June 25, 2024

TO: Daniel Alvarez, Chief of Metro Transit Police Department
600 Fifth Street, N.W., Washington, DC 20001

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

SUBJ: 2024 (Q2) Case Reviews performed by Metro Transit Police Department Investigations Review Panel

Greetings,

Metro Transit Police Department (MTPD) Investigations Review Panel reviewed six (6) 2023 Q2 cases, and respectfully submit the following findings and recommendations:

1. [redacted] – **Miscellaneous Allegation-Damage to Property/Behavior or Gestures**
   a. Background – Email notification from Metro Sargent alleging that MTPD Officer used excessive force against complainant, rude/discourteous behavior and allegations of damage to her property (cellular phone).
   b. Findings – The Review Panel reviewed the statements and also the video of the incident was available.
   c. Recommendations: None
   i. The Review Panel concurred with the findings in the investigation. There was some discussion among the panel and perhaps the officers could have done more to de-escalate the encounter, however the overall agreement among the group determined that we agreed with the findings in the investigation.
2. [redacted] – Improper Use of Force
   a. Background – Email notice by complainant alleging that MTPD Officers used force on him by roughing him up during an arrest. Excessive Use of Force and Improper Transportation of Prisoner.
   b. Findings – The Review Panel reviewed the statements regarding the x-rays taken at the hospital and comments made by the complainant during the transport. There was no excessive use of force by the officers and no indication of injury.
   c. Recommendations:
      i. None. The Panel agreed with the investigation and there were questions regarding the bench warrant. One of the officers was aware of an existing warrant for the complainant and a clearer explanation was given to the Panel members. Everyone was in agreement that the investigation was a "good and clean" investigation.

3. [redacted] – Excessive Use of Force

a. Background – MTPD Officer was not on his assigned beat and did not respond to his scheduled location. Leaving assignment without permission; Failed to obtain supervisor's approval and failure to submit or file required Daily Inspection and Activity Report to District II A-Section
b. Findings – The Daily Schedule showed that the Officer was assigned to work a foot beat at the Foggy Bottom Metro and then to L'Enfant Plaza Metro Station. The Officer was not observed at the Rosslyn Metro Station nor the L'Enfant Station where he should have been assigned.
c. Recommendations:
    i. None. The Panel agreed with the disciplinary action taken due to the investigation conducted. This was very concerning to the Panel and it indicated a dereliction of duties which all concluded with the sustained report and the action taken.

4. [redacted] – **Discriminatory Treatment by Unknown MTPD Officers**
    a. Background – Racial Harassment/Discrimination. Video was reviewed of 66 cameras (one did not populate. There was some conflict with the response reported from the complainant. Investigation was unable to corroborate the allegations within the complaint; nor identify the location.
    b. Findings – The Review Panel reviewed the video and agree with the investigation findings of the case being unfounded.
    c. Recommendations: None
5. [redacted] – Sexual Harassment/Discrimination, Conduct Unbecoming
    a. Background – MTPD Officer made a complaint to EEO and Metro regarding the sexual harassment comments made by the Sergeant.
    b. Findings – The investigation was closed with no findings. EEO never notified MTPR that they had concluded the investigation which delayed the initial investigation of OPR. Sexual remarks were made. The Sergeant was witnessed having a conversation with an unknown person which he (Sergeant) described parts of the Officer's body.
    Violation of Metro's general ordinance 218; conduct unbecoming of an officer. Disciplinary demotion and base salary reduced with a six-month probationary period.
    c. Recommendations:
        i. Although there are certain policies the officers are required to abide, there should be some examination of the reporting requirement to HR/EEO. It appears that the case was under investigation for some time and that this was not the first time the conduct occurred. The Panel was troubled by the consequences and the officer was "wildly" inappropriate. The reduction-in-rank was pretty insignificant. Sexual harassment culture changes over the years have been stricter and the punishment given does not appear to be substantial although the Sergeant had over 24 years of service. Policies need to be changed with the time to make a stronger statement and employees should have updated training.
        ii. Perhaps a statistical analysis should be conducted within the department on the status of female employees filing this type of complaint. Additionally, a study on race/gender experiences. More emphasis on a "Zero Tolerance" policy in the workplace where the meaning should be clear for male and female employees.

6. [redacted] – Excessive Force
    a. Background – Observation of Officers assault of an adult male.
    b. Findings – The Review Panel reviewed the video and statements from the investigation's findings. We received an explanation of the policies and procedures regarding the front and back handcuff approach and that normally the Metro Officers handcuff suspects to the back and they are required to handcuff to the rear.
    c. Recommendations:
        i. Remedial training on handcuff techniques for officers. No other issues from the panel.

The Review Board Panel request that after you have had time to review our findings and recommendations, we would appreciate your response to this letter, including what actions were taken.

Sincerely,

[redacted]

Sheila Williams

Chairperson, Metro Transit Police Department Investigation Review Panel