

GENERAL ORDER



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DISTRICT OF COLUMBIA

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I. BACKGROUND

The Metropolitan Police Department (MPD) advocates reducing the number of incidences and severity of intrafamily violence through a combination of law enforcement intervention and community services. The nature and seriousness of crimes committed between family/household members or current/former intimate partners are not mitigated due to the relationships and living arrangements of those involved. Victims, including any minor child or any dependent adult in the victim's care, have the right to be protected from abuse. Treating intrafamily offenses with the same consideration as violence in other contexts, and using appropriate community services with law enforcement, will break the cycle of intrafamily violence by preventing future incidents or reducing the frequency and/or seriousness of such incidents, protect victims of intrafamily violence and provide them with support, and promote officer safety when responding to domestic abuse situations.

II. POLICY

The policy of the Metropolitan Police Department is to provide assistance and protection to victims and witnesses of intrafamily offenses. Members shall affect mandatory and/or warrantless arrests in accordance with the DC Official Code and enforce intrafamily offense laws in cooperation with other jurisdictions.

III. DEFINITIONS

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

1. Intrafamily Offense - any criminal offense committed by an offender upon a person:
 - a. To whom the offender is related by blood, legal custody, marriage, having a child in common, or with whom the offender shares or has shared a mutual residence; or

- b. With whom the offender maintains or maintained a romantic relationship with someone of the opposite or same sex, but not necessarily including a sexual relationship.
 - c. The offense must have occurred within the District of Columbia.
2. Mandatory Arrest - District of Columbia Prevention of Domestic Violence Amendment Act of 1990 (DC Law 8-261, DC Official Code § 16-1031 et seq.) requires a police officer to arrest a person if there is probable cause to believe that a person committed an intrafamily offense that:
 - a. Resulted in physical injury, including physical pain or illness, regardless of whether or not the intrafamily-related offense was committed in the presence of the officer; or
 - b. Caused or was intended to cause reasonable fear of imminent serious physical injury or death to the victim.
3. Warrantless Arrest - DC Official Code § 23-581 (a) (1) provides that a law enforcement officer may arrest a person without an arrest warrant, if the officer has probable cause to believe the person has committed an intrafamily offense as provided in section 16-1031(a).
4. Tribunal - as defined by the DC Official Code § 16-1041, is a court, agency, or other entity authorized by law to issue or modify a protection order.
5. Immunity for “Good Faith” Arrests - DC Official Code § 16-1033 states that “A law enforcement officer shall not be civilly liable solely because he or she makes an arrest in good faith and without malice pursuant to this subchapter.” (CALEA 22.2.7)
6. Foreign Protection Order - a protection order issued by a tribunal of another state. The statute defines protection order under subsection 16-1041 of the DC Official Code as an injunction or other order, whether temporary or final, issued by a tribunal for the purpose of preventing violent or threatening acts or harassment against, contact or communication with, or physical proximity to, another individual.
7. Immunity for “Enforcement of Foreign Protection Order”- DC Official Code § 16-1045 states, “the District and its officers and employees, a law enforcement officer, prosecuting attorney, clerk of the court, or any state or local governmental official acting in an official capacity, is immune from civil and criminal liability for conduct arising out of the registration or enforcement of a foreign protection order or the detention or arrest of an alleged violator of a foreign protection order if

the conduct was done in good faith in an effort to comply with this subchapter.” (CALEA 22.2.7)

8. Domestic Violence Intake Center - a facility where victims and witnesses may speak with a victim advocate and obtain help with civil protection orders, child support, information about the criminal case, social services referrals, bilingual services, legal representation, and assistance with crime related expenses.

IV. REGULATIONS

- A. Members responding to calls for service relating to intrafamily offenses shall, at a minimum, make every effort to personally interview the complainant/victim if he/she is available at the scene of the alleged offense.
- B. Members shall not use dispute resolution or mediation to resolve intrafamily offense calls for service.
- C. When the preliminary investigation establishes probable cause to believe that an intrafamily offense has been committed or that a suspect has violated a Temporary Protection Order (TPO), a Civil Protection Order (CPO), or a Foreign Protection Order, members shall arrest the alleged perpetrator of the offense.
- D. Members shall refer a victim to the Domestic Violence Intake Center (DVIC) at the DC Superior Court or Greater Southeast Community Hospital; however, the referral shall not be made in lieu of taking a report or proper police action. (CALEA 55.2.3)
- E. Prior to permanent appointment, newly hired sworn members shall receive a minimum of twenty (20) hours of basic training in responding to intrafamily offenses. (See, DC Official Code § 16-1034[c]) Sworn members shall receive a minimum of eight (8) hours of in-service training designed to familiarize them with the dynamics of intrafamily offenses. (See, DC Official Code §16-1034[d]) The training shall stress the importance of enforcing the laws against intrafamily offenses and shall include the following:
 1. The nature, dimension, and causes of intrafamily offenses;
 2. The legal rights and remedies available to a victim or perpetrator of an intrafamily offense; (CALEA 55.1.1)
 3. The services and facilities available to a victim or perpetrator of an intrafamily offense; (CALEA 55.2.3 a)
 4. The legal duties imposed on a police officer to enforce the laws applicable to intrafamily offenses and to offer protection and assistance to the victim of an intrafamily offense; and (CALEA 55.1.3 a)

