

# GENERAL ORDER



**DISTRICT OF COLUMBIA**

|  |               |               |
|--|---------------|---------------|
| <b>Subject</b>   |               |               |
| <b>Non-Uniformed Assignments</b>   |               |               |
| <b>Topic</b>   | <b>Series</b> | <b>Number</b> |
| <b>PER</b>   | <b>201</b>    | <b>01</b>     |
| <b>Effective Date</b>  |               |               |
| <b>September 15, 2014</b>  |               |               |
| <b>Replaces:</b>   |               |               |
| GO 201.1 (Non-Uniformed Assignments), Effective Date February 24, 1992                 |               |               |
| <b>Rescinds:</b>   |               |               |
| SO-04-12 (Investigator Selection Process), Effective Date, August 2, 2004              |               |               |
| SO-04-19 (Detective Grade One Promotional Process), Effective Date, September 24, 2004 |               |               |
| <b>Related to:</b>   |               |               |
| GO 308.13 (Casual Clothes Units)   |               |               |

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## **I. BACKGROUND**

The Metropolitan Police Department (MPD) recognizes that criminal investigation is a responsibility that requires technical skills and that future crimes may be prevented when investigations and arrests produce the conviction of those responsible for criminal acts. The purpose of this order is to establish policies regarding the selection for assignment to investigative and other non-uniformed duties.

## **II. POLICY**

It is the policy of the MPD that selected members work in non-uniformed assignments to support the Department's mission and goals. Non-uniformed assignments include casual clothes officers, undercover officers executive protective technicians, investigators, and detectives (grade one and grade two). These members shall not wear uniforms on duty unless directed to do so, and they shall be assigned or detailed to these positions based on their ability to perform the functions and carry out the duties and responsibilities of the assignment.

### III. REGULATIONS

#### A. Casual Clothes Officers

1. A casual clothes officer is a member whose duties, operations, and investigations make the wearing of a uniform impractical. Casual clothes officers support uniformed members through surveillance, intelligence gathering, stakeouts, and detecting and apprehending individuals who commit crimes.
2. Members in casual clothes are deployed in specific areas with specific objectives and goals where it is anticipated that criminal activity will likely occur.
3. Members shall be selected for a casual clothes detail or assignment by their commanding officer.
4. Members working in casual clothes shall ensure their compliance with GO-OPS-308.13 (Casual Clothes Units).

#### B. Undercover Officers

1. An undercover officer is a non-uniformed member, other than a regularly assigned investigator or detective, who is utilized by any organizational element for collection of data for file, information, administrative, prosecution, or other relevant purposes.
2. An undercover officer is generally distinguished by a short-term appointment, close supervision, and reliance on anonymity to reach assigned objectives.
3. Undercover assignments are normally confined to the Narcotics and Special Investigations Division and vice investigative units within the patrol districts.
4. Members shall be selected for an undercover detail or assignment by their commanding officer.

#### C. Executive Protection Technicians

1. Executive protection technicians are members assigned by the Chief of Police to provide protection to the Mayor of the District of Columbia. Executive protection technicians for

other government officials shall be selected by the Chief of Police on an as-needed basis.

2. The members of this assignment generally wear business attire.

D. Investigators

1. The investigator position represents the first level in the field of criminal investigations. The essential functions of an investigator are to proactively and reactively conduct investigations of crimes, to gather facts and evidence leading to the apprehension and successful prosecution of offenders, and to recover stolen property.
2. While serving as investigators, members must develop and demonstrate the skills essential to successful criminal investigations.
3. Selection of Investigators
  - a. Members shall be selected for assignment as investigators based on written criteria established by the Chief of Police.
  - b. Members who wish to apply to be considered for an investigator position must meet the following minimum qualifications as of the Investigator Selection Process qualifying date:
    - (1) Have at least three full years of service, continuous or intermittent as a sworn member with MPD;
    - (2) Have their Optional Sick Leave and Expected Tardiness Program privileges in effect during the prior year;
    - (3) Have a most recent final annual performance rating of at least 3 - Meets Expectations; and
    - (4) Have current in-service training and firearms certifications issued by the Metropolitan Police Academy (MPA).

- c. The selection process for the position of investigator shall be outlined in a Department-issued circular or other similar issuance.
- d. On the basis of the Investigator Selection Process, the Chief of Police shall establish a register of eligible candidates who successfully complete all phases of the Investigator Selection Process. Placement on a register does not guarantee selection or promotion.
- e. Each investigator register established under this order shall be structured in descending rank order in accordance with the results of the Investigator Selection Process. Candidates' full names will be listed in the final ranking of the candidates.
- f. The final position of sworn members on the register who have obtained identical scores shall be determined by Article 25 (Seniority) of the Labor Agreement between the Metropolitan Police Department and the Fraternal Order of Police.
- g. At the time of appointment, members selected for the position of investigator from the register must meet the following qualifications:
  - (1) Have their Optional Sick Leave and Expected Tardiness Program privileges in effect during the year prior to the date of appointment as an investigator;
  - (2) Have a rating of at least 3 - Meets Expectations on any annual performance rating awarded while on the register;
  - (3) Have current in-service training and firearms certifications issued by the MPA;
  - (4) Have successfully completed investigator training and demonstrated proficiency in required skills; and
  - (5) Have no judicial or administrative findings related to truthfulness in their background which would preclude them from being able to

testify or apply for warrants at the time of selection as an investigator.

