

GENERAL ORDER



Title
Court Appearance Notifications

Series / Number
GO – PCA – 701.06

Effective Date
August 2, 2005

Distribution
B

DISTRICT OF COLUMBIA

Rescinds
General Order 701.06 (Court Appearance Notifications)
Special Order 95-3 (Police, Prosecutor and Court Overtime Policy and Procedures)
Special Order 98-33 (Court Appearance Responsibilities)

I. Background.....	Page 1	IV. Regulations.....	Page 2
II. Policy.....	Page 1	V. Procedural Guidelines.....	Page 3
III. Definitions.....	Page 1	VI. Cross References.....	Page 19

I. BACKGROUND

The Computer Assisted Notification System (CANS) was developed to assist the Department, the U.S. Attorney's Office (USAO), the Office of the Attorney General for the District of Columbia (OAG), and the District of Columbia Court System in the service of subpoenas for the employees of the Metropolitan Police Department (MPD).

II. POLICY

The policy of the Metropolitan Police Department (MPD) is to ensure that all employees meet all court commitments, obligations, and requirements, and will attend court when required.

III. DEFINITIONS

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

1. Computer Assisted Notification System (CANS) - An official notice to a witness that must be complied with. The CANS is a station-to-station computer communication link between terminals in various organizational elements and Court Liaison Division (CLD).
2. Emergency CANS Request - A request by the prosecuting attorney for an employee(s) to appear for a trial, grand jury, or witness conference in less than the regular CANS request time frame of seven (7) calendar days.
3. The PD 140 (Court Appearance Worksheet) - A document used to account for an employee's appearance in court. Employees shall

follow the guidelines outlined in Special Order 03-17 (PD 168 [Court Case Review], Prosecutor's 168-A [Prosecutor's Case Review Form], and PD 140 [Court Appearance Worksheet]).

4. The Court Standby System - This method allows employees with pagers and/or cell phones to be paged or called to appear in court if they are working day tour and are waiting for cases to go to trial, or waiting to testify in an ongoing trial.
5. Investigative CANS - A notification that directs the lead officer to provide additional investigation, statements, reports, photographs, etc., to the case attorney by a specific date. The notification will normally indicate that the member is not required to attend court if the information, etc., is provided by the date specified on the notification.

IV. REGULATIONS

- A. CANS notices, advising units of pending court dates for sworn and civilian employees of the Department, are issued under the authority of the Chief of Police, and are therefore direct orders from him/her.
- B. By an agreement among the courts, prosecutors and the Department, all CANS notifications shall be treated by sworn and civilian employees as if they were subpoenas.
- C. An employee shall not refuse to accept service from a civilian or sworn CANS coordinator, or those acting in that capacity. (CALEA 26.1.1)
- D. Once an employee is served a CANS notification, the unit's CANS coordinator shall file the signed CANS notification and input the serving of the CANS in the Time Attendance and Court Information System (TACIS) for the Court Liaison Division's (CLD) review.
- E. Failure to comply with a CANS notification shall result in a Department inquiry that may result in disciplinary action. Moreover, members who fail to honor a CANS notification may be subject to contempt proceedings before the court.
- F. Separation from the Department, Administrative Leave, or Leave Without Pay (LWOP) situations do not relieve an employee of court obligations incurred as a result of duty-related actions.
- G. Emergency CANS requests, which require the Department to pay overtime, shall not be accepted without the prior approval of a CLD official.
- H. Falsifying a PD 140 shall result in disciplinary action.

