11,947	-	-	-	-
LOCAL FUND	7,542,792	8,789,575	9,518,949	-	9,518,949
<b>Grand Total</b>	<b>7,554,739</b>	<b>8,789,575</b>	<b>9,518,949</b>	<b>-</b>	<b>9,518,949</b>

<b>Office of the Chief Medical Examiner (FX0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
LOCAL FUND	70.0	70.0	-	70.0
<b>Grand Total</b>	<b>70.0</b>	<b>70.0</b>	<b>-</b>	<b>70.0</b>

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<b>Office of the Chief Medical Examiner (FX0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	4,584,732	5,611,484	6,073,143	-	6,073,143
12-REGULAR PAY - OTHER	184,292	185,000	185,000	-	185,000
13-ADDITIONAL GROSS PAY	360,810	314,000	455,986	-	455,986
14-FRINGE BENEFITS - CURR PERSONNEL	949,409	1,524,305	1,343,177	-	1,343,177
15-OVERTIME PAY	189,241	70,000	225,000	-	225,000
20-SUPPLIES AND MATERIALS	319,414	345,700	264,600	-	264,600
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	27,000	30,000	10,000	-	10,000
40-OTHER SERVICES AND CHARGES	657,523	618,194	638,941	-	638,941
41-CONTRACTUAL SERVICES - OTHER	68,912	75,892	308,102	-	308,102
70-EQUIPMENT & EQUIPMENT RENTAL	212,156	15,000	15,000	-	15,000
91-EXPENSE NOT BUDGETED OTHERS	1,250	-	-	-	-
<b>Grand Total</b>	<b>7,554,739</b>	<b>8,789,575</b>	<b>9,518,949</b>	<b>-</b>	<b>9,518,949</b>

<b>Office of the Chief Medical Examiner (FX0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-ADMINISTRATIVE MANAGEMENT PROGRAM	1,576,364	1,848,060	1,578,346	-	1,578,346
100F-AGENCY FINANCIAL OPERATION	25,000	111,788	113,901	-	113,901
2000-DEATH INVESTIGATIONS/ CERTIFICATIONS	4,471,377	5,338,841	6,069,488	-	6,069,488
3000-FATALITY REVIEW COMMITTEES	304,393	318,327	366,565	-	366,565
4000-FORENSIC TOXICOLOGY	1,177,604	1,172,559	1,390,649	-	1,390,649
<b>Grand Total</b>	<b>7,554,738</b>	<b>8,789,575</b>	<b>9,518,949</b>	<b>-</b>	<b>9,518,949</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Office of the Chief Medical Examiner (OCME) is to ensure that justice is served and that the health and safety of the public is improved by conducting quality death investigations and certification, and providing forensic services for government agencies, health care entities, and grieving families.

OCME provides forensic services to local and federal government agencies, health care providers, institutions of higher learning, and citizens of the District and the metropolitan area. Forensic services include: forensic investigation of certain deaths, those occurring as a result of violence (injury), as well as those that occur unexpectedly, without medical attention, in custody, or pose a threat to public health; review of deaths of specific populations; grief counseling; performance of a full range of toxicological examinations; cremation approvals; and public disposition of unclaimed remains.

### **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

#### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the Office of the Chief Medical Examiner is \$9,518,949, an increase of \$729,374, or 8.3 percent, over the current fiscal year. The proposed budget supports 70.0 FTEs, representing no change over the current fiscal year.

**Local Funds:** The Mayor has proposed a budget of \$9,518,949, an increase of \$729,374, or 8.3 percent, over the current fiscal year. The proposed budget supports 70.0 FTEs, representing no change from the fiscal year 2014 approved level.

### **Committee Analysis and Comments**

**Leadership and Accreditation:** The OCME came under new leadership in February 2013 when Dr. Roger A. Mitchell, Jr. became Acting Chief Medical Examiner.<sup>63</sup> Dr. Mitchell was previously the Assistant State Medical Examiner in New Jersey and the Assistant Deputy Chief Medical Examiner in Houston, Texas. Dr. Mitchell has made achieving accreditation for OCME his first priority. To that end, the proposed budget includes an adjustment of \$150,000 to support a salary shift of non-union employees to a union pay scale and \$143,448 to upgrade three positions to enhance operations in order to meet accreditation requirements. The Committee welcomes Dr. Mitchell and looks forward to having his expertise at the head of OCME. The Committee also recognizes with appreciation the many years of service provided by the outgoing Chief Medical Examiner, Dr. Marie Pierre-Louis, who many credit for turning around an agency that had long been troubled.

**Postmortem Examinations:** In fiscal year 2013, OCME forensic pathologists performed 1,077 postmortem examinations with only four medical examiners on staff performing these examinations. In fiscal year 2014, two more forensic pathologists were hired. Additionally, OCME is looking to hire a Deputy Chief Medical Examiner. The Committee expects that the addition of these staff members will decrease the caseload performed by each physician and improve the turn-around-time on these cases.

**Child Fatality Review Board:** Dr. Mitchell brings a special interest in urban youth violence to the OCME and has published several articles on this topic, made numerous presentations, and worked as a mentor and consultant in several cities. The Committee looks forward to the expertise and energy Dr. Mitchell will bring to OCME's fatality review boards, in particular, the Child Fatality Review Board.

**Fire and EMS Department (FEMS) Training:** In fiscal year 2013, OCME was approached by the FEMS Training Coordinator to ask for assistance in the development of a training module for new recruits. Two training presentations were completed in the first half of fiscal year 2014 by an OCME Medicolegal Investigator at the Fire Academy. The training provides an orientation for recruits regarding the mission and function of the OCME, as well as protocols on death scene response and handling of remains, specifically as related to FEMS responsibilities in assisting OCME staff in their investigations. The training program also includes observations of autopsies by recruits and paramedics to meet FEMS accreditation requirements. The Committee appreciates the cooperation by both agencies to make this training possible.

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<sup>63</sup> Dr. Mitchell's nomination for Chief Medical Examiner, Proposed Resolution 20-660, is pending in the Committee, and is expected to come to a vote in June 2014.

***Navy Yard Response:*** On September 16, 2013, a lone gunman killed 12 civilians at the Washington Navy Yard. The OCME team implemented the agency Mass Fatality Plan and worked tirelessly both at the scene and in the autopsy suite. The OCME team conducted death investigations quickly and completed forensic photography for identification purposes within 24 hours. Autopsies were completed within two days and agency grief counselors assisted families coping with the tragedy. The Committee recognizes and commends the agency for the excellent work performed in response to this horrific event.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 budget for the Office of the Chief Medical Examiner as proposed by the Mayor.

**M. OFFICE OF ADMINISTRATIVE HEARINGS**

<b>Office of Administrative Hearings (FS0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL MEDICAID PAYMENTS	68,000	60,000	60,000	-	60,000
INTRA-DISTRICT FUNDS	1,254,059	1,224,288	1,641,264	-	1,641,264
LOCAL FUND	7,528,305	8,232,367	8,703,036	-	8,703,036
<b>Grand Total</b>	<b>8,850,364</b>	<b>9,516,655</b>	<b>10,404,300</b>	<b>-</b>	<b>10,404,300</b>

<b>Office of the Administrative Hearings (FS0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
INTRA-DISTRICT FUNDS	8.0	8.0	-	8.0
LOCAL FUND	69.6	69.6	-	69.6
<b>Grand Total</b>	<b>77.6</b>	<b>77.6</b>	<b>-</b>	<b>77.6</b>

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<b>Office of Administrative Hearings (FSO) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	6,027,836	7,009,364	7,493,071	-	7,493,071
12-REGULAR PAY - OTHER	612,814	16,738	57,902	-	57,902
13-ADDITIONAL GROSS PAY	27,373	54,038	54,038	-	54,038
14-FRINGE BENEFITS - CURR PERSONNEL	1,208,323	1,486,102	1,449,646	-	1,449,646
20-SUPPLIES AND MATERIALS	124,761	184,807	148,682	-	148,682
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	4,000	-	-	-	-
40-OTHER SERVICES AND CHARGES	274,227	341,105	714,304	-	714,304
41-CONTRACTUAL SERVICES - OTHER	529,524	287,599	360,657	-	360,657
70-EQUIPMENT & EQUIPMENT RENTAL	41,506	136,903	126,000	-	126,000
<b>Grand Total</b>	<b>8,850,365</b>	<b>9,516,656</b>	<b>10,404,300</b>	<b>-</b>	<b>10,404,300</b>

<b>Office of Administrative Hearings (FSO) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
100A-AGENCY MANAGEMENT PROGRAM	368,103	434,061	401,584	-	401,584
100F-AGENCY FINANCIAL OPERATION	137,072	123,686	131,070	-	131,070
200A-JUDICIAL	5,146,432	5,542,092	5,917,677	-	5,917,677
300A-COURT COUNSEL	1,130,030	1,577,696	1,793,461	-	1,793,461
400A-CLERK OF COURT	1,403,435	1,294,492	1,463,314	-	1,463,314
500A-EXECUTIVE	665,293	544,628	697,193	-	697,193
<b>Grand Total</b>	<b>8,850,365</b>	<b>9,516,655</b>	<b>10,404,299</b>	<b>-</b>	<b>10,404,299</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Office of Administrative Hearings (OAH) is to provide the District of Columbia's citizens and government agencies with a fair, efficient, and effective forum to manage and resolve administrative disputes. OAH holds hearings, conducts mediations, and provides other adjudication services to resolve disputes arising under the District's laws and regulations.

OAH is an impartial, independent agency that adjudicates cases for more than 40 District agencies, boards, and commissions, including: Department of Health, Department of Human Services, Board of Appeals and Review, Department of Motor Vehicles (public space), Department of Public Works, Department of Employment Services, D.C. Taxicab Commission, Department of Consumer and Regulatory Affairs, and the Office of Tax and Revenue. Other cases within OAH's jurisdiction include certain cases brought by the Department of Transportation, Fire and Emergency Medical Services Department, Office of Planning, Department of Mental Health, Child and Family Services Agency, D.C. Office of Energy, and the Department of the Environment.

### **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

#### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the OAH is \$10,404,300, an increase of \$887,646, or 9.3 percent, over the current fiscal year. The proposed budget supports 77.6 FTEs, the same as the fiscal year 2014 approved level.

**Local Funds:** The Mayor's proposed budget is \$8,703,000, an increase of \$471,000, or 5.7 percent, over the fiscal year 2014 approved budget of \$8,232,000. This funding supports 69.6 FTEs, the same as the fiscal year 2014 approved level.

**Federal Resources:** The Mayor's proposed budget is \$60,000, the same as the fiscal year 2014 approved level.

**Intra-District Funds:** The Mayor's proposed budget is \$1,641,000, an increase of \$417,000, or 34.1 percent, from the fiscal year 2014 approved budget of \$1,224,000. The funding supports 8 FTEs, which is the same as the fiscal year 2014 approved level.

#### **Committee Analysis and Comments**

**New Leadership:** OAH is going through a transition period. Former Chief Judge Mary Oates Walker has been placed on administrative leave by the Mayor. On February 7, 2014, the Mayor appointed Administrative Law Judge (ALJ) Wanda Tucker as Interim Chief Judge of OAH. In her performance oversight hearing testimony, the Interim Chief Judge stated that her

priorities for fiscal year 2014 as follows: (1) Reinforce the culture of the agency to focus on its core mission of adjudication; (2) Examine and develop case management and case allocation systems and integrate them with performance management of all staff; (3) Implement hiring practices to ensure that position vacancies are filled competitively with the best available candidates; and (4) Implement revisions to the training program.<sup>64</sup> The Committee appreciates that the Interim Chief Judge has already developed a vision for the agency. The Committee also commends OAH on its continued work on behalf of the District of Columbia.

***Increased Caseload:*** In the past few years, OAH has been asked to adjudicate several new case types, including student discipline cases from DC Public Schools, special education vendor appeals from the Office of the State Superintendent of Education, securities violation cases from the Department of Insurance, Securities and Banking, and various housing cases from the Department of Housing and Community Development. OAH also has begun to hear Taxicab Commission cases that were formerly heard by the Bureau of Traffic Adjudication. OAH's caseload is expected to further increase as a result of legislative changes. For example, OAH will begin hearing appeals from eligibility determinations under the Affordable Care Act. In addition, case increases are expected if the Boards and Commissions Reform Act passes, which consolidates many of the District's existing Boards and Commissions and places their adjudication functions with OAH. While the Committee does not categorically object to expanding OAH's role, such expansion must include appropriate funding; at this time, funding levels are not keeping up with the increased caseload. The Committee will monitor OAH's caseload closely in going forward.