- h. Unless otherwise authorized by the Chief of Police, the investigator register of eligibles shall remain in effect for two years from the date the register is established.
4. Retention and Evaluation of Investigators
- a. The investigator position affords those sworn members selected for criminal investigations work the opportunity to demonstrate a level of job performance that will justify a decision to retain them in an assignment requiring a high degree of special skills.
  - b. If at any time a supervisor concludes that a sworn member's job performance as an investigator is below average, (e.g., needs improvement as identified and measured by the Department's performance evaluation system for sworn members), the supervisor shall prepare a PD Form 62 (Performance Rating), as a Special Rating and a PD Form 62-D (Performance Rating Warning Notice), including the Performance Rating Improvement Plan.
  - c. The supervisor shall meet with the second-level supervisor to review the rating. The second-level supervisor shall indicate his or her approval by signing and dating the form in ink above the Rater's Signature block and shall also sign the PD Form 62-D.
  - d. Following approval by the second-level supervisor, the supervisor shall meet with the investigator to discuss the warning, obtain the signature of the sworn member on the PD Form 62 and PD Form 62-D and provide the ratee a copy of both forms.
  - e. The rater shall place the original PD Form 62 and PD Form 62-D in the documentation file and submit a copy to the reviewer and commanding officer.
  - f. The supervisor shall document all efforts to improve the sworn member's performance.

- g. If, after 90 days, the member's job performance remains below a satisfactory level, the supervisor shall recommend that the sworn member not be retained as an investigator and be reassigned to other duties.

E. Detectives Grade Two

1. The detective grade two position represents members whose primary responsibility is the investigation of criminal cases, missing persons, or serious traffic accidents. The duties of a detective grade two extend beyond the preliminary or auxiliary investigative duties performed by patrol officers.
2. A member acquires the classification of detective grade two only after completing at least one year assigned as an investigator, provided that his or her commanding officer has thoroughly evaluated his or her development and performance and certifies that advancement is warranted. Case loads, closure rates, and arrest rates shall be crucial among the factors considered when making this determination.
3. An officer assigned as a detective grade two may be removed from this position only upon a sustained adverse action that is accompanied by a specific recommendation for removal.

F. Detectives Grade One

1. The detective grade one position represents the expert level in the field of criminal investigations. The detective grade one possesses in-depth analytical and investigative skills, a comprehensive knowledge base of investigative practices, current case law, forensics, MPD policies and procedures as well as an information network that has been developed through extensive training and experience.
2. Based on their expertise, detectives grade one are tasked with resolving the MPD's critical, sensitive, urgent, and difficult investigations.
3. Detectives grade one may be required to serve as technical staff advisors on investigative matters, as investigative

review officers, as investigative field training officers, and as acting detective sergeants.

4. Selection of Detectives Grade One
  - a. Members shall be selected for assignment as detectives grade one based on written criteria established by the Chief of Police.
  - b. Members who wish to apply to be considered for a detective grade one position must meet the following minimum qualifications as of the Detective Grade One Selection Process qualifying date:
    - (1) Be currently assigned as a detective grade two;
    - (2) Have at least seven full years of service, continuous or intermittent, as a sworn member;
    - (3) Have at least five full years of creditable service as a detective grade two;
    - (4) Have their optional Sick Leave and Expected Tardiness Program privileges in effect during the prior year;
    - (5) Have a most recent final annual performance rating of at least 3 - Meets Expectations; and
    - (6) Have current in-service training and firearms certifications issued by the MPA.
  - c. The selection process for the position of detective grade one shall be outlined in a Department-issued circular or other similar issuance.
  - d. On the basis of the Detective Grade One Selection Process, the Chief of Police shall establish a register of eligible candidates who successfully complete all phases of the Detective Grade One Selection Process. Placement on a register does not guarantee selection or promotion.
  - e. Each detective grade one register established under this order shall be structured in descending rank order

in accordance with the results of the Detective Grade One Selection Process. Candidates' full names will be listed in the final ranking of the candidates.

- f. The final position of sworn members on the register who have obtained identical scores shall be determined by Article 25 (Seniority) of the Labor Agreement between the Metropolitan Police Department and the Fraternal Order of Police.
- g. At the time of appointment, members selected for the position of detective grade one from the register must meet the following qualifications:
  - (1) Be assigned as a detective grade two in active status;
  - (2) Have their Optional Sick Leave and Expected Tardiness Program privileges in effect during the year prior to the date of appointment as a detective grade one;
  - (3) Have a rating of at least 3 – Meets Expectations on any annual performance rating while on the register;
  - (4) Have current in-service training and firearms certifications issued by the MPA;
  - (5) Have successfully completed detective grade one training and demonstrated proficiency in required skills;
  - (6) Have not sustained a final adverse action resulting in a suspension of 20 days or more after establishment of the register; provided that a member's promotion may be held in abeyance, in accordance with the labor agreement, pending a final disposition of any proposed adverse action; and
  - (7) Have no judicial or administrative findings related to truthfulness in their background which would preclude them from being able to testify or apply for warrants at the time of selection as a detective grade one.



