

January 25, 2022

**TO: Michael Anzallo, Interim Chief of Metro Transit Police Department and Stephen Boehm, Deputy Chief - 600 Fifth Street, N.W., Washington, DC 20001**

**CC: WMATA Board - 600 Fifth Street, N.W., Washington, DC 20001**

**SUBJ: 2021 (Q3-4) Case Reviews performed by Metro Transit Police Department Investigations Review Panel**

Greetings,

Metro Transit Police Department (MTPD) Investigations Review Panel reviewed three (3) 2020 Q3-4 cases, and respectfully submit the following findings and recommendations:

1. [REDACTED] – Unnecessary Force (Citizen complainant)
  - a. Background - Unnecessary force claimed by an arresting officer at NOMA Gallaudet Metro Station.
  - b. Findings – The Review Panel viewed the DVR footage and the officers' written statements. The Officers stated that the amount of force used was appropriate.
  - c. Recommendations: None.
2. [REDACTED] – Excessive Force (Internal review)
  - a. Background - Disorderly patron exposing themselves (rubbing exposed buttocks on glass door) at the WAWA convenience store in NW DC. Patron was under the influence of controlled substance, and later found to be suffering from mental illness. Patron attempted to strike officers responding to the incident. Taser (2 cycles) then used to subdue and de-escalate the situation.
  - b. Findings – The panel reviewed the investigation and determined there was no evidence to support that any violation of MTPD procedures or policies.
  - c. Recommendations:
    - i. Education/Training - Additional, monthly, and/or in-field training on mental health issues and non-violent solutions.
    - ii. Personnel - Increase the number of trained mental health staff to assist MTPD officers, especially near metro stations with known heavy drug use/trafficking.
3. [REDACTED] – Excessive Force (Internal review)
  - a. Background – MTPD Officer and others noticed a metro customer who fit the description of a simple assault suspect. Suspect then fled, and the Officer pursued. When suspect finally stopped fleeing, and appeared to be readying to confront their pursuer, MTPD Officer used a taser on the suspect grabbing at their waistband (assuming it was a weapon).

- b. Findings – Since the suspect was fleeing, there was no threat to the MTPD Officer, and there was no need to use a taser. The Officer violated MTPD policy 132 IV (D)-Deployment; policy states that fleeing is not a justification for taser deployment. The Review Panel reviewed the statements and agreed with the investigation's findings.
- c. Recommendations:
  - i. Evaluation – This was not this Officer's first violation of MTPD use of force policy. It may be helpful to have the Officer evaluated by a mental health support team to address potential work-related stress that may be contributing to impaired deployment judgement. This evaluation should be performed for each substantiated case of improper use of force within the department.
  - ii. Education/Training: In addition to the required training after improper taser employment, the Officer should attend bias training to address possible unconscious triggers.

After you have had time to review our findings and recommendations, we request that you please respond to this letter, including what actions were taken. Thank you.

Sincerely,



Don Nuckols

Chairman, Metro Transit Police Department Investigation Review Panel