

# GENERAL ORDER



**DISTRICT OF COLUMBIA**

Title		
<b>Handling Intrafamily Offenses</b>		
Topic	Series	Number
<b>OPS</b>	<b>304</b>	<b>11</b>
Effective Date		
<b>March 28, 2024</b>		
Replaces:		
GO-OPS-304.11 (Intrafamily Offenses), Effective Date July 14, 2022		
Related to:		
GO-OPS-304.20 (Protection Orders)		

I.	Purpose	Page	1
II.	Procedures	Page	1
II.A	Intrafamily-Related Calls for Service Response	Page	1
II.B	Crisis Response	Page	6
II.C	Address Confidentiality Program	Page	8
II.D	RMS Requirements	Page	9
II.E	District Domestic Violence Coordination	Page	10
II.F	Training	Page	11
III.	Definitions	Page	11

## I. PURPOSE

The Metropolitan Police Department (MPD) is committed to reducing intrafamily offenses through a combination of law enforcement interventions and community services. It is the policy of MPD to use a proactive, victim-centered approach to help break the cycle of intrafamily violence, protect and provide support to victims, and promote safety when responding to domestic abuse situations. The purpose of this order is to provide procedures to supplement the investigative and reporting requirements already imposed by law and existing written directives.

## II. PROCEDURES

### A. Intrafamily-Related Calls for Service Response

1. The Office of Unified Communications (OUC) dispatches a minimum of two members to investigate calls for service alleging intrafamily offenses. The first member on scene shall wait for another member to arrive unless signs of immediate danger exist. Supervisors shall also respond as often as possible.
2. OUC provides information regarding the existence of protection orders related to the complainant or address of the call for service. Members who do not receive this information from the dispatcher shall request it prior to arrival.
3. In addition to the applicable provisions of [GO-PER-304.01 \(Operation and Management of Criminal Investigations\)](#) and [GO-SPT-401.01 \(Field Reporting System\)](#), members shall include the procedures set forth in this order as part of the preliminary investigation of intrafamily offenses.

4. **In all cases**, intrafamily incidents and offenses require a records management system (RMS) report. If a member determines on the scene that the call does not involve a domestic violence situation or he or she is unable to locate a complainant, the member shall advise the OUC dispatcher that no report is required prior to clearing the scene and deactivating the member’s body worn camera (BWC).
5. Pursuant to [GO-SPT-309.06 \(Child Abuse and Neglect\)](#), when a member believes that a child is in danger, he or she shall contact the Child and Family Services Agency (CFSA) 24-hour hotline at 202-671-SAFE (7233).
6. When a child is present at a domestic violence-related homicide, the highest-ranking on-scene Homicide Branch official shall ensure that CFSA is notified as soon as possible. Members shall work with the Homicide Branch and CFSA to ensure that child witnesses are not interviewed by CFSA social workers before any necessary forensic interviews occur.
7. Members shall notify the Youth and Family Services Division (YFSD) when a child is the victim or suspect of an intrafamily offense and under the age of 12.
8. Members shall make a reasonable effort to personally interview the victim. Members shall inform the victim, suspect, and any witnesses that it is protocol for the member to interview each person separately, including children who may have heard or witnessed the violence. All interviews shall be conducted out of sight and hearing of others.
9. Members shall determine the relationship and degree of involvement between the victim and suspect, as well as the primary aggressor when multiple parties are injured or alleging assault simultaneously, by considering the following factors:

<b>Degree of Involvement Factors</b>	
Nature and extent of injuries inflicted by each party	Actions taken in self-defense
Fear of physical injury because of past or present threats	Existence or previous existence of protection orders
History of domestic violence perpetrated by one party against the other	Any other supporting evidence

10. Reciprocal Complaints

In determining whether there has been a reciprocal offense, members shall consider that a person may use a reasonable amount of force in self-defense. A person who used force against another person only in self-defense **has not committed** an intrafamily offense and **shall not** be arrested.

- a. If the member has probable cause that one party was the primary aggressor and the other was defending him or herself, only the primary aggressor shall be arrested. Both parties shall be placed

under arrest only in cases where the member has probable cause that both parties have independently committed intrafamily offenses and that neither party was acting in self-defense.

