

GENERAL ORDER



Title
Solicitation and Acceptance of Donations

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B

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SO-02-02 (Gifts and Donations/Station Funds)

DISTRICT OF COLUMBIA

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I. BACKGROUND

The Government of the District of Columbia’s Donations Handbook contains the official procedures required by the Director of the Office of Partnerships and Grants Development (OPGD) in the Executive Office of the Mayor for all employees requesting legal authorization to solicit, accept, and/or use donations. The procedures are based on the Official District of Columbia Code § 1-204.22 (11) set forth in the District of Columbia Appropriations Act for Fiscal Year 2003 (Section 115) (P.L.107-96), Mayor’s Order 2002-2 dated January 11, 2002, the Rules of Conduct Governing Donations to the District Government – Mayor’s Memorandum 2002-1 dated January 8, 2002, and the Memorandum of Understanding between the Office of Partnerships and Grants Development and the Office of the Chief Financial Officer dated December 16, 2002.

Pursuant to Mayor’s Order 2002-2 and Mayor’s Memorandum 2002-1, the Director of OPGD is the only official who, on behalf of the Mayor, can approve solicitation or acceptance of donations to the District government, unless that authority has been delegated specifically and directly from the Director of OPGD.

II. POLICY

The policy of the Metropolitan Police Department (MPD) is to use funds, services, or property received from donations and/or solicitations that are consistent with applicable Federal law, District of Columbia law, and procedures outlined in this directive.

The Office of Corporate Support and the Office of the General Counsel shall perform as the designated clearinghouse for the MPD for all requests to solicit, accept and use donations.

Excluded from the scope of this General Order are funds for such items as coffee, birthday, sympathy, baby, wedding gifts or retirement celebrations.

III. DEFINITIONS

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

1. Donor - an association, business, corporation, foundation, individual, organization, or other entity that can make a meaningful, financial, fixed asset, or in-kind donation.
2. Donation - a gift of funds, pro-bono services, or property solicited or unsolicited, and received pursuant to an agency authority.
3. Application to Approve Donations (AAD) Form - contains data about the applicant and prospective donor, a description and value of the donation, how the donation supports the applicant's authorized functions and questions related to the Rules of Conduct Governing Donations to the District (Mayor's Memorandum 2002-1 dated January 8, 2002).
4. Donation Agreement Form - used to verify that the donor is making a bona fide donation to the District, cites the respective DC Official Code authorizing the donation, and verifies that the government and donor are in compliance with the Mayor's Order 2002-2 dated January 11, 2002.
5. Donor Disclosure Form - a questionnaire with five questions for the donor to answer acknowledging that the donor does not expect any special treatment from the District Government and that the donation does not create an appearance or actual conflict of interest between the donor and the District Government. Donors must list and explain if they have any pending litigation against the District of Columbia. This form is used by OPGD to determine if there are any ethical barriers to donating.

IV. REGULATIONS

A. Donation Agreements

1. Only the Chief of Police or his/her designee shall submit an application package to the Director of OPGD.
2. The Donation Agreement shall be signed by the donor or his/her designee, the Chief of Police or an official representative, and the OPGD director or his/her designee.
3. All requests to solicit, accept and/or use donations must be complete and submitted to the Office of Corporate Support.
4. Under no circumstances shall a donation be accepted during the application period.

5. The Donation Agreement shall be made in writing and accurately describe the donation, including:
 - a. A statement of the proposed use of the donation and any conditions placed on its use by the donor;
 - b. A statement of the authority for the agency's use of the donation;
 - c. A statement that the donation is a bona fide donation such that the donor does not expect any special treatment from the District government as a result of the donation; and
 - d. A budget of planned expenditures for use of the donation, if applicable.
6. All application packages shall be reviewed by the Office of General Counsel.
7. Employees who fail to follow the provisions contained in this directive shall be subject to adverse personnel action.

V. PROCEDURAL GUIDELINES

- A. The donation authorization process requires the successful completion of three basic components: (1) the application to Approve Donations - AAD Form; (2) the Legal Sufficiency Review; and (3) the Donation Agreement.
- B. The application package shall include the following documentation:
 1. A cover memorandum with a description of the request for a donation;
 2. The Application to Approve Donations (AAD) Form;
 3. Donation Agreement Form; and
 4. Donor Disclosure Form.
- C. Commanding Officers or Directors shall forward all requests to solicit and accept donations through the chain of command to the Office of Corporate Support.
- D. The Office of Corporate Support shall:
 1. Receive and review the application package;
 2. Ensure that all application forms are complete;

3. Prepare the application package for the signature of the Chief of Police;
 4. Contact the Office of Partnership and Grants Development to obtain a approval status within 48 hours or two business days;
 5. Receive all application packages that are forwarded from the Office of Partnership and Grants Development;
 6. Notify the applicant of the OPGD's decision; and
 7. Ensure that proper records of all application packages are maintained to allow for future audits and public inspections.
- E. MPD's Office of the General Counsel shall:
1. Provide legal assistance for all MPD requests to solicit, accept and/or for the use of donations;
 2. Review the application package for legal sufficiency within fifteen (15) days;
 3. Indicate legal sufficiency by signing his/her name and date; and
 4. Return the application package to Corporate Support.
- F. The application forms can be completed on-line via the internet, however the signature of the Chief of Police, along with the review from the Corporate Support and the legal sufficiency from the General Counsel's Office are required before the package can be forwarded.
- G. Application forms for donation packages can be found on the internet at www.eom.in.dc.gov.

// SIGNED //
Charles H. Ramsey
Chief of Police

Attachments

CHR:NMJ:MAR:uk