V. PROCEDURAL GUIDELINES

- A. The Computer Assisted Notification System (CANS)
1. The CANS was implemented to provide the court with witnesses requested by the prosecuting attorneys to appear at the time, date, and place designated. The CANS also provides the Department with advance data of the number of employees who have been notified to appear, the reason they are needed, and the names and assignments of these employees.
 2. The system works as follows:
 - a. The prosecuting attorney's office provides CLD with a PD 168 (Court Case Review) that contains the names of employees requested and all other pertinent information, such as time, date, type of proceeding (i.e., grand jury, trial, juvenile hearings, etc.), defendant's name, charge, prosecuting attorney's name, signature, and any additional instructions.
 - b. When additional employees not specified on the original PD 168 are requested, a PD 168A (Prosecutor's Case Review Form) will be provided, along with a memo explaining the need for the employee.
 3. All regular CANS notifications shall be received by the CLD seven (7) calendar days prior to the scheduled appearance date.
 4. The CANS notification states the actual time the employee is required in court (i.e., if the employee is required at 1000 hours, the CANS notification states the check-in time as 1000 hours).
 5. Emergency CANS notifications shall only be considered in the following situations:
 - a. The request is for an appearance in a trial, grand jury or witness conference;
 - b. The request is ordered by the court; or
 - c. The request is approved by the CLD official.
 6. The Emergency CANS notification shall:
 - a. Include a written explanation for the untimely submission;
 - b. State the reason for the CANS notification; and
 - c. Include the signature of the requesting attorney's supervisor.

d. Note that the requesting attorney has contacted the member and they have agreed to appear for the emergency CANS.

7. The emergency CANS notification for witness conferences, grand jury appearances, etc., shall be approved on a case-by-case basis by the CLD official.

B. Receiving Notifications

1. Upon receiving a CANS notification, employees shall sign the administrative copy and return it to the serving official or CANS coordinator.

2. Employees shall read the entire CANS notification carefully, as it contains not only future court appearance or cancellation information, but frequently, important additional instructions.

3. **If there is any doubt concerning the validity or accuracy of any telephone or other verbal notice of a pending CANS notification, employees shall contact a CLD official, or the requesting prosecuting attorney, for confirmation.**

4. **It is the employees' responsibility to maintain documentation of their court appearance dates.**

C. Court Attendance Responsibilities

1. Participation in the prosecution and adjudication of criminal cases is an integral part of a police officer's function. While lateness shall not be treated as a court no-show; corrective or adverse action may be warranted in some cases. (CALEA 26.1.1)

a. Commanders shall consider the specific circumstances in each occurrence of lateness.

b. Supervisors shall be held accountable for the failure of subordinates to comply with their court attendance responsibilities.

2. In determining the appropriate penalty for an employee's violation, the investigating official shall consider the totality of the circumstances surrounding the violation. The circumstances include, but are not limited to:

a. The reason for the lateness;

b. The actual impact of the lateness on the prosecution, or on the outcome of the case;

- c. The type of proceeding involved (i.e., trial, grand jury, witness conference, etc.); and
 - d. The number of arrests and frequency of court appearances made by the employee.
3. Employees attending court shall be held accountable for checking out of court at the earliest possible time. If their attendance in court is no longer required, or is in violation of a provision of this directive, they shall immediately request that the attorney sign them out of court, and notify an official of the CLD.

D. Conflicting Schedules

1. Each employee is accountable to the court for his/her appearance or non-appearance at court proceedings.
 - a. It is the employee's responsibility to contact the prosecuting attorney to be excused from the case. The employee shall then contact the CLD to inform them of their change in court commitment.
 - b. Although an employee may have requested, and been granted, committed leave by the Department, that committed leave status is not binding on the court. However, when given sufficient advance notice, the court will usually try to accommodate an employee's leave schedule.
2. Employees are required to accept CANS notifications upon being served, even if they are aware that it conflicts with their leave or personal plans.
 - a. Since grand jury and witness conference appearances are not before the court, conflict situations can almost always be resolved in an employee's favor, if acted upon immediately after service.
 - b. If there is a conflict involving a trial, hearing before the court, or a municipal board, employees **will** resolve the conflict as soon as possible after service by contacting the requesting prosecuting attorney.
 - c. Employees who request a continuance in a hearing or trial proceeding shall submit a PD 800 (Request for Continuance) to the attorney. PD 800 may be obtained from a CLD official.

