

# GENERAL ORDER



## DISTRICT OF COLUMBIA

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Title	<b>Force-Related Duty Status Determination</b>	
Series / Number	<b>GO - RAR – 901.11</b>	
Effective Date	<b>October 7, 2002</b>	Distribution <b>B</b>
Related to	<b>General Order RAR-901.07 (Use of Force) General Order RAR-901.08 (Use of Force Investigations)</b>	

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### I. BACKGROUND

The Metropolitan Police Department recognizes that police-involved use-of-force incidents set in motion a series of complex investigations that allow the Department and community to hold police officers accountable for their actions. Further, following a use-of-force incident, police officers experience a variety of psychological and physiological reactions that must be considered.

The duty status of a police officer following a use-of-force incident is linked to the ability of force investigators to properly make a preliminary assessment of an incident, as well as the agency's ability to provide involved officers with an opportunity to participate in a post-use-of-force debriefing. This general order delineates the types of duty status categories, as well as the process for duty status determination, following a serious use-of-force incident.

### II. POLICY

The policy of the Metropolitan Police Department is to value and preserve human life when exercising lawful authority to use force. The Metropolitan Police Department, therefore, mandates that its members shall use the minimum amount of force that the objectively reasonable officer would use, in light of the circumstances, to effectively bring an incident or person under control, while protecting the lives of the member or others.

### III. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated:

1. **Use of Force** – any physical coercion used to effect, influence or persuade an individual to comply with an order from an officer. The term shall not include unresisted handcuffing or hand control procedures that do not result in injury.

2. **Serious Use of Force** – lethal and less-than-lethal actions by MPD officers including:
  - a. All firearm discharges by an MPD officer with the exception of range and training incidents and discharges at animals;
  - b. All uses of force by an MPD officer resulting in a broken bone or an injury requiring hospitalization;
  - c. All head strikes with an impact weapon;
  - d. All uses of force by an MPD officer resulting in a loss of consciousness, or that create a substantial risk of death, serious disfigurement, disability or impairment of the functioning of any body part or organ;
  - e. All other uses of force by an MPD officer resulting in a death; and
  - f. All incidents where a person receives a bite from an MPD canine.
3. **Serious Physical Injury** – any injury that results in hospitalization and that creates a substantial risk of death, serious disfigurement, disability or protracted loss or impairment of the functioning of any body part or organ.
4. **In-Custody Death** – any death of a person while that person is in the custody of the Department.
5. **Police Powers** – the authority granted to a sworn police officer by the Metropolitan Police Department in accordance with applicable law to enforce the law, make arrests, and carry and/or use authorized service weapons.
6. **Duty Status** – the designation of a police authority category granted by the Department to a member as it relates to the permission and ability to engage in the full spectrum of authorized policing duties.

#### IV. RULES

- A. The Department has the sole right, authority, and complete discretion to determine the duty status of a member. The duty-status decision made by the Department will consider recommendations made by the Medical Services Division, the Office of Professional Responsibility, and any Department recognized support professional (i.e.: MPEAP, Psychologist, etc). The Department's duty-status decision shall not be subject to the contractual grievance procedure or any other appeal.

- B. The decision to place a member in a duty status at any time does not preclude the Department from conducting an administrative investigation, which may result in Adverse Action.

## V. REGULATIONS

### Duty Status

When a member is involved in a serious Use-of-Force incident, involved in an incident where a person dies in police custody, or where the actions of the member results in, or is alleged to have resulted in, serious physical injury or death, the member shall be placed in an Administrative Leave with Pay status for three (3) business days. Within this period, the Department shall determine a duty status as described below;

1. Full-Duty Status – Member retains police powers and performs all functions
2. Administrative Leave with Pay Status – Member retains police powers, but will not report to their duty assignment.
3. Non-Field Status (full duty) – Member retains police powers, but is temporarily assigned to non-field duties.
4. Revoked Status – Member has police powers revoked, and is not authorized to carry a firearm. Members in this status may be required to report to a duty assignment, but will have restricted contact with members of the public. (Members shall surrender their weapons as described in G.O. RAR-901.01 [Handling of Service Weapons]).

## VI. PROCEDURAL GUIDELINES

### A. Duty Status Determination Following a Serious Use of Force

1. Immediately following a Serious Use of Force incident in which a serious injury occurs, or an incident in which a person dies in police custody, the Element Commander or Director (or the highest ranking official on the scene from the involved officer's element) shall caused the involved member to be relieved of his or her normal policing responsibilities. (CALEA 1.3.8) The member shall be placed on Administrative Leave with Pay for three (3) business days.
2. Within three (3) business days, the Assistant Chief of Police, Office of Professional Responsibility, or his designee, shall make a determination as to the permanent duty status of a member.
3. The Assistant Chief of Police, Office of Professional Responsibility, may change the duty status of any member involved in a serious use of force incident as the force investigation progresses and new information is revealed.

**B. Duty Status Determination Following All Other Use-of-Force Incidents**

The appropriate Organizational Element Commander or Director shall make a duty status recommendation for a member not involved in a serious use of force. However, the final decision as to the duty status of a member shall be made by the involved officer's Commanding Officer in conjunction with executive police management.

**C. Duty Status Determinations Made by the Medical Services Division**

Any duty-status decision noted above does not preclude the Medical Services Division from placing a member in a Sick Leave status as a result of a post-Serious-Use-of-Force incident.

**VII. CROSS REFERENCES****A. Related Directives**

1. GO RAR-901.01 (Handling of Service Weapons)
2. GO RAR-901.07 (Use of Force)
3. GO RAR-901.08 (Use of Force Investigations)

**B. Laws and Regulations**

1. D.C. Code §4-176 (Use of Wanton or Unnecessary Force)
2. D.C. Municipal Regulations, Title 6A, Section 207 (Use of Firearms and Other Weapons)

**C. Other**

1. CALEA Standards Section 1.3 (Use of Force)
2. IACP Model Policy (Use of Force)

//SIGNED//

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