5. Techniques for handling an intrafamily offense that minimize the likelihood of injury to the officer and promote the safety of the victim.
- F. Supervisory personnel, radio dispatchers, and telephone receipt clerks assigned to the Public Safety Communications Center (PSCC) shall receive a minimum of eight (8) hours of training on the Department's policy and procedures for handling intrafamily offense-related calls for service. (CALEA 81.2.7 a & b)
- G. Sworn members arrested for an intrafamily offense shall be handled according to the procedures outlined in GO-PER-120.23 (Investigative Responsibilities Where Sworn Members of this Department are Arrested or are Suspected of Criminal Misconduct). The Watch Commander shall respond to the scene of any intrafamily incident involving a law enforcement officer, irrespective of the officer's agency affiliation.
- H. Persons arrested for an intrafamily offense or for violation of a TPO, CPO, or Foreign Protection Order are not eligible for citation release, per GO-PCA-502.06 (Citation Release Program).

V. PROCEDURAL GUIDELINES

- A. Telephone Receipt Clerks (Call takers) shall:
 1. During the initial call for service specifically ask the caller: (CALEA 81.2.7 a)
 - a. What is the emergency?
 - b. What is the address and/or apartment number?
 - c. What has happened?
 - d. To whom am I speaking?
 - e. Are you the victim? If not, are you a witness?
 - f. Has anyone been injured?
 - g. Is the suspect present? What is the suspect's name? If not present, what is the suspect's physical description? Vehicle description? What is the suspect's possible location?
 - h. Are weapons involved? If yes, what kind?
 - i. Is the suspect under the influence of drugs or alcohol? If yes, what substance(s)?
 - j. Are children present?

- k. Have you called the police before concerning this suspect? If so, do you recall how many times?
 - l. Does the victim have a current TPO, CPO, Foreign Protection Order, or other court order against the suspect?
 2. When the victim/witness cannot answer any of the preceding questions, because the suspect is present, the telephone receipt clerk shall attempt to obtain this information by asking the following yes or no questions:
 - a. Are you able to talk freely?
 - b. Have you been assaulted/hurt?
 - c. Are you in immediate danger?
 3. Keep the victim on the phone and ask him/her not to hang up the phone even if he/she is away from it, provided the victim is not in any immediate danger.
 - B. Radio Dispatchers shall:
 1. Assign a minimum of two officers to investigate calls for service alleging intrafamily-related offenses.
 2. When it appears that the complainant or any of the witnesses are non-English speaking, or are deaf or hearing-impaired:
 - a. Attempt to locate a member that speaks the appropriate language within the district where the incident occurred;
 - b. Query WALES to locate an on-duty member who speaks the appropriate language(s), if unable to locate an officer within the district;
 - c. Contact the Language Line services, for foreign language translation services, as directed in CIR-02-10 (Foreign Language Translation Services); or
 - d. Notify the communications supervisor who will contact the sign language contractor to request an interpreter for deaf or hearing-impaired individuals.
 3. Dispatch a unit and relay the following information to the responding officers:
 - a. Whether there is a need for medical treatment (e.g., the nature of any injuries suffered by victim);

- b. Suspect's actions against the victim;
 - c. Whether the suspect is aware that law enforcement has been called and/or has made threats toward responding officers;
 - d. Whether any weapons, dangerous animals, or other threats to officer safety are present at the scene;
 - e. Whether there is anyone else at the scene, including children;
 - f. The complaint history for the location; and
 - g. The existence of a current TPO, CPO, Foreign Protection Order, or any other court orders, relating to the parties.
 4. Call the victim for any additional information if necessary.
 5. Not discuss the victim's willingness to prosecute. Any comment or statement that implies that the victim is responsible for seeking enforcement action is inappropriate.
 6. Not cancel the law enforcement response to a domestic violence complaint, regardless of whether the request is made during the initial call or a follow-up call. However, the dispatcher shall advise the responding officers of the request.
 7. Enter all information related to an intrafamily offense-related call for service into the Computer Aided Dispatch (CAD) database.
- C. Members Responding to Intrafamily-Related Calls for Service shall:
1. Respond to the intrafamily-related call for service by the most direct route, complying with traffic regulations, as directed in GO-OPS-301.01 (Vehicle Operation and Maintenance), and shall not use emergency warning devices unless specifically directed to do so by the radio dispatcher.
 2. Conduct the initial investigation, performing the following tasks upon arrival at the scene:
 - a. Determine the location and condition of the victim;
 - b. Provide aid to the injured and request an ambulance, if needed;
 - c. Determine whether the suspect is still on the scene;
 - d. Secure the scene;

