

# GENERAL ORDER



DISTRICT OF COLUMBIA

<b>Title</b>		
<b>Field Contacts, Stops, and Protective Pat Downs</b>		
<b>Topic</b>	<b>Series</b>	<b>Number</b>
<b>OPS</b>	<b>304</b>	<b>10</b>
<b>Effective Date</b>		
<b>July 9, 2019</b>		
<b>Replaces:</b>		
GO-OPS-304.10 (Field Contacts, Stops, and Protective Pat Downs), Effective Date November 9, 2018		
<b>Rescinds:</b>		
EO-19-001 (Categorizing Body-Worn Camera Recordings Involving Stops), Effective Date May 8, 2019		

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## I. PURPOSE

The purpose of this order is to establish policies and procedures governing field contacts, stops, protective pat downs, and searches that may occur during a stop. Policies and procedures concerning arrests and searches connected with arrests are covered in other directives. This order is intended to promote public safety and to safeguard members of the Department from injury, while ensuring that invasions of individual privacy are held to a minimum.

## II. PROCEDURES

### A. Field Contacts

1. Field contacts may be initiated at any time by members. No evidence of any crime is needed to initiate a field contact, and the encounter may be terminated at any time by either party.
2. Since a field contact involves solely the voluntary cooperativeness of an individual who is free not to respond and to leave, the standard for a field contact does not require probable cause, reasonable suspicion, or any other specific indication of criminal activity.
3. Members may initiate a field contact for any legitimate, police-related purpose including to question potential witnesses observed near the scene of a crime who may have knowledge relevant to the investigation. Field contacts **shall not** be conducted in a hostile or aggressive manner, or as a

means of harassing an individual or attempting to coerce an individual to leave an area merely because he or she is “hanging around” or loitering.

#### 4. Initiating a Field Contact

Members may initiate a field contact with an individual in any place the member has a right to be. This applies to all public space. It is difficult to define precisely other places where members have a right to be. Generally, they may include:

- a. Areas of government-owned or possessed property normally open to officers and the public;
- b. Places intended for public use, or normally exposed to public view;
- c. Places to which the member has been admitted with the consent of an individual empowered to give such consent;
- d. Places to which the member may be admitted pursuant to a court order (e.g., an arrest or search warrant);
- e. Places where the circumstances require an immediate law enforcement presence to protect life, well-being, or property; and
- f. Places in which the member may make a lawful warrantless arrest.

#### 5. Conducting Field Contacts

- a. When engaging in a field contact, members shall not detain an individual in any manner against their will, nor conduct a protective pat down. Members may not require the individual to answer questions or respond in any way to the member if they choose not to do so. Members may not use force or coercion to require individuals to stop or to respond.
- b. Members must constantly keep in mind that the distinction between a field contact and a stop depends on whether, under the particular circumstances, an individual could reasonably perceive that he or she is not free to leave the member's presence. Therefore, members shall take special care to act in as restrained and courteous a manner as possible.
- c. Members should avoid short responses that could be misunderstood or requests that sound like commands. Members should phrase verbal requests, whenever possible, with **optional** words and phrases such as “may” or “would you mind”.
- d. The duration of a field contact should be as brief as possible. Frequently, the success, or failure, of conducting a meaningful field contact will depend upon the member's ability to put individuals at

ease and establish rapport.

- e. If, during a field contact, individuals ask whether they must respond, or give the impression of feeling compelled to respond, members shall immediately inform them of their right to refuse or leave.
- f. Where individuals refuse or cease to cooperate during a field contact, they **must** be permitted to go on their way unless, based on the totality of the circumstances as described in Part II.B, the field contact is escalated to a stop. The refusal to cooperate (or silence) cannot, absent other factors, be used as the basis to escalate the encounter into a stop.
- g. Members shall bear in mind that individuals are not required to possess, or have on their person, any means of identification, nor, absent unusual circumstances, can individuals be required to account for their presence in a public place.

## B. Stops

### 1. Basis for a Stop

If a member has **reasonable suspicion** that an individual has committed, is committing, or is about to commit any crime, the member has the authority to stop the individual for the purpose of determining whether or not probable cause exists to arrest. The member may exercise that authority in any place in which he or she has a legal right to be.

### 2. Reasonable Suspicion

The term reasonable suspicion necessitates a minimal level of objective justification for making the stop. Although reasonable suspicion is not capable of precise definition, it is more than a hunch or mere speculation but less than the probable cause necessary to arrest. Members shall consider the totality of the circumstances and base reasonable suspicion on their training and experience. The following list contains some of the factors that may be considered in determining whether reasonable suspicion exists:

#### a. Stopped Individual's Characteristics:

An individual may generally fit the description of an individual wanted for a known offense. The individual may seem to be suffering from a recent injury related to a known offense, fatigued from running, overly nervous, under the influence of alcohol or drugs, or other factors may exist that tie the individual to an offense.

