



Statement of Elizabeth A. Wieser  
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Before the

The Committee on the Judiciary & Public Safety  
The Honorable Charles Allen, Chairperson

**Public Oversight Roundtable**

**EXPLORING NON-LAW ENFORCEMENT ALTERNATIVES TO  
MEETING COMMUNITY NEEDS**

**Thursday, December 17, 2020, 10 a.m. – 3 p.m.  
Virtual Roundtable via Zoom**

Good Afternoon Chairman Allen, Councilmembers, staff, and residents.

I am Elizabeth Wieser, Deputy Attorney General for the Public Safety Division of the Office of the Attorney General (“OAG”). I am pleased to appear on behalf of Attorney General Karl A. Racine before the Committee on the Judiciary & Public Safety to join the discussion about “Exploring Non-Law Enforcement Alternatives to Meeting Community Needs.” Our city is at a critical moment. Current events have set the table for us to be bold, make lasting change, and think critically about how we can develop a meaningful public safety strategy and what it means to be fair, just and racially equitable. Since he became the first elected Attorney General for the District of Columbia, Attorney General Racine has been asking us to learn from others, to be innovative in addressing problems, and to use science and data to support our plans.

This discussion – about exploring new ways to address the most entrenched problems in our neighborhoods – has been going on for several years at OAG. And I’m proud to be able to share with you today a bit about what we have been thinking and doing.

As the District's prosecutor of juvenile offenses, OAG has worked hard to narrow the front door for young people into the justice system, including by ensuring they get the support and services they need, rather than retribution and punishment. As one example, we worked with MPD to develop a new General Order that recognizes that juveniles are different from adults both physically and psychologically, and that interactions with police can have a significant, long lasting impact on young people. The General Order prohibits handcuffing of young children in most cases and limits custodial arrests of youth. In conjunction with that, we established a 24-hour hotline so that youth are not arrested unnecessarily. Now, when MPD officers are considering an arrest of a youth, they can immediately speak to a manager in the juvenile section of OAG to determine whether the child can be released on scene. Since January 14, 2020 OAG has received over 300 calls to the Juvenile Hotline. This means fewer young people are subject to arrest, processing, and an overnight stay in jail for court the next day. It also allows MPD and OAG to focus resources on the most serious cases,

and our agency partners to address the underlying needs of many kids who would otherwise be subject to traditional prosecution.

We also worked with non-law enforcement agency partners to develop alternatives to traditional prosecution, which serve as off-ramps from the juvenile justice system. Examples include the ACE Diversion and PASS Programs, which are run by the Department of Human Services; the Hi-Fidelity Wrap Program, run by the Department of Behavioral Health; and OAG's Restorative Justice Program, which provides an opportunity for victims of crime to meet with the person who hurt them for a supported conversation about the harm and the creation of a plan to move past the trauma that occurred. These alternatives to law enforcement enhance public safety, build community trust, and address community needs.

These measures are important, but of course there is more work to be done. We need to continue to work to improve the District's response to people experiencing a behavioral or mental health crisis. It has been widely reported that mental health crises are on the rise in the United

States, due in large part to the fact that we have been isolated and cut off from our friends and family because of COVID-19. The District certainly has seen this escalation of need – requests for involuntary hospitalizations are up and many of our residents are hurting.

Unfortunately, when people need help with a loved one who is experiencing a mental health emergency, a call to 911 may be the only option. MPD will always show up. There are times where a police response may be necessary, but often times police officers are not equipped to address the need presented to them, and sometimes their very presence raises the temperature of a situation. One important measure the District could implement is to establish a number other than 911 that people could call when they are dealing with a mental health emergency so that mental health professionals, instead of the police, could determine the appropriate response.

We also need to ensure that law enforcement, including Metro Transit police officers, and dispatchers are well trained in identifying when a call involves a mental health emergency so that calls that do come to the

police can be diverted where appropriate or so that the police can enlist the support of the 24-hour emergency resources of the Department of Behavioral Health. We also must expand these resources—the Community Response Team (for adults) and CHAMPS (for children)—to address the needs of mental health consumers in our city. We must look closely and critically at how we treat mental health consumers: we need to stop criminalizing their conduct through arrest and detention and instead provide resources and medical intervention to help them stabilize and heal.

We also need to continue to think about the role of police in working with the community to produce public safety. This roundtable is part of an ongoing conversation—in the District and across the country—about reimagining policing, and OAG has been thinking hard about what that means. One thing is clear: to increase public safety, we must build community trust. In addition to re-thinking the circumstances that require a police response, this requires us to think about what the police do when they respond. First, police must prioritize approaching

encounters to avoid unnecessary force: those “lawful but awful” incidents that undermine police legitimacy and community trust. This means using time, distance, and other de-escalation strategies to avoid the use of force. We also must build real relationships between officers and the communities they serve. Other cities have been innovative in thinking about how to do this. Former Chief Scott Thomson in Camden, New Jersey, for example, took squad cars away from patrol officers so that officers developed face-to-face relationships with the people on their beat. He also made sure community leaders had a say in how the police department operates, including by getting their input into the department’s use of force policy. Reimagining policing means re-imagining and building community. This kind of innovation—thinking critically about the role of the police, what public safety means, and how we work together to achieve it, is what this moment requires.

I’ll end with one example of what I think this means in practice. Not long ago, OAG received a call from a staff person who works on the Council about a group of children who were hanging around a gas

station, harassing patrons, and being rude to the owner/manager of the gas station. MPD had been called to the station many times, and some of the officers knew the kids – the owner did not want the kids arrested, but he was feeling helpless and worried because customers were complaining about the kids. The Council staffer coordinated a call with constituents, the gas station owner, MPD, and OAG, to figure out how to address the issue. OAG’s Community Engagement leaders looped in our Juvenile Section manager, our Cure the Streets Team and our Family Services Division, to try to figure out why the kids were hanging around the gas station for many hours at a time. We were able to identify the kids, speak with family members, and put mentoring and family support in place for those who needed it. Through DHS, we were able to set up the opportunity for a restorative justice conference between the gas station owner and the children, so that both sides could talk about the dispute and together develop a path forward. This collaboration - this innovative team effort-- enabled MPD to play a supportive role for these youth; it assured that the youth were not pulled into the juvenile justice



system; and it resulted in a comprehensive plan for providing resources for the kids who needed help.

Thank you for giving me and the Office of the Attorney General an opportunity to speak at today's Roundtable. OAG is honored and excited to be involved in the conversation about innovation and alternatives to traditional policing responses to community needs. We are enthusiastic about working with MPD and our other agency partners to find the best ways to address the challenges our community faces. At OAG, we know from our own experiences that innovation is hard, and that new thinking can be scary. But we owe it to our city to think critically about our problems and develop a new path forward.