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#1E-2024-0102: RESOLUTION APPROVING TESTIMONY FOR THE ORM OVERSIGHT HEARING

WHEREAS, The D.C. Council's Committee on Public Works and Operations will hold a performance oversight hearing for the Office of Risk Management (ORM) on Tuesday, February 13, 2024; therefore

BE IT RESOLVED, ANC 1E authorizes Commissioner Josh Jacobson to provide the following testimony on behalf of ANC 1E:

Chairwoman Nadeau, members of the Committee on Public Works and Operations, and staff members, thank you for the opportunity to testify. My name is Josh Jacobson, and I am the ANC representing SMD 1E06, located in Pleasant Plains. I am testifying on behalf of ANC 1E per a resolution passed at a regularly scheduled meeting on January 24, 2024.

I am testifying today on the broken "How Am I Driving?" (HAID) program in DC. "How Am I Driving?" is a "program that helps the Office of Risk Management (ORM) track driver performance through complaints the District receives about District government drivers¹". Over the past month, I have received ORM emails for 16 "How Am I Driving?" submissions via FOIA requests. The results of my FOIAs indicate that ORM and other agencies either do not take the complaints seriously or do not have the mechanisms to address complaints.

On August 1, 2023, Alan Wehler tweeted a request for a HAID ticket for a vehicle that recklessly drove on Grant Circle at 40 MPH and nearly hit him and his dog in a crosswalk². On August 23, ORM emailed Sonya Williams, the risk manager for DC's Child and Family Services Agency (CFSA). ORM followed up with two additional emails on September 7th and September 22nd. As of January 9th, there was no additional outreach from ORM to CFSA after the September 22nd email.

This matches a pattern I saw with other 311 requests, and there are several problems here that raise questions:

- 1) It took ORM 22 days to follow up with CFSA. On average, it takes ORM 39 days to forward the request to the responsible agency³. This seems to indicate that OUC does not automatically forward the requests to OUC. It is important to understand what causes this delay because the longer it takes to receive the feedback, the longer it takes for the employee to correct their actions.
- 2) HAID exists so ORM can "track driver performance", but it is evident from FOIAs that ORM does not know the responsible driver without a response from the responsible agency. In each email to agencies, ORM asks the agency to "respond with the name of the driver at the time of the event."⁴

I recommend the following:

- 1) This Committee works with ORM to understand their policies for dealing with these requests. Some of my questions are:

¹ <https://orm.dc.gov/page/how-am-i-driving-program>

² Wehler, Alan [@alanwehler]. "Can I get a how's my driving ticket for a DC government vehicle/employee with the tag DC12139 for reckless driving on Grant Circle just now, @311DCgov? They were traveling at nearly 40mph in the circle and nearly hit us in the crosswalk." *Twitter*, 1 August 2023, <https://twitter.com/311DCgov/status/1686402668040802305>. Screenshot included below in Figure 1.

³ See Figure 2 in Appendix. Data manually collected from 17 emails FOIA'd from ORM.

⁴ See Figure 3, which includes an excerpt from an email between ORM and OLA.

- a. What is their process for sending these requests to the responsible agency?
 - b. What are the consequences if the responsible agency never responds?
 - c. What steps are necessary for ORM to track complaints for responsible drivers without a response from the responsible agency?
- 2) My second recommendation is for this Committee to work with the Judiciary and Public Safety Committee to understand a couple of items from OUC:
 - a. What is OUC's process for sending these requests to ORM. If it is not automated, what would it take to get automation in place?
 - b. How many HAID requests have been filed in the past year?
- 3) My third recommendation is for this Committee to ask ORM the following:
 - a. How many HAID requests have they acted on?
 - b. How many have been responded to?
 - c. What is the breakdown per agency?
- 4) My fourth recommendation is that the Council requires ORM to track the above information on a publicly accessible dashboard.
- 5) My last request is that this Committee investigate what it would take to help ORM hold dangerous drivers within District government accountable for their actions.

Last year marked a 16 year high of deaths from traffic violence in DC⁵. Five people have already died this year with 3 deaths attributable to hit and runs. We need to do more to address the causes of this, and holding dangerous drivers driving government vehicles accountable is an important step in the right direction.

Thank you for your time.

BE IT RESOLVED, Commissioner Josh Jacobson is designated to represent the Commission in all matters relating to this Resolution. In the event that Commissioner Jacobson cannot carry out his representative duties for any reason, ANC 1E authorizes the Chair to designate another Commissioner to represent the Commission in all matter relating to this Resolution.

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Certification:

At a regularly scheduled and publicly noticed meeting held on January 24, 2023, Advisory Neighborhood Commission 1E considered the above resolution. With a quorum of 5 Commissioners present, the Commission voted with 5 Yeas, 0 Nays, and 0 Abstentions, to adopt the above resolution.



