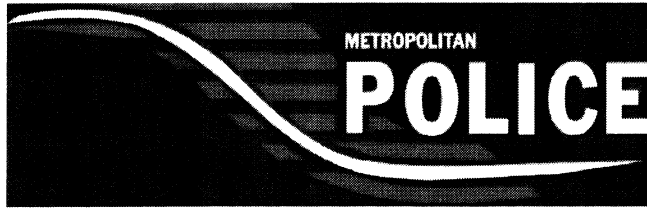


GENERAL ORDER



Title
Handling Assaults on Police Officers

Series / Number
GO-PCA-701.03

Effective Date
December 29, 2003

Distribution
A

Replaces / Rescinds
General Order 701.03 (Handling Assaults on Police Officers)

DISTRICT OF COLUMBIA

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I. BACKGROUND

The Metropolitan Police Department (MPD) recognizes that an assault on a police officer is extremely serious in nature and has the potential for high media exposure. To ensure that these incidents are handled in a uniform manner and investigated properly, MPD has established uniform procedures to be followed by members of the Department.

II. POLICY

The policy of the Metropolitan Police Department is to investigate, report and prosecute in a uniform manner, incidents of an assault on a police officer.

III. PROCEDURAL GUIDELINES

A. Members shall obtain the authorization of an official the rank of Sergeant or above before placing a charge of Assault on a Police Officer (D.C. Official Code § 22-405) against any arrestee, regardless of age.

B. Members on the scene of the assault shall:

1. Immediately canvass the area to locate all witnesses to the assault.
2. Have each witness complete a PD Form 119 (Complainant/Witness Statement) regarding events surrounding the assault (see GO-SPT-401.01 [Field Reporting System]). (CALEA 82.2.1-a-b-c-d)

C. Injuries

1. When photographing visible injuries to the member/complainant and/or arrestee, members shall take steps to provide adequate privacy when requested by the individual being photographed.

2. All visible injuries to both the member/complainant and/or the arrestee shall be photographed, in color, at the district station in which the arrest is processed. Photographs shall be taken, as soon as practicable, consistent with ensuring prompt medical attention to the injured member and/or arrestee.

Note: Photos shall also be taken of the scene where the assault occurred, especially when the surroundings may contribute to the offense; e.g., narrow hallway, inside a vehicle, small room, alleys, etc. Additionally, photos of any damaged MPD property, or property belonging to the member should be photographed. Items such as damaged vehicles, broken eyeglasses, etc. form a compelling case and could be the basis for remuneration. When available, the services of a district detective should be utilized to assist in obtaining witness statements.

3. If circumstances prohibit the member/complainant or the arrestee from being transported to the district, an official may request a Crime Scene Search Unit be notified to respond and take the color photographs. (If Crime Scene Search is unable to respond, a member of the Crime Scene Examination Section, Forensic Science Division shall respond. In the event that neither unit is available to respond, the Sergeant on the scene shall ensure Polaroid photographs are taken).
4. If a question arises as to whether or not a photograph should be taken, (e.g., whether or not an injury is "visible"); the Watch Commander at the injured member's element shall make the final determination. In cases where the Watch Commander determines that a photograph shall not be taken, the reason shall be included in the PD Form 251 (Incident-Based Event Report).

D. PD Form 163 (Arrest/Prosecution Report) (CALEA 82.2.2.c and d)

The official (Sergeant or above) approving the Assault on a Police Officer charge shall ensure that the PD Form 163 fully describes all of the facts and circumstances of the event, to include the name of the approving official in the narrative. The narrative shall also include special circumstances for the use of force by a member to counter the assault. These items include, but are not limited to, the following:

- a. Member(s)/subject(s) age, skill level, relative size, multiple subjects;
- b. Injuries, disability, exhaustion, imminent danger, proximity to service weapons;
- c. Type of call, stop or contact that precipitated the assault;

- d. Location, time of day, weather conditions;
 - e. Verbal commands and/or physical force;
 - f. Details on how the situation escalated;
 - g. Position of member/subject (e.g. ground, fighting stance, etc.);
 - h. Number of persons on the scene;
 - i. Statements made by the subject; and
 - j. Subject's demeanor and reactions.
- E. Papering (CALEA 82.2.1-e)
- 1. The following persons shall be present during the papering process at the United States Attorney's Office:
 - a. The member/complainant (unless admitted to the hospital or advised by his/her physician not to respond due to the severity of his/her injuries); and
 - b. An official who has knowledge of the case.
 - 2. In addition to the above, the following items shall be presented at papering by the papering officer:
 - a. PD Forms 119 (to include law enforcement member witness statement[s]), 163, 168 (Court Case Review), 251 and 252 (Supplement Report);
 - b. Medical treatment reports, if available;
 - c. Available copies of all color photographs of injuries to the member/complainant, arrestee, and damaged property; and
 - d. All available evidence (e.g. weapons or torn uniforms).
- F. The Official authorizing the Assault on a Police Officer charge shall:
- 1. Ensure compliance with the provisions of this order; and
 - 2. Respond to court to assist with papering the case, unless otherwise advised by the Watch Commander.

G. District Watch Commanders shall:

1. Review and, if appropriate, approve and sign the PD Form 163.

Note: Ensure that the name of the official approving the Assault on a Police Officer charge is clearly noted within the narrative portion of the PD Form 163.

2. Ensure members complete appropriate paperwork in accordance with GO-RAR-901.07 (Use of Force), when applicable.
3. Select an alternate official having knowledge of the case to respond to court to assist with papering, in the event the authorizing official is unable to respond to court due to a bona fide emergency or incapacitation;
4. Interview, in person, the alternate official to determine the extent and accuracy of his/her knowledge prior to selection; and
5. Notify an official of the Court Liaison Division as soon as possible, but not later than 0800 hours, when an alternate official will assist with papering the case, to include name and badge number of the alternate official.

H. Director, Court Liaison Division shall:

1. Provide follow-up assistance whenever problems are encountered in the Office of the United States Attorney concerning papering the case; and
2. Ensure members comply with the provisions of GO-PCA-701.01 (Courts and Hearings) when required to paper cases.

I. Commanders shall ensure: (CALEA 82.2.4)

1. Color photographs of members/complainants and arrestees are filed in the Photographic Processing Request File at the element; and
2. When a member of his/her command is the subject of an assault while performing a lawful duty, a PD Form 150-B (Firearm Discharge/Assault Report) is completed by the investigating official, in an original and one copy,
3. Members complete appropriate paperwork, in accordance with GO-RAR-901.07 (Use of Force), when applicable.

- J. In addition to the provisions of Section III.A (above), members shall immediately notify an official the rank of sergeant or above when receiving information of any threat against a police officer or police officers and/or all officer safety concerns. The notified official shall then immediately notify the Homeland Security Bureau (HSB), Intelligence Fusion Division (IFD), Command Information Center (CIC) to report:
1. Assaults against a police officer(s);
 2. Threats against a police officers(s); and
 3. Potentially serious officer safety concerns.
- K. The CIC shall be responsible for making the following notifications upon confirmation of an assault against, or threats to, any police officer(s), and any potentially serious officer safety concern:
1. Initial page notifications:
 - a. The Chief of Police Command Staff paging group; and
 - b. Investigative Services Bureau, Office of the Superintendent of Detectives, MPD Intelligence Branch paging group (information only).
 2. Initial land-line notifications via the Federal Bureau of Investigation (FBI) Washington Field Office duty desk, [(202) 278-2000];
 - a. The Joint Terrorism Task Force (JTTF) Federal Duty Desk Officer, Washington Field Office;
 - b. The Supervisory Special Agent in Charge of the National Capital Response Squad, FBI Washington Field Office; and
 - c. Updated notifications to the FBI.

IV. CROSS REFERENCES

- A. GO-SPT-401.01 (Field Reporting System)
- B. GO-SPT-401.05 [Prosecution Report (PD Form 163)]
- C. GO-OPS-304.08 (Collection of Physical Evidence; Utilization of the Crime Scene Examination Section and Crime Scene Search Officers)
- D. GO-RAR-901.07 (Use of Force)
- E. GO-PCA-701.01 (Courts and Hearings)
- F. D.C. Official Code § 22-405 (Assault on member of police force, campus or university special police, or fire department)



Cathy L. Lanier
Chief of Police

CLL:JAE:JGW:DEP:pas