- (1) The original shall be hand-carried by the concerned employee to the attorney for completion, and then returned to the CLD official.
 - (2) Due to Superior Court rules regarding the continuation of cases, prosecuting attorneys request a minimum of four business days in advance of the trial date to consider acting upon a request for continuance. In felony trial situations, prosecuting attorneys may need more than four days, contingent upon the case. Therefore, it is imperative that employees submit requests for continuances as soon as they are aware of any pending conflicts with trial dates.
- d. Employees needing assistance shall contact a CLD official.
3. When employees are subpoenaed or receive a CANS notification for court in the District of Columbia, and are subpoenaed for the same date in a court proceeding in another jurisdiction, and the cases are of equal importance, the employee's court commitments in the District of Columbia takes precedence. Employees may seek assistance from CLD or an employee of the Office of General Counsel if they need help resolving the conflict.
4. Employees shall list all pending court commitments in the required section of their PD 140 (Court Appearance Worksheet), and include their contact number.
5. Employees having more than one court commitment shall arrive in the offices of CLD in sufficient time to check in at the earliest CANS "time due," regardless of their tour of duty. Employees shall not request CLD employees to time stamp a blank PD 140.
6. Employees who must handle their court commitments on a priority basis shall notify each waiting prosecuting attorney that they have checked into court; and give their location and expected arrival time. Such notifications shall be accomplished by 0830 hours or by CANS "time due," whichever is earliest.
 - a. Where multiple commitments conflict, employees will dispose of their commitments in accordance with the following priority schedule:
 1. Preliminary hearing pre-conferences;
 2. Juvenile cases and papering;
 3. Adult OAG for the District of Columbia cases;

4. Adult U.S. Attorney cases;
 5. Any jury trials;
 6. Non-jury trials in U.S. District Court;
 7. Juvenile trials;
 8. Non-jury trials in Superior Court;
 9. Hearings; and
 10. Matters not before the court, such as witness conferences.
- b. Despite this priority list, the case that is called first before the court takes priority over the cases waiting.
7. Throughout the day, employees shall keep their prosecuting attorneys informed of their whereabouts, and the status of their pending and conflicting cases.
- E. Employee Responsibilities in Sick and Emergency Leave Situations (CALEA 22.2.1 c)
1. If physically able, employees on sick leave are required to handle their court commitments. A “home standby” status can be arranged through the prosecuting attorney, provided an official of CLD is notified. Employees in a “home standby” status shall:
 - a. Provide the prosecuting attorney with a proper callback phone number.
 - b. Contact a CLD official and report his/her “home standby” status.

Note: Employees on “home standby,” are not required to be at home during a sick or emergency leave situation, and may seek medical attention if required.
 2. It is the responsibility of individual employees to notify an official of their command when they become sick or injured, and unable to handle any known court commitments. Employees shall provide officials with the following information:
 - a. The defendant’s name;
 - b. The type of proceeding;
 - c. The date they were scheduled to appear in court;

- d. The prosecuting attorney's name;
 - e. The nature of their illness/injury that prevents the employee from meeting their court commitment; and
 - f. An approximate date when they expect to be able to resume handling court commitments.
3. Employees who are on sick leave, and unable to handle court commitments on specified dates, are not excused from commitments on future dates.
 4. Upon returning to duty from sick leave, employees shall check with the prosecuting attorney on the status of their cases, obtain new court dates for each pending case, and notify any witnesses.
 5. Employees on sick leave who are unable to respond to hearings at DMV Adjudication Services (formerly the Bureau of Traffic Adjudication), shall:
 - a. Call the CLD official assigned to DMV Adjudication Services to make notification of sick leave status;
 - b. In the event voice mail is received, leave a message and call back to confirm that a CLD official received the message; and
 - c. Document and retain the name of the CLD official notified.
 6. In emergency situations, employees unable to attend court or a hearing shall:
 - a. Notify an official at their element;
 - b. Relate the circumstances surrounding their emergency to the official notified; and
 - c. Advise the official that they will notify CLD if able, or if not able, request the official to make the appropriate notification.
 7. Following the notification to an element official that an emergency exists, employees shall:
 - a. Notify an official of CLD;
 - b. Advise the CLD official of the nature of the emergency; and
 - c. Indicate to the CLD official when they expect to be able to resume handling court commitments, and provide all necessary information concerning court appearance date(s), to include

names of defendant(s), the prosecuting attorney(s), and the type of proceeding.

