

SPECIAL ORDER



Title
Religious Head Covers and Other Articles of Faith
Number
SO-12-03
Effective Date
January 27, 2012

DISTRICT OF COLUMBIA

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I. POLICY

It is the policy of the Metropolitan Police Department (MPD) to ensure that members of the MPD abide by laws that require the Department to make reasonable accommodations for the religious beliefs of those with whom its members interact in their official capacities. Thus, members of the MPD shall treat persons wearing religious head coverings or other articles of faith in a manner that is professional, respectful, and courteous. In general, persons wearing religious head coverings or other articles of faith shall be permitted to continue wearing them except when removal or confiscation is reasonably required for reasons of safety or security.

II. DEFINITIONS

For the purpose of this special order, the following terms shall have the meanings designated:

1. Member – Sworn or civilian employee or a member of the Reserve Corps.
2. Religious Head Covering – Articles worn on the head for religious purposes. They include, but are not limited to:
 - a. Kippah (yarmulke) – Religious head covering worn by orthodox Jewish men;
 - b. Kufi – Religious head covering worn by Christians, African Jews, and Muslims in West Africa and African Diaspora;

- c. Hijab – Head scarf or covering worn by Muslim women;
- d. Taqiyah – Religious head covering worn by Muslim men; and
- e. Turban – Religious head covering worn by some Muslim men and by men and women of the Sikh faith.

III. PROCEDURES

A. Stops and Frisks

1. Members shall follow the procedures in General Order 304.10 (Police-Citizen Contacts, Stops and Frisks) when conducting a “stop and frisk” on persons wearing religious head coverings and/or other articles of faith.
2. Members may pat down a religious head covering when conducting a frisk.
3. Absent exigent circumstances (e.g., articulable safety concerns or to retrieve evidence), members shall not remove a religious head covering when conducting a frisk.
4. If it becomes necessary for members to remove a person’s religious head covering, and the person objects or appears reluctant or upset, members shall inquire whether the person requires special accommodations for religious reasons (e.g., the member should ask, “Does your religion require you to wear this head covering?”).
5. If a person requests accommodation for religious reasons, the member removing a head covering shall:
 - a. Be of the same sex as the person wearing the religious head covering; and
 - b. Conduct the removal in an area that is as private as is practical under the circumstances, taking all steps reasonably necessary to assure that persons of the opposite sex are not present during removal.
6. Once the frisk is complete officers will allow the person to replace the head covering at the earliest practical opportunity. If the person is arrested following the frisk, Part III.B of this policy applies.

B. Prisoner Processing

1. Prisoners wearing religious head covers and/or other articles of faith shall be processed in accordance with GO-PCA-502.01 (Transportation of Prisoners), SOP-03-02 (Holding Facilities), and SOP-03-04 (Booking Team Procedures).
2. If a prisoner appears reluctant or refuses to remove a head covering, members shall inquire whether the prisoner requires special accommodations for religious reasons (e.g., members should ask, "Does your religion require you to wear this head covering?").
3. If a prisoner indicates that he or she requires special accommodations for a religious head covering, members shall:
 - a. Ensure that the search is conducted by a member of the same sex; and
 - b. Conduct the search providing the prisoner as much privacy as is practical under the circumstances, taking all steps reasonably necessary to assure that persons of the opposite sex are not present during removal.
4. If a religious head covering obscures a prisoner's identifying characteristics (e.g., head shape, hair color, etc.), prisoners wearing religious head coverings shall be photographed wearing their religious head covering and with their religious head covering removed.
5. Once the booking photos are taken, members shall allow the prisoner to wear their head covering unless:
 - a. The prisoner is reasonably considered to be a suicide threat and the head covering could be used to aid in the commission of a suicide; or
 - b. The prisoner uses or attempts to use the head covering as a weapon against another; or
 - c. The on-duty watch commander determines that there are exigent circumstances requiring that the prisoner not wear the head covering.
6. Members shall confiscate articles of faith from prisoners that could potentially be used to harm another person or the prisoner.

- a. In all cases, jewelry and weapons shall be confiscated.
 - b. If the prisoner objects to the confiscation of an article other than jewelry or a weapon, the member shall contact the on-duty watch commander.
 - c. The on-duty watch commander shall determine on a case-by-case basis if the article needs to be confiscated taking into account any potential safety concerns.
7. When prisoners are not allowed to wear their personal head covering, they shall be provided by the MPD with a temporary head covering.
 8. District Commanders and the Commanding Official, Central Cellblock Division, shall ensure that sufficient supplies of temporary head coverings are maintained at their facilities.

IV. CROSS REFERENCES

- A. General Order 304.10 (Police-Citizen Contacts, Stops and Frisks)
- B. GO-PCA-502.01 (Transportation of Prisoners)
- C. SOP-03-02 (Holding Facilities)
- D. SOP-03-04 (Booking Team Procedures)



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