#### b. Stopped Individual's Actions:

An individual may be fleeing from an actual or possible crime scene, hiding, discarding possible items of evidence, be in the area

of a known offense soon after its commission or in an area known for the type of criminal activity on which the suspicion is based, or be in an area during a time of day during which criminal activity of the kind suspected might usually occur (e.g., a late hour when it would be unusual for individuals to be in a certain area).

c. Demeanor during a Field Contact:

During a field contact an individual may respond to inquiries with evasive, suspicious, or incriminating replies or may be excessively tentative or nervous.

d. Police Training and Experience:

A member may have experience in investigating a particular kind of criminal activity and recognize an individual's conduct as consistent with a pattern or modus operandi generally followed in particular criminal offenses.

e. Information Obtained from Witnesses or Informants:

An investigating member may base his or her suspicion upon information supplied by civilian witnesses or police informants deemed reliable, either by virtue of their character or by information provided that has been corroborated by the member. Anonymous tips shall be considered in combination with the totality of the circumstances to justify a stop. Based upon an anonymous tip, members may respond to a location and observe the suspect to see if the tip is credible or reliable. Members must then use their own observations of the suspect to determine whether they have the reasonable suspicion necessary to conduct a stop.

f. Information Obtained from Law Enforcement Sources:

- (1) The member may recognize an individual as having an arrest or conviction record or know of an individual by reputation.
- (2) The member may rely on reasonable suspicion developed by another officer, including one from another police agency, and on sources of police information such as lookouts, flyers, and teletype messages.
- (3) The member may have other information that may tend to tie an individual to a crime that would justify a stop. For example, an individual may occupy a wanted vehicle or be in a premise that is the target of a search warrant. In instances of this type, the member shall conduct a stop to determine if sufficient probable cause exists to make an arrest.

### 3. Citing Justification for a Stop

Every member conducting a stop must be prepared to cite the particular factors that supported the determination that reasonable suspicion existed. The record of the stop shall contain all factors relied on, whether or not they are specifically described in Part II.B.2.

Example: In the early morning hours, a member on patrol receives a broadcast that a homicide has just occurred at a particular location. A general physical description of the suspect is given, and he is said to be wearing a dark jacket. Soon afterwards, in the vicinity of the homicide, the member observes a man generally fitting the physical description but not wearing a dark jacket. Under these circumstances a stop is proper and the member's reasonable suspicion is justified based on the individual's characteristics, the area of the stop, and the type of crime under investigation.

### 4. Police Conduct during a Stop

In determining whether a stop is reasonable and lawful, every phase must be conducted in a reasonable manner.

#### a. Duration of a Stop

- (1) An individual may be stopped at or near the origination of the stop for a reasonable time.
- (2) Members shall stop an individual for only the length of time required to obtain the information necessary for the investigation.
- (3) The length of the stop must be reasonable and will be evaluated on the particular facts, but caution dictates moving quickly so as to avoid the stop becoming more like an arrest.
- (4) When a stop occurs over an extended period of time, officers shall articulate the justification for the length of the stop in the records management system (RMS) report.

#### b. Explanation to Stopped Individual

- (1) Members shall act with restraint and courtesy.
- (2) Members shall identify themselves as a law enforcement officer as soon as practicable after making a stop.
- (3) Prior to release, members shall give the individual a general explanation of the purpose of the stop. If an arrest is made, members shall also provide the reason for their arrest.

- (4) The record of the stop shall briefly note that the member gave the individual an explanation for the stop, and the nature of that explanation.

c. Rights of Stopped Individuals

- (1) The member may direct questions to the stopped individual for the purpose of obtaining their name, address, and an explanation concerning their presence and conduct.
- (2) The stopped individual shall not be compelled to answer questions or produce identification for examination by the member.

d. Refusal to Cooperate

Neither refusal to answer questions nor to produce identification by itself establishes probable cause to arrest. However, such refusal may be considered, along with other factors, as an element contributing to probable cause if, under the circumstances, an innocent individual could reasonably be expected not to refuse.

5. Initiating a Stop

Members shall use the least coercive means necessary to conduct a stop. The least coercive means, depending on the circumstances, may be a verbal request, an order, or the use of physical force.

6. Use of Physical Force

- a. Members may use only such force as is reasonably necessary to carry out the authority granted by this order and GO-RAR-901.07 (Use of Force).
- b. If the member is attacked or circumstances exist that create probable cause to arrest, the member may use the amount of force necessary, in accordance with GO-RAR-901.07 (Use of Force), to defend him or herself or make an arrest.