F. Hearings

1. It is the responsibility of the employee to obtain the date of the defendant's preliminary or detention hearing (felony or misdemeanor cases). If there is sufficient time, CLD will attempt to send a CANS advising employees of a pending preliminary/detention hearing date; however, employees shall not await a CANS from CLD in order to obtain the date.
 - a. In Superior Court cases, employees may obtain the preliminary hearing date from CLD after 1200 hours on the next business day following the defendant's presentment.
 - b. In U.S. District Court cases, employees may obtain preliminary hearing dates by contacting the prosecuting attorney after 1400 hours on the date the case is presented.
2. A notice to appear for a municipal hearing will ordinarily come from the agency itself, and not through CANS. Occasionally, notices for a mental competency hearing/trial or parole /probation hearings will come through the CANS system.
3. Employees having any questions concerning the notice to appear shall contact CLD.

G. Do-Not-Appear Notifications

1. The CANS system is the preferred and most reliable way to advise employees that they are not to appear in court on a given date for a specific case.
2. Last minute notifications that employees are not needed in court are always accepted by CLD and all efforts will be made to contact the employee. Employees concerned about the authenticity of a "Do-Not-Appear" message should contact the prosecuting attorney or CLD for confirmation.
3. The court provides CLD with a list containing the names of those defendants who have been formally indicted by the grand jury.
 - a. Defendants whose names appear on these lists will not appear for preliminary hearings.
 - b. Employees shall review these lists, or contact CLD, to determine if their defendant(s) name appears on an indictment list.

- c. **Employees shall not appear for scheduled preliminary hearings in cases where the defendant(s) have been listed on an indictment list.**

H. Court Standby System

1. Employees can be placed on standby for OAG/USAO adult/juvenile felony court trials or traffic trials only.

Note: There is no standby for U.S. misdemeanor trials, papering, detention, preliminary, or DMV Adjudication Services hearings.

2. Off duty employees who request to be placed on standby shall:
 - a. Contact the prosecuting attorney assigned to the case prior to the trial date to ascertain if they are needed for a conference on the first day of the trial;
 - b. Request that the prosecuting attorney either approve or allow a standby status after a pretrial conference;
 - c. Provide a telephone number (or other method of contact) where they can be reached by the prosecuting attorney.
 - d. Contact an employee of CLD and advise the employee that they were placed on standby by the prosecuting attorney, and request log numbers for the case; and
 - e. Be required to remain near a telephone, or be otherwise available for immediate messages, until the case reaches a disposition for the day; and
 - f. Respond to court within thirty (30) minutes from the time of contact by the prosecuting attorney.
 - g. Provide to CLD the name and contact number of the attorney who was notified, along with the date and time of the notification.
3. On duty employees who are placed on standby shall:
 - a. Check hourly with the prosecuting attorney in their assigned courtroom on the status of their case(s);
 - b. Not check off duty unless authorized by the necessary prosecuting attorney(s) and/or a CLD official; and

