

EXECUTIVE ORDER



DISTRICT OF COLUMBIA

Subject: Updated District of Columbia Superior Court Guidelines
Number EO-22-007
Effective Date May 6, 2022
Related to GO-OPS-304.11 (Handling Intrafamily Offenses) GO-OPS-305.01 (Interacting with Juveniles) GO-PCA-701.01 (Courts and Hearings) GO-PCA-702.01 (Arrest and Bench Warrants) GO-PCA-702.03 (Search Warrants)
Rescinds EO-21-006 (Coronavirus 2019: District of Columbia Superior Court Guidelines), Effective Date March 10, 2021

I. PURPOSE

The purpose of this executive order is to announce updated District of Columbia Superior Court guidance and provide court procedures which shall extend beyond the COVID-19 emergency.

II. PROCEDURES

A. Hearings

1. Effective May 9, 2022:
 - a. Timelines for preliminary hearings pursuant to Rule 5.1 and DC Official Code § 23-1322(a) and (b) will cease tolling, so that any new cases presented in C-10, in which a hold is requested, will be set according to the statutes and rules of the court; and
 - b. Orders suspending execution of bench warrants are terminated.
2. In accordance with GO-PCA-701.01 (Courts and Hearings), members are reminded preliminary hearing dates are set by the court at presentment. The arresting member shall obtain the preliminary hearing date and shall not rely upon the computer-assisted notification system (CANS) or teletype to be advised of the member's preliminary hearing.
3. In accordance with EO-20-015 (Coronavirus 2019: Arrest Packages in RMS), members papering an arrest are reminded to properly complete the electronic papering cover sheet. Members shall ensure that papering cover sheet includes their name, cell phone number, and email address.
4. Effective June 8, 2022, members that have received a CANS to testify in a parole hearing shall report in-person and be guided by GO-PCA-701.01.

B. Search and Arrest Warrants

1. Once approved by the member’s reviewing official, members seeking a warrant shall complete the United States Attorney’s Office (USAO) warrant submission form. Each warrant submission shall be submitted **separately** to the applicable warrant intake email address. Members shall include all applicable police paperwork and copy the reviewing official.

Type of Affidavit	Approval
Felony arrest affidavits Search warrant affidavits	USADC.Felonywarrants@usdoj.gov
Misdemeanor arrest affidavits	USADC.Misdemeanorwarrants@usdoj.gov

2. Upon USAO approval, the member will receive a signed and dated warrant for submission to the court. Members shall sign and submit the approved warrant and affidavit (and coversheet, if applicable) to the warrant office at DCCriminalWarrants@dcsc.gov along with his or her contact information. The warrant office will forward the information to the assigned warrant judge who will call the member to swear to the affidavit. The member shall be prepared to provide the judge with any additional information, as needed. If the judge approves the warrant, he or she will email a signed copy back to the warrant office, USAO, and the member.
3. Members requesting emergency warrants after business hours (0830-1630) shall submit the warrant to the on-duty emergency judge. Requests shall be routed through the Mayor’s Command Center and limited to emergency warrants (e.g., search warrant requests for a scene held by law enforcement or arrest warrant for an individual who poses an imminent danger to the community).
4. For buccal swab warrants in connection with any gun arrest where the gun was (or will be) swabbed for DNA, members shall complete a buccal swab search warrant affidavit and warrant and email the drafts along with a completed Giglio form and the member’s department cell phone number to usadc.lu.list.buccals@usdoj.gov (subject line: LU List Buccal – Defendant’s First and Last Names – CCN). Once the USAO receives the judge-signed warrant, they will submit it to the Central Cell Block (CCB) email group for execution.
5. Members shall file a return **by the end of the next business day** by signing the return portion and emailing it along with a complete itemized inventory of all seized property to DCCriminalWarrants@dcsc.gov. Members shall ensure that their contact information is included in the body of the email but not on the affidavit since the affidavit is a public document. Warrants which expire before they are executed shall also be returned to court. Members executing buccal swab warrants shall send returns to DCCriminalWarrants@dcsc.gov with a copy to usadc.lu.list.buccals@usdoj.gov.

C. Juvenile Search Warrants and Pre-Petition Custody Orders

1. Once approved by the reviewing official, members shall email a copy of the coversheet, affidavit, and all police paperwork to the Office of the Attorney General (OAG) at juvenilewarrants@dc.gov for initial review.
2. For approved search warrants, OAG will electronically sign and forward the approved order back to the member. Members shall submit a signed copy of the coversheet (if applicable) and affidavit to the CIC at FamilyCourtJ&NProcessing@dcsc.gov along with his or her contact information.
3. For pre-petition custody orders (PPCOs), a petition will be generated. OAG will then call the member and swear the member to the petition and the affidavit over the phone. OAG will email the signed petition, affidavit, custody order form, and charge code back to the member. Members shall submit a signed copy of the PPCO packet to the Central Intake Center (CIC) at FamilyCourtJ&NProcessing@dcsc.gov along with his or her contact information.
4. The CIC will forward the signed warrant paperwork to the assigned judge who will call the officer to swear to the affidavit. Upon approval, the CIC will email the signed warrant or PPCO to OAG and the member.

D. Domestic Violence Cases

1. A petition for a civil protection order (CPO) can be filed in the Domestic Violence Division of the Superior Court of the District of Columbia. Petitioners can ask the court for a civil protection order by submitting a petition online at <https://www.probono.net/dccourts/>. District of Columbia Survivors and Advocates for Empowerment (DC SAFE) will assist petitioners, as needed. Additional instructions for petitioning the court for a protection order are online at <https://www.probono.net/dccourts/domesticviolence/>.
2. The petitioner is responsible for personal service of the petition for a CPO, the notice of hearing, and the temporary protection order (TPO), if issued, on the respondent. A petitioner may request that MPD attempt to serve the respondent if the petitioner provides an address located within the District of Columbia.
3. Victims in immediate danger or likely subject to bodily harm during such time that court is not open may be eligible for an emergency temporary protection order (ETPO). DC SAFE will contact the court who will have a judge review the petition and determine if a hearing will be held. If a hearing will be held, the DC SAFE advocate will send the petitioner to the Seventh District and connect the judge with the petitioner and a Seventh District watch commander or on-duty official. The court will send the final

order, packet with petition and notice, and return of service to the Seventh District watch commander or on-duty official.

4. Members may contact DC SAFE advocates Kylie Hogan at kylie@dcsafe.org, Jenny Wesberry at jwesberry@dcsafe.org, or the DC SAFE Crisis Response Team at (800) 407-5048 with questions or concerns.



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