7. Stopping Potential Witnesses under Exigent Circumstances

- a. A stop of a potential witness is authorized only in exigent circumstances (i.e., a person suspected to be an eyewitness to a recently committed "crime of violence" as defined in D.C. Official Code § 23-1331(4)). (See Part III.1, "Definitions").
- b. In such exigent circumstances, a member responding to the scene of a crime may briefly stop a potential witness to "freeze" the situation for only the length of time necessary to obtain identification and an account of the circumstances from the person.

**NOTE:** Interviews with willing witnesses are authorized under the field contact section in Part II.A.3.

C. Protective Pat Downs

1. Basis for a Protective Pat Down

A member may pat down a stopped individual if the member has **reasonable suspicion** that the individual is carrying a concealed weapon or dangerous instrument and that a pat down is necessary to self-protect or protect others. The protective pat down may be conducted at any time during the stop, so long as reasonable suspicion to conduct the pat down exists.

2. Reasonable Suspicion to Support a Protective Pat Down

- a. Reasonable suspicion to support a pat down is more than a vague hunch and less than probable cause. If, under the circumstances, a reasonably prudent law enforcement officer would be warranted in believing his or her safety or that of other individuals is in danger because the individual may be carrying a weapon or dangerous instrument, a pat down is justified.
- b. Members shall consider the totality of the circumstances and base reasonable suspicion to support a pat down on their training and experience. The following list contains some of the factors that may be considered in determining whether reasonable suspicion to support a pat down exists:

(1) Individual's Characteristics:

A stopped individual's clothes may bulge in a manner suggesting the presence of an object capable of inflicting injury. His or her behavioral characteristics, like demeanor, may suggest the possibility that the individual may be carrying a weapon.

(2) Individual's Actions:

A stopped individual may have made a movement as if to hide a weapon when approached, appear nervous during the course of the stop, use threatening words or actions, be in an area known for criminal activity or be so isolated that witnesses to an attack would be unlikely, or occur at a time of day when an attack is more difficult to defend or more likely to occur (e.g., during a period of darkness or during a time of day that is consistent with a serious or violent crime pattern).

(3) Prior Knowledge:

The member may know that a stopped individual has an arrest or conviction record for weapons or other potentially violent offenses, or a reputation in the community for carrying weapons or for aggressive behavior.

- c. An anonymous tip that an individual has engaged in or is about to engage in criminal conduct is **not sufficient** to justify a protective pat down without independent evidence of criminal activity apart from the anonymous tip. Based upon an anonymous tip, members may respond to a location and observe the suspect to see if the tip is credible or reliable. Members must then use their own observations of the suspect to determine whether they have the reasonable suspicion necessary to conduct a stop and protective pat down.

3. Citing Justification for Protective Pat Down

- a. Every member conducting a protective pat down must be prepared to cite the specific factors that supported his or her determination that reasonable suspicion existed to support the pat down.
- b. The RMS record of the protective pat down shall contain all factors relied upon to establish reasonable suspicion.

4. Protective Pat Down Procedure

- a. A protective pat down authorized under this order shall be limited to seeking possible weapons or dangerous instruments.
- b. The authority to pat an individual down shall not be used to conduct full searches designed to produce evidence or other incriminating material. Full searches of individuals conducted without adequate probable cause to arrest are illegal and are specifically prohibited by this order.
- c. Protective pat down procedures are as follows:
- (1) If the individual is carrying an item immediately separable from his or her person, such as a purse, shopping bag, or briefcase, it shall be taken from him or her.
- (a) The member shall not search inside the object but shall place it at a safe distance out of the individual's reach for the duration of the stop.
- (b) If something occurs during the stop that makes the member reasonably suspect the possibility of harm should he or she return an unsearched item without first inspecting it, he or she may briefly inspect the



contents in order to determine if the item contains a weapon or other dangerous objects.

- (c) The member must be able to articulate the factors justifying an inspection of the contents of the item, and shall note such factors in the RMS report.
- (2) The member shall first pat down the area of the individual's body or clothing most likely to contain a concealed weapon or dangerous instrument. Outer clothing may be opened to allow a pat down of shirts and trousers to determine adequately if a weapon is concealed under the outer clothing.
- (3) The member shall not reach inside the individual's clothing or pockets during a pat down, unless the member feels something that may reasonably constitute a weapon or dangerous instrument.
  - (a) In such event, the officer may reach inside that portion of the individual's clothing to uncover the article that was felt.
  - (b) Although objects such as change, envelopes, and other papers may be detected as a result of the protective pat down, members have no authority to require their removal prior to an arrest because they are not likely to constitute, or be used as, weapons or dangerous instruments.
- (4) A member may also take steps to secure those areas that the stopped individual would reasonably reach during the detention if the member reasonably suspects that the individual might obtain an object from such an area and attempt to harm the member.
- (5) If, during the course of a protective pat down, the member feels an object and believes that it could be used to harm him or her or others, the member may take whatever action is necessary to examine the object and to secure it for the duration of the detention.