- b. To determine if self-defense was used, members shall consider the totality of the circumstances, including the following factors:

<b>Self-Defense Factors</b>	
Person who called the police and the content of the call for service	Relative size and strength of each party
The ability of each person to carry out threats made and whether threatening statements made by one party are more violent and menacing than those made by the other party	Nature and extent of injuries inflicted by each party (e.g., severity of wounds may be visually worse on the aggressor's person in self-defense incidents such as strangulation)
Whether/how any weapons were used or threatened to be used	Any other witnesses who may have seen or heard any part of the incident or any spoken threats

- c. When the parties accuse each other of having committed an intrafamily offense and the member cannot determine the primary aggressor, the member shall contact an official to assist.

- 11. Members shall use all available facts, circumstances, and information obtained, along with the following factors that are common signs of an intrafamily offense, to assess whether an offense occurred and whether probable cause to arrest exists:

<b>Common Signs of an Intrafamily Offense</b>	
Existence, nature, and extent of visible and non-visible injuries and need for medical treatment	Suspect's prior history of violence (e.g., previous intrafamily offenses, reports, calls for service, or protection orders)
Demeanor of the victim, suspect, and witnesses	Threats made in the presence of the member or a credible witness
Evidence of torn clothing	Evidence of furnishings in disarray
Existence of a protection order	Presence or use of weapons

- 12. If the victim has an active protection order against the suspect, members shall attempt to obtain a copy of the protection order or access the Washington Area Law Enforcement System (WALES) or the Justice Information System (JUSTIS) to verify the order's existence and validity. Members may also contact the DC Survivors and Advocates for Empowerment Crisis Response Line (DC SAFE) to obtain information about an order. Copies of protection orders need not be certified (i.e., raised court seal) to be valid and enforceable. Proof of service may be a signed electronic copy or photo.
- 13. Members shall determine if there are any outstanding warrants related to the victim, suspect, or any witnesses. If any outstanding warrants exist, members shall arrest suspects in accordance with [GO-PCA-702.01 \(Arrest Warrants\)](#).

14. If there is no probable cause to arrest for an intrafamily offense and no violated court order, members shall warn the parties that any threats, physical abuse, or destruction of property constitute criminal activity and may result in an arrest. Warnings shall be documented in RMS by completing a family disturbance incident report. Members **shall not** use a contact report to document this type of warning.
15. If probable cause exists that the suspect has committed an intrafamily offense or violated a protection order **and the suspect is present or can be located** members shall arrest the suspect and record spontaneous and alibi statements. Members shall advise the suspect of his or her rights prior to questioning after he or she is in custody. For felonies, detectives shall advise the suspect of his or her rights prior to questioning. If the suspect is a juvenile the arrest shall be handled in accordance with [GO-OPS-305.01 \(Interacting with Juveniles\)](#).
16. If probable cause exists that the suspect has committed an intrafamily offense or violated a protection order but the suspect **is not present** members shall:
  - a. Obtain a photograph of the suspect either from the complainant or via a law enforcement database [e.g., Columbo, Mugshot Retrieval, WALES/National Crime Information Center (NCIC)] and upload the photograph to RMS.
  - b. Determine if the suspect is known to carry a weapon. If so, inquire where the suspect stores the weapon and notify a detective if there is information that the suspect has a firearm.
  - c. Conduct a warrant check in WALES/NCIC.
  - d. Make a diligent effort to canvass the area in order to locate the suspect and broadcast a lookout. Advise victims of second sighting procedures and to call 911 if the suspect is located at a later time.
17. Subjects charged with an intrafamily offense where the victim is an intimate partner, family member, or household member and the criminal offense committed or threatened to be committed is a crime of violence **shall not** be released on a citation. Other conditions to determine eligibility for citation release still apply.
18. Members shall collect and preserve evidence in accordance with [GO-OPS-304.08 \(Crime Scene Response and Evidence Collection\)](#) by ensuring that Department of Forensic Science (DFS) response is requested, when applicable, and:
  - a. Ensuring that electronic evidence is sent to the member's department email. If voicemail recordings or other evidence that needs to be extracted from a cell phone exist, contact a detective for assistance.