- e. Locate and ensure the welfare of any children, or others, at the scene;
 - f. Separate the victim, the suspect, and the witness(es);
 - g. Remove the victim and any witness(es) from the suspect's line of sight and never leave the victim or witness(es) alone with the suspect; and
 - h. Recover and seize all related evidence.
3. In addition to the applicable provisions of GO-OPS-304.01 (Operation and Management of Criminal Investigations), and GO-SPT-401.01 (Field Reporting System), include the following steps as part of the preliminary investigation:
- a. Inform both the victim/witness and suspect that it is protocol for the officer to interview each person separately;
 - b. Interview the victim and suspect separately and out of sight and hearing of one another;
 - c. Interview all witnesses separately, including any and all children who may have heard or witnessed the violence;
 - d. Determine the victim's and the suspect's relationship and degree of involvement;
 - e. Distinguish the primary aggressor from the victim, especially when multiple parties are injured, using the following factors:
 - (1) The extent of injuries inflicted.
 - (2) The fear of physical injury because of past or present threats.
 - (3) Actions taken in self-defense to protect oneself.
 - (4) The history of domestic violence perpetrated by one party against the other.
 - (5) Existence or previous existence of protection orders.
 - f. If the victim has an active TPO, CPO, or Foreign Protection Order against the suspect, attempt to obtain a copy of the protection order or access WALES to verify the order's existence and validity. Copies of TPOs, CPOs, and Foreign Protection Orders do not need to be certified (raised court seal) to be valid and enforceable;

- g. Determine if the suspect has received notice of the TPO;
 - h. Determine if there are any outstanding warrants for the victim, witnesses, or suspect;
 - i. Ensure photographs are taken of both the victim's and the suspect's visible injuries, no matter how slight, using a Polaroid Spectra camera: (CALEA 83.2.2)
 - (1) If a Polaroid Spectra camera is not available, request that a Crime Scene Search Officer respond and photograph the victim, the suspect, and the crime scene.
 - (2) Neither the victim nor the suspect shall not be required to disrobe in order to have an injury photographed.
 - (3) A female officer shall be present if a female victim disrobes for photos. No more than two officers shall be permitted in the area when the photos are taken.
 - j. Document the condition of the crime scene and take photographs, including any disarray of the furniture and/or the surroundings;
 - k. Document the victim's condition and demeanor (e.g., smeared makeup, crying, shaking, having difficulty speaking or breathing); and
 - l. Seize any evidence associated with the offense, including, but not limited to, torn clothing, weapons, broken objects, written documents, household objects allegedly used as weapons, and any telephone answering machine tape(s) that may contain threats received by the victim or witness(es).
4. Prepare a PD Form 251 (Incident-Based Event Report), to document each intrafamily-related call for service, including the disposition. At a minimum, members shall document the following on the report:
- a. The reported event occurred as a result of an intrafamily matter (Box #56);
 - b. The victim's or complainant's name or initials;
 - c. Injuries sustained by the victim and suspect (Box #58);
 - d. Suspect information, including a physical description and whether weapons were used in the offense;

- e. The existence of an active TPO/CPO or Foreign Protection Order (Box #57); and
 - f. A detailed narrative statement summarizing the reported event.
5. Inform the victim/complainant that he/she is entitled to receive a free copy of the PD Form 251 from the police district or the Henry Daly Building, Public Documents Section, 300 Indiana Avenue, NW, Room 3075. The victim, whose name appears on the PD Form 251, must make the request by appearing in person with proof of identification. (See Teletype #02-003-03)
 6. Members shall, to the extent possible, obtain from the parties and the witnesses a prior history of intrafamily-related incidents. At a minimum, members shall document on the PD Form 252-B (Domestic Violence Supplemental Report) whether:
 - a. The victim has called the police on previous occasions;
 - b. There have been prior intrafamily-related offense arrests of either party;
 - c. The suspect has harmed the victim on previous occasions;
 - d. The victim received medical treatment or was hospitalized because of a prior intrafamily-related offense; and
 - e. The victim has obtained prior CPOs, TPOs, or Foreign Protection Orders against the suspect.
 7. Complete all applicable boxes on the PD Form 252-B:
 - a. The name(s), address(es), telephone number(s), hours of availability, and brief account(s) of any witness(es) to the incident; home and/or business address, home and/or business telephone numbers, and additional means to contact victim/complainant ;
 - b. The name of the suspect, if known, including any nicknames used by the suspect;
 - c. Whether the suspect is known to the victim, and if so, the relationship between victim and suspect;
 - d. Whether referrals were provided to the victim;
 - e. The hours that the victim/complainant is available for an interview;