***Case Management System:*** The Interim Chief Judge testified that OAH cannot accurately measure or compare the performance of ALJs unless their workloads are comparable in quality and complexity.<sup>65</sup> Best practices for adjudicative, administrative agencies include "differentiated case management," a system for assessing and monitoring the complexity and resource demands of each case filed. OAH's contract for its information management system – E-court – will expire at the end of 2016. The Committee hopes that the agency will use the contract-renewal process as an opportunity to design an overarching case management system. Currently, the same resources are devoted to each case, no matter how complex or simple the case. A new system would allow the agency to better align its resources with its priorities. The Committee applauds the Interim Chief Judge for identifying the need for a new case management system and looks forward to seeing these changes implemented.

***Training:*** The Interim Chief Judge identified training as a top priority for the agency. In the past, training at OAH has occurred irregularly and without a dedicated training budget or plan. OAH's Training Committee has done its best with limited resources to provide adequate training, but the Training Committee would benefit from additional funding. The Committee commends OAH for addressing the need for additional training opportunities and will monitor the development of training programs over the course of this fiscal year.

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<sup>64</sup> *Office of Administrative Hearings: Performance Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety*, 2 (March 12, 2014) (written testimony of Wanda Tucker, Interim Chief Judge, Office of Administrative Hearings).

<sup>65</sup> *Id.* at 3.

**2. COMMITTEE RECOMMENDATIONS**

**a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 budget for the Office of Administrative Hearings as proposed by the Mayor.

**N. CRIMINAL JUSTICE COORDINATING COUNCIL**

<b>Criminal Justice Coordinating Council (FJ0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	77,065	-	-	-	-
FEDERAL PAYMENTS	2,079,357	1,800,000	1,900,000	-	1,900,000
INTRA-DISTRICT FUNDS	50,709	90,697	70,004	-	70,004
LOCAL FUND	435,939	515,568	526,107	-	526,107
PRIVATE	15,000	-	-	-	-
<b>Grand Total</b>	<b>2,658,070</b>	<b>2,406,265</b>	<b>2,496,111</b>	<b>-</b>	<b>2,496,111</b>

<b>Criminal Justice Coordinating Council (FJ0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL PAYMENTS	13.7	14.1	-	14.1
INTRA-DISTRICT FUNDS	0.4	0.6	-	0.6
LOCAL FUND	1.9	1.3	-	1.3
<b>Grand Total</b>	<b>16.0</b>	<b>16.0</b>	<b>-</b>	<b>16.0</b>

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<b>Criminal Justice Coordinating Council (FJO) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	1,090,414	1,387,365	1,619,881	-	1,619,881
12-REGULAR PAY - OTHER	117,831	-	-	-	-
13-ADDITIONAL GROSS PAY	2,064	-	-	-	-
14-FRINGE BENEFITS - CURR PERSONNEL	207,997	255,348	254,062	-	254,062
20-SUPPLIES AND MATERIALS	39,000	19,667	32,046	-	32,046
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	2,333	-	-	-	-
40-OTHER SERVICES AND CHARGES	607,048	229,376	159,088	-	159,088
41-CONTRACTUAL SERVICES - OTHER	590,882	513,561	431,035	-	431,035
70-EQUIPMENT & EQUIPMENT RENTAL	500	949	-	-	-
<b>Grand Total</b>	<b>2,658,070</b>	<b>2,406,266</b>	<b>2,496,112</b>	<b>-</b>	<b>2,496,112</b>

<b>Criminal Justice Coordinating Council (FJO) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-RESEARCH ANALYSIS AND EVALUATION	320,145	389,041	316,879	-	316,879
2000-COLLABORATION & PLANNING ACROSS AGENCIES	1,165,028	899,309	800,714	-	800,714
3000-INTEGRATED INFORMATION SYSTEM	1,160,623	1,108,254	1,370,930	-	1,370,930
4000-ASMP	12,274	9,662	7,588	-	7,588
<b>Grand Total</b>	<b>2,658,070</b>	<b>2,406,266</b>	<b>2,496,111</b>	<b>-</b>	<b>2,496,111</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Criminal Justice Coordinating Council (CJCC) is to serve as the forum for identifying issues and their solutions, proposing actions, and facilitating cooperation that will improve public safety and the criminal and juvenile justice system of the District of Columbia for its residents, visitors, victims, and offenders.

### **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

#### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the Criminal Justice Coordinating Council (CJCC) is \$2,496,111, an increase of \$89,846, or 3.7 percent, from the fiscal year 2014 approved budget. This funding supports 16.0 FTEs, which is the same as the fiscal year 2014 approved level.

**Local Funds:** The Mayor's proposed budget is \$526,000, an increase of \$11,000 or 2 percent, over the fiscal year 2014 approved budget. This funding supports 1.3 FTEs, representing a decrease of 0.6, or 31.4 percent, from the current fiscal year.

**Federal Resources:** The Mayor's proposed budget is \$1,900,000, representing an increase of \$100,000 or 5.6 percent from the current fiscal year. This funding supports 14.1 FTEs, which is an increase of 0.4 from the fiscal year 2014 approved level.

**Intra-District Funds:** The Mayor's proposed budget is \$70,000, a decrease of \$21,000, or -22.8 percent, below the fiscal year 2014 approved budget. This funding supports 0.6 FTEs, representing an increase of 0.2 from the current fiscal year.

#### **Committee Analysis and Comments**

**Information Sharing:** CJCC's Executive Director, Mannone A. Butler, stated that improving information sharing remains one of the agency's primary objectives.<sup>66</sup> Information sharing is the core of CJCC's operations, and the Justice Information Center (JUSTIS), the District's integrated information sharing system, is the primary programmatic mechanism to address this objective. The fiscal year 2015 proposed federal payment allocation for CJCC will support critical strategic initiatives including: (1) design, development, and implementation of enhanced criminal justice information electronic exchanges; (2) required ongoing system maintenance to the JUSTIS information portal and BizTalk infrastructure; (3) integration of new agencies and updates to existing agency interfaces; (4) security enhancement to JUSTIS; (5) a disaster recovery site; and (6) user training.

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<sup>66</sup> *Criminal Justice Coordinating Council: Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety*, 2 (May 9, 2014) (written testimony of Mannone A. Butler, Executive Director, Criminal Justice Coordinating Council).

**2. COMMITTEE RECOMMENDATIONS**

**a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 budget for the Criminal Justice Coordinating Council as proposed by the Mayor.

**O. OFFICE OF UNIFIED COMMUNICATIONS**

<b>Office of Unified Communications (UC0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
INTRA-DISTRICT FUNDS	635,438	260,973	278,178	-	278,178
LOCAL FUND	26,464,734	27,349,777	28,250,102	-	28,250,102
SPECIAL PURPOSE REVENUE FUNDS	10,354,959	16,403,080	15,231,328	-	15,231,328
<b>Grand Total</b>	<b>37,455,131</b>	<b>44,013,830</b>	<b>43,759,608</b>	<b>-</b>	<b>43,759,608</b>

<b>Office of the Unified Communications - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
INTRA-DISTRICT FUNDS	6.0	6.0	-	6.0
LOCAL FUND	322.8	322.8	-	322.8
<b>Grand Total</b>	<b>328.8</b>	<b>328.8</b>	<b>-</b>	<b>328.8</b>

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<b>Office of Unified Communications (UC0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	17,576,311	18,079,755	20,151,658	-	20,151,658
12-REGULAR PAY - OTHER	754,232	1,085,004	289,039	-	289,039
13-ADDITIONAL GROSS PAY	1,583,694	2,064,326	2,079,416	-	2,079,416
14-FRINGE BENEFITS - CURR PERSONNEL	5,033,579	5,446,664	5,174,087	-	5,174,087
15-OVERTIME PAY	768,013	810,000	810,000	-	810,000
20-SUPPLIES AND MATERIALS	76,618	125,000	104,250	-	104,250
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	1,036,811	1,196,041	1,128,425	-	1,128,425
40-OTHER SERVICES AND CHARGES	6,227,421	9,404,040	10,519,733	-	10,519,733
41-CONTRACTUAL SERVICES - OTHER	1,455,983	1,453,000	1,453,000	-	1,453,000
70-EQUIPMENT & EQUIPMENT RENTAL	2,942,469	4,350,000	2,050,000	-	2,050,000
<b>Grand Total</b>	<b>37,455,131</b>	<b>44,013,830</b>	<b>43,759,607</b>	<b>-</b>	<b>43,759,607</b>

<b>Office of Unified Communications (UC0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-AGENCY MANAGEMENT PROGRAM	6,289,893	4,298,465	4,961,539		4,961,539
100F-AGENCY FINANCIAL OPERATIONS	139,253	195,057	204,730		204,730
2000-EMERGENCY OPERATIONS (911) DIVISION	17,669,777	19,359,415	19,306,938		19,306,938
3000-NON-EMERGENCY OPERATIONS (311) DIVISION	4,313,806	4,687,457	4,713,011		4,713,011
4000-TECHNOLOGY OPERATIONS DIVISION	8,736,081	15,180,103	14,157,609		14,157,609
5000-TRANSCRIPTION & QUALITY DIVISION	306,196	293,332	415,780		415,780
9960-YR END CLOSE	125	-	-	-	-
<b>Grand Total</b>	<b>37,455,131</b>	<b>44,013,829</b>	<b>43,759,607</b>	<b>-</b>	<b>43,759,607</b>

<b>Mayor's Proposed Fiscal Year 2015-2020 Capital Budget, OUC, by Project</b>								
<b>Project Name</b>	<b>Number</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>6-Year</b>
Underground Commercial Power Feed to UCC	PL403C	1,000	0	0	0	0	0	1,000
IT and Communications Upgrades	UC2TDC	2,000	1,000	0	0	0	0	3,000
<b>Agency Total</b>		<b>3,000</b>	<b>1,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>4,000</b>
<b>Committee's Approved Fiscal Year 2015-2020 Capital Budget, OUC, by Project</b>								
<b>Project Name</b>	<b>Number</b>	<b>FY 2015</b>	<b>FY 2016</b>	<b>FY 2017</b>	<b>FY 2018</b>	<b>FY 2019</b>	<b>FY 2020</b>	<b>6-Year</b>
Underground Commercial Power Feed to UCC	PL403C	1,000	0	0	0	0	0	1,000
IT and Communications Upgrades	UC2TDC	2,000	1,000	0	0	0	0	3,000
<b>Agency Total</b>		<b>2,000</b>	<b>1,000</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>0</b>	<b>3,000</b>

(Dollars in Thousands)

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Office of Unified Communications (OUC) is to provide a fast, professional, and cost-effective response to emergency (911) and non-emergency (311) calls in the District. OUC also provides centralized, District-wide coordination and management of

public safety voice radio technology and other public safety wireless and data communication systems and resources.

**b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

**Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the OUC is \$43,759,607, a decrease of \$254,223 or 0.6 percent from the current fiscal year. This proposed budget supports 328.8 FTEs, representing no change from the fiscal year 2014 approved level.

**Local Funds:** The Mayor's proposed budget is \$28,250,102, an increase of \$900,000 or 3.3 percent above the current fiscal year. This proposed budget supports 322.8 FTEs, which represents no change from the current fiscal year.

**Special Purpose Revenue Funds:** The Mayor's proposed budget is \$15,231,328, a decrease of \$1,172,000 or 7.1 percent from the current fiscal year. The proposed budget supports 0.0 FTEs, representing no change from the current fiscal year.

**Intra-District Funds:** The Mayor's proposed budget is \$278,000, representing an increase of \$17,000 or 6.6 percent from the current fiscal year. This proposed budget supports 6.0 FTEs, representing no change from the current fiscal year.

**Committee Analysis and Comments**

**12-Hour Shifts:** At last year's budget hearing, the Committee received testimony from more than 20 call takers and dispatchers who expressed serious concerns with the switch to 12-hour shifts, the transparency of the transition process, and the implementation of the change without employee feedback. Both call taker and dispatcher positions involve constant interaction with people in distress, resulting in a high-stress work environment. Because of the traumatic nature of emergency call response, worker morale at OUC is an issue the Committee takes very seriously. At the same hearing, Director Green testified that 12-hour shifts would allow the agency to have more consistent staffing levels, minimize overtime, and allow for additional training time for employees' continuing education and certification needs.<sup>67</sup> The Director stated that follow up communication efforts would be made to address the concerns of the employees, in order to promote a smoother transition to the 12-hour shift schedule.<sup>68</sup> In July 2013, OUC officially made the transition to a 12-hour shift for its 911 operations staff.

At the fiscal year 2015 budget oversight hearing on May 2, 2014, Director Greene testified positively about the 12-hour shift model, stating that it "offers increased flexibility in

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<sup>67</sup> *Office of Unified Communications: FY 2014 Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety*, 2 (April 17, 2013) (written testimony of Jennifer Greene, Director, Office of Unified Communications).

