

# EXECUTIVE ORDER



**DISTRICT OF COLUMBIA**

Subject:	<b>Change to GO-SPT-304.10 (Field Contacts, Stops, and Protective Pat Downs) and Consent Search Audits</b>
Number	<b>EO-21-017</b>
Effective Date	<b>June 24, 2021</b>
Related To:	GO-SPT-304.10 (Field Contacts, Stops, and Protective Pat Downs) GO-PCA-501.02 (Handling Interactions with Transgender Individuals) GO-PCA-702.03 (Search Warrants)

The purpose of this executive order is to amend GO-SPT-304.10 (Field Contacts, Stops, and Protective Pat Downs) Attachment B (Documenting Stops) Part III.C.2 and III.D.4.a to update procedures for documenting the demographics of stopped individuals and to add a biannual audit requirement for consent searches.

## A. Stop Demographic Data Collection

1. When collecting stop demographic data, members are no longer required to conduct a direct inquiry by stating, "Per the NEAR Act, as passed by the Council of the District of Columbia, we are required to ask for your gender, race, ethnicity, and date of birth."
2. Members shall continue to document stopped individuals' gender, race, and ethnicity.
  - a. In cases where an official government identification card is presented by the stopped individual, members may use available information (e.g., sex) from the identification card.
  - b. Alternatively, members may document a person's gender, race, or ethnicity based on the member's observation or, in cases where members are unsure, may either select "unknown" or respectfully inquire how the person identifies and discuss that the data is being collected as required by DC law.
3. Members shall continue to document the stopped individual's date of birth by asking the individual or using information from an official government identification card if presented.
4. Members are reminded that in cases where a stopped person identifies as a transgender individual, the individual's preferred gender shall be used for documentation purposes.

## B. Biannual Consent Search Audits

The Risk Management Division shall conduct two audits each year on compliance with consent search requirements including DC Official Code §5-113.01(a)(4B) (Records –

Required), DC Official Code § 23-526 (Limitation on consent searches), and related MPD policies.

A handwritten signature in black ink, appearing to read "Robert J. Contee III", with a stylized flourish at the end.

Robert J. Contee III  
Chief of Police

RJC:KDO:MOC:SMM