

GENERAL ORDER



Subject		
Forcible Entries/Property Damage Caused by MPD Police Action		
Topic	Series	Number
OPS	309	03
Effective Date		
April 4, 2006		
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GO-OPS-309.03 (Forcible Entries), Effective Date March 28, 2003		

DISTRICT OF COLUMBIA

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I. BACKGROUND

Members of the Metropolitan Police Department (MPD), in the course of their duties, may have a need to forcibly enter a door, entryway, or property. Such instances include, but are not limited to, exigent circumstances, and conducting a search or seizure.

II. POLICY

The policy of Metropolitan Police Department is to minimize damage to the property of citizens when making forcible entries. In those instances where a forcible entry occurs as a result of misinformation, misinterpretation of information, or erroneous judgment, the Department will provide an explanation to the owner/occupant, and will repair the damage as soon as possible. In those instances where property damage is the result of police action other than forcible entry, the Department will provide information to the owner on how to file a claim.

III. PROCEDURAL GUIDELINES

A. Members conducting a forcible entry shall:

1. Ensure that an official the rank of civil service sergeant or above is present each time a search warrant or arrest warrant is served.
2. Enter the premises by the most expeditious, cautious, and least destructive manner, while giving full consideration to officer and citizen safety.
3. Inform the owners/occupants of the reason for the entry.
4. Ensure that the premises are secured as well as possible upon leaving the scene.
5. Provide the #2 (Citizen) copy of the PD Form 240-A (Notice of Forcible

- Entry) to the owner/occupant;
- a. If the premises are unoccupied, and a responsible party (i.e. lawful occupant or relative) cannot be located to secure the premises, the member shall request that the dispatcher notify the MPD carpenter to respond and secure the premises.
 - b. Upon securing the premises, ensure that a completed #2 (Citizen) copy of the PD Form 240-A is left in a conspicuous place.
 - c. Members are required to complete the form in its entirety, to include legibly documenting their name, rank, and badge number.
6. When it appears the forcible entry is a result of misinformation, misinterpretation, or erroneous judgment, ensure that the circumstances regarding the entry are documented in the PD Form 240 (Report of Forcible Entry), and;
 - a. Immediately notify the dispatcher to contact the on-call Facilities Branch staff member to make necessary repairs.
 - b. Not express any opinion as to the liability of the District of Columbia Government for the damage incurred.
 7. Request a new set of CCNs, and prepare a PD Form 251 (Incident-Based Event Report), classifying the event as "Execution of Search Warrant." Document the date, time, location, and circumstances of the forcible entry. (CALEA 82.2.2-e)
 8. Forward the #1 (Police) copy of the PD Form 240-A to the check-off official prior to the end of the tour of duty.
 9. Forward a copy of the completed PD Form 240, including a copy of the search warrant (returned), the #1 (Police) copy of the PD Form 240-A, and a copy of the PD Form 251, thru channels, to the Executive Assistant Chief of Police. The reports shall be forwarded as soon as possible to ensure timely arrival in the office of the appropriate Assistant Chief by the next business day.
- B. If a citizen's property is damaged by a police action other than a forcible entry, members shall provide the citizen with a PD Form 240-B (Filing Property Damage Claims with the District of Columbia Government) and instructions on filing a claim report.

- C. The Commander/Director of the element responsible for the forcible entry shall ensure that:
1. The Director, Facilities Branch is notified of the forcible entry during normal working hours, but not later than 0900 hours the next business day;
 2. The PD Form 160 (Requisition for Supplies and Services) Part 2, is completed with a notation on the extent of the damages, and is hand-carried (with an attached copy of the PD Form 240) to the Director, Facilities Branch, immediately after the notification is made.
 3. Members who executed the forcible entry:
 - (a) Leave a PD Form 240-A in every instance; and
 - (b) Return the #1 (Police Copy) of the PD Form 240-A to the check off official.
- D. The PD Form 240-A (Police Copy), and a copy of the PD Form 240 shall be retained by the Administrative Unit at the element, and filed together by date of occurrence.
- E. The Commander, Institute of Police Science, shall provide Roll Call training to members, as needed, to enable them to instruct citizens on the procedures for filing property damage claims.
- F. The Director, Facilities Branch, shall:
1. Upon being notified that repairs are needed as a result of a forcible entry, immediately dispatch the Department carpenter to repair the damage.
 2. Arrange for a private general contractor to complete repairs if the Department carpenter cannot repair the damage.
 3. Develop and maintain a list of private contract carpenters to respond to forcible entries when the Department carpenter is not immediately available.

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