<sup>68</sup> *Office of Unified Communications: FY2014 Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety*, (April 17, 2013) (oral testimony of Jennifer Greene, Director, Office of Unified Communications).

our ability to schedule in-person training sessions with less impact on staffing levels.”<sup>69</sup> The Director stated that this shift model provides stable scheduling, consistent supervision, guaranteed consecutive days off, and a three-day weekend. The Committee remains concerned, however, about how the shift change is impacting employees. The 12-hour schedule is designed to operate in two shifts with full staffing from 6 a.m. to 6 p.m. and 6 p.m. to 6 a.m. This schedule is modified on Fridays, which is labeled a swing day in the system. The Friday schedule provides reduced staffing of both call takers and dispatchers on three shifts of eight hours each (6 a.m. to 2 p.m.; 2 p.m. to 10 p.m.; 10 p.m. to 6 a.m.). The Committee has received reports that because of staffing shortages, it is common for employees who have to work on Saturday to be called in to work on Friday. This can result in an employee working an 8-hour shift that ends at 10 p.m., who must then turn around and work a 12-hour shift that begins at 6 a.m., increasing the likelihood of significant fatigue at work. A 12-hour shift followed by a commute home and back again leaves little time for the employee to sleep and recuperate before the next shift. The Committee is concerned that fatigued employees may be more likely to make mistakes in service. The Committee expects continued updates from OUC on its efforts to maintain full staffing and to prevent the overuse and exhaustion of current staff.

***Vacancies/Adequate Staffing:*** As of April 1, 2014, OUC had 27 total vacancies, which is considerably higher than the six vacancies that OUC had at this time last year.<sup>70</sup> During the budget oversight hearing, Director Greene agreed that the current vacancy number is very high, but she assured the Committee that OUC is looking to fill the vacancies by the end of the current fiscal year. Director Greene, however, would not confirm that this high vacancy rate is related to the transition to a 12-hour shift. The Committee is concerned about staff turnover at OUC. The Committee recommends that OUC examine staffing levels of call takers and dispatchers to ensure a sufficient number of trained employees are present to provide services to the District. The Committee also expects a robust recruiting effort to fill these vacancies.

***Sufficient Training:*** In its fiscal year 2014 budget report, the Committee expressed significant concerns with the lack of quality in-person training at OUC and included \$125,000 for increased 911 training. The Mayor’s fiscal year 2015 proposed budget only includes \$94,000 for 911 call training and does not include any funding for 311 call training. This is particularly disappointing in light of Director Greene’s positive response to receiving increased training dollars in fiscal year 2014. Despite the funding gap, Director Greene is implementing a new training program, with the newly created Training Manager position. The Training Manager will be responsible for employee recertification and continuing education opportunities. The Committee supports this initiative and urges the Executive to continue investing in in-person training for call takers and dispatchers to help better prepare staff for the difficult task of being the first response for emergencies.

***EMS Task Force:*** In response to the deaths of Mr. “Cecil” Mills Jr. and Mr. Santos Perez, the Deputy Mayor’s office, the OUC, and FEMS formed a task force to address some of the potential shortcomings in the dispatch operations at OUC. The task force is expected to

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<sup>69</sup> *Office of Unified Communications: Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety*, 3 (May 2, 2014) (written testimony of Jennifer Greene, Director, Office of Unified Communications).

<sup>70</sup> Email from Ashraf El Khatib, Agency Fiscal Officer (April 15, 2013).

address OUC problems with priority medical dispatch of resources when dispatch is facing critically low levels of available emergency response units. The Committee continues to anticipate the release of a summary report of the findings and urges the task force to make meaningful recommendations for changes that can be successfully implemented to ensure such tragedies do not happen again.

***Cell Phone Data Location:*** Cellular calls to 911 are increasing each year due to the proliferation of cell phones, but also because of the decreased dependency on landlines, and the large number of tourists that visit the District. The ability of the command center to locate a cell phone call is important because it adds another layer of information for the call taker to disseminate to first responders. If a caller does not know her location, the computer aided dispatch system at OUC should be able to determine where the call is coming from, provided it has the proper technology. Two types of data indicate the caller's location: Phase 1 data provides the location of the cell phone tower the call came from, while Phase 2 data provides the location of the caller. Currently, OUC is able to gather Phase 1 data only; however, based on Federal Communications Commission requirements of command centers, all national command centers are expected to be moving forward with Phase 2 data location capability. The Committee will monitor OUC's progress in obtaining the capability to use Phase 2 data for all incoming calls, as well as the effort to obtain national accreditation for the OUC command center. In a city with a fluctuating daytime population, heavy tourist traffic, and a growing population of residents, OUC must be equipped with the proper technology and staffing to be able to handle the growing demand for its services.

***Special Purpose Revenue Funding:*** For every line that a phone company connects to service, there is a small fee that is charged for 911 and 311 services. These fees are collected by third-party vendors, and self-reported to OUC. During OUC's budget oversight hearing, the assistant fiscal officer testified that OUC has no authority to audit the third-party vendors, and therefore has no way to confirm that OUC is receiving the correct amount of money from the third-party vendors. In the proposed fiscal year 2015 budget, the agency received \$1,520,000 from this special purpose revenue fund, which it relies on for operational support. The Committee looks forward to working with OUC in order to determine what measures are necessary to audit third-party vendors, so that OUC receives all of the fees it may be owed.

### **c. Mayor's Proposed Fiscal Year 2015-2020 Capital Budget**

#### **Proposed Capital Budget Summary**

The Mayor's fiscal year 2015-2020 capital budget proposal for OUC is \$4,000,000, which will be allocated to OUC in fiscal years 2015 and 2016. The fiscal year 2015 allotment will fund two projects: (UC0-UC2TD) IT and Communications Upgrades and (AM0-PI403) Underground Commercial Power Feed to UCC.

(UC0-UC2TD) IT and Communications Upgrades is an ongoing capital project that seeks to update OUC's technology, in order to increase communications between the command center and the District's first responders.

(AM0-PI403) Underground Commercial Power Feed to UCC is a commercial power feed project that will receive an additional \$1,000,000 in fiscal year 2015. The project is scheduled for completion in fiscal year 2015. Upon completion, the project should greatly decrease the number of disruptions OUC experiences due to commercial power outages. Recent earthquakes, hurricanes, and power outages have exemplified why the UCC should be serviced by an underground commercial power source and why that power should come from an alternative grid.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 operating budget for the Office of Unified Communications as proposed by the Mayor.

### **b. Fiscal Year 2015 Capital Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 capital budget for the Office of Unified Communications as proposed by the Mayor.

### **c. Policy Recommendations**

1. The Committee encourages OUC's Director to work with current employees to determine which work schedule maximizes employee job performance with minimal impact on employee health and morale. Although 12-hour shifts have resulted in decreased overtime expenditures, OUC must ensure that these savings do not come at the cost of employee health and morale.
2. The Committee directs OUC to fill existing vacancies as quickly as possible.
3. The Committee recommends that OUC increase in-person training programs to better prepare employees to handle the emotional, physical, and tactical demands of the job.
4. The Committee recommends that OUC develop a plan detailing the steps needed to achieve national accreditation for the OUC Command Center.

**P. DEPUTY MAYOR FOR PUBLIC SAFETY AND JUSTICE**

<b>Deputy Mayor for Public Safety and Justice (FQ0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	5,200,861	5,961,382	8,179,371	-	8,179,371
INTRA-DISTRICT FUNDS	264,879	179,693	200,393	-	200,393
LOCAL FUND	11,042,484	17,783,086	18,504,642	16,713	18,521,355
SPECIAL PURPOSE REVENUE FUNDS	759,813	1,577,106	1,406,000	-	1,406,000
<b>Grand Total</b>	<b>17,268,037</b>	<b>25,501,267</b>	<b>28,290,406</b>	<b>16,713</b>	<b>28,307,119</b>

<b>Deputy Mayor for Public Safety and Justice (FQ0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANT FUND	7.3	7.2	-	7.2
INTRA-DISTRICT FUNDS	1.8	1.8	-	1.8
LOCAL FUND	9.2	13.0	-	13.0
<b>Grand Total</b>	<b>18.3</b>	<b>22.0</b>	<b>-</b>	<b>22.0</b>

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<b>Deputy Mayor for Public Safety and Justice (FQ0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	610,572	855,462	976,952	-	976,952
12-REGULAR PAY - OTHER	847,834	821,367	887,126	-	887,126
13-ADDITIONAL GROSS PAY	7,423	-	-	-	-
14-FRINGE BENEFITS - CURR PERSONNEL	269,095	323,633	319,407	-	319,407
15-OVERTIME PAY	327	-	-	-	-
20-SUPPLIES AND MATERIALS	26,167	33,315	46,017	-	46,017
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	7,638	7,871	9,870	-	9,870
40-OTHER SERVICES AND CHARGES	146,613	203,891	227,928	-	227,928
41-CONTRACTUAL SERVICES - OTHER	3,149,828	3,225,425	3,752,835	-	3,752,835
50-SUBSIDIES AND TRANSFERS	12,171,298	20,028,736	22,068,668	16,713	22,085,381
70-EQUIPMENT & EQUIPMENT RENTAL	31,244	1,567	1,604	-	1,604
<b>Grand Total</b>	<b>17,268,038</b>	<b>25,501,267</b>	<b>28,290,407</b>	<b>16,713</b>	<b>28,307,120</b>

<b>Deputy Mayor for Public Safety and Justice (FQ0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-ADMINISTRATIVE MANAGEMENT PROGRAM	499,832	514,443	501,879	-	501,879
100F-AGENCY FINANCIAL OPERATIONS	57,058	-	-	-	-
2000-AGENCY OVERSIGHT	170,615	179,693	221,435	-	221,435
2200-ACCESS TO JUSTICE	3,499,828	3,750,425	4,277,835	-	4,277,835
3000-HOMELAND SECURITY/CONTINUITY OF OPS PLAN	-	17,718	18,144	-	18,144
4200-OFFICE OF VICTIM SERVICES	8,836,201	14,830,896	16,688,955	-	16,688,955
5000-RESEARCH, ANALYSIS, AND EVALUATION	-	-	-	-	-
5300-JUSTICE GRANTS ADMINISTRATION	4,098,362	6,059,196	6,281,779	16,713	6,298,492
6000-CORRECTIONS INFORMATION COUNCIL	106,141	148,895	300,380	-	300,380
<b>Grand Total</b>	<b>17,268,038</b>	<b>25,501,266</b>	<b>28,290,407</b>	<b>16,713</b>	<b>28,307,120</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Deputy Mayor for Public Safety and Justice (Deputy Mayor) is to provide direction, guidance, support, and coordination to the District's public safety agencies.<sup>71</sup> The Deputy Mayor's role also includes oversight of and administrative support for the Access to Justice Initiative (ATJ); the Corrections Information Council (CIC), the Office of Justice Grants Administration (JGA); and the Office of Victim Services (OVS).<sup>72</sup> The Deputy Mayor also provides oversight and support for citywide public safety and justice related policies, activities and initiatives under its jurisdiction.

**Access to Justice:** The Access to Justice Initiative Program is comprised of two activities: (1) Access to Justice (ATJ), which provides financial assistance to organizations and individuals who provide direct civil legal services to low-income and underserved District residents; and (2) the Poverty Lawyer Loan Repayment Assistance Program (LRAP), which

<sup>71</sup> D.C. Code § 1-301.191(c).

<sup>72</sup> D.C. Code § 1-301.191(c)(5)(A).

provides educational loan repayment assistance to lawyers who live and work in the District and are employed in areas of legal practice that serve low-income residents.

***Homeland Security/Continuity of Operation Plan (COOP):*** The COOP provides direction, planning, and coordination to local and regional partners to ensure that the Public Safety and Justice cluster is ready to respond to an emergency of any size. The COOP also implements a comprehensive framework that allows agencies in the Public Safety and Justice cluster to continue essential criminal justice functions during an emergency affecting normal operations.

***Office of Victim Services:*** OVS provides federal grants, administers the District Crime Victims Assistance Fund, and uses local funds to support victims of domestic violence, sexual assault, homicide, child abuse, assault, and neglect. OVS also provides safe temporary transitional housing for victims of domestic violence, coordinates with area hospitals to improve their rape-trauma services and counseling, maintains outreach programs to area teens and residents regarding dynamics and impact of victimization from violent crime, and provides direction to the Executive Office of the Mayor on law and policies that enhance victims' rights to justice, care, and safety in the aftermath of a crime.