- c. Once the disposition of the case has been received, contact CLD to receive log numbers.
 4. Employees who have one or more cases pending in the last hour of a the regular tour of duty shall:
 - a. Notify their Duty Official; and
 - b. Remain on duty, respond to court from their duty assignment, and check into court prior to their check off time.
 5. Employees shall check with the requesting prosecuting attorney in all other court appearances to determine if they are eligible for standby.
 6. When checking into court, employees shall visibly note on their PD 140 that they have been placed on standby.
 7. A PD 141 (Member Reporting Late or Failing to Appear in Court) may be issued for employees who fail to notify CLD that they have requested, and been granted, standby status by a prosecuting attorney.
- I. Changes in Court Commitments
 1. Employees who need to request a continuance or other change in a court commitment shall do so immediately.
 2. Employees initiating a request for a continuance, or change in a court commitment, shall contact the requesting prosecuting attorney immediately after they are notified to appear.
 3. Employees will be held to the original court date until the prosecuting attorney, or an official of CLD informs them, or their respective element, of any change in the court commitment.
 4. Upon learning of a change in a court commitment made through the court and/or prosecuting attorney, and not by a subpoena or CANS notification, the employee handling the case shall notify an official of CLD.
 5. Employees excused by a prosecuting attorney from honoring a CANS notification or subpoena to appear in court, shall contact an official of CLD and provide the following information:
 - a. The name and telephone number of the notifying prosecuting attorney;
 - b. The date they were scheduled to appear in court;

- c. The reason for the change; and
 - d. The date and time they were excused.
 6. Employees who require rescheduling of their DMV Adjudication Services hearing dates shall contact a CLD or DMV Adjudication official at least seven days prior to the scheduled hearing date.
 7. Employees requiring rescheduling of Taxicab Commission hearings shall:
 - a. Call the Commission at least seven business days prior to the scheduled hearing date, explain the reason, and request a new hearing date; and
 - b. Contact a CLD or DMV Adjudication official of the change in commitment and provide the name of the individual in the Commission who approved a continuance.
- J. CANS Coordinators and/or Serving Officials shall be responsible for the following:
 1. Service of CANS Notifications
 - a. A CANS notification shall be served as soon as possible after the unit receives it, either in person or via telephone. However, notifications shall not be left on answering services.
 - b. In circumstances where the official, or CANS coordinator, has to notify an employee via telephone, the date and time of appearance shall be relayed to the employee, along with any other pertinent information listed on the CANS. Further, the date and time of notification, and the name of the official or CANS coordinator shall be written on the CANS notification.
 - c. When a CANS notification is served in person, the employee being served shall receive one copy and sign the administrative file copy. The serving official or CANS coordinator shall then print his/her name, date, and time of service on the administrative file copy.
 - d. A CANS notification shall be served and returned through the TACIS within seven calendar days of the date it was forwarded to the receiving unit for service.
 - e. CANS notifications that are pending service at the unit shall be kept in a secure place, with access restricted to an official or the unit CANS coordinator. Served CANS notifications shall be secured until hand-delivered to the unit's CANS coordinator.

- f. By the 10th day of each month, submit an updated report to CLD, listing any changes in the status of employees assigned to their district/unit (i.e. transfers, details, retirement).

2. Service Problems

- a. When an employee is on sick leave or other leave status, the employee's official shall contact him/her to serve the notice and/or to ascertain when he/she will be physically able to handle his/her court commitments.
- b. When the CANS notification cannot be served within seven calendar days, but can be served prior to the court appearance date, the serving official or CANS coordinator shall annotate the CANS for future reference. The unit shall then retain the CANS notification, pending service.
- c. It remains the responsibility of the unit's CANS coordinator or serving official to effect service of the CANS notification immediately after the employee's return to duty.
- d. If unexpected circumstances prevent the retained CANS notification from being served, the CANS should be annotated, filed, and returned to the CANS coordinator by the official.
- e. When an employee is not and will not be available prior to the court appearance date, a brief notation of the person's status, and the date that he/she is expected to return to duty, shall be placed in the section of the CANS marked "Reason Not Notified."

3. Conflicts with Leave and Personal Plans

- a. Serving officials and/or CANS coordinators shall serve CANS notifications on their employees, even if they are aware that it conflicts with an employee's leave or personal plans.
- b. When a CANS notification does present a conflict, the employee shall be served; however, the serving official or CANS coordinator shall record on the CANS form the acknowledgement of the conflict. It shall also be noted that the employee was served, and include the date and time, and the nature of the conflict between the employee's schedule and the future court date.
- c. The conflict shall be explained in the "Reason Not Notified" section of the notification.

