

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of the Inspector General

Inspector General



June 1, 2015

The Honorable Muriel Bowser  
Mayor  
District of Columbia  
Mayor's Correspondence Unit, Suite 316  
1350 Pennsylvania Avenue, N.W.  
Washington, D.C. 20004

Dear Mayor Bowser:

Attached is a Management Alert Report (MAR 15-I-001) that I sent to the Office of the Attorney General (OAG) on April 6, 2015, entitled *Field Investigators Lack Training, Procedures, and Precautions for Managing Threatening Individuals and Dangerous Situations*, that addresses concerns my Office identified during an inspection of OAG's Child Support Services Division (CSSD).

The OIG issues a MAR when we believe a matter requires the immediate attention of District government officials. I am distributing the MAR and OAG's response so that you and other District stakeholders are aware of the issues cited and OAG's planned corrective actions. The OIG will communicate regularly with OAG regarding their progress toward implementing the MAR's recommendations.

Later this fiscal year, the OIG will also issue a final report regarding our inspection of CSSD. If you have any questions regarding the MAR or the inspection, please contact me or Edward Farley, Assistant Inspector General for Inspections and Evaluations, at (202) 727-2540.

Sincerely,

A handwritten signature in blue ink, appearing to read "D. Lucas", is written over a light blue circular watermark or stamp.

Daniel W. Lucas  
Inspector General

DWL/ef

Attachments

cc: See Distribution List

**Distribution List:**

Mr. Rashad M. Young, City Administrator, District of Columbia (via email)  
Mr. Barry Kreiswirth, General Counsel, City Administrator, District of Columbia (via email)  
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The Honorable Kenyan McDuffie, Chairperson, Committee on the Judiciary, Council of the District of Columbia (via email)  
Mr. John Falcicchio, Chief of Staff, Office of the Mayor (via email)  
Mr. Michael Czin, Director, Office of Communications (via email)  
Ms. Nyasha Smith, Secretary to the Council (1 copy and via email)  
The Honorable Karl Racine, Attorney General for the District of Columbia (via email)  
Ms. Cathy L. Lanier, Chief, Metropolitan Police Department (via email)  
Ms. Kathleen Patterson, D.C. Auditor, Office of the D.C. Auditor, Attention: Candace McRae (via email)  
Mr. Phillip Lattimore, Director and Chief Risk Officer, Office of Risk Management (via email)  
Mr. Gary Engel, Managing Director, FMA, GAO (via email)  
The Honorable Eleanor Holmes Norton, D.C. Delegate, House of Representatives, Attention: Bradley Truding (via email)



**DISTRICT OF COLUMBIA**  
**OFFICE OF THE INSPECTOR GENERAL**  

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**DANIEL W. LUCAS**  
**INSPECTOR GENERAL**

**INSPECTIONS AND EVALUATIONS DIVISION**  
***MANAGEMENT ALERT REPORT***

**OFFICE OF THE ATTORNEY GENERAL**  
**CHILD SUPPORT SERVICES DIVISION**

**FIELD INVESTIGATORS LACK TRAINING,  
PROCEDURES, AND PRECAUTIONS FOR  
MANAGING THREATENING INDIVIDUALS AND  
DANGEROUS SITUATIONS**

**MAR 15-I-001**  

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**APRIL 6, 2015**

GOVERNMENT OF THE DISTRICT OF COLUMBIA  
Office of the Inspector General

Inspector General



April 6, 2015

The Honorable Karl A. Racine  
Attorney General for the District of Columbia  
Office of the Attorney General  
441 4<sup>th</sup> Street, N.W., Suite 1100 South  
Washington, D.C. 20001

Dear Mr. Racine:

I am sending you this Management Alert Report (MAR) to inform you that during our inspection of the Office of the Attorney General's (OAG) Child Support Services Division (CSSD), my office learned that CSSD has not implemented safety protocols for field investigators or trained them to deal with potentially volatile individuals and other safety threats that they may encounter while performing their job duties. Rather than communicating this information to you in the final report of inspection that we expect to publish later this year, I am sending you this MAR now because I believe the matter requires immediate attention from OAG management.

### **Background**

CSSD's Locate Unit includes eight field investigators who serve Notices of Hearing and Orders Directing Appearance (NOHODAs, also referred to as service of process) to individuals who must appear in court for child support or paternity establishment hearings.<sup>1</sup> Field investigators are required to travel to neighborhoods throughout the District of Columbia, Maryland, and Virginia to serve NOHODAs.

### **Finding**

**CSSD field investigators have been threatened with bodily harm during service of process, but CSSD has not implemented a safety policy, training, or precautions to address the unsafe work environment.**

Field investigators interviewed by the team reported that while serving notices, they have received threats of bodily harm.<sup>2</sup> Examples of dangerous situations cited were arriving at a home when a man was beating a woman; a group of individuals converging on one investigator's car to assess what was inside; being chased by a dog; and traveling into areas with high crime rates.

