

# EXECUTIVE ORDER



DISTRICT OF COLUMBIA

<b>Subject:</b> <b>Investigations of Negligent Discharges of Electronic Control Devices and Extended Impact Weapons</b>
<b>Number</b> <b>18-007</b>
<b>Effective Date</b> <b>May 29, 2018</b>
<b>Related To:</b> GO-RAR-901.08 (Use of Force Investigations) GO-RAR-901.12 (Extended Impact Weapon) GO-RAR-901.13 (Electronic Control Devices)

## I. PURPOSE

The purpose of this executive order is to amend the investigative procedures for negligent discharges of electronic control devices (ECDs) and extended impact weapons (i.e., "40 mm").

## II. PROCEDURES

### A. Negligent Discharges of ECDs and Extended Impact Weapons

1. After a negligent discharge of an ECD or extended impact weapon, whether on or off duty, the involved member shall immediately notify a supervisor who shall notify their watch commander.
2. The notified watch commander shall complete a PD Form 901b (Preliminary Report Form – Use of Force Incidents).

NOTE: The PD Form 901b can be found on the MPDC Inside Intranet homepage under the *Policies and Procedures* section, by clicking on the *Administrative Investigations* heading.

3. Prior to being relieved from duty, the watch commander shall:
  - a. Email the completed PD Form 901b directly to the Internal Affairs Division (IAD) at [iad.adminbox@dc.gov](mailto:iad.adminbox@dc.gov) with carbon copies (cc) to the involved member's chain of command officials.
  - b. Attach a copy of the completed and signed PD Form 901b to their PD Form 150 (Tour of Duty Supervisors Report).

B. Determination of Misconduct or Use of Force

1. Upon receiving a PD Form 901b for a reported negligent discharge of an ECD or an extended impact weapon, the IAD shall review the incident and determine if the discharge appears to be negligent and whether the incident will be investigated as “misconduct” or a “use of force”.
  - a. Negligent discharges of an ECD or extended impact weapon that **do not** make contact with a person or result in injury or complaint of pain may be considered a misconduct violation based on the circumstances surrounding the discharge and may be assigned as a chain of command investigation.
  - b. Negligent discharges of an ECD or extended impact weapon that make contact with a person or result in an injury or complaint of pain shall be considered a use of force and be investigated by the IAD.



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PN:KDO:MOC:JC