- b. Ensuring that furniture and surroundings in disarray are photographed.
  - c. Assuring victims that every attempt will be made to return any property seized as evidence as soon as possible in accordance with [GO-SPT-601.01 \(Recording, Handling, and Disposition of Property Coming into the Custody of the Department\)](#); excluding contraband, disputed property, and weapons.
19. In all cases involving injury, members shall ensure that photographs are taken of visible injuries, no matter how slight.
  - a. Victims and suspects **shall not** be required to disrobe in order to have injuries photographed. If the victim voluntarily disrobes for photos, a member of the same sex shall be present in the room. Someone of the victim's choosing may be present if a same sex member is not available or if the victim requests it. Whenever possible, two members shall be in the area when the photos are taken (no more than two members should ever be present). In cases of severe injuries or strangulation, members shall ensure that the victim is offered the opportunity be examined by a forensic nurse.
  - b. If victims object to having members of the opposite sex present, photos shall not be taken until a member of the same sex is available to respond to the scene.
  - c. If a victim or suspect is transgender, members shall comply with the provisions of [GO-PCA-501.02 \(Handling Interactions with Transgender Individuals\)](#).
20. Members shall provide the victim with the arresting member's name, badge number, telephone number, and what to do if threatened by the suspect or others.
21. Members shall provide victims with the Domestic Violence Intake Center (DVIC) or Domestic Violence Intake Center Southeast Satellite (DVICSES) location and hours of operation. DVIC and DVICSES are facilities where victims and witnesses may speak with a victim advocate and obtain help with civil protection orders, child support, information about criminal cases, social services referrals, language services, legal representation, and assistance with crime-related expenses.
22. Members shall provide victims with the central complaint number (CCN) and inform them that they may obtain a free copy of the public incident report from any police district station or MPD headquarters by appearing in person with proof of identification or through their attorney.
23. Members shall explain the U.S. Attorney's Office papering process to victims, if applicable, and inform victims that the Assistant U.S. Attorney may move forward with their case regardless of their involvement.

24. Members should ask victims if they have pets and inform them that there is a safe place for their pets provided by the Humane Rescue Alliance (HRA). Members can reach the law enforcement office of the HRA Safe Haven program 24 hours a day.

B. Crisis Response

1. District of Columbia Survivors and Advocates for Empowerment (DC SAFE) provides on-call services to intimate partner domestic violence victims 24 hours per day. DC SAFE assists with risk assessment screening, locating shelters, creating safety plans, resource referrals, victim education, navigating legal services including obtaining temporary protection orders, completing crime victims compensation program (CVCP) applications, and other victim services (e.g., transportation, home security resources, and other crisis needs).
2. DC SAFE advocates often ride with patrol officers and respond to the scene of intrafamily-related calls for service. When a DC SAFE advocate is present, members shall notify OUC so advocates can be called to the scene of intrafamily offenses.
3. Members at the scene of an intimate partner intrafamily offense shall inform the victim that a DC SAFE advocate is available to speak to them over the phone 24 hours a day, seven days a week. Members shall inform victims about the resources that may be available without guaranteeing any specific services.
4. Members shall initiate a **mandatory** call to DC SAFE while on the scene of an intrafamily situation (incident or offense, with or without an arrest) when any of the following circumstances exist:
  - a. Intrafamily situations between intimate partners; **or**
  - b. There is reason to believe that an act that constituting domestic violence occurred involving intimate partners; **or**
  - c. Based on the information available, the member's assessment is that once the victim is no longer in the presence of a first responder the potential for assault or danger is high; **or**
  - d. The member is aware of repeat calls for service to this family; **or**
  - e. The member believes that a risk assessment screening should be conducted.
5. When referring victims to DC SAFE, members shall refer who they believe to be the primary victim (e.g., either in the specific altercation or in the relationship). Members should avoid referring both parties, whenever possible.

6. Members shall consider the immediate circumstances in determining whether to call DC SAFE from the scene (e.g., suspect is present which could put the victim in immediate danger).
  - a. Contacting DC SAFE from the scene increases the chance that the victim will speak with an advocate and engage in safety planning, when applicable.
  - b. When circumstances do not permit or initiating the call could place the victim in immediate danger, members shall not initiate the call at that time. In these circumstances, if the member believes that there is a risk or danger to the victim, the member shall contact DC SAFE immediately after leaving the location and request that the victim be contacted at a later time or under other circumstances.
  - c. If the victim is under the influence of drugs or alcohol, suffering from severe mental illness, or is in some other way incapacitated, members shall initiate a referral to DC SAFE and an advocate will follow up appropriately based on consultation with the member.
7. If the call extends beyond several minutes and the situation on scene is stable (i.e., the member's assistance or presence is no longer needed) the member may consider leaving after ensuring that the advocate and victim are comfortable that his or her presence is no longer required.
8. When victims decline to speak with the DC SAFE advocate, members shall:
  - a. Advise the victim they can contact DC SAFE later, if they choose. Advise the victim that DC SAFE may provide immediate safety resources and shelter