Example: While approaching a suspect, a member observes him thrust his hand into his left front pants pocket, and withdraw it. The suspect is asked for identification, and says he has none. The member runs his or her hand over the pants pocket and feels a soft lump. The member's actions to this point are proper. However, if the member then reaches into the pocket to recover the object, this action is improper, since the member could not, from these facts, reasonably believe the soft lump was a dangerous weapon or instrument.

5. Discovery of Weapon Lawfully Possessed

If a protective pat down discloses a weapon, the possession of which is licensed or otherwise lawful, the member shall secure it out of the individual's reach for the duration of the stop. Ammunition may be removed from any firearm, and the weapon and ammunition returned in a manner that ensures the member's safety.

6. Discovery of Incriminating Evidence

a. If, while conducting a protective pat down, a member feels an object that he or she reasonably believes to be a weapon or dangerous instrument, he or she may reach in and remove it.

(1) If, while in the process of removing what is believed to be a weapon, the member discovers other items that are contraband, instrumentalities, or evidence of a crime, he or she may lawfully seize the items.

(2) These items may be considered in determining whether probable cause exists to arrest the individual. If, as a result, an arrest is made, a search incident to arrest is proper.

b. Nothing in the preceding paragraph authorizes searches for incriminating evidence without probable cause. Members shall at all times understand that the authority to conduct a protective pat down is limited.

7. Situations may occur where the member possesses sufficient information from an individual, informant, or otherwise that simultaneously provides reasonable suspicion for a stop and a reasonable belief that the individual to be stopped is armed.

a. In such a situation, a protective pat down is justified immediately upon confronting the individual. If the member reasonably believes he or she knows the location of the weapon, he or she may immediately reach inside the individual's clothes or pockets to remove the weapon without conducting a protective pat down.

Example: A member is informed that an individual is sitting in the front passenger seat of a specific automobile with a pistol in his waistband. The member approaches the car and observes an individual generally fitting the description sitting in the front seat passenger side. The member immediately reaches into the waistband of the man's trousers and recovers a pistol.

D. Searches Conducted during a Stop

1. A member may conduct a search during a stop when proper legal justification for the search exists. The search may be conducted at any time during the stop, so long as legal justification to conduct the search exists.

2. Searches conducted during a stop shall be conducted pursuant to GO-SPT-602.01 (Vehicle Searches and Inventories) and GO-PCA-702.03 (Search Warrants) and documented pursuant to Attachment B. Post-arrest searches are not subject to NEAR Act documentation requirements but shall be conducted and documented in accordance with Department policies and procedures.

3. Consent Searches

A member may conduct a search based upon valid consent of the individual whose person or property is being searched. The Fourth Amendment requires that consent to a search not be coerced, by explicit or implicit means, by implied threat, or covert force.

4. Probable Cause Vehicle Searches

A member may conduct a warrantless vehicle search based upon probable cause to believe that contraband is in a moveable (i.e., operable) vehicle in a public area (e.g., public space, place commonly used for vehicular movement, shopping center, parking lot).

- a. This includes any closed container, locked or unlocked, that could conceal the item to be seized. Pursuant to *Carroll v. U.S.* 267 U.S. 132 (1925) there is no requirement of exigent circumstances to justify a warrantless search.
- b. Once established, authority to search the vehicle remains even if a suspect is removed from the vehicle and kept nearby.

5. Protective Vehicle Searches

A member may conduct a limited protective search of the passenger compartment of a lawfully stopped vehicle for concealed weapons or dangerous instruments.

- a. Pursuant to *Michigan v. Long*, 463 U.S. 1032 (1983), a cursory vehicle search, also known as a vehicle frisk, is limited to places in the interior passenger compartment in which a quickly accessible weapon could be placed or hidden.
- b. A closed container found in the passenger compartment may be opened and checked for weapons as long as the contents of the container are immediately accessible to vehicle occupants (i.e., the container opened quickly without breakage).

6. Searches Conducted with a Warrant

A member may conduct a search pursuant to a valid search warrant granted by a judge or magistrate based upon probable cause. Search warrant procedures can be found in GO-PCA-702.03 (Search Warrants).

## E. Record Keeping

1. Members **may** maintain records of field contacts, consistent with the rules set forth in Attachment A (Documenting Field Contacts). Documenting contacts is optional unless required by an official.
2. Members **shall** maintain records of **all** stops consistent with the rules set forth in Attachment B (Documenting Stops).
3. Members shall enter all RMS reports prior to the end of their shift.
4. Reviewing officials shall review all RMS reports for conformity with this order, including ensuring that officers are documenting the factors that supported the determination that reasonable suspicion was present.