- h. Unless otherwise authorized by the Chief of Police, the detective grade one register shall remain in effect for two years from the date the register is established.
- 5. An officer assigned as a detective grade one may be removed from this position only upon a sustained adverse action that is accompanied by a specific recommendation for removal.

#### **IV. PROCEDURES**

##### Clothing Allowance

- A. A clothing allowance shall be paid to all sworn personnel assigned to undercover or investigative duties whose assignment necessitates the wearing of non-uniform apparel.
- B. District or division commanders shall designate those officials below the rank of captain within their commands who may receive this allowance; assistant chiefs shall designate those captains and above within their commands who may receive this allowance.
- C. The sole basis for a decision to recommend payment of a clothing allowance shall be a determination that wearing the uniform will significantly interfere with the performance of an official's assigned duties.
- D. All officials not so designated shall be required to perform their duties in uniform unless this requirement is specifically waived by the division commander with the understanding that a clothing allowance will not be approved.
- E. Payment of authorized clothing allowances shall be on a semi-annual basis as follows:
  - 1. Members assigned to duties requiring the member to regularly wear court attire (e.g., coat and tie, skirt and blouse) shall, upon the recommendation of their commanding officer, and appropriate approval, receive a clothing allowance in the amount specified in the Collective Bargaining Agreement.
  - 2. Members assigned to duties requiring the member to regularly wear casual clothes shall, upon the recommendation of their commanding officer, and

appropriate approval, receive a clothing allowance in the amount specified in the Collective Bargaining Agreement.

3. Should a member be required to wear both court attire and casual clothing, he or she shall receive the higher amount if the assignment requires the wearing of court attire more than half the time the member works in any such assignment.
- F. Clothing allowances are computed on a monthly basis; therefore, in order to receive credit for the entire month, a member must:
- a. Be eligible for the allowance on or before the 15th day of the month, and
  - b. Have performed duties in a qualifying position for a majority of the work days of that month.
- G. District or division commanders or directors shall certify all members within their command who are eligible to receive clothing allowance under the provisions of this order. Such certification shall be forwarded directly to Payroll for review and payment, if approved.
- H. Certifying officials shall submit semi-annual reports on FMS Form 430 (Voucher) completed after March 15 and forwarded by March 20 for the six-month period ending March 31, and completed after September 15 and forwarded by September 20 for the six-month period ending September 30<sup>th</sup>, to Payroll.
- I. Personnel regularly assigned to undercover duty or investigative functions shall not be required to work a probationary period before receiving a clothing allowance.
- J. To be eligible to receive clothing allowance during the computation period, a member must meet the following criteria:
1. A member must be formally assigned or detailed to a non-uniformed position which has been specifically defined as non-uniformed.
  2. A member must actually perform the duties and responsibilities of that assignment for a majority of the work days of that month.

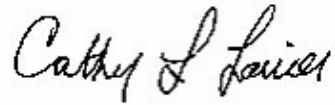
- K. A member shall not be placed in the assignment solely for the purpose of maintaining eligibility to receive an allowance (for example, a member assigned to old clothes tactical patrol is detailed to a uniformed assignment for three months. During this three-month period, a member is not eligible to receive a clothing allowance and shall not be given an old clothes assignment solely for the purpose of maintaining eligibility to receive an allowance.)

## **V. ROLES AND RESPONSIBILITIES**

- A. The Director of the Testing and Assessment Branch shall:
  - 1. Advise the Chief of Police of the information relating to eligibility, qualifications, and procedures that should be included in the selection process announcement for the positions of investigator and detective grade one.
  - 2. Maintain all records pertaining to the investigator and detective grade one selection processes, consistent with the records retention schedule.
  - 3. Prepare a numerical ranking based on candidate scores for publication as a list of eligible candidates for each selection process.
- B. The Director of the Human Resource Management Division shall:
  - 1. Maintain a record of members selected from the list of eligible candidates for investigator and detective grade one.
  - 2. Ensure performance and personnel records of officers eligible for selection as investigators and detectives grade one are reviewed for sufficiency prior to selection.
- C. Commanding officers shall notify the Director of the Human Resource Management Division in writing of vacancies in the position of investigator and detective grade one.
- D. The Executive Director of the Corporate Support Bureau shall review all vouchers for clothing allowances and approve those which meet the requirements of this order.

**VI. CROSS REFERENCE**

- A. GO-OPS-308.13 (Casual Clothes Units)

A handwritten signature in black ink that reads "Cathy L. Lanier". The signature is written in a cursive style and is positioned to the left of a vertical line.

Cathy L. Lanier  
Chief of Police

CLL:PAB:MOC:AWS:LAW