***Justice Grants Administration:*** The mission of the Justice Grant Administration (JGA) is to administer federal and other funding streams to government agencies and community-based organizations to improve the programs, policies, and coordination of the District's juvenile and criminal justice systems. As the District's State-Administering Agency for U.S. Department of Justice (US DOJ) funding related to juvenile and criminal justice, JGA manages federal and local grants, sub grants, and pass through funds in compliance with federal and local grant guidelines. JGA also gathers stakeholder input to identify cross-cutting funding priorities each year, identifies sub-grantees that are well-positioned to advance the funding priorities, and provides financial, administrative, and programmatic oversight, training, and technical assistance to ensure program outcomes are achieved.

***Corrections Information Council:*** The CIC conducts comprehensive inspections of the DOC facilities and those federal Bureau of Prison facilities that house District inmates. Additionally, the CIC monitors the care and treatment of District prisoners at the respective facilities and advocates for the inmates' interests and well-being. The CIC consists of three board members, two appointed by the Mayor and one appointed by the Council of the District of Columbia.

***Agency Oversight:*** The mission of Agency Oversight is to provide administrative support to the Deputy Mayor of Public Safety and Justice, while enhancing the Office's ability to coordinate all of the agencies that report to the Deputy Mayor.

## **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

### **Proposed Operating Budget Summary - Overview**

The Mayor's fiscal year 2015 budget proposal for the Deputy Mayor for Public Safety and Justice is \$28,290,406, an increase of \$2,789,139 or 10.9 percent from the current fiscal year. The proposed budget supports 22.0 FTEs, representing an increase of 3.7 FTEs or 20.3 percent from the current fiscal year.

**Local Funds:** The Mayor has proposed a budget of \$18,505,000, representing an increase of \$722,000 or 4.1 percent from the fiscal year 2014 approved budget. This funding supports 13.0 FTEs, an increase of 3.8 FTEs or 4.9 percent from the fiscal year 2014 approved budget.

**Special Purpose Revenue Funds:** The Mayor has proposed a budget of \$1,406,000, representing a decrease of \$171,000 or 10.8 percent from the fiscal year 2014 approved budget. This funding supports 0.0 FTEs, representing no change from the current level.

**Federal Resources:** The Mayor has proposed a budget of \$8,179,000, representing an increase of \$2,218,000 or 37.2 percent from the fiscal year 2014 approved budget. This funding supports 7.2 FTEs, a decrease of 0.1 FTEs or 0.8 percent from the fiscal year 2014 approved budget.

**Intra-District Funds:** The Mayor has proposed a budget of \$200,000, representing an increase of \$21,000 or 11.5 percent from the fiscal year 2014 approved budget. This funding supports 1.8 FTEs, representing no change from the current funding level.

### **Proposed Operating Budget --Programmatic Level**

**Access to Justice: Local Funds:** The Mayor has proposed a budget of \$4,078,000 representing an increase of \$527,000 from the approved fiscal year 2014 budget. These funds are allocated as follows: \$4,078,000 to ATJ, which is an increase of \$527,000 from the current fiscal year, and \$200,000 to the LRAP program, which is unchanged from the current fiscal year. This funding supports no FTEs, representing no change from the current level.

**Homeland Security/Continuity of Operation Plan (COOP): Local Funds:** The Mayor has proposed a budget of \$18,000, representing no change from the fiscal year 2014 approved budget. This funding supports 0 FTEs, representing no change from the fiscal year 2014 level.

**Office of Victim Services: Local Funds:** The Mayor has proposed a budget of \$11,194,902 representing an increase of \$35,222 from fiscal year 2014. This funding supports 5.28 FTEs, representing a 0.79 increase from the fiscal year 2014 level. **Federal Funds:** The Mayor proposed a budget of \$4,088,052 representing an increase of \$1,803,785 from the fiscal year 2014 approved level. This funding supports 3 FTEs, representing an increase of 3.0 FTEs from the fiscal year 2014 level. **Special Purpose Revenue:** The Mayor proposed a budget of \$1,406,000, representing a decrease of \$171,106 from fiscal year 2014. This funding supports 0 FTEs, representing no change from the fiscal year 2014 level.

***Justice Grants Administration:*** The Mayor’s fiscal year 2015 budget proposal for the Justice Grants Administration is \$6,282,000, which is a \$223,000 increase from the approved fiscal year 2014 budget. This funding supports 4.7 FTEs, which is a decrease of 1.3 FTEs from fiscal year 2014. ***Local Funds:*** The Mayor has proposed a budget of \$2,190,000, representing an increase of \$998,000 from the approved fiscal year 2014 budget. The local funding supports .5 FTEs. ***Federal Funds:*** The Mayor has proposed a budget of \$4,091,000, representing a decrease of \$776, 000 from the approved fiscal year 2014 budget. The federal funding supports 4.2 FTEs.

***Corrections Information Council: Local Funds:*** The Mayor has proposed a budget of \$300,000, representing an increase of \$151,000 from the fiscal year 2014 approved budget. This funding supports 4.0 FTEs, representing an increase of 3 FTEs from the fiscal year 2014 level.

### **Committee Analysis and Comments**

***Agency oversight.*** Along with oversight of the programs within the DMPSJ budget, the Deputy Mayor serves an important role in the oversight of all of the agencies in the Public Safety cluster. This function is particularly important for the District’s emergency response providers: Fire and Emergency Medical Services (FEMS), the Metropolitan Police Department (MPD), and the Office of Unified Communications (OUC). The Deputy Mayor’s role includes ensuring each part of the District’s emergency support structure is operating efficiently, effectively, and cooperatively. The District relies on the Deputy Mayor to provide thorough interagency oversight and leadership, and to ensure that the public safety agencies are adequately staffed, trained, and equipped to serve the growing needs of the District. In turn, the Deputy Mayor relies on the Agency Directors to operate their agencies with efficacy and transparency.

There is an inherent tension in the Deputy Mayor’s role. As the Executive’s coordinator for the public safety cluster, the Deputy Mayor has the final say with regard to the budgets, operations, and initiatives of the public safety agencies. But the Deputy Mayor also has an obligation to the public, and must be willing to investigate and remedy the failings of those same public safety agencies. In fiscal year 2014, no incident captured this tension more clearly than the death of Mr. Cecil Mills Jr. On February 24, 2014, following the deaths of Mr. “Cecil” Mills Jr. and Mr. Jose Perez, the Committee convened a public roundtable to address potential gaps in the chain of emergency medical response by the public safety agencies. Prior to the hearing, the Committee’s requests for information from OUC, MPD, and FEMS essentially went unanswered, with each agency deferring to the Deputy Mayor. The only report that was issued on the incident was authored by Deputy Mayor Quander.<sup>73</sup> Press reports later revealed that the Deputy Mayor’s report left out key pieces of information. The Committee does not intend to diminish the importance of the role of the Deputy Mayor, but this incident highlights the potential dangers with one office serving as manager, investigator, and disseminator of information.

The Deputy Mayor also has a role in overseeing the long-term health of agencies in the public safety cluster. Whether it is the need for a new jail or the need to improve MPD

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<sup>73</sup> See *Deputy Mayor of Public Safety and Justice Report “1309 Rhode island Ave., NE, January 25, 2014”* (February 20, 2014), available at: <http://dmprj.dc.gov/release/district-releases-report-investigation-mills-death>

headquarters, the Deputy Mayor should be advocating for improvements across the cluster. When asked about the planning for a new jail, however, the Deputy Mayor was dismissive, suggesting that there was no reason to discuss a new jail because District residents would not allow one to be built in their community.<sup>74</sup> The need for a new jail cannot be ignored, regardless of the challenges such a project might present. The Committee acknowledges that new buildings are an intensive and costly investment, but the deficiencies of the current facilities cannot be disregarded. Given that building a new jail would take years to complete, the Committee believes that initial planning process needs to begin as soon as possible.

The Deputy Mayor was similarly dismissive of the lack of capital funding in fiscal years 2017 and 2018 for both MPD and FEMS fleet replacement. While the Committee understands that capital budget planning is a complex process, safeguarding future funding for the public safety fleet is critical. Not only are these vehicles in service around the clock, but purchasing these vehicles is not as simple as placing an order at a local car dealership. For FEMS, apparatus purchase schedules must be planned on a multi-year basis, with a strategy to replace old vehicles on the frontline, which in turn will replenish reserve and emergency operation fleets with aging frontline units. The lack of long-term capital planning has caused problems in the past. For example, it has taken several years to put the MPD's fleet back on a regular replacement schedule. Because this situation jeopardizes public safety, the Committee encourages the Deputy Mayor to provide consistent capital funding each year.

***Access to Justice Initiative:*** Equal access to justice, without regard to income, is fundamental to our system of justice and integral to our democratic society. One of the District's most prominent displays of support for these types of services is in the form of funding for the Access to Justice Initiative. The Access to Justice Initiative directs funding for civil legal services by way of a grant to the DC Bar Foundation and helps alleviate law school debt for attorneys who live in the District and provide direct legal services to the city's low-income population.

The programs under the Access to Justice Initiative are incredibly important and are widely supported across the District. The Committee recognizes that it is crucial to the well-being of society that every person has access to affordable legal representation. No one should have to enter a courtroom without adequate legal representation, as any dispute will be more efficiently resolved with the guidance of a trained advocate. The Honorable Eric Washington, Chief Judge of the Court of Appeals for the District of Columbia, testified regarding the need for legal representation in the District. Speaking on behalf of himself and the Honorable Lee Satterfield, Chief Judge of the Superior Court of the District of Columbia, Chief Judge Washington stated:

“Over the past few years the Court has engaged in an extensive strategic planning process where it closely examined the barriers we face in providing equal access to justice for every District resident. That work confirmed what

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<sup>74</sup> *Office of the Deputy Mayor for Public Safety and Justice: Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety* (May 2, 2014) (oral testimony of Paul Quander, Deputy Mayor for Public Safety and Justice), available at [http://dc.granicus.com/MediaPlayer.php?view\\_id=28&clip\\_id=2198](http://dc.granicus.com/MediaPlayer.php?view_id=28&clip_id=2198).

we have witnessed in our courtrooms for far too long. The principal barrier to ensuring equal access to justice in the courts is the vast and growing number of litigants who are forced to seek justice without the benefit of counsel. Chief Judge Satterfield and I, and all of our colleagues on the Bench, are committed to providing equal access to all who appear in our tribunals. However, we are gravely challenged in this vital mission when so many litigants -- many of whom struggle with mental illness, physical disabilities, histories of trauma, and language access challenges -- must navigate our courts alone.

The Access to Justice Program is an indispensable tool in our efforts to provide all litigants a meaningful opportunity to be heard and have their cases thoroughly and fairly adjudicated. The program ensures that thousands of vulnerable residents who are facing legal crises have an advocate by their side when their most basic human needs are in jeopardy.”<sup>75</sup>

The Committee concurs with Chief Judge Washington’s and Chief Judge Satterfield’s assessment, and appreciates their testimony and service to the District.

While legal representation is important in all areas of civil litigation, it is absolutely critical when someone is faced with eviction. The Committee understands that the D.C. Access to Justice Commission is working with the legal services community to design a housing initiative that would bring the tools of the legal profession to bear on the District’s current affordable housing crisis. With the wait list for public housing closed to new applicants, shelters overcrowded, and countless families just one step away from homelessness, a fresh look at the systemic issues fueling this crisis is welcome. The Committee supports the Commission’s efforts to provide legal representation for eviction cases, as these efforts are consistent with the Access to Justice Program’s longstanding emphasis on housing initiatives. In addition, the Committee supports the use of Access to Justice funds to support such an initiative.