- f. The status of the case (e.g., open, closed);
 - g. The investigative officer's recommendation (e.g., suspended, investigate further);
 - h. The reporting member's signature and badge number; and
 - i. A narrative statement that includes:
 - (1) The names, addresses, sex, race, age, and arrest numbers of all arrested persons;
 - (2) Whether paramedics were called to the scene and/or the victim was transported to the hospital for medical treatment;
 - (3) Evidence collected from the scene or hospital, such as photographs taken of the victim or suspect's injuries;
 - (4) Weapons used and/or seized;
 - (5) The names, ages, and dates of birth of all children who were present during the incident;
 - (6) A notation that the victim was given a domestic violence brochure or information sheet containing referrals; (CALEA 55.2.3 a)
 - (7) Information on current or prior TPOs, CPOs, or Foreign Protection Order;
 - (8) Demeanor of the victim, suspect, and any witnesses;
 - (9) Mental/physical description of the suspect; and
 - (10) Information on which party called 911 and how many times officers have responded to prior calls at this location.
8. If, after interviewing all parties and witnesses, the member conducting the preliminary investigation determines that probable cause exists that the suspect has committed an intrafamily offense, or violated a TPO, CPO, or Foreign Protection Order and the suspect is present or can be located, members shall:
- a. Arrest the perpetrator of the offense;
 - b. Record spontaneous and any alibi statements made by the suspect;

- c. Advise the suspect of his/her rights and follow the arrest procedures outlined in GO-PCA-502.01 (Transportation of Prisoners).
 - d. Provide the victim with the PD Form 251-B (Victim's Rights/Referral Card) after completing the MPD contact information at the bottom of the card and checking the box for the Crime Victim Compensation Program (CVCP), and any other appropriate referrals; (CALEA 55.2.3 d) (CALEA 55.2.5) (CALEA 55.2.4 b)
 - e. Explain the U.S. Attorney's Office papering process to the victim; (CALEA 55.2.4 b)
 - f. Provide the victim with the Central Complaint Number, the procedure to determine the case status and what to do if threatened by the suspect or others, the arresting officer's name, badge number, and telephone number for future reference and a completed PD Form 378-A (Domestic Violence Brochure); (CALEA 55.2.3 b, c & d)
 - g. Instruct victims to report the following morning or as soon as practicable between 0800 and 1600 hours on Monday and between 0830 and 1600 hours on Tuesday through Friday, except holidays, to the Domestic Violence Intake Center (DVIC), located at the D.C. Superior Court, 500 Indiana Avenue, N.W., Room 4235, or if the incident was reported in the 6th or 7th districts, to the Domestic Violence Intake Center (DVICSES), located at Greater Southeast Community Hospital, 1328 Southern Avenue, S.E., #311;(CALEA 55.2.3 a) (CALEA 55.2.4 b)
 - h. Assure the victim that every attempt will be made to return any property seized as evidence as soon as possible; excluding contraband, disputed property, and firearms; and (CALEA 55.2.4 d)
 - i. If the suspect is a juvenile, the arrest shall be handled in accordance with GO-OPS-305.01 (Handling Juveniles).
9. If after interviewing all parties and witnesses, the member conducting the preliminary investigation believes that probable cause exists that the suspect has committed an intrafamily offense, or violated a TPO, CPO, or Foreign Protection Order, but the suspect is not present, the member shall:
- a. Obtain a description and make a diligent effort to canvass the area in order to locate the suspect;

- b. Prepare the required police reports, (e.g. PD Form 251 and PD Form 252-B).
 - c. Provide the victim with the PD Form 251-B (Victim's Rights/Referral Card), after completing the MPD contact information at the bottom of the card checking the box for the Crime Victim Compensation Program and any other appropriate referrals;
 - d. Explain the U.S. Attorney's Office papering process to the victim; (CALEA 55.2.4 b)
 - e. Provide the victim with the Central Complaint Number, the procedure to determine the status of the case, the procedure on what to do if threatened by the suspect or others, advise of second sighting procedures; and the arresting officer's name, badge number, and telephone number for future reference, and a completed PD Form 378-A (Domestic Violence Brochure); (CALEA 55.2.3 b, c & d)
 - f. Instruct victims to report the following morning, or as soon as practicable or possible, between 0800 and 1600 hours on Monday and between 0830 and 1600 hours on Tuesday through Friday, except holidays, to the Domestic Violence Intake Center (DVIC), located at the D.C. Superior Court, 500 Indiana Avenue, N.W., Room 4235, or if the incident was reported in the 6th or 7th districts, to the Domestic Violence Intake Center (DVICSES), located at Greater Southeast Community Hospital, 1328 Southern Avenue, S.E., #311;(CALEA 55.1.3 d) (CALEA 55.2.3 a) (CALEA 55.2.4 b)
 - g. Transport the victim, or assist him/her to obtain transportation, if the victim requests transportation to a shelter or other safe location; (55.1.3 a & d)
 - (1) When the victim is transported to a shelter or other safe location, the location information shall not be included in any police reports.
 - (2) The victim and his/her children may be transported together, if requested.
 - (3) The location shall be provided to the patrol district's Domestic Violence Investigator Case Coordinator.
10. When the preliminary investigation **does not** establish probable cause that an intrafamily offense has occurred, or that a court order has been violated, the member shall: (CALEA 55.2.3 a)