## III. DEFINITIONS

When used in this directive, the following terms shall have the meanings designated.

	<b>Term</b>	<b>Definition</b>
1.	Crime of violence	The term "crime of violence" means aggravated assault; act of terrorism; arson; assault on a police officer (felony); assault with a dangerous weapon; assault with intent to kill, commit first degree sexual abuse, commit second degree sexual abuse, or commit child sexual abuse; assault with significant bodily injury; assault with intent to commit any other offense; burglary; carjacking; armed carjacking; child sexual abuse; cruelty to children in the first degree; extortion or blackmail accompanied by threats of violence; gang recruitment, participation, or retention by the use or threatened use of force, coercion, or intimidation; kidnapping; malicious disfigurement; manslaughter; manufacture or possession of a weapon of mass destruction; mayhem; murder; robbery; sexual abuse in the first, second, or third degrees; use, dissemination, or detonation of a weapon of mass destruction; or an attempt, solicitation, or conspiracy to commit any of the foregoing offenses. [D.C. Official Code § 23-1331(4)]
2.	Field contact	Conduct by a member which places the member in face-to-face communication with an individual under circumstances in which the individual is free not to respond and to leave.
3.	Probable cause	Set of facts, circumstances, or reliable information that would lead a reasonable and prudent police officer to believe that a crime has been committed, or is about to be committed, and that a certain person committed it.

4.	Protective pat down	Limited protective search for concealed weapons or dangerous instruments. A pat down, also known as a frisk, consists of patting an individual's outer clothing to determine the presence of weapons and other dangerous objects. Pursuant to <i>Terry v. Ohio</i> , 392 U.S. 1 (1968), members have authority to conduct a limited search of a person for weapons during some stops. Reasonable suspicion for a stop does not automatically provide the basis for a pat down. For such a pat down to be reasonable and constitutional under the Fourth Amendment, the preceding stop of the individual's person must be lawful and the police must have an objectively reasonable basis to believe that the individual is armed and dangerous.
5.	Reasonable	Fair, proper, or moderate under the circumstances. Determining whether a member has behaved reasonably is an objective standard whereby the court will consider the circumstances, not the intent of the actor.
6.	Reasonable suspicion	Minimal level of objective justification for making a stop. Although reasonable suspicion is not capable of precise definition, it is more than a hunch or mere speculation but less than probable cause.
7.	Search	Examination of a person's body, property or other area which would reasonably be considered private for the purpose of finding evidence of a crime. Under the Fourth Amendment of the United States Constitution, any search of a person or premises (including a vehicle), and any seizure of tangible property, must be reasonable. Generally, members must obtain a search warrant when conducting a search, though exceptions to the search warrant requirement exist.
8.	Seizure	Act of taking possession of a person or property by the legal process.
9.	Stop	Temporary investigative detention of a person for the purpose of determining whether probable cause exists to make an arrest. A stop is a seizure of an individual's person and occurs whenever an officer uses his or her authority to compel a person to halt, remain in a certain place, or to perform an act (such as walking to a nearby location where the member can use a radio or telephone). If a person is under a reasonable impression that he or she is not free to leave the member's presence, a stop has occurred.

#### IV. ATTACHMENTS

Attachment A: Documenting Field Contacts

Attachment B: Documenting Stops



Peter Newsham  
Chief of Police

## Documenting Field Contacts

- I. Members **may** maintain records of field contacts, consistent with the following rules:
  - A. Documenting contacts is optional unless required by an official.
  - B. Members shall be mindful that use of the “field contact” card [PD Form 76 (Contact Card)] during a contact may be interpreted as coercive by some individuals. Consequently, if a determination is made before or during a contact to record information, the individual should promptly be informed that the “field contact” card is strictly for internal use by this Department, not available to the public, and does not signify or imply an arrest circumstance or involvement in criminal activity.
  - C. Members shall enter “field contact” cards in RMS prior to the end of their shift.
  - D. Access to the “field contact” card shall be restricted to direct law enforcement uses only, and any accessing by sworn personnel not normally charged with, or responsible for, investigations shall be challenged.
  - E. “Field contact” cards shall be maintained for a minimum of four years from the date of their execution unless they are subject to a litigation hold.