Brian Footer
Chairperson, ANC 1E



Josh Jacobson
Secretary, ANC 1E

⁵ <https://mpdc.dc.gov/page/traffic-data>

APPENDIX

FIGURE 1

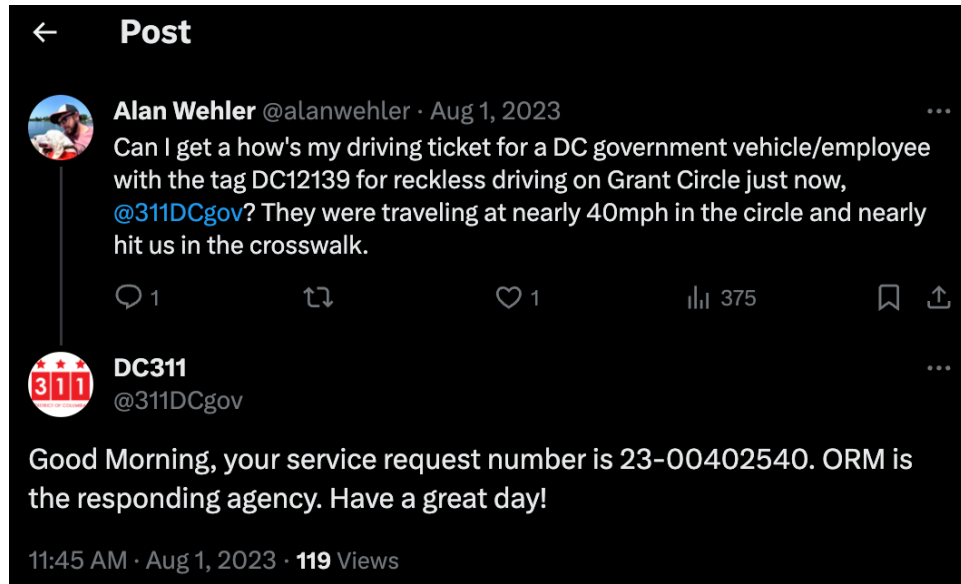


FIGURE 2

SR ID	Date	Agency	Initial ORM Contact	Last email	# of emails	Days between submission and ORM contact
23-00589292	11/8/2023	MPD	12/20/23	1/4/24	2	42
23-00585656	11/7/2023	DOH	1/4/24	1/4/24	1	58
23-00566912	10/27/23	OLA	12/19/23	12/19/23	1	53
23-00501348	9/21/23	DDOT	11/8/23	12/8/23	3	48
23-00503001	9/21/2023	MPD	11/30/23	12/30/23	3	70
23-00489040	9/14/2023	DPW	11/7/23	11/21/23	2	54
23-00485098	9/12/23	DDOT	11/7/23	12/7/23	3	56
23-00466994	9/1/2023	DPW	10/10/23	11/9/23	3	39
23-00403874	8/1/2023	DDOT	8/23/23	9/22/23	3	22
23-00402540	8/1/2023	CFS	8/23/23	9/22/23	3	22
23-00398473	7/31/2023	DPW	8/22/23	9/21/23	3	22
23-00388558	7/25/23		Never made it to ORM			
23-00384506	7/24/23	ABCA	8/17/23	9/18/23	2	24
23-00369346	7/15/23	DPR	8/17/23	9/16/23	3	33
23-00331454	6/27/2023	DPW	8/8/23	9/7/23	3	42
22-00419394	8/31/2022	DPW	9/8/22	10/8/22	3	8
22-00231565	5/19/2022	DPW	6/15/22	6/15/22	1	27

FIGURE 3

Emails

Subject: **How Am I Driving Service Request Received - Request for Information for 23-00566912**
To: "Perdomo, Eduardo (EOM)" <eduardo.perdomo@dc.gov>, "Wallace, Wade (EOM)" <wade.wallace@dc.gov>
From: Jacqueline Turcios
Date: 12/19/2023 4:11 PM
Attachments:  Spring&16thStsNW.png758kb

Please be advised that ORM received a 311 "How Am I Driving?" service request for Office on Latino Affairs with the following details:

Service Request Number: 23-00566912
Date of Event: 10/27/2023
Time of Event: 9:02 AM
Location of Event: SPRING ROAD NW AND 16TH STREET NW, WASHINGTON, DC, USA,
Vehicle License Plate Number: **DC10210**
Service Request Type: Complaint
Complaint Type: Parking Violation
Summary of Events: Car is illegally parked and blocking the flow of traffic. See attached image.

****ORM must respond to constituent complaints submitted to 311 within 30 days - Please take prompt action to identify the driver at the time of the reported event and respond to this request****

Once the driver is identified, "reply all" to this email to let us know:

1. The name of the driver
2. Any corrective action taken in response to this reported event

If you have any questions or need further assistance, please email us at orm.rps@dc.gov

Thank You!