- d. Indefinite messages, such as sick leave, military leave, and committed leave, are not adequate responses on the CANS notification. Prosecuting attorneys require a beginning and ending date to make representation to the court for continuance; therefore, adequate information shall be entered on the CANS notification.
- e. **Employees shall be required to comply with all provisions in this directive relating to resolving scheduling conflicts, regardless of any notation made on the CANS notification form.**

4. Details, Transfers, and Separations

- a. When an employee is on a temporary short-term detail, such as training, the assigned unit CANS coordinator, or designated serving official, shall notify the detail unit of the pending court commitment within 24 hours of receiving the CANS notification. The detail unit's CANS coordinator, or designated serving official, shall then be responsible for serving the employee.
- b. If the court appearance date jeopardizes, or substantially interrupts, specialized training or other special assignment, an employee may seek to arrange a "standby" status by contacting the prosecuting attorney and a CLD official.
- c. When an employee is on an extended detail or transferred, the serving official or CANS coordinator shall:
 - (1) Explain that the individual is detailed or was transferred to another unit in the "Reason Not Notified" section of the notification; and
 - (2) Forward the CANS information to the detailed unit via Department mail or fax. Annotate on the CANS when and to whom it was sent, and retain a copy for the records.
- d. If the employee has been separated from the Department through retirement, resignation, or is on "Leave Without Pay," the serving official or CANS coordinator shall return the notification to CLD, providing the employee's status. The coordinator/serving official shall then contact CLD's CANS section and provide the individual's current address and phone number. Usually these individuals will be served with a formal subpoena by the prosecuting attorney's office.

5. CANS Coordinator Responsibilities in Sick and Emergency Leave Situations (CALEA 22.2.1-c)
 - a. The CANS coordinator, or designated official, is responsible for notifying employees who are on sick leave of new, incoming CANS notifications, determining their availability for court, and relaying this status information back to CLD within the seven-day notification period.
 - b. Employees on sick leave shall be contacted and advised of their pending court commitments. A notation, indicating that the person was notified by telephone, shall be entered on the CANS notification and forwarded to the unit's administrative lieutenant. The following information shall be included:
 - (1) The date the employee became ill or was injured;
 - (2) The nature and extent of the illness or injury;
 - (3) When the employee expects to be able to appear in court and testify;
 - (4) Whether the employee could respond to court if a standby arrangement was made (medication should be a consideration); and
 - (5) The name of the official notified, along with the date and time contacted.
 - c. It shall be the responsibility of the notifying official to relay the above information to the prosecuting attorney(s), along with the pending court cases and dates affected.
6. Employees Assigned to Work Undercover
 - a. In most instances, "special court status" for court commitments will apply only to employees who are undercover; and whose names are removed from official police rolls.
 - b. If an employee is working in an undercover assignment that would be seriously jeopardized by his/her appearance in court, his/her control official shall contact the CLD lieutenant, who has overall supervision of the CANS Section, for guidance relative to court commitments.
 - c. No employee shall be granted "special court status" until his/her control official has cleared arrangements through the CLD lieutenant.

K. Supervisory Personnel shall:

1. Upon receiving a request for change in a DMV Adjudication Services commitment from an employee of his/her element;
 - a. Review the request; and
 - b. Ensure that the request is initiated no less than seven business days prior to the scheduled hearing date.
2. Follow the procedures outlined in section V, E of this directive:
 - a. Upon being notified that an employee is sick or injured and unable to appear for known court commitments; and
 - b. Upon receiving requests from employees on sick leave to change DMV Adjudication Services scheduled hearing dates.
3. Notify CLD when employees are unable to appear for court commitments, and are also unable to contact CLD directly; and
4. Monitor and ensure that employees participating in the standby program follow the procedures in this directive.