## Documenting Stops

- I. D.C. Act 21-356 “Neighborhood Engagement Achieves Results Amendment Act of 2016” (NEAR Act), D.C. Official Code § 5-113, requires information collection specific to police stops and protective pat downs. Members shall be mindful of these reporting requirements when conducting stops in such a way that they are able to document all required information during the completion of their RMS reports. The purpose of this attachment is to expand upon existing Department reporting requirements to ensure compliance with the provisions of the NEAR Act.
- II. In all cases, members shall use the instructions provided in this attachment in addition to all other Department RMS reporting requirements.
- III. Members **shall** maintain records of **all** stops consistent with the following rules:
  - A. For the purposes of NEAR Act data collection and this order:
    1. **All** arrests are also considered stops.
    2. NEAR Act data collection requirements apply to all stopped individuals. Members shall fully document each individual stopped.
    3. Required documentation varies by the circumstances of the stop.
      - a. Stops that are resolved using a Notice of Infraction (NOI) shall be referred to in this order as “NOI stops”. This also includes stops resulting in notices of violation (NOV).
      - b. All other stops shall be referred to as “stops”.
  - B. The “field contact” card [PD Form 76 (Contact Card)] **shall not** be used to document stops of any kind.
  - C. All NOI stops shall be documented according to the following procedures.
    1. **All** NOI stops shall be conducted by body-worn camera (BWC)-equipped members. In cases where the serious nature of an offense justifies a member not equipped with a BWC to conduct the stop, he or she shall request that a BWC-equipped member respond to the scene. In such cases, the member conducting the stop shall also record the details of the stop, including a justification of the circumstances, in RMS.
    2. For the purposes of documenting stopped individuals’ gender, race, ethnicity, and date of birth, members shall 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.” Members shall record the demographic information as reported by the stopped individual.

**RACE values:**  
**A:** Asian  
**B:** Black  
**H:** Hispanic (ethnicity)  
**M:** Multiple  
**N:** American Indian or Alaska Native  
**P:** Native Hawaiian or Other Pacific Islander  
**U:** Unknown  
**W:** White

DISTRICT OF COLUMBIA NOTICE OF INFRACTION					
DAY OF WEEK	DATE	MONTH	YEAR	TIME	<input type="checkbox"/> AM
ON	THE	DAY OF	AT		<input type="checkbox"/> PM
VIOLATOR'S FULL NAME (LAST, FIRST, MIDDLE)					
STREET ADDRESS				RACE	SEX

**SEX values:**  
**M:** Male  
**F:** Female  
**U:** Unknown  
**X:** Non-binary  
 \*Non-binary refers to individuals who identify as neither entirely male nor entirely female.

In cases where an official government identification card is presented by the stopped individual, members can use available information (e.g., sex) from the identification card. In cases where the stopped individual refuses to report their demographic information, members shall select "unknown."

*MPD uses adjusted categories and definitions provided by the United States Census Bureau for race and ethnicity. They define race as a person's self-identification with one or more social groups according to the following descriptions.*

**Asian (A)** – Person having origins in any of the original peoples of the Far East, Southeast Asia, or the Indian subcontinent including, for example, Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.

**Black or African American (B)** – Person having origins in any of the Black racial groups of Africa.

**Hispanic (H)** – Person of Hispanic or Latino ethnicity.

**Multiple (M)** – Person who identifies with multiple races.

**American Indian or Alaska Native (N)** – Person having origins in any of the original peoples of North and South America (including Central America) and who maintains tribal affiliation or community attachment.

**Native Hawaiian or Other Pacific Islander (P)** – A person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands.

**Unknown (U)** – A person who identifies as a race or ethnicity that is not captured by RMS or refuses to provide their ethnicity.

**White (W)** – A person having origins in any of the original peoples of Europe, the Middle East, or North Africa.

3. **All** NOI stops resolved with a warning, where no other law enforcement action was taken, shall be documented by issuing a warning NOI or NOV as appropriate.
  - a. Verbal warnings **shall not** be issued. Pursuant to GO-SPT-303.01 (Traffic Enforcement), verbal warnings shall only be given under extreme circumstances (e.g., receipt of a radio assignment requiring immediate response, motorist was en route to a hospital for emergency treatment of a sick or injured passenger). In the



occasion that a verbal warning is issued, members shall document the details of the stop, including a justification of the extreme circumstances, in RMS using an “incident” card.

- b. When issuing the warning NOI, members shall indicate the reason for the stop by stating, “You were stopped because (specific violation indicated here)”.
4. **All** NOI stops resulting only in issuance of an NOI, where no other law enforcement action was taken, shall be documented solely through issuance of the NOI.
- a. Members shall indicate the reason for the stop by stating, “You were stopped because (specific violation indicated here)” and document the reason for the stop on the NOI in the “RFS Code” field. One RFS Code shall be selected and based upon the reason that the stop originated, regardless of any other outcomes of the stop.
  - b. Members shall indicate the approximate duration of the stop on the NOI in the “Approx. Duration of stop” field. Stop duration is approximate and measured in minutes; only covering the time in which the actual stop took place (e.g., not time spent on field contacts, arrests, or booking).