Finally, the Committee recognizes that the amount allowed for administrative costs is currently insufficient to cover the cost of running the LRAP program. Accordingly, the Committee recommends minor changes to the Access to Justice Initiative Establishment Act to allow the DC Bar Foundation to use ATJ funds for reasonable administrative expenses associated with administering the LRAP.<sup>76</sup>

***Office of Victim Services:*** OVS supports the most vulnerable members of the District, including victims of domestic violence, sexual assault, homicide, child abuse, and assault. Through its funding, local service providers work to provide safe temporary transitional housing for victims of domestic violence, improve rape trauma services and counseling, and maintain outreach programs to area teens and residents. The Committee appreciates the work of OVS and its many service providers who work every day to improve the lives of District residents. However, the Committee recommends that OVS consider two issues:

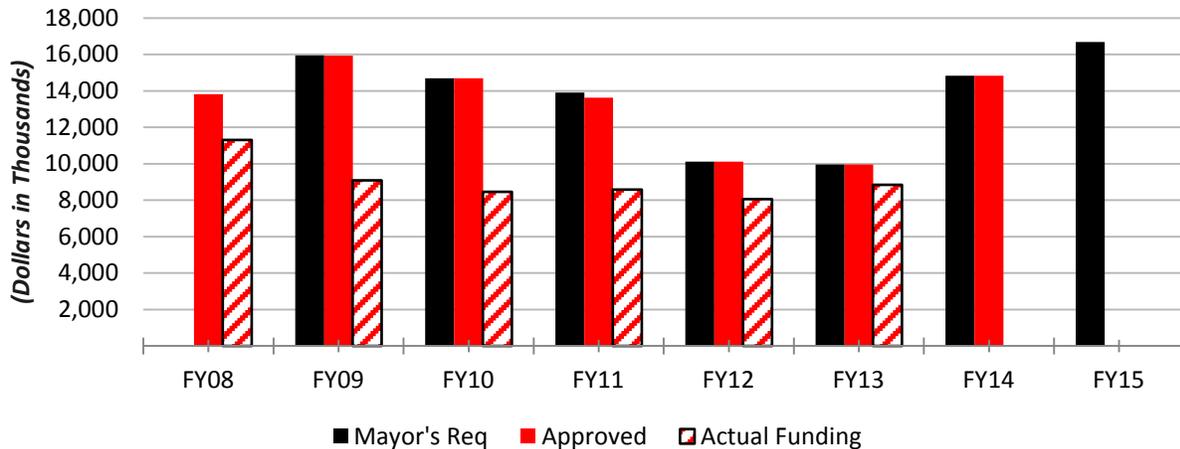
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<sup>75</sup> *Access to Justice Initiative: Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary*, 1 (May 8, 2014) (written joint statement of Chief Judge Eric Washington, Court of Appeals for the District of Columbia, and Chief Judge Lee Satterfield, Superior Court for the District of Columbia).

<sup>76</sup> See Section IV - B.

(1) *Victims Assistance Fund*: Over the last several years, the actual funds realized from the Victims Assistance Fund (VAF) have been considerably lower than projected in previous budgets. With no additional local funds transferred to make up the difference, the result has been a gap between the approved and actual budgets.

**District of Columbia Office of Victim Services (OVS):  
 Historic and Proposed Funding Levels**



Fiscal Year	Mayor's Req	Approved	Actual Funding	Gap (appr vs. actual)	Appr local	Actual Local	Approved "Other"*	Actual "Other"*	Difference	Approved Fed	Actual Fed
2008		13,813	11,301	-2,512	2,505	2,094	7,286	7,071	-215	4,022	2,136
2009	15,952	15,927	9,095	-6,832	3,988	4,219	9,899	2,921	-6,978	2,040	1,806
2010	14,700	14,700	8,456	-6,244	3,065	3,065	8,025	1,602	-6,423	3,610	3,681
2011	13,906	13,635	8,576	-5,059	2,377	2,402	7,131	3,000	-4,131	3,236	2,251
2012	10,118	10,118	8,052	-2,066	3,681	3,616	3,883	2,383	-1,500	2,555	1,934
2013	9,955	9,955	8,836	-1,119	5,792	5,758	1,954	760	-1,194	2,208	2,303
2014	14,831	14,831	pending	n/a	11,160	pending	1,577	pending		2,094	pending
2015	16,689	pending	pending	n/a	pending	pending	pending	pending		pending	pending

\* "Other" funds consist primarily of VAF and DV Shelter Fund dollars transferred from the Court

Source: DC Coalition Against Domestic Violence

During the same time that actual funding has dropped, the District has seen a steady rise in demand for victim services, driven by both population growth and successful outreach efforts of local service organizations. With these figures in mind, the Committee recommends that the Executive increase the local budget appropriations accordingly in the future.

(2) *New initiatives*: In Council Period 20, the Committee successfully passed two important victims services-related legislation: The Domestic Violence Hotline and the Sexual

Assault Victims' Rights Amendment Act (SAVRAA).<sup>77</sup> The hotline was funded in the fiscal year 2014 and fiscal year 2015 budgets, and OVS is able to absorb the associated implementation costs of SAVRAA. At OVS' budget oversight hearing, advocates testified that they had concerns that both bills, along with several new multi-cultural outreach and planning grants, may result in some programmatic and funding impacts outside of the 'core services' safety net that providers currently offer. Director Hook testified that the Mayor's proposed fiscal year 2015 budget is sufficient to cover the Office's funding obligations as-is. If the legislation and other initiatives are implemented, there may be an increased demand for victim services in the near future. As the hotline is publicized, for example, more survivors will be made aware of and connected to existing organizations that provide housing, legal services, and counseling. Similarly, once SAVRAA is implemented, the number of assault survivors who file reports is likely to increase. The Committee appreciates the advocates' concerns regarding the increase in demand for core services, however, the Committee does not expect a need for increased funding within the next fiscal year. Accordingly, the Committee urges the Executive and OVS to be vigilant in recognizing increased cost impacts to the District's network of service providers, in order to make the necessary adjustments in the next fiscal year – or earlier if the need arises.

***Justice Grants Administration:*** The Justice Grants Administration (JGA) serves to administer federal grants and other funding streams to government agencies and community-based organizations to improve the programs, policies, and coordination of the District of Columbia's juvenile and criminal justice systems. JGA also serves an important role in providing the community support for child truancy and re-entry programs designed to improve the opportunities for District residents to succeed.

The Committee understands the important role that JGA plays in reducing crime by addressing obstacles for returning citizens and reducing truancy, which improves educational opportunities for the District's children and youth. Director Hook testified that JGA will emphasize the importance of, and be especially responsive to, projects that include (1) truancy reduction in low-performing public elementary and middle schools; (2) prevention and early intervention initiatives that address truancy and delinquency prevention; and (3) wraparound services that meet the needs of the District's population of adults reentering the community from incarceration. The Committee supports these JGA initiatives, which are beginning to evolve into core services for at-risk youth and re-entering adults.

The Committee appreciates that the Mayor's budget includes \$1,000,000 to continue truancy initiatives that began in fiscal year 2014. The fiscal year 2014 Community Based Truancy Reduction Initiative was funded by a combination of local appropriations and deposits into a non-lapsing fund. In fiscal year 2015, however, approximately \$1,100,000 in carryover and other deposits will not be available. This reduction in funding will prevent JGA from expanding the Truancy Initiative beyond middle school to include a high school pilot and will necessitate downsizing the elementary school family engagement program. The Committee believes such a change will severely compromise the momentum of these initiatives, and urges the full Council to identify funding to continue and expand this initiative.

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<sup>77</sup> Bill 20-35, the "Domestic Violence Hotline Establishment Act of 2013; and Bill 20-417, the "Sexual Assault Victims' Rights Amendment Act of 2014."

**Corrections Information Council:** The CIC conducts comprehensive inspections of the DOC facilities and those federal Bureau of Prison facilities that house District inmates. Additionally, the CIC monitors the care and treatment of District prisoners at the respective facilities and advocates for the inmates' interests and well-being. The CIC consists of three board members, two appointed by the Mayor and one appointed by the Council of the District of Columbia.

The CIC was created by Congress in the 1997 National Capital Revitalization and Self-Government Improvement Act ("Revitalization Act") for the purpose of investigating the conditions of the District's felon population scattered throughout BOP facilities, following the closing of Lorton Correctional Complex. The CIC's role was expanded by the Council in the Jail Improvement Act of 2003,<sup>78</sup> which requires the CIC to conduct inspections of the local correctional facilities and mandates that the Department of Corrections provide access to members of the CIC, its staff, designees, and agents for this purpose, including unmonitored interviews of inmates.

As the Revitalization Act transferred the District's sentenced felon population to the BOP, a large number of District residents formerly housed at the Lorton Correctional Complex were dispersed to penal institutions throughout the country. Given the fact that there are approximately 8,000 District inmates spread throughout the federal prison system,<sup>79</sup> having an effective, well-funded mechanism to monitor the confinement of District prisoners is essential to ensuring that this population receives proper treatment, regardless of where they are detained.

The Committee notes CIC's impressive accomplishments in fiscal year 2013. CIC completed nine inspections in fiscal year 2013, which far exceeded the three facility inspections required per year by its mandate.<sup>80</sup> Through these nine inspections, CIC reached more than 25 percent of all residents incarcerated outside of the District. CIC also held or attended twelve community outreach meetings, and conducted three expert training sessions.

CIC requested a budget enhancement request for additional FTEs and independent office space. The Mayor has proposed a fiscal year 2015 budget of \$300,000, representing an increase of \$151,000 from the fiscal year 2014 approved budget. This funding supports 4.0 FTEs, representing an increase of 3 FTEs from the fiscal year 2014 level. However, CIC's non-personal budget decreased from \$79,929 to \$76,728. While the Committee is pleased that CIC will receive the support staff it needs to meet its mandate, the CIC needs confidential office space capable of holding the CIC staff, with a conference room available for staff meetings and projects. This is an issue the Committee raised in the fiscal year 2014 budget report and the Committee is disappointed by the Deputy Mayor's lack of response to this need. At the Deputy Mayor's budget oversight hearing, Chairperson Wells asked Deputy Mayor Quander why the Mayor's fiscal year 2015 budget did not provide CIC with office space. In response, Deputy Mayor Quander responded that "the government doesn't have to provide all of the support" and that CIC should reach out to law firms and other groups to see if others can provide support to

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<sup>78</sup> D.C. Law 15-62; D.C. Official Code § 24-101 (2004).

<sup>79</sup> *D.C. Prisoners' Project*, WASH. LAWYERS' COMM. FOR CIVIL RIGHTS & URBAN AFFAIRS, <http://www.washlaw.org/projects/dc-prisoners-rights> (last visited Apr. 30, 2013).

<sup>80</sup> *Id.* at 2, 3.

CIC.<sup>81</sup> The Committee does not agree that the District should rely on for-profit corporations to provide office space for government agencies. Accordingly, the Committee directs the Deputy Mayor to identify improved workspace for CIC so that it can engage in confidential interviews, accept volunteer law students, and better organize to meet their mission.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 budget for the Deputy Mayor for Public Safety and Justice as proposed by the Mayor with the following modifications:

1. *Increase* Program 5300 (Justice Grants Administration), Activity 5301 (Grants Management) CSG 50 (Subsidies and Transfers) by \$12,713 to provide funding for transportation tokens/passes for returning citizens.
2. *Increase* Program 5300 (Justice Grants Administration), Activity 5301 (Grants Management) CSG 50 (Subsidies and Transfers) by \$4,000 to provide funding for birth certificates for returning citizens.

### **b. Policy Recommendations**

1. The Committee directs the Deputy Mayor to identify improved workspace for CIC so that it can engage in confidential interviews, accept volunteer law students, and better organize to meet their mission.
2. The Committee recommends that the Deputy Mayor for Public Safety and Justice work with Congresswoman Eleanor Holmes Norton to obtain an agreement with Bureau of Prisons to house District federal prisoners closer to the District. The uniqueness of the District's criminal justice system results in many resident housed in BOP facilities all across the country, placing additional hardship on families, as well as complicating the mission of the Corrections Information Council.
3. The Henry Daly building, located at 300 Indiana Avenue NW, serves as the MPD headquarters. In addition, the building serves as a major service center for the Court Services and Offender Supervision Agency and the District Department of Motor Vehicles. The current conditions of the building have deteriorated to the point where operations of the tenants are disrupted several times a year. Reports of rodent infestations, flooding, power outages, mold, and air quality issues are common. To address these concerns, the Department of General Services (DGS) developed a remediation plan of \$4,003,500, however the Mayor did not fund the plan in the fiscal year 2015 budget. The Committee is troubled by these reports and the impact such

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<sup>81</sup> *Office of the Deputy Mayor for Public Safety and Justice: Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety* (May 2, 2014) (oral testimony of Paul Quander, Deputy Mayor for Public Safety and Justice), available at [http://dc.granicus.com/MediaPlayer.php?view\\_id=28&clip\\_id=2198](http://dc.granicus.com/MediaPlayer.php?view_id=28&clip_id=2198).

disruptions may have on public safety. Furthermore, the Daly building is one of the many Works Progress Administration contributions to the District and should be maintained and preserved in District inventory. The Committee directs the Deputy Mayor to order an environmental assessment of the building and develop a plan for the future of the Daly building.