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<sup>1</sup> According to Section IIA of CSSD's "Field Investigator Locate Policy," dated January 20, 2011, "It is the responsibility of the field investigator to serve NOHODAs on NCPs [non-custodial parents]." The policy defines "non-custodial parent" as the "[p]arent who does not have physical custody of a child but who has a responsibility for financial support." *Id.* § IV(3).

<sup>2</sup> Such as, "If you ever [expletive] come on my property again, I'm going to blow your brains out."

car to assess what was inside; being chased by a dog; and traveling into areas with high crime rates.

(a) Metropolitan Police Department (MPD) Practices When Serving Child Support and Paternity NOHODAs

CSSD's and MPD's<sup>3</sup> methods for serving child support and paternity NOHODAs are similar, but CSSD field investigators lack protective equipment (i.e. baton, oleoresin capsicum,<sup>4</sup> and two-way radios) similar to what MPD officers carry. Furthermore, MPD Paternity Warrant Unit officers work in teams of two as a safety measure when they serve NOHODAs. Field investigators expressed concerns with working alone and stated that working in pairs as MPD does could improve safety.

(b) No CSSD Safety Policy or Training for Field Investigators

According to 7 DCMR § 2009.1, “[e]mployees have a right, to the maximum extent possible, to a safe and healthful working environment.” In addition, the Government Accountability Office (GAO) recommends that agencies have an appropriate training program to meet the needs of all of its employees,<sup>5</sup> to include orientation for new employees and ongoing training for all employees.<sup>6</sup> GAO also recommends that management use “effective communication methods, which may include policy and procedures manuals” to communicate important information to employees and others.<sup>7</sup>

The team learned that CSSD has not trained field investigators in self-defense or defusing volatile situations, even though their position description notes they may be required to “respond to hazardous situations.” Some interviewees with previous experience in law enforcement stated that police officers receive training such as Verbal Judo,<sup>8</sup> which would help field investigators in learning how to calm hostile, threatening individuals and defuse dangerous situations. Currently, field investigators do not receive formal training specific to their responsibilities except for computer training, however, new field investigators receive on-the-job training from more experienced investigators.

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<sup>3</sup> Officers within the MPD Paternity Warrant Unit serve paternity and child support NOHODAs referred to them by CSSD, including but not limited to NOHODAs involving hostile NCPs. CSSD has a Memorandum of Understanding establishing MPD's assistance with serving NOHODAs. An interviewee explained that CSSD will refer NOHODAs to MPD where an arrest warrant has been issued for the respondent, the respondent is involved in an existing family violence case, or the CSSD field investigator believes serving the NOHODA would be unsafe.

<sup>4</sup> The commonly used name is “pepper spray.”

<sup>5</sup> GENERAL ACCOUNTING OFFICE, INTERNAL CONTROL MANAGEMENT AND EVALUATION TOOL, GAO-01-1008G 12 (Aug. 2001).

<sup>6</sup> *Id.* at 18.

<sup>7</sup> *Id.* at 55.

<sup>8</sup> The Verbal Judo Institute, Inc.'s website states that Verbal Judo training teaches individuals to effectively speak and use their presence to diffuse potentially dangerous situations, enhance personal safety, and increase compliance from confrontational individuals. See <http://www.verbaljudo.com/programs/law-enforcement/> (last visited Feb. 13, 2015).

CSSD's "Field Investigator Locate Policy," dated January 20, 2011, does not address field investigator safety. The policy's purpose is "[t]o establish standard procedures for the field investigators in the Locate Unit to use when performing locate functions including: (1) researching NOHODAs, (2) serving summons, (3) updating [information in] DCCSES [District of Columbia Child Support Enforcement System], and/or (4) handling government vehicles."<sup>9</sup> The instructions in this policy regarding service of process are:

**B. Service of Process**

1. Every field investigator is to present himself or herself in a professional manner
2. Have the proper credentials and show them
3. State who you are, where you are from and your purpose
4. Properly document the NOHODA
  - i. Return of service should be filed [stet] out with how the NCP was served, date and time
  - ii. Sign the NOHODA
  - iii. complete Affidavit of Service for all NOHODAs for which service will not be attempted again<sup>10</sup>

In addition, CSSD's "Field Investigator Locate Policy" does not require documentation of threatening incidents. As such, CSSD managers and field investigators do not document them. Thus, CSSD management is unaware of the extent of these risks.

**CSSD Office Security Measures Compared to Field Safety Measures**

Although CSSD lacks safety precautions for field investigators, it has implemented security measures in its offices to protect customers and employees. A security guard is stationed in the CSSD lobby, and the interview rooms where CSSD employees meet with customers have panic buttons that an employee can use to alert security in the event that he or she feels unsafe. Given the need for safety precautions within CSSD's office space, we are concerned that due to the lack of training and safety policies, CSSD's investigators are ill-equipped to handle threatening situations in the field and document them appropriately.