**“Approx. Duration of stop”** is approximate and measured in minutes.

I swear or affirm under penalty of perjury that I observed or investigated the commission of this violation and served this notice of infraction as provided for by law.			
ISSUER'S SIGNATURE	DEPT.	ELEMENT	BADGE NO.
Approx. Duration of stop minutes	RFS Code		MPD CAD#

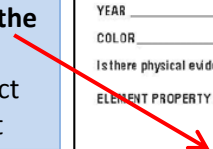
- “RFS Code”** is the **reason for the stop**
- 0001. BOLO/Lookout
  - 0002. Call for service
  - 0003. Information obtained from LE sources
  - 0004. Observed a weapon
  - 0005. Response to crash
  - 0006. Suspicion of non-traffic criminal activity (self-initiated)
  - 0007. Traffic violation: Observed moving violation
  - 0008. Traffic violation: Observed equipment violation

**Only one RFS category may be listed and it must reflect the initial reason for the traffic stop regardless of any other outcomes of the stop.**

5. **All** stops resulting only in the issuance of an NOV, where no other law enforcement action was taken, shall be documented solely through issuance of the NOV using the “Notes” section as indicated below. Members shall submit a scanned copy of the NOV to the Strategic Change Division Adminbox.

The “Notes” section of the NOV shall include:

- Reason for the stop
- Approximate duration of the stop
- Race of the stopped subject
- Sex of the stopped subject



**INCIDENT DETAILS**

Was there a vehicle involved?  YES  NO

If Yes, describe fully:

MAKE \_\_\_\_\_ MODEL \_\_\_\_\_

YEAR \_\_\_\_\_ TAG/STATE \_\_\_\_\_

COLOR \_\_\_\_\_ VIN# \_\_\_\_\_

Is there physical evidence?  YES  NO

ELEMENT PROPERTY BOOK \_\_\_\_\_ PAGE # \_\_\_\_\_

**Notes**

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_


\_\_\_\_\_

D. All stops shall be documented according to the following procedures.

1. **All** stops regardless of the outcome of the event require a Central Complaint Number (CCN). For each event, members shall select “Yes” in response to “Was a Stop Involved?” to indicate that a stop occurred. This selection prompts all data collection fields necessary to document stops. RMS fields capture stop data requirements as indicated in this attachment.

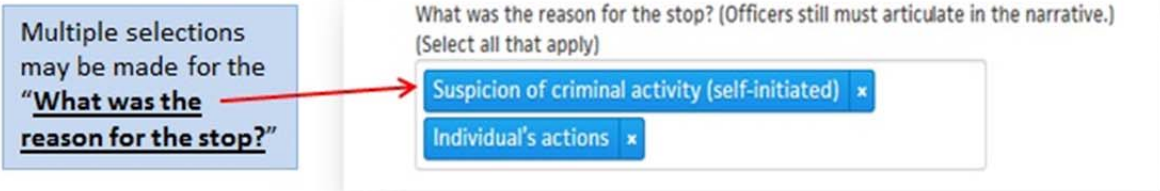
Stop data collection is triggered by selecting “**Yes**” to the “Was a Stop Involved?” field.

A “**Yes**” response enables fields to enter the start time, stop time, and reason for the stop.



2. Members shall be mindful of the time that subjects are no longer considered stopped. The stop ends when the subject is either free to leave or probable cause has been established for an arrest. Stop duration shall be captured for each individual who is stopped and is approximate and measured in minutes; only covering the time in which the actual stop took place (e.g., not time spent on field contacts, arrests, or booking).

3. Reports involving stops shall be properly classified and list at least one selection from the “What was the reason for the stop?” field.



Multiple selections may be made for the “What was the reason for the stop?”

What was the reason for the stop? (Officers still must articulate in the narrative.)  
(Select all that apply)

- Suspicion of criminal activity (self-initiated) x
- Individual's actions x

**NOTE:** The “Internal Narrative” must also contain a description of the reasonable suspicion.

4. NEAR Act data collection requirements apply to all stopped individuals. Members shall fully document each individual stopped using a person card.
- For the purposes of documenting stopped individuals’ gender, race, ethnicity, and date of birth, members shall 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.” Members shall record the demographic information as reported by the stopped individual.
  - Members may document individuals who were present during the stop but not considered stopped using the “witness” person card.
5. Documenting Pat Downs and Searches
- When documenting searches in RMS, members shall differentiate between searches that occur as a result of a stop and searches that result from an arrest. Searches occurring during the stop shall be documented by selecting “Yes” in response to one or both of these questions:
    - “Was this PERSON patted down and/or searched as a result of the stop (prior to arrest)?”
    - “Was this person’s PROPERTY patted down and/or searched as a result of the stop (prior to arrest)?”
  - Multiple searches can be entered on each type of search by selecting “+ Search Type.”
  - Post-arrest searches are not subject to NEAR Act requirements and shall be documented in the “arrest” card.

Was this PERSON patted down and/or searched as a result of the stop (prior to arrest)?