4. The Committee urges the Deputy Mayor to begin planning for a new jail without delay.

**Q. DEPARTMENT OF FORENSIC SCIENCES**

<b>Department of Forensic Sciences (FR0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	-	430,520	159,042	-	159,042
INTRA-DISTRICT FUNDS	2,156,140	446,397	738,048	-	738,048
LOCAL FUND	7,546,274	12,390,712	14,265,509	-	14,265,509
<b>Grand Total</b>	<b>9,702,414</b>	<b>13,267,629</b>	<b>15,162,599</b>	<b>-</b>	<b>15,162,599</b>

<b>Department of Forensic Sciences (FR0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	-	3.0	-	3.0
INTRA-DISTRICT FUNDS	3.0	5.1	-	5.1
LOCAL FUND	122.3	128.2	-	128.2
<b>Grand Total</b>	<b>125.3</b>	<b>136.3</b>	<b>-</b>	<b>136.3</b>

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<b>Department of Forensic Sciences (FR0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	4,477,268	7,664,441	11,186,860	-	11,186,860
12-REGULAR PAY - OTHER	670,057	1,014,225	425,990	-	425,990
13-ADDITIONAL GROSS PAY	8,890	-	-	-	-
14-FRINGE BENEFITS - CURR PERSONNEL	816,188	2,044,426	2,089,964	-	2,089,964
15-OVERTIME PAY	37,143	8,500	8,500	-	8,500
20-SUPPLIES AND MATERIALS	821,240	387,536	919,383	-	919,383
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	122,931	-	-	-	-
40-OTHER SERVICES AND CHARGES	1,371,033	1,170,526	633,236	-	633,236
41-CONTRACTUAL SERVICES - OTHER	157,384	371,679	410,000	-	410,000
50-SUBSIDIES AND TRANSFERS	-	121,578	-	-	-
70-EQUIPMENT & EQUIPMENT RENTAL	1,220,280	484,717	88,661	-	88,661
<b>Grand Total</b>	<b>9,702,414</b>	<b>13,267,628</b>	<b>15,762,594</b>	<b>-</b>	<b>15,762,594</b>

<b>Department of Forensic Sciences (FRO) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-AGENCY MANAGEMENT PROGRAM	2,729,343	2,554,158	3,605,208	-	3,605,208
1100-ADVISORY BOARD	-	11,665	-	-	-
2000-INVESTIGATIVE FORENSIC SERVICES	4,283,870	6,272,852	7,307,378	-	7,307,378
3000-PUBLIC HEALTH LABORATORY SERVICES	2,689,201	2,476,241	2,630,926	-	2,630,926
4000-CRIME SCENE SCIENCES	-	1,952,713	2,219,082	-	2,219,082
<b>Grand Total</b>	<b>9,702,414</b>	<b>13,267,629</b>	<b>15,762,594</b>	<b>-</b>	<b>15,762,594</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Department of Forensic Sciences (DFS) is to produce high quality, timely, accurate, and reliable forensic science with the use of the best available technology and practices, unbiased science, and transparency with the overall goal of enhancing public health and safety.

DFS provides independent analysis of evidence found at crime scenes. The independent analysis of biological pathogens, chemical, radiological, firearms, fingerprinting, DNA, and trace evidence is provided by DFS to the Metropolitan Police Department and its federal neighbors. The Forensic Science Laboratory Division analyzes evidence submitted from criminal cases, including DNA, fingerprints, firearms, materials, and digital evidence. DFS also provides expert witness testimony in defense of its analytical reports in the District's courts. The Public Health Laboratory Division provides diagnostic and analytical testing for biological pathogens and chemical agents from clinical, environmental, or food sources, and provides emergency response testing. The Crime Scene Sciences Division provides the collection, analysis, processing, and preservation of evidence found at crime scenes. The DFS Directorate supports the work of the entire agency through strategic direction, training, quality assurance, research, recruitment, and hiring of personnel, information technology, data management, fleet management, procurement, and other administrative support services. The Advisory Board provides guidance, through peer review, in the development of the DFS to ensure that strict, scientifically-valid protocols are followed and new technologies are incorporated in a timely manner.

## **Mayor's Proposed Fiscal Year 2015 Operating Budget**

### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the DFS is \$15,762,593, an increase of \$2,494,964, or 18.8 percent, above the current fiscal year. The proposed budget supports 136.3 FTEs, an increase of 11.1 FTEs, or 8.8 percent, over the fiscal year 2014 level.

**Local Funds:** The Mayor's proposed budget is \$14,266,000, an increase of \$1,875,000, or 15.1 percent above the fiscal year 2014 approved budget. This funding level supports 128.2 FTEs, an increase of 6 FTEs, or 4.9 percent, from the fiscal year 2014 level.

**Federal Grant Funds:** The proposed budget is \$759,000, an increase of \$329,000, or 76.3 percent, over the fiscal year 2014 approved budget and it supports 3 FTEs, an increase of 3 FTEs, from the fiscal year 2014 level.

**Intra-District Funds:** The proposed budget is \$738,000, an increase of \$292,000, or 65.3 percent, over the fiscal year 2014 approved budget. This funding supports 5.1 FTEs, an increase of 2.1 FTEs, or 69.3 percent, over the fiscal year 2014 level.

### **Committee Analysis and Comments**

**Accreditation:** DFS achieved international accreditation, known as ISO 17025, for its Forensic Science Laboratory, including the Forensic Biology Unit, Fingerprint Unit, and the Firearms Examination Unit in 2013—within just eight months of the Department's opening. Director Houck and his staff deserve recognition for this impressive achievement in such a short amount of time. Additionally, the Public Health Laboratory received the Centers for Disease Control and Prevention (CDC) approval to be a top-tier member of its Laboratory Response Network, making DFS one of only 11 Level 1 facilities in the nation capable of responding to bioterrorism, chemical terrorism, and other public health emergencies. In the coming fiscal year, DFS will work to achieve accreditation of its Crime Scene Science Division, Materials Analysis Unit, and the Digital and Documents Unit under the ISO 17025 standard. The fiscal year 2015 budget proposal provides increases in each of these areas to support this effort.

**LIMS:** Carrying over from last year, DFS will continue to work on building the Laboratory Information Management System (LIMS) for the Crime Scene Search Unit. When complete, LIMS will be the central workflow and data management system for DFS. The current data collection, management, and workflow processes are performed on various disparate systems or by paper processes in place at the donor agencies before the creation of DFS. LIMS will provide a single authoritative source for all DFS laboratory information and ensure accurate timely information is provided to the DFS clients.

**Digital Evidence Unit:** Because of the vast amount of data and evidence located today on electronics, such as computers and smart phones, DFS is prioritizing the expansion of their Digital Evidence Unit in fiscal year 2015. Director Houck testified that the demand by law enforcement and prosecutors for analysis of digital evidence has surpassed requests for analysis

of biological material, such as DNA.<sup>82</sup> The proposed budget provides \$433,662 and 4.0 FTES to the Digital Evidence Unit to increase DFS's capacity to perform this important analysis.

***Transition of Crime Scene Response:*** In fiscal year 2015, the Department will continue to transition crime scene response and services from the Metropolitan Police Department (MPD) Crime Scene Investigation Division (CSID) to DFS's Crime Scene Sciences Division (CSS). DFS's Central Evidence Unit is now operational and is responsible for the intake and transfer of evidence. DFS is now processing evidence for fingerprints and DNA in the Crime Scene Sciences Division, including vehicles. Since January 2013, CSS has been recruiting and interviewing hundreds of applicants for Crime Scene Scientist positions and has 20 on board undergoing rigorous training. DFS is working closely with MPD on the transition plan for transferring responsibility for crime scene response in the District from sworn MPD officers to civilian DFS scientists. The first training rides between DFS Crime Scene Scientists and MPD CSID officers began at the end of April this year. The Committee expects that the transition will be complete in the coming year. The proposed budget allocates an additional \$362,000 to Crime Scene Response over the previous year's budget.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 budget for the Department of Forensic Science as proposed by the Mayor.

### **b. Policy Recommendations**

1. The Committee commends the work DFS has done to reduce backlogs and expects to see further decreases in those backlogs by the end of the next fiscal year.

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<sup>82</sup> *Department of Forensic Sciences: Budget Oversight Hearing before the Council of the District of Columbia Committee on the Judiciary and Public Safety* (April 17, 2014) (oral testimony of Max Houck, Director, Department of Forensic Sciences).

**R. OFFICE OF HUMAN RIGHTS**

<b>Office of Human Rights (HM0) - Operating Budget by Fund Type</b>					
<b>Fund Type</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	323,437	306,919	267,000	-	267,000
LOCAL FUND	2,326,795	2,594,630	2,699,650	438,259	3,137,909
PRIVATE	3,650	-	-	-	-
<b>Grand Total</b>	<b>2,653,882</b>	<b>2,901,549</b>	<b>2,966,650</b>	<b>438,259</b>	<b>3,404,909</b>

<b>Office of Human Rights (HM0) - FTEs by Fund Type</b>				
<b>Fund Type</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
FEDERAL GRANTS	2.4	2.4	-	2.4
LOCAL FUND	25.6	25.6	5.0	30.6
<b>Grand Total</b>	<b>28.0</b>	<b>28.0</b>	<b>5.0</b>	<b>33.0</b>

<b>Office of Human Rights (HM0) - Operating Budget by CSG (Gross Funds)</b>					
<b>CSG</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
11-REGULAR PAY - CONT FULL TIME	1,197,552	1,186,455	1,470,177	351,169	1,821,346
12-REGULAR PAY - OTHER	552,314	903,800	741,909		741,909
13-ADDITIONAL GROSS PAY	14,806	-	-		-
14-FRINGE BENEFITS - CURR PERSONNEL	376,071	518,507	513,204	87,090	600,294
15-OVERTIME PAY	311	-	-		-
20-SUPPLIES AND MATERIALS	17,919	9,646	10,000		10,000
31-TELEPHONE, TELEGRAPH, TELEGRAM, ETC	4,000	-	-		-
40-OTHER SERVICES AND CHARGES	173,356	109,155	66,159		66,159
41-CONTRACTUAL SERVICES - OTHER	300,533	171,937	165,200		165,200
50-SUBSIDIES AND TRANSFERS	-	-	-		-
70-EQUIPMENT & EQUIPMENT RENTAL	17,022	2,050	-		-
<b>Grand Total</b>	<b>2,653,884</b>	<b>2,901,550</b>	<b>2,966,649</b>	<b>438,259</b>	<b>3,404,908</b>

<b>Office of Human Rights (HM0) - Operating Budget by Program (Gross Funds)</b>					
<b>Program</b>	<b>FY 2013 Actual</b>	<b>FY 2014 Approved</b>	<b>FY 2015 Mayor's Proposed</b>	<b>FY 2015 Committee Variance</b>	<b>FY 2015 Committee Proposed</b>
1000-OFFICE OF HUMAN RIGHTS	392,815	402,762	410,436	-	410,436
2000-EQUAL JUSTICE PROGRAM	1,913,315	2,174,586	2,203,914	438,259	2,642,173
3000-COMMISSION ON HUMAN RIGHTS	347,752	324,201	352,299		352,299
<b>Grand Total</b>	<b>2,653,882</b>	<b>2,901,549</b>	<b>2,966,649</b>	<b>438,259</b>	<b>3,404,908</b>

## **1. COMMITTEE ANALYSIS AND COMMENTS**

### **a. Agency Mission and Overview**

The mission of the Office of Human Rights (OHR) is to eradicate discrimination, increase equal opportunity, and protect human rights in the District. OHR investigates and resolves complaints for discrimination in employment, housing, places of public accommodation, and educational institutions, pursuant to the DC Human Rights Act of 1977 (DCHRA) and other local and federal laws. Under the DCHRA, there are 19 protected categories in the District: race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, victim of an intra-family offense, family responsibilities, familial status, disability, genetic information, political affiliation, matriculation, source of income, and place of residence/business.

OHR also prevents discrimination by providing training and educating District government employees, private employers, workers, and the community at-large of their rights and responsibilities under the law. OHR also monitors compliance with the Language Access Act of 2004 and investigates allegations of non-compliance with this Act by District government agencies. The agency also investigates complaints and conditions causing community tension and conflict that can lead to breaches of the peace. The Commission on Human Rights is the adjudicatory body that decides private sector cases after OHR has found probable cause of discrimination.

OHR operates through the following three programs: (1) Equal Justice, (2) Commission on Human Rights, and (3) Agency Management. The first, Equal Justice, provides education and awareness, and investigates, adjudicates, and provides compliance services to people who live, work, and/or conduct business in the District so that they are informed of, and may have timely resolution of, discrimination complaints. The Commission on Human Rights provides adjudication services through an administrative hearing conducted before an Administrative Law Judge or a panel of commissioners. The Commission can issue injunctive relief and award damages for individuals who live, work, or conduct business in the District. Finally, the Agency Management program provides administrative support.

### **b. Mayor's Proposed Fiscal Year 2015 Operating Budget**

#### **Proposed Operating Budget Summary**

The Mayor's fiscal year 2015 budget proposal for the Office of Human Rights is \$2,966,650, an increase of \$65,101 or 2.2 percent, over the current fiscal year. The proposed budget supports 28 FTEs, which is the same as the fiscal year 2014 level.