**Conclusion and Recommendations**

To our knowledge, no CSSD field investigator has ever been physically harmed while on the job. However, the lack of safety precautions and training increases the risk that CSSD field investigators may be harmed while performing their duties, resulting in liability for the District.

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<sup>9</sup> *Id.* at 1.

<sup>10</sup> *Id.* at 3.

To remedy these deficiencies, the OIG recommends that CSSD:

- (1) Require field investigators to serve NOHODAs in teams of two until other safety measures are implemented, and assess the feasibility of implementing team service as a permanent measure.
- (2) Develop and implement a written safety policy and procedures for field investigators to include:
  - a. periodic safety training, including training on de-escalating volatile situations;
  - b. appropriately documenting and communicating to CSSD management incidents that endanger field investigators; and
  - c. procuring, and training CSSD employees on the use of, any additional equipment CSSD deems necessary to enhance field investigators' safety.

Please provide your comments to this MAR by April 20, 2015. Your response should include: (1) actions taken or planned; (2) dates for completion of planned actions; and (3) reasons for any disagreement with the issue and recommendations presented. Please distribute this MAR only to those who will be directly involved in preparing your response.

Should you have any questions prior to preparing your response, please contact Edward Farley, Assistant Inspector General for Inspections and Evaluations, at (202) 727-2540 or [Edward.Farley@dc.gov](mailto:Edward.Farley@dc.gov).

Sincerely,



Daniel W. Lucas  
Inspector General

DWL/klb

cc: The Honorable Kenyan McDuffie, Chairperson, Committee on the Judiciary

**GOVERNMENT OF THE DISTRICT OF COLUMBIA**  
**Office of the Attorney General**

ATTORNEY GENERAL  
KARL A. RACINE



May 21, 2015

Mr. Daniel Lucas  
Inspector General  
717 14<sup>th</sup> Street NW  
Washington, DC 20001

Re: MAR 15-I-001

Dear Mr. Lucas:

I write to follow up on your Management Alert Report of April 6, 2014, advising that we have not implemented a safety policy, training, or precautions for our field investigators in the Child Support Services Division to address unsafe working conditions. I apologize for the delay in our response, but I have conducted an extensive internal review, including interviews with our investigators outside of the Child Support Services Division.

To this end, I have determined that there appears to be an uneven understanding on how much assistance the Metropolitan Police Department provides our investigators when serving subpoenas and other documents. Some investigators knew that MPD officers would immediately arrive on a scene if an investigator calls them for a threat or potential threat. Other investigators knew that they could make prior arrangements for an MPD officer to escort investigators to a site when there is a potential for an unsafe situation. Other investigators had to be reminded that if they arrive at a site which may appear unsafe, protocol dictates the investigator to abandon his/her attempted service, call MPD for assistance and/or return to the site at a safer time. Thus, written standard operating procedures would be beneficial so that all investigators possess the same knowledge regarding safety procedures. The investigators will then receive training on these new standard operating procedures.

Training

While the investigators did not have specific suggestions for the content of training, most welcomed the idea for training on how to de-escalate a situation and how to defend themselves during an emergency. None of the investigators reported encountering a situation which they felt they could not handle or where they were harmed, but most investigators believed that it is wise to be proactive about field safety rather than wait for a situation in which employees experience actual harm. Some investigators have taken the “Verbal Judo” course with other agencies and



Daniel Lucas, Esq.  
May 21, 2015  
Page 2

believe it is helpful. Others attended MPD's police academy and also believe that is helpful. The major concern of several investigators was entering an environment where there is an unknown or walking up stairs when their back may be turned away from a surprise encounter. In these circumstances, an investigator partner may be helpful.

#### Pairing of Investigators

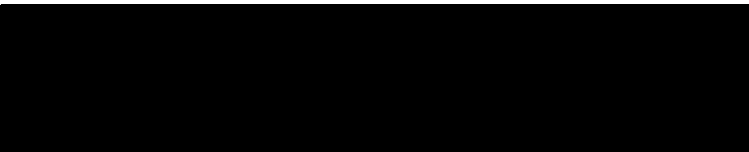
Three or four of the 40 investigators believe that pairing would be helpful. A suggestion was made to pair investigators only when investigators work in a higher crime area.

#### Action Items

The Office of the Attorney General will move forward with implementing standard written protocols for all of our investigators. We will also require attendance in a "Verbal Judo" session and explore options with MPD on a "mini police academy." We also intend to pair investigators in those circumstances in which investigators desire a partner. Finally, we are working to implement a process to provide investigators with a photograph of the individual whom the investigator is expected to serve. All of the above actions will be implemented before the end of the FY 2015 fiscal year.

Please let me know if you need any additional information. Please be assured that we want our investigators to work safely in the community. Thank you for bringing this matter to our attention.

Sincerely,



Chief of Staff to the Attorney General for the District of Columbia