L. Administrative Lieutenants shall:

1. Ensure that incoming CANS notifications are pulled from the terminal daily;
2. Ensure that a copy is made of each new message, (more copies will be necessary if there is more than one employee on the notification);
 - a. The copy shall be served and left with the employee; and
 - b. The original shall be returned to the CANS administrative suspense file.
3. Ensure that CANS notifications are sent to the proper unit for service immediately after they have been pulled from the computer;
4. Ensure that the CANS suspense file is kept locked, and:
 - a. Kept chronologically by court appearance date;
 - b. Maintained for at least 1 year after the court appearance date.
5. Ensure that the served and annotated CANS notifications are properly made through the TACIS as soon as possible after they have been received from the serving unit;

6. Ensure that all CANS notifications are served/handled within seven days, unless an official of CLD approves an extension;
7. Ensure the computer terminals that access CANS and printers are kept in proper working order by reporting all equipment breakdowns and operational problems immediately to the Office of the Chief Information Officer; and
8. Ensure that if there is an equipment breakdown, the CANS coordinator locates and utilizes alternative equipment to pull the incoming CANS notifications every business day, and that the coordinator returns served/annotated messages through the TACIS every business day until the district or division's equipment is repaired or replaced.

M. The Watch Commander shall:

1. Upon being notified that an employee of his/her command is unable to appear before a court or municipal agency because of an incapacitating illness or injury:
 - a. With respect to a scheduled court appearance;
 - (1) Ascertain if there are other employees involved in the case;
 - (2) If there are no other employees involved in the case, obtain the necessary information concerning the case, and a tentative date when the employee will be able to handle court commitments; and
 - (3) If there is another employee involved in the case who can testify to the same matters as the employee who is unable to appear, notify this employee to process the case in court on the scheduled date.
 - b. In cases involving municipal agency hearings, promptly notify the proper agency and inform the scheduling authority of the employee's inability to appear; and
 - c. In all circumstances, notify, or cause to be notified, the prosecuting attorney.
2. Upon being notified by a supervisor of his/her command that an employee has been granted emergency leave, and will not be able to attend court or a hearing, ensure that an official of CLD is notified.

N. Commanding Officers shall:

1. Maintain at least two persons who are fully trained as a CANS coordinator for their district or unit. The names of these two individuals shall be relayed to an official of the CANS Section in CLD and updated when appropriate;
2. Maintain security for the CANS; and
3. Ensure compliance with notification and procedural requirements in accordance with this directive.

O. Court Liaison Division Supervisors shall:

1. Make proper notations on CLD records after being notified that an employee who has a pending court commitment is unable to appear because of illness, injury, or emergency;
2. Make notifications to the arresting employee's element in cases where a continuance is granted in a case and a CANS notification was previously sent;
3. Answer questions concerning the validity or accuracy of a telephone or verbal notice of a pending CANS notification;
4. Provide and process the PD 800 (Request for Continuance) for employees who wish to request a continuance of one or more cases that cause a scheduling conflict; and
5. Make the proper CLD notations in TACIS when notified that an employee has arranged for a standby status.
6. Review all CANS notifications to ensure that the requests are appropriate and accurate.

P. The Director, Court Liaison Division shall:

1. Ensure that the CANS functions efficiently and effectively, with requests going out to the units promptly after they are received;
2. Ensure the proper processing of court notifications and compliance with the requirements of this directive;
3. Act as a liaison with the courts and other agencies utilizing the CANS and other applicable notification systems;
4. Notify the commanding officers of employee instances of non-compliance and irregularities in court appearances;

5. Periodically monitor CANS notifications to ensure that responses are being returned promptly, and commanding officers are notified when service problems are detected; and
6. Ensure that the CANS develops with the needs of the Department, taking advantage of technical advances which can be appropriately integrated into the system, including specialized training for personnel.
7. Make the final decision on all CANS notifications that contain discrepancies.

VI. CROSS REFERENCES

- A. General Order 701.1 (Courts and Hearings)
- B. Special Order 02-28 (Court Schedule Verification System)
- C. Memorandum of Understanding between the U.S. Attorney's Office (USAO) and the Metropolitan Police Department (MPD), dated 12/13/96

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

CHR:SOA:DAH:JAH:kp:uw