

# EXECUTIVE ORDER



DISTRICT OF COLUMBIA

<b>Subject:</b> <b>Off-Duty Service Firearms and Police Action</b>
<b>Number</b> <b>EO-21-032</b>
<b>Effective Date</b> <b>December 30, 2021</b>
<b>Related to</b> GO-PER-201.26 (Duties, Responsibilities, and Conduct of Members of the Department) GO-RAR-901.01 (Handling of Service Weapons)
<b>Rescinds</b> SO-04-07 (Carry Service Firearms While Off-Duty in the District of Columbia), Effective Date April 1, 2004 TB-07-01 (Off-Duty Safety and Conduct of Metropolitan Police Officers), Effective Date September 19, 2007 TT-02-091-14 (Off-Duty Police Action), Issued February 27, 2014

## I. PURPOSE

Metropolitan Police Department (MPD) members should be vigilant and aware of their surroundings while off-duty in the District of Columbia (DC) in order to maintain their safety and the safety of others. Sworn members, when off-duty in DC, may encounter situations where they have to take police action. The purpose of this executive order is to provide procedures for carrying a service firearm and taking police action while off-duty. Off-duty MPD Reserve Corps members shall be guided by GO-OMA-101.03 (Organization, Authority, and Rules of the Metropolitan Police Department Reserve Corps) regarding their service firearms and taking police action.

## II. PROCEDURES

### A. Off-Duty Service Firearms

1. When carrying a firearm in the District of Columbia, sworn members shall carry their badge and identification card.
2. Sworn members carrying their department-issued service firearm or department-authorized off-duty firearm while off-duty shall carry the weapon on their person in an authorized holster at all times or ensure that the weapon is properly secured in accordance with GO-RAR-901.01 (Handling of Service Weapons).
3. Sworn members traveling off-duty to and from the District of Columbia and carrying their department-issued or authorized off-duty firearm, shall ensure that they are in compliance with all applicable rules, regulations, and laws of the jurisdiction in which they are traveling. Members are not authorized to take police action in jurisdictions outside of the District of Columbia.
4. Off-duty sworn members are required to be armed at all times while in the District with the exception of situations where carrying a weapon may

prove unnecessary or imprudent (e.g., religious services, events where armed security is present, engaging in athletic activities, or any other instance when the member prefers not to be armed while off duty).

5. Off-duty sworn members shall not carry their service firearm or authorized off-duty firearm:
  - a. When consuming, planning to consume, or likely to consume an alcoholic beverage.
  - b. To any public or private event, function, religious gathering, or business or entertainment establishment, where the weapon is required to be removed from their person to store (e.g., checked) or otherwise placed in the custody of another party outside of their direct control.
6. When a sworn member is off-duty and/or is not carrying a firearm, his or her firearm shall be secured in accordance with GO-RAR-901.01.

B. Off-Duty Police Action in the District of Columbia

1. Off-duty sworn members shall only take police action when they have the appropriate training and equipment to safely assist. If there is any doubt as to the member's ability to safely assist, the member shall call 911 and not take police action.
2. In the event of an incident requiring police action, off-duty sworn members shall cooperate fully with on-duty members and abide by MPD policies and procedures. Off-duty members are reminded to adhere to the procedures governing off-duty traffic and parking enforcement as outlined in GO-SPT-303.01 (Traffic Enforcement).
3. Off-duty sworn members shall not take police action except as necessary to protect the member's life or the lives of others in any incident when they are personally involved or have a conflict of interest (due to a family, financial, or other relationship). In these cases, members shall notify the Office of Unified Communications (OUC) to request an on-duty member and official to respond to the scene.
4. Members shall not take police action when carrying a personally-owned firearm or after consuming alcohol. In the event of an incident requiring police action, the member shall call 911.
5. Off-duty sworn members shall only use force in strict accordance with GO-RAR-901.07 (Use of Force) and this order. Members shall attempt to defuse use of force situations with de-escalation techniques whenever feasible. If force is used, members shall ensure that the use of force is reported pursuant to GO-RAR-901.07.

6. Nothing in this order shall be read or interpreted as limiting a member's right to self-defense (i.e., to use a reasonable amount of force in self-defense if the member actually believes he/she is in imminent danger of bodily harm and has reasonable grounds for that belief).
7. Off-duty members shall notify OUC as soon as possible to report the incident requiring police action to request an on-duty member and official to respond to the scene. Members shall follow the direction of the responding on-duty member and remain on the scene until relieved by the on-scene official.
8. When directed to comply with an on-duty law enforcement officer, off-duty members shall use the tentative recognition signal as described in GO-OPS-308.13 (Casual Clothes Units). Absent exigent circumstances, at no time in this situation shall the off-duty member make any further attempt to identify himself or herself until after the situation has stabilized. Members shall not reach for a badge or identification card, concealed or displayed on their person, until the on-duty member gives them permission to do so.
9. Members shall advise the responding member of his or her presence and duty status once the situation has stabilized. Members shall be aware and/or take notes, if applicable, of the circumstances surrounding the incident (e.g., look-outs, witnesses), and share that information with responding members.
10. Pursuant to GO-PER-206.01 (Time and Attendance) and the collective bargaining agreement (CBA), members who take police action off-duty shall be properly compensated when the member's time and continued involvement is necessary, as determined by an official, for an hour or more.
11. The responding official shall report the incident to the watch commander. The watch commander shall ensure that the date, time, and description of incidents involving off-duty police action are documented in the PD Form 150 (Watch Commander Report).



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