Yes

What was the type of search or pat down? (Select ALL that apply, duplicates are not permitted.)

Consent

What was the reason for this search or pat down? (Officers still must articulate in the narrative.) (Select all that apply)

Consent (consent search only)

Was any property seized as a result of this search or pat down? (Select all that apply)

Gun

+ SEARCH TYPE

Multiple searches can be entered by clicking + Search Type

- Multi-select options:**
- Consent
  - Probable cause
  - Protective pat down
  - Warrant

- Multi-select options:**
- Characteristics of an armed individual
  - Consent (consent search only)
  - Exigent circumstances
  - Individual's actions
  - Individual's characteristics
  - Information obtained from law enforcement sources
  - Information obtained from witnesses or informants
  - Nature of the alleged crime
  - Prior knowledge
  - Warrant (warrant search only)

Was this person's PROPERTY patted down and/or searched as a result of the stop (prior to arrest)?

Yes

What was the type of search or pat down? (Select ALL that apply, duplicates are not permitted.)

Probable cause

What was the reason for this search or pat down? (Officers still must articulate in the narrative.) (Select all that apply)

Nature of the alleged crime

What object was searched or patted down? (Select all that apply)

Vehicle

Was any property seized as a result of this search or pat down? (Select all that apply)

Gun

+ SEARCH TYPE

- Multi-select options:**
- Drug Paraphernalia
  - Gun
  - Narcotics
  - None
  - Other
  - Other Weapon
  - Stolen Property
  - Vehicle

- Multi-select options:**
- Bag
  - Residence/Other Building
  - Vehicle
  - Other

- Multi-select options:**
- Consent
  - Probable cause
  - Protective pat down
  - Warrant

- Multi-select options:**
- Consent (consent search only)
  - Exigent circumstances
  - Individual's actions
  - Individual's characteristics
  - Information obtained from law enforcement sources
  - Information obtained from witnesses or informants
  - Nature of the alleged crime
  - Prior knowledge
  - Warrant (warrant search only)

6. Classifying Stops

- a. **All** stops **not** involving an offense or arrest shall be documented using an "incident" card, and "Yes" in response to "Was a Stop Involved?" shall be selected to indicate that a stop occurred.

- (1) If there is no other incident type, "Stop" shall be selected.

Example: An individual is stopped and questioned about suspicious activity witnessed by the member. The individual is released without further action. This stop shall be documented using an "incident" card and the stop shall be documented by selecting "Yes" in response to "Was a Stop Involved?" to indicate that a stop occurred.

- (2) If there is an appropriate incident type that can be selected other than "Stop" (e.g., "Family Disturbance"), that value shall be selected.

Example: An individual at the scene of a family disturbance call is stopped and patted down. The individual is released without further action. The "incident" card shall be classified "Family Disturbance" and the stop shall be documented by selecting "Yes" in response to "Was a Stop Involved?" to indicate that a stop occurred.

- b. **All** stops involving an offense or arrest shall be documented using an "offense" or "arrest" card(s), and "Yes" in response to "Was a Stop Involved?" shall be selected to indicate that a stop occurred.

- (1) The "offense" and "arrest" card(s) shall be classified according to the applicable offense(s).

Example: An individual at the scene of a robbery call is stopped and patted down. The individual is arrested. The arrest shall be documented using the "arrest" card classified according to the applicable offense(s), and the stop shall be documented by selecting "Yes" in response to "Was a Stop Involved?" to indicate that a stop occurred.

- c. In cases where an NOI or NOV was also issued, the "NOI or NOV Issued" check box under "Incident Statistics" shall be marked.

7. Members conducting a stop must be prepared to cite the particular factors that supported the determination that reasonable suspicion was present. Members shall use the "Internal Narrative" section of the report to describe the circumstances of the stop and an articulation of the officer's reasonable suspicion. The record of the stop shall contain all factors relied upon for this justification. The "Internal Narrative" shall also briefly note that the

member gave the person an explanation for the stop and the nature of that explanation.

E. BWC Categorization

Members shall use the BWC categorization instructions provided in the below chart in addition to all other Department BWC requirements in accordance with GO-SPT-302.13 (Body Worn Camera Program).

BWC Category	Description
Traffic Stop	All vehicle stops resulting in notice of infraction (NOI) and notice of violation (NOV) stops pursuant to this order and vehicle stops that do not result in an arrest.
Contact/Stop	All contacts and non-vehicle stops not resulting in an arrest and non-vehicle stops resulting in issuance of an NOV.

1. Members shall select the BWC category that corresponds to the most serious offense.
2. For stops resulting in an NOI or NOV, members shall enter the NOI or NOV number in the ID field in evidence.com. In cases of multiple NOIs or NOVs, only one NOI or NOV number shall be entered.