- a. Complete and provide the victim with PD Form 378A (Domestic Violence Brochure);
 - b. Warn the parties that any threats, physical abuse or destruction of property constitute criminal activity and may result in an arrest;
 - c. Prepare PD Form 251, classifying the incident as a “Family Disturbance,” and document on the report why there was not probable cause to believe that an intrafamily offense occurred or that a court order had been violated; and
 - d. Inform the victim/complainant that he/she is entitled to receive a free copy of the PD Form 251 from the police district or the Public Documents Section. The victim, whose name appears on the PD Form 251, must make the request by appearing in person with proof of identification.
- D. Determination of Probable Cause
1. Members shall assess the facts, circumstances, and reliable information to determine the existence of a crime and by whom it was committed.
 2. Members shall take into account information obtained, and the following factors that are considered common signs of intrafamily violence to make a determination that an offense has occurred:
 - a. The existence, nature, and extent of visible injuries;
 - b. Evidence of a victim’s pain from non-visible injuries;
 - c. The parties’ need for medical treatment;
 - d. Evidence that furniture and/or furnishings are in disarray;
 - e. The presence or use of weapons;
 - f. Evidence of torn clothing;
 - g. Threats made in the member’s or a credible witness’s presence;
 - h. The demeanor of the victim, the suspect, and witness(es);
 - i. The existence of a TPO, CPO, or Foreign Protection Order; and

- j. A prior history of violence, including, but not limited to intrafamily-related offenses, previous reports or calls to law enforcement involving the suspect, or prior TPOs, CPOs, or Foreign Protection Order against the suspect.

NOTE: This list is not intended to be all-inclusive or to represent every possible fact or circumstance that may be encountered by the member conducting the preliminary investigation.

- 3. When probable cause exists to make an arrest, the member shall arrest the suspect regardless of:
 - a. The marital status of the parties;
 - b. The race or ethnicity of the victim or suspect;
 - c. The sexual orientation and age of the victim or suspect;
 - d. The cohabitation of the victim and the suspect;
 - e. The potential financial or employment consequences of an arrest;
 - f. The failure of the victim to report prior complaints;
 - g. Verbal assurances by the suspect, or the victim, that the violence will cease;
 - h. The location of the incident, (e.g., public or private property);
 - i. Speculation that the victim may not proceed with the prosecution or that the case may not result in a conviction;
 - j. Evidence that the suspect, or the victim, has been abusing alcohol or drugs;
 - k. Any claims that the victim provoked the violence by making the suspect angry in some way;
 - l. The existence of a lease, and the fact that the victim or suspect is or is not listed on the lease;
 - m. A statement from the victim that the victim does not want the suspect arrested; or
 - n. The fact that the suspect or victim is a law enforcement officer or public official.

E. Reciprocal Complaints

1. When the parties accuse each other of having committed an intrafamily offense, the member shall attempt to determine whether:
 - a. One party committed an intrafamily offense and the other person was defending him/herself;
 - b. Both parties committed an intrafamily offense; or
 - c. Neither party committed an intrafamily offense.
2. In determining whether there has been a reciprocal offense, the member shall recognize and consider:
 - a. A person may use a reasonable amount of force in self-defense, (e.g., the person may use an amount of force that, at the time of the incident, he/she reasonably believes is necessary to protect him/herself from imminent bodily harm); and
 - b. A person who used force against another person only in self-defense has not committed an intrafamily offense and shall not be arrested.
3. The member shall make a reasonable effort to determine which party was the primary aggressor in order to prevent the arrest of a victim acting in self-defense.
 - a. If the member determines that one party was the primary aggressor and the other was defending him/herself, only the primary aggressor shall be arrested.
 - b. To determine that self defense was used, the member shall take the following steps:
 - (1) Separate and interview the parties individually, out of sight and hearing of one another, never leaving them alone together;
 - (2) Interview all the witnesses to the incident separately and out of sight and hearing of the principal parties;
 - (3) Consider and assess the nature and extent of injuries inflicted by each party;
 - (4) Attempt to determine whether any threatening statements made by one party are more violent and menacing than those made by the other party;