**Local Funds:** The Mayor's proposed budget is \$2,700,000, an increase of \$105,000, or 4 percent, over the fiscal year 2014 approved budget of \$2,595,000. This funding supports 25.6 FTEs, which is the same as the fiscal year 2014 level.

**Federal Resources:** The Mayor's proposed budget is \$267,000, a decrease of \$40,000 or 13.0 percent, less than the fiscal year 2014 approved budget of \$307,000. The funding supports 2.4 FTEs, which is the same as the fiscal year 2014 level.

### **Committee Analysis and Comments**

**New leadership:** On March 4, 2014, the Council confirmed Mónica Palacio as the new director of the Office of Human Rights. Before leading the agency, Director Palacio served within OHR as Director of the Language Access Program and as a member of the Commission on Human Rights. The Committee looks forward to a renewed energy at OHR under her leadership.

**Taxicab Investigation:** In December 2013, Chairperson Wells asked OHR to investigate the DC Taxicab Commission's (DCTC) and the Office of Taxicabs' (OTC) handling of failure to haul complaints and related issues. On April 30, 2014, OHR transmitted its Director's Inquiry findings and recommendations. Among the recommendations were two that directly involve OHR to implement: (1) DCTC should develop, schedule, and deliver Diversity and Cultural Competency Training, which should be completed in consultation with OHR; and (2) OTC, in collaboration with OHR, should launch an awareness campaign that promotes the rights of taxi passengers or potential passengers under the DC Human Rights Act. At the OHR budget oversight hearing, Director Palacio indicated there would be no additional costs to the agency to implement these initiatives. The Committee appreciates OHR's prompt review and will follow the progress of these initiatives.

**Gender Neutral Restroom Signage:** OHR recently embarked on a new public education campaign to rapidly increase the number of compliant gender-neutral, single-occupancy bathrooms at businesses around the District. The Committee urges OHR to consider proactive outreach to businesses, rather than awaiting reports from concerned residents. The Committee also recommends continued collaboration with the Department of Consumer and Regulatory Affairs to ensure all new business applicants are compliant before they open.

**Staffing:** Pending before the Committee is Bill 20-642, the Fair Criminal Record Screening Act of 2014, which would prohibit employers from asking about an applicant's criminal history before the first interview. The Committee understands that passage of this bill would have a fiscal impact on OHR. In anticipation of moving the bill to markup soon, the Committee includes operating budget recommendations (*see below*) to increase staffing in order to implement Bill 20-642.

## **2. COMMITTEE RECOMMENDATIONS**

### **a. Fiscal Year 2015 Operating Budget Recommendations**

The Committee recommends adoption of the fiscal year 2015 budget for the Office of Human Rights, as proposed by the Mayor, with the following modifications:

1. *Increase FTEs by 5, and create new positions in Program 2000 (Equal Justice), Activity 2030 (Investigations) with the accompanying local funds as follows:*<sup>83</sup>
  - a. Equal opportunity specialist: *increase CSG 11 by \$64,375 and CSG 14 by \$15,965 (total PS increase = \$80,340)*
  - b. Equal opportunity specialist: *increase CSG 11 by \$64,375 and CSG 14 by \$15,965 (total PS increase = \$80,340)*
  - c. Equal opportunity specialist: *increase CSG 11 by \$64,375 and CSG 14 by \$15,965 (total PS increase = \$80,340)*
  - d. Administrative Law Judge: *increase CSG 11 by \$83,679 + fringe \$20,752 (total PS increase = \$104,431)*
  - e. Intake specialist: *increase CSG 11 by \$74,365 and CSG 14 by \$18,443 (total PS increase = \$92,808)*

**c. Policy Recommendations**

1. The Committee urges OHR to consider proactive outreach to businesses and recommends continued collaboration with DCRA to ensure all new business applicants are compliant before they open.

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<sup>83</sup> As explained in the Committee Analysis and Comments on p. 19, these funds are intended to address the implementation costs of Bill 20-642, which is currently pending in Committee.

### **III. FY 2015 BUDGET REQUEST ACT APPROPRIATION LANGUAGE RECOMMENDATIONS**

On Tuesday, April 08, 2014, Chairman Mendelson introduced, on behalf of the Mayor, the “FY 2015 Budget Request Act of 2014” (Bill 20-749). The Committee makes the following recommendations:

#### **TITLE III – DISTRICT OF COLUMBIA FUNDS – DIVISION OF EXPENSES OPERATING EXPENSES**

The Committee recommends the sections titled “Governmental Direction and Support,” “Public Safety and Justice,” and “Human Support Services” be amended to reflect the recommendations within this report for the agencies under the Committee’s purview.

## IV. FY 2015 BUDGET SUPPORT ACT RECOMMENDATIONS

On Tuesday, April 08, 2014, Chairman Mendelson introduced, on behalf of the Mayor, the “FY 2015 Budget Support Act of 2014” (Bill 20-750). The bill contains three subtitles for which the Committee has provided comments.

### A. RECOMMENDATIONS ON BUDGET SUPPORT ACT SUBTITLES PROPOSED BY THE MAYOR

The Committee provides comments on the following subtitles of the “FY 2015 Budget Support Act of 2014”:

1. Title I. Government Direction and Support. Elected AG Implementation . . . 122
2. Title III. Public Safety and Justice. MPD Escort and Reimbursement. . . . . 124
3. Title III. Public Safety and Justice. State Safety Oversight Agency. . . . . 126

#### 1. TITLE I. SUBTITLE B. ELECTED ATTORNEY GENERAL IMPLEMENTATION.

##### a. Purpose, Effect, and Impact on Existing Law

This subtitle would amend the District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 et seq.), and the Elected Attorney General Implementation and Legal Services Establishment Amendment Act of 2013 (Act), effective December 13, 2013 (D.C. Law 20-60; 60 DCR 15487), to postpone the applicability of the reorganization and transfer provided for in the Act to 2018.

##### b. Committee Reasoning

Currently, the Office of the Attorney General (OAG) is a subordinate agency to the Mayor, responsible for providing legal support to District Agencies, advising the Executive, and enforcing the laws of the District. In 2010, District voters ratified a charter amendment to establish an elected and independent Attorney General, separate from the control of the Mayor. Anticipating the election of an Attorney General in November 2014, a 2013 law required major organizational changes to OAG and to legal staff through the District. The organizational changes were to be effective by October 1, 2014. At the same time, however, the Council also moved the election date for an Attorney General until after January 2018. This subtitle moves the deadline for required organizational changes in OAG to October 1, 2018, to more closely align with the planned 2018 election of an independent Attorney General.

The Committee made several minor amendments to conform to Council legislative drafting style, as well as an amendment to strike an unnecessary applicability section. The Committee adopts the Mayor’s proposed subtitle, as amended.

**c. Section-by-Section Analysis**

Sec. 111 Short title.

Sec. 112 Provides that any attorney who is employed by the OAG and performs work primarily as or for the General Counsel of a subordinate agency shall become an attorney employed by the subordinate agency effective October 1, 2018.

Provides that until the budget for attorneys and support staff is transferred to the budget of the subordinate agency, OAG shall continue to be responsible for compensation of these attorneys and support staff. After the budget is transferred, the subordinate agency shall reimburse the OAG for any costs incurred between October 1, 2018 and the completion of the transfer.

Provides that by October 5, 2018, the DCHR shall transfer to the subordinate agencies all attorney and support staff employees, personal property, full-time equivalent position authority, assets, and other funds.

Sec. 113 Changes the applicability date of Title I of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013 to October 1, 2018.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 111. Short title.

This subtitle may be cited as the “Elected Attorney General Implementation and Legal Service Establishment Technical Amendment Act of 2014”.

Sec. 112. The District of Columbia Government Comprehensive Merit Personnel Act of 1978, effective March 3, 1979 (D.C. Law 2-139; D.C. Official Code § 1-601.01 *et seq.*), is amended as follows:

(a) Section 862(5) (D.C. Official Code § 1-608.62(5)) is amended by striking the word “2014” and inserting the word “2018” in its place.

(b) Section 863 (D.C. Official Code § 1-608.63) is amended by striking the word “2014” and inserting the word “2018” in its place.

(c) Section 864 (D.C. Official Code § 1-608.64) is amended by striking the word “2014” wherever it appears and inserting the word “2018” in its place.

Sec. 113. Section 401(a) of the Elected Attorney General Implementation and Legal Service Establishment Amendment Act of 2013, effective December 13, 2013 (D.C. Law 20-60; 60 DCR 15487), is amended by striking the word “2014” and inserting the word “2018” in its place.

## **2. TITLE III. SUBTITLE A. POLICE ESCORT AND REIMBURSEMENT**

### **a. Purpose, Effect, and Impact on Existing Law**

The subtitle authorizes the Metropolitan Police Department (MPD) to receive reimbursement for and issue regulations on police escort services needed to protect public safety. MPD currently provides police escort services, generally to ensure security of public officials or in emergency situations; this subtitle will give MPD authority to seek reimbursement if such services are provided in other instances requiring assurance of public safety.

### **b. Committee Reasoning**

Many activities occur on public space that could create safety issues for the public and a number of these are conducted by private entities, such as transportation of hazardous materials or oversize vehicles through the city. Many law enforcement agencies provide police escorts to assist in such events, to ensure that the person or material being escorted arrives to its destination safely and without negatively impacting the health or safety of the public. While it is obviously beneficial to the District for MPD to ensure public safety in this way, the MPD should not have to absorb costs that should be borne by the private entity.

The concept of reimbursable details is one that the Council has previously authorized in specific situations, including details of officers to support parades or festivals, as well as those details associated with nightlife and entertainment zones. In all of these scenarios, it is beneficial for the public to have officers on the street, but those officers should not be pulled from regular duty to support private events or businesses; instead, through reimbursable detail, the MPD assigns officers to work overtime, which is then paid by the private entity sponsoring the event.

This subtitle would expand reimbursable details for activities such as escorting hazardous materials or oversize vehicles through the city or fireworks on the Potomac or a request for officer assignment to a specified location because of an event that could impact public safety. It would allow the MPD to schedule reimbursable details to address these concerns so that officers

are working to protect the public, but at a direct cost to the private entity benefitting from the officers' work, rather than being paid for by District taxpayers.

The Committee made several technical and clarifying amendments to the subtitle as proposed by the Mayor, including a definition of police escort. The Committee adopts the Mayor's proposed subtitle, as amended.

**c. Section-by-Section Analysis**

Sec. 301 Short title.

Sec. 302 Defines "police escort" to include the assignment of law enforcement personnel and vehicles to ensure the preservation of public safety.

Authorizes the Chief of Police to charge and collect reimbursement fees for providing police escorts that are necessary to protect public health and safety.

Provides that all reimbursement fees collected shall be deposited into the fund established by D.C. Official Code § 47-2826.

Authorizes the Chief of Police to establish rules setting forth a reimbursement fee schedule.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 301. Short title.

This subtitle may be cited as the "Police Escort Reimbursement Act of 2014".

Sec. 302. Reimbursable police escorts and other law enforcement services.

(a) For purposes of this subtitle, the term "police escort" shall include the assignment of law enforcement personnel and vehicles, as necessary, to ensure the preservation of public safety, typically either at a specified location or from a point of origin to a specified destination, in a manner consistent with the nature of the persons, material, and the threat posed by the movement or event.

(b) The Chief of Police is authorized to charge and collect reimbursement fees, as set forth in the fee schedule established pursuant to subsection (d) of this section, for providing police escorts that are necessary to protect public health and safety.

(c) All reimbursement fees collected under subsection (b) of this section shall be deposited into the fund established by section § 47-2826.

(d) The Chief of Police, pursuant to Title I of the District of Columbia Administrative Procedure Act, approved October 21, 1968 (82 Stat. 1204; D.C. Official Code § 2-501 *et seq.*), shall establish rules setting forth a reimbursement fee schedule.

### **3. TITLE III. B. STATE SAFETY OVERSIGHT AGENCY ESTABLISHMENT**

#### **a. Purpose, Effect, and Impact on Existing Law**

The Mayor proposes updating the regulations concerning the State Safety Oversight Agency.

The State Safety Oversight Agency (“Agency”), established within the Fire and Emergency Medical Services Department, oversees the safety and security of the DC Streetcar. Such oversight is required by the Federal Transit Administration (FTA). Since the establishment of this Agency, the FTA has imposed further requirements on safety agencies with oversight of transit operations. This subtitle would ensure that the Agency complies with updated FTA requirements by clearly defining the responsibilities and duties of the Program Manager.

The fiscal impact of this subtitle is incorporated into the proposed FY 2015 – FY 2018 budget and financial plan.

#### **b. Committee Reasoning**

In fiscal year 2013, the District established a State Safety Oversight Agency (“Agency”) within the Fire and Emergency Medical Services Department to oversee the safety and security of the District’s streetcar program, as required by the Federal Transit Administration (FTA).<sup>84</sup> Since the Agency’s establishment, the FTA has imposed further requirements on state safety agencies that oversee transit operations. The new rules were authorized by “Moving Ahead for

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<sup>84</sup> See D.C. Code § 5-401.01

Progress in the 21<sup>st</sup> Century Act” (“MAP-21”), which reauthorized federal transportation programs through fiscal year 2014.<sup>85</sup> In order for the District to be eligible for federal matching funds, local law must be amended to comply with the new federal requirements.

The Committee made one clarifying amendment to the subtitle as proposed by the Mayor. Specifically, the Committee combined subsection (b)(6) and (b)(7) to clarify the enforcement power of the Program Manager to not only enforce current laws and regulations, but also to order the cessation of activities, either in part or whole, that is required in order to protect or promote public safety. The amendment is for clarity and does not change the substance of the subtitle. The Committee adopts the Mayor’s proposed subtitle, as amended.

**c. Section-by-Section Analysis**

Sec. 311 - - States the short title of the bill.

Sec. 312 - - Provides that the State Safety Oversight office will be led by the Program Manager, who will be responsible for oversight of the safe operation of DC Streetcar and that no District employee or agency that is involved in the operations of DC Streetcar shall supervise or have direct control over the Program Manager. The Program Manager must always act consistently with both local and federal requirements of the position. Also provides that the Program Manager shall: (1) Conduct or facilitate investigations of the DC Streetcar; (2) Perform audits of the DC Streetcar; (3) Issue reports and findings of all aspects of the safety and security of the DC Streetcar; (4) Ensure the development of any safety related plans; (5) Enforce existing laws, rules, and regulations relating to the safe operation of DC Streetcar; and (6) execute and file for Federal Grants under FTA to obtain operational funding.

**d. Legislative Recommendations for Committee of the Whole**

Sec. 311. Short title.

This subtitle may be cited as the “State Safety Oversight Agency Establishment Amendment Act of 2014”.

Sec. 312. Section 1a of An Act To classify the officers and members of the fire department of the District of Columbia, and for other purposes, approved June 20, 1906 (34 Stat. 314; D.C. Official Code § 5-401.01), is amended to read as follows:

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<sup>85</sup> MAP-21, approved July 6, 2012 (Public Law 112-141; 49 U.S.C. Chapter 53).

“(a) The Fire and Emergency Medical Services Department is designated as the state safety oversight agency, as required by Title 49, Part 53, of the United States Code, and implementing regulations, as they may be amended from time to time (referred to in this section as “applicable federal law”).

“(b) There is established, within the Fire and Emergency Medical Services Department, a state safety office. The office shall be headed by a Program Manager, who shall not be supervised by, or in any way under the direction or control of, any District officer or employee (or anyone acting on their behalf) responsible for any aspect of the operation of the DC Streetcar. Consistent with applicable federal law, the Program Manager of the state safety office, or his or her designee, shall:

“(1) Oversee the operations of the DC Streetcar insofar as those operations affect, or could affect, the safe operation of the DC Streetcar;

“(2) Conduct, or cause to be conducted, investigations, independently or in cooperation with federal agencies or District offices or agencies into the operations of the D.C. Streetcar, including any accident or incident involving the operation or assets of the D.C. Streetcar, insofar as those operations affect, or could affect, the safe operation of the D.C. Streetcar;

“(3) Perform audits of the DC Streetcar system, as required by federal or District law, to evaluate compliance with any required safety-related plans, or for any other purpose the Program Manager concludes would promote the safe operation of the DC Streetcar;

“(4) Issue reports and findings regarding all aspects of the safety and security of the DC Streetcar, including operations and accidents, as required by federal or District law or

when the Program Manager determines that such action would promote the safe operation of the DC Streetcar;

“(5) Require the development of any safety-related plans required by federal or local law for the DC Streetcar and, after review, approve or disapprove such plans as appropriate;

“(6) Enforce statutes, regulations, and executive orders related to the safe operation of the DC Streetcar or a rail-fixed guideway public transportation system, whichever exists. If the Program Manager concludes that enforcement is required in order to protect or promote public safety, the Program Manager may:

“(A) Order the partial or complete cessation of an activity undertaken by the District government, or any entity acting on the District government’s behalf, in connection with the operation of the DC Streetcar or a rail-fixed guideway public transportation system; and

“(B) Take any other enforcement actions that are consistent with federal or District requirements related to the safe operation of the DC Streetcar or rail-fixed guideway public transportation.

“(7) Conduct any other activity and take any other action necessary to implement federal or District laws or regulations related to the functions and responsibilities of a rail fixed guideway public transportation system state safety oversight agency;

“(8) Execute and file an application for Federal assistance on behalf of the District with the Federal Transit Administration for Federal assistance authorized by 49 U.S.C. chapter 53, Title 23, United States Code, or other Federal statutes authorizing a project administered by the Federal Transit Administration;

“(9) Execute and file with its application the annual certifications, assurances, and other documents the Federal Transportation Administration requires before awarding a Federal assistance grant or cooperative agreement; and

“(10) Execute grant and cooperative agreements with the Federal Transit Administration on behalf of the District.

“(c) The Program Manager of the state safety oversight office may issue rules to implement this section.”.

## **B. RECOMMENDATIONS FOR NEW BUDGET SUPPORT ACT SUBTITLES**

The Committee on the Judiciary and Public Safety recommends the following new subtitle to be added to the “FY 2015 Budget Support Act of 2014”:

1. Title --. Subtitle --. Access to Justice. .... 131

### **1. TITLE --. SUBTITLE --. ACCESS TO JUSTICE**

#### **a. Purpose, Effect, and Impact on Existing Law**

This subtitle would amend the Access to Justice Initiative Establishment Act of 2010 (“Act”) to allow up to 10 percent of the Access to Justice funding to be used each fiscal year for reasonable administrative expenses; the current statute caps the amount at five percent. The subtitle would also amend the Act to allow the Administrator of the DC Poverty Lawyer Loan Repayment Assistance Program to use funds from the Access to Justice allocation for reasonable administrative expenses associated with administering the LRAP.

#### **b. Committee Reasoning**

Since fiscal year 2007, the Council has appropriated funds to support the Access to Justice Initiative, which houses two activities: Access to Justice (ATJ) funding for civil legal services and the DC Poverty Lawyer Loan Repayment Assistance Program (LRAP). The DC Bar Foundation (DCBF) is the designated Administrator of the Access to Justice Initiative funds. To date, DCBF’s Board has awarded more than \$23.5 million in grants and \$1.7 million in LRAP awards through this program.

In fiscal years 2007 and 2008, DCBF received a single appropriation to cover both programs and was permitted a five percent administrative fee. Beginning in fiscal year 2009, the single grant was split in two – with one grant agreement for the Access to Justice funds and a separate grant agreement for the LRAP. Each grant was permitted up to five percent for administrative fees. The administrative fee for the Access to Justice grant funds has remained capped at five percent; in fiscal year 2012, however, the administrative fee cap for DC LRAP increased to 15 percent.

The LRAP is a successful program. It consistently meets its goal of providing an avenue for legal services providers to recruit and retain high-quality, dedicated civil legal services lawyers working on behalf of the District’s low-income, underserved residents. The Bar Foundation is audited by independent certified public accountants at the close of each fiscal year. There have been no problems, irregularities, or concerns that have emerged with DCBF’s handling of the LRAP funds. However, the time and cost of administering the LRAP program has increased as the program matures and the reporting obligations have become more extensive. DCBF has made efforts to reduce the administrative costs associated with the program, including securing *pro bono* paralegal help for the labor intensive process of receiving and reviewing

LRAP applications. Despite these efforts, the administrative fee remains insufficient to cover the cost of managing the program.

The administrative budget for ATJ includes training, technical assistance, and evaluation. Through this funding, DCBF has sponsored skills-based trainings, including a National Institute for Trial Advocacy (NITA) training, scholarships to Washington Council of Lawyers litigation skills trainings, the web hosting for [probono.net/dc](http://probono.net/dc) and [lawhelp.org/dc/](http://lawhelp.org/dc/), and peer reviews (evaluations) for the publicly-funded grantees. By allowing an increase of administrative costs up to 10 percent, the DCBF would be able to cover LRAP administrative costs while preserving these critical activities for the civil legal services attorneys.

**c. Section-by-Section Analysis**

Sec. -- Short title.

Sec. -- Requires the Deputy Mayor to permit the Bar Foundation to use up to 10 percent of the grant awarded in each fiscal year for reasonable administrative expenses.

Sec. -- Provides that if the Deputy Mayor has designated the Bar Foundation as Administrator, the Bar Foundation may use a portion of the funds authorized under section 301(b) for reasonable administrative expenses associated with administering the LRAP.

**d. Legislative Recommendations for Committee of the Whole**

Sec. --. Short title.

This subtitle may be cited as the “Access to Justice Initiative Amendment Act of 2014”.

Sec. --. The Access to Justice Initiative Establishment Act of 2010, effective Sept. 24, 2010 (D.C. Law 18-223, D.C. Official Code § 4-1701.01 *et seq.*) is amended as follows:

(a) Section 301(b) (D.C. Official Code § 4-1703.01(b)) is amended by striking the phrase “up to 5% of the grant” and inserting the phrase “up to 10% of the Access to Justice Initiative grant” in its place.

(b) Section 401(c) (D.C. Official Code § 1704.01(c)) is amended as follows:

(1) Subparagraph (3) is amended by striking the phrase “The Administrator may use” and inserting the phrase “Except as provided in paragraph (4) of this subsection, the Administrator may use” in its place.

(2) A new subparagraph (4) to read as follows:

“(4) If the Deputy Mayor has designated the Bar Foundation as Administrator, the Bar Foundation may, in lieu of using a percentage of LRAP grant funding under paragraph (3), use a portion of funds authorized under section 301(b) for reasonable administrative expenses associated with administering the LRAP.”.

## **V. COMMITTEE ACTION AND VOTE**

On Wednesday, May 14, 2014, at 4:15 p.m. in Room 500 of the John A. Wilson Building, the Committee met to consider and vote on the Mayor's proposed fiscal year 2015 budget for the agencies and programs under its jurisdiction, the provisions of the Fiscal Year 2015 Budget Support Act of 2014 referred to the Committee for comment, and the Committee's Budget Report. Chairperson Tommy Wells called the meeting to order and determined the existence of a quorum with Councilmembers Muriel Bowser and Mary Cheh present. Councilmember Bonds joined the meeting during the Chairperson's remarks.

Chairperson Wells then provided a brief overview of the draft report and summarized the Committee's recommendations and comments. He noted that the draft report reflected changes to the operating budget to better support the reintegration of returning citizens, including staff additions at the Office of Human Rights to implement the Fair Criminal Records Screening Act, which is currently pending in the Committee, as well as funding to provide transportation assistance and access to birth certificates. Chairperson Wells also spoke on two areas of concern discussed in the report: the impending staffing crisis at MPD due to the looming retirement bubble and the lack of commitment to ongoing capital funding for fleet at both MPD and FEMS.

Chairperson Wells then welcomed comments from other Members. Councilmember Cheh was recognized and thanked Chairperson Wells and the Committee staff for their work on the Committee Budget Report. She noted the limited ability to make adjustments to a budget already obligated to personnel and contracts and complimented the Chairperson for the work he had done. Councilmember Cheh then expressed concern about the Mayor's funding for the public safety agencies, particularly for FEMS and MPD. She echoed Chairperson Wells' concern for the capital funding for fleet. Councilmember Cheh also stated she was impressed with the oversight regarding ORCA.

After opportunity for further discussion, Chairperson Wells then moved the report with leave for staff to make technical, conforming, and editorial changes. The Members voted unanimously to approve the recommendations.

Chairperson Wells then stated that the District is well served by the Committee staff, who he thanked for their work. Chairperson Wells adjourned the meeting at 4:30 p.m.

## **VI. ATTACHMENTS**

- A. April 10, 2014 FY 2015 Budget Oversight Hearing Witness List
- B. April 17, 2014 FY 2015 Budget Oversight Hearing Witness List
- C. May 2, 2014 FY 2015 Budget Oversight Hearing Witness List
- D. May 8, 2014 FY 2015 Budget Oversight Hearing Witness List
- E. May 9, 2014 FY 2015 Budget Oversight Hearing Witness List