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## On the implementation of the so-called “Secure Communities” program

Resolved: ANC1D advises MPD, and the DC Council on the Judiciary, to stop and pay close attention to MPD's apparent lawbreaking and unwise behavior in the planning and implementing of the so-called "Secure Communities" program.

Why:

1. As a substantial change in policy on service delivery – strongly increasing the potential penalties for unproven arrests for relatively minor crimes – MPD appears to break the ANC law and an Executive Order that requires 30 business day notice to impacted ANCs before implementation. DC Code 1, 309-10.

As one of the most diverse ANCs in the District, this proposed action would likely have a serious impact on the Mount Pleasant neighborhood. Commissioners in single member district with a large population of ethnic and immigrant populations were not notified.

Due process and great weight was denied to ANC1D and ANCs city-wide.

This includes the opportunities for ANCs to (also in DC Code 1, 309-10)

- form arguments and recommendations in response to proposed action
- receive acknowledgment to ANC recommendations and arguments
- receive an articulated response to each argument made by the ANC
- hold public hearings on the proposed action
- call public witnesses from agencies and independent entities to testify before the commission
- consult with the Mayor's office for any other regulations needed to best perform their responsibilities
- initiate their own proposal for District government action
- submit to the Council a report dealing with Commissions findings and recommendations to the proposed government action.

For such an important or even explosive issue, ANC1D would have likely performed its duties by all these means. This must be immediately redressed if MPD is to merit respect for honoring oaths of office to uphold the law.

2. The secretive origin and stealthy rollout of what could be a highly unpopular program seems to foolishly flirt with further alienation of DC's large and diverse ethnic and

immigrant populations. This goes against established research that demonstrate police effectiveness depends on the support and collaboration of the impacted populations. This climate of alienation could foster the growth of a larger alienated population that disrespect the law. This may also result in less cooperation with a disrespected police force from all parts of DC's population.

3. A smaller pilot program is likely to provide far better results in the long run. A pilot would

- start with a dozen or so very serious crime categories, and would
- engage unbiased third parties to follow and evaluate the results
- provide interim reports every three months.

If there have not been documented (within a year) large aggregate benefits – say improvements of at least 10% in the reduction of some crime categories – the program must be stopped within three months of the one-year mark.

This evaluation must be handled outside the influence of MPD or the executive, say in the office of the DC Auditor. If there are strong benefits, then the program could be expanded incrementally, adding in a calendar year no more categories than those contributing 10% to aggregate conviction rates.

*Passed by 5 to 0 vote at the legally noticed, public meeting of ANCID on March 16, 2010, with a quorum present. Voting “yes”: Commissioners Edwards, Tunda, Scott, Bosserman, McKay. Abstaining: Commissioner Lepanto.*