- (5) Ascertain whether one party has a TPO, CPO, or Foreign Protection Order against the other party or whether one party has filed for a protection order against the other party and is currently waiting for a court date;
 - (6) Obtain any history of prior assaults and prior injuries, and request a WALES check on each party;
 - (7) Observe and note the relative size and strength of each party;
 - (8) Determine whether and how any weapons were used or threatened to be used during the incident;
 - (9) Actively canvass for any other witnesses who may have seen or heard any part of the incident or any spoken threats; and
 - (10) Contact the Communications Division telephone receipt clerk or radio dispatcher to ascertain the identity of the person who called the police and the content of the initial 911/311 call for service.
- c. A member unable to identify which party is the primary aggressor shall request that a detective or a supervisory official respond to the scene to assist in making the determination.
 - d. Both parties shall be placed under arrest **ONLY** in cases where the member or investigating detective or supervisory official determines that both parties have committed intrafamily offenses and that neither party was acting in self-defenses. If dual arrests are made, the facts supporting each arrest must be clearly documented on the PD Form 251s and the reports must be submitted to the District Watch Commander for internal review.
- F. Enforcement of Protection Orders

The Intrafamily Offenses Act, DC Official Code § 16-1051 et seq., creates a civil procedure whereby victims of intrafamily violence may petition the court to order that a perpetrator cease the violent behavior. DC Official Code §16, Chapter 10 "Uniform Interstate Enforcement of Domestic Violence Protection Orders Act of 2002" further authorizes members to enforce valid foreign protection orders (orders that have been issued by a tribunal of another state). The law states that a law enforcement officer, upon determining that there is probable cause to believe that a valid foreign protection exists and that the order has been violated, shall enforce the order as if it were issued in the District. The protection order may be in the form of a document, or may be stored in an electronic source such as the Washington Area Law

Enforcement Systems (WALES) or National Crime Information Center (NCIC). The order does not have to be certified or registered to be enforceable.

1. A member presented with a copy of a TPO, CPO, or Foreign Protection Order at the scene of an intrafamily incident shall:
 - a. Read the protection order thoroughly to determine what the court has ordered;
 - b. Ensure that the protection order identifies both the protected individual and the respondent;
 - c. Ensure that the protection order is currently in effect;
 - d. Inform the suspect (if on the scene) of the requirements of the order; and
 - e. Arrest the suspect if there has been a violation. The member may either read the order to the suspect or allow the suspect to read the order. (See section V, F, 4 of this directive)
2. When a victim advises an officer that a valid TPO, CPO, or Foreign Protection Order exists, but they do not have a copy available, the member shall:
 - a. Query WALES to determine the existence, status and terms of the TPO, CPO, Foreign Protection Order, or query the NCIC Protection Order File or communicate with the issuing jurisdiction, to confirm the existence, status, and terms of an order issued by another jurisdiction;
 - b. The member may consider other information to determine whether there is probable cause to believe that a Foreign Protection Order exists when a paper or electronic copy of the order is not available.
 - c. Inform the suspect, if on the scene, of the requirements of the order, and arrest the suspect if there has been a violation. (See section V, F, 4 of this directive)
3. When a victim has a TPO service package (containing a copy of the order and a "Return of Service" form) that has not been served, and the suspect is present, the member shall:
 - a. Serve the suspect with the contents of the service package;
 - b. Complete the service section at the bottom of the Return of Service form; and

- c. Follow the instruction for return of service that is printed on the form.
 4. The suspect shall be arrested and charged with "Violation of TPO/CPO" when the suspect:
 - a. Is believed to have violated the terms of a TPO, CPO, or Foreign Protection Order; and
 - b. Is made aware by the officer of the alleged violation of the terms of the order.
 5. A member on the scene who is advised that a bench warrant exists for a suspect's "failure to appear at an intrafamily offense hearing" shall:
 - a. Request that the dispatcher query WALES for confirmation of the bench warrant; and
 - b. If the warrant is outstanding and the suspect is present, arrest the suspect and follow the provisions of GO-PCA-702.01 (Arrest and Bench Warrants).

G. Child Abuse/Neglect Cases

Members shall notify the Youth and Preventive Services Division and follow the applicable provisions of GO-OPS-305.01 (Handling Juveniles) for instances of suspected child abuse or neglect.

H. Crime Scene Search Officers

Crime Scene Search Officers responding to the scene of an intrafamily offense, in addition to the applicable provisions of GO-OPS-304.08, (Collection of Physical Evidence, Utilization of the Crime Scene Examination Section and Crime Scene Search Officers), shall:

1. Photograph the crime scene;
2. Identify, photograph and recover any weapons or firearms as evidence;
3. Note and recover any other evidence seized by the officer conducting the preliminary investigation;
4. Note and diagram, if possible, any other evidence of injury; and
5. Photograph all injuries to the victim and the suspect, no matter how slight.

I. Station Clerks shall:

1. Ensure that the special operations code "DOMVI" is entered into the Criminal Justice Information System (CJIS) for all persons arrested for intrafamily-related offenses.
2. Forward one copy of all PD Forms 251 classified as intrafamily offenses, family disturbances, and violations of a TPO/CPO to:
 - a. The DVIC; and
 - b. The Domestic Violence Investigator Case Coordinator's office;
3. Retain one copy of each PD Form 251 for ninety (90) days in the station area.
4. Ensure that a supply of CVCP Victim Assistance Packages is kept in the station.

J. Patrol District Domestic Violence Investigators

The Office of the Superintendent of Detectives shall designate at least two sworn members as Domestic Violence Investigators in each of the seven patrol Districts. Domestic Violence Investigators shall:

1. Receive specialized training in the investigation of intrafamily-related offenses and incidents.
2. Be responsible for the follow-up investigation of all intrafamily offense reports, with the exception of those offenses specifically assigned to the Violent Crimes Branch of the Office of the Superintendent of Detectives or the Youth and Preventive Services.
3. Respond to the scene of intrafamily violence calls for service when available.
4. When conducting an intrafamily offense investigation:
 - a. Contact the victim within 48 hours of receiving the report in order to: (CALEA 55.2.4 a)
 - (1) Determine the level of follow up investigation required to close the case;
 - (2) Obtain additional information to assist in apprehending the suspect; and

- (3) Ensure the victim has received a PD Form 251-B, the PD Form 378A (Domestic Violence Brochure), a referral to the Crime Victim Compensation Program, and information on other advocacy group assistance, such as the Domestic Violence Intake Centers and the application procedures for TPO/CPO, when a suspect is arrested and if necessary after a suspect has been arrested. (CALEA 55.2.5)
- b. When applicable, follow the warrant procedures in GO-PCA-702.01 (Arrest and Bench Warrants), with the additional duty of appearing at the Family Division to obtain a copy of the processing jacket.
- c. Attempt to immediately execute the warrant. If unable to execute the warrant, the warrant shall be referred to the Warrant Squad, Special Investigations Branch;
- d. Present the case for papering when the suspect is arrested: (CALEA 55.2.5)
 - (1) If the victim has not already appeared at the DVIC, the Investigator shall contact the victim, upon the suspect's arrest, and request that the victim appear at the DVIC the following morning.
 - (2) If scheduling or transportation assistance is needed, the Investigator shall provide it, if feasible. (CALEA 55.2.4 c)
- e. Provide information regarding available assistance upon arrest and/or after an arrest has been made: (CALEA 55.2.5)
 - (1) If victim(s)/witness(es) are threatened by the suspect; or
 - (2) If, in the opinion of the Detective/Investigator, a credible concern of intimidation or further victimization exists. (CALEA 55.2.2)
- f. Assist victim(s)/witness(es) in recovering property taken as evidence, except for contraband, disputed property, and weapons found in the course of the crime, where permitted by law or rules of evidence; (CALEA 55.2.4 d)
- g. Advise victims/witness(es) of the DVIC services:
 - (1) Counseling referrals, shelter referrals, and short term housing referrals; (CALEA 55.2.4 a)

- (2) Victim advocacy;
 - (3) Assistance with crime related expenses;
 - (4) Assistance with obtaining a TPO and CPO;
 - (5) Information about the status of a criminal court case;
 - (6) Assistance with interviews, and other required appearances;
 - (7) An explanation about the victim/witness role in court proceedings; and (CALEA 55.2.4 b, c, & e)
 - (8) Information about obtaining legal assistance.
- h. Advise the victim(s) on how to obtain a free copy of their PD Form 251.
- K. The District Domestic Violence Investigator Case Coordinator shall:
1. Be a member assigned from the Office of the Superintendent of Detectives to coordinate the work of the Domestic Violence Unit.
 2. Review all PD Form 251s, classified as intrafamily-related offenses and family disturbances;
 3. Assign a Detective/Investigator to conduct a follow-up investigation;
 4. Leave a copy of the PD Form 251 with the receptionist at the Domestic Violence Intake Center (DVIC);
 5. Forward reports that require correction(s) and/or additional information to the appropriate section commander. However, the follow-up investigation shall not be delayed pending the return of the corrected report; and
 6. Prepare a monthly report, due on the 10th day of each month, and forward it through channels, to the Domestic Violence Operations Coordinator, Office of Superintendent Detectives, Special Investigations Division summarizing the number of:
 - (a) Intrafamily-related offense cases investigated;
 - (b) Warrants obtained;
 - (c) Warrants served; and
 - (d) Warrants outstanding.

7. Track repeat cases of domestic violence and ensure that those cases are assigned to the same Investigator.
- L. The Domestic Violence Operations Coordinator in the Office of the Superintendent of Detectives shall:
1. Be a sworn member assigned to the Special Investigations Division;
 2. Supervise and oversee the Domestic Violence Investigators in the seven patrol districts;
 3. Liaison with the Office of Organizational Development, Special Program Development Group, the U.S. Attorney's Office, social services agencies, and victim advocacy groups to identify problems and discuss solutions regarding intrafamily-related violence cases in the District of Columbia; and (CALEA 55.1.3 d)
 4. Submit a monthly statistical report, through channels, to the Office of Organizational Development, the Commander of the Office of the Superintendent of Detectives and the Chief of Police, enumerating the number and disposition of intrafamily-related complaints received by the Department.
- M. Supervisory Officials shall:
1. Respond, as often as possible during each tour of duty, to calls for service involving intrafamily-related offenses and ensure that proper police action is taken;
 2. Respond to any intrafamily-related offense calls for service, when the investigating officer cannot determine the identity of the primary aggressor, and assist in making the determination;
 3. Ensure that photographs are taken of victims when visible injuries are present, and that evidence is recovered; and
 4. Review all PD Form 251s, classified as intrafamily and family disturbance offenses for accuracy and completeness, to include the specific information required by this order, and ensure that all necessary corrections are completed prior to the reporting member being relieved of duty.
- N. District Commanders shall:
1. Immediately notify the Director, Office of Professional Responsibility, upon learning that a sworn member of his/her command has been arrested for a domestic violence/intrafamily related offense or is subject to a protection order;

2. Ensure that each instance where a sworn member is arrested for an intrafamily offense or subject to a protection order is handled as outlined in GO-PER-120.23 (Investigative Responsibilities Where Sworn Members of this Department are Arrested or Are Suspected of Criminal Misconduct);
 3. Ensure that the Watch Commander responds to the scene of any intrafamily incident involving a law enforcement officer, regardless of the officer's agency affiliation;
 4. Ensure that all dual arrests are documented on the PD Form 251;
 5. Ensure that a separate file is made to track all dual arrests; and
 6. Ensure that an internal review is conducted of all dual arrests.
- O. The Office of Organizational Development, Special Program Development Group shall:
1. Evaluate annually and in collaboration with the Domestic Violence Operations Coordinator in the Office of Superintendent of Detectives, the response and needs of MPD in connection with domestic violence, including at a minimum:
 - a. Training;
 - b. Official publications; and
 - c. Policy/procedural revisions.
 2. Conduct an analysis of victim/witness assistance needs and available services with the District of Columbia at least every three years. (CALEA 55.1.2)
- P. The Director, Institute of Police Science shall:
1. Review annually, in consultation with the Special Program Development Group, Office of Organizational Development, the Department's Domestic Violence Training Curriculum and make revisions that incorporate:
 - a. Changes in the law;
 - b. Any known resources; and
 - c. Officer/victim safety.

2. Ensure that training in matters relating to intrafamily offenses, including referral resources available from MPD and other sources for victims/witnesses in need of medical attention, counseling and emergency financial assistance is provided to:
 - a. All sworn and civilian members;
 - b. Radio dispatchers; and
 - c. Telephone receipt clerks.
3. Conduct training, in consultation with the Special Program Development Group, Office of Organizational Development, that consists of written bulletins, videotapes and updates on current procedures, including a review of:
 - a. Laws relating to intrafamily-related offenses;
 - b. Department policies and procedures;
 - c. Offenses and arrests;
 - d. The dynamics of family violence; and
 - e. Police officer safety techniques/victim safety planning.
4. Include intrafamily violence as a topic in the annual in-service training and develop specific training programs in collaboration with the Special Program Development Group, Office of Organizational Development, for all members following the initial training. (CALEA 33.5.1)

VI. CROSS REFERENCES

1. CIR-02-10 (Foreign Language Translation Services)
2. GO-OPS-301.01 (Vehicle Operation and Maintenance)
3. GO-OPS-304.01 (Operation and Management of Criminal Investigations)
4. GO-SPT-401.01 (Field Reporting System)
5. GO-OPS-305.01 (Handling Juveniles)
6. GO-PCA-702.01 (Arrest and Bench Warrants)

7. GO-OPS-304.08 (Collection of Physical Evidence, Utilization of the Crime Scene Examination Section and Crime Scene Search Officers)
8. GO-PER-120.23 (Investigative Responsibilities Where Sworn Members of this Department are Arrested or Are Suspected of Criminal Misconduct)

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

Attachments

CHR:NMJ:MAR:sz:uk