



**GENERAL ORDER**



SERIES	NUMBER	EFFECTIVE DATE
401	5	December 1, 1971
<b>Prosecution Report (PD Form 163)</b>		DISTRIBUTION <b>A</b>
		ORIGINATING UNIT <b>PDD</b>

The purpose of this order is to establish the policy and procedures for the preparation of PD Form 163 (Prosecution Report). This order consists of the following parts:

- PART I Responsibilities and Procedures for Members of the Department**
- PART II Responsibilities and Procedures for Special Assignment Personnel**
- PART III Responsibilities and Procedures for Supervisory and Command Personnel**

**PART I**

**A. Offenses Requiring PD Form 163.**

A PD Form 163 (Prosecution Report) shall be carefully executed for:

1. Every case which will go to the Grand Jury.
2. All United States District Court cases.
3. All District of Columbia Superior Court cases in which a jury trial may be demanded except for charges of Driving Under the Influence of Alcohol or Drugs in which case PD Form 163-A (Prosecution Report for Driving Under the Influence of Alcohol or Drugs) shall be prepared instead.
4. All prisoners processed through the Identification Branch, Identification and Records Division, who have been arrested for violation of firearms laws and regulations.

**B. Delivering PD Form 163 to Prosecutor.**

1. The arresting officer will report to the Police Liaison Office in the Superior Court, pick up the copies of the PD Form 163, and take them to the prosecutor for papering.

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(Revised 3/25/76)

2. In those cases in which the prisoner is not required to be processed through the Identification Branch, the arresting officer shall retain the original and first carbon copy of the report and present these two copies to the prosecutor at the D.C. Superior Court.

3. Arresting officers with disorderly conduct cases scheduled for court shall report to the Office of the Corporation Counsel for a hearing on the case prior to appearing in court. A written fact sheet shall be executed in longhand, in original only, and presented to the Assistant Corporation Counsel at the time of the hearing to assist him in reviewing the case.

## **PART II**

### **A. Distribution of PD Form 163.**

On all adult cases and cases of juveniles, 16 and 17 years of age charged with offenses under Title 16, Section 2301 of the D.C. Code, which must be processed through the Identification Branch, the arresting officer shall handprint PD Form 163. A separate PD Form 163 shall be made out on each codefendant. In all other juvenile cases which must be processed through the Identification Branch, the Youth Division Officer or Youth Services Officer, shall prepare PD Form 379 (Court). These forms shall be distributed as follows:

1. Adults processed through the Identification Branch:
  - a. Original form (page 1) for Identification Branch files.
  - b. Pages 2 and 3 furnished to the U.S. Attorney's Office or the Corporation Counsel's Office, as the case may be, at the Superior Court, or the U.S. Magistrate's Clerk's Office in the United States District Court House.
  - c. Page 4 for the arresting officer.

- d. Page 5 retained by the arresting officer's element until final disposition of the case is obtained and entered on the form. When the final disposition is obtained, the arresting officer's element copy shall be forwarded to the Identification and Records Division.

2. Juveniles processed through the Identification Branch:

- a. 16 and 17 year olds charged under Title 16, Section 2301, of the D. C. Code, distribute the PD Forms the same as in the case of an adult.
- b. A copy of PD Form 379 (Court) shall be forwarded to the Identification Branch when a juvenile is not charged under Title 16, Section 2301.

3. Adults processed for summary traffic arrests at the district and not fingerprinted or photographed and who will not be transferred to the Central Cellblock.

- a. Original to Administrative Branch, Identification and Records Division with the morning papers.
- b. Pages 2 and 3 (copy 2 of PD Form 163A) shall be handcarried by the arresting officer along with the Number 1 copy of the T.V.C. to the Corporation Counsel's Office on the day set for court.
- c. Page 4 for the arresting officer.
- d. Page 5 retained by the arresting officer's element as a thirty-day file copy.

B. Identification Branch Number.

The information system being developed in the U. S. Attorney's Office at Superior Court requires that the Metropolitan Police Department Identification Branch number be inserted on the prosecutor's copies of PD Form 163 for any prisoner who was processed through the Identification Branch. In order to insure that this number is obtained and inserted on the report form, the following procedure shall be followed.

1. Pages 1, 2, and 3 of PD Form 163 shall accompany the prisoner to the Identification Branch.

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(Revised 9/13/76)

2. The Identification Branch officer processing the prisoner shall retain the original of the form (page 1), and insert the identification number of the prisoner on the copies of PD Form 163 (prosecutor's copies). Copies of PD Form 163 pertaining to adults shall be forwarded to the clerk at the Central Cellblock.

**C. Delivering PD Form 163 to Court.**

1. The clerk at the Central Cellblock shall forward all PD Forms 163 of adult prisoners to the Police Court Liaison Officer daily with the first van load of prisoners. PD Forms 163 for prisoners processed at the Identification Branch after the normal transfer of prisoners shall be delivered to the Police Court Liaison Office by the officer delivering the prisoners to court.

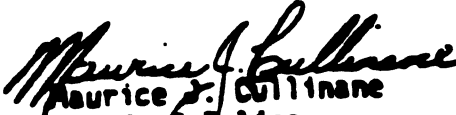
2. The prosecutor's copies of PD Forms 163 on female prisoners shall be forwarded to the Police Liaison Office with the regular delivery of PD Forms 163 to court. The prosecutor's copies of PD Forms 163 on female prisoners are not to accompany the prisoner to the Women's Detention Center.

3. The prosecutor's copies of PD Forms 163 on prisoners released on bond and/or citation release program shall be forwarded to the Police Liaison Office by the officer delivering the first van load of prisoners to court. The prosecutor's copies of PD Forms 163 on prisoners released on bond and/or citation release program are not to be returned to the arresting officer's element.

**PART III**

**Reviewing PD Form 163.**

The importance of thorough reporting for successful prosecution and efficiency of operation cannot be overemphasized. Commanding officers of the reporting organizational elements shall cause all completed PD Forms 163 to be checked by officials under their command who shall complete item 43 before forwarding such forms to the Identification Branch with the prisoner.

  
Maurice J. Cullinane  
Chief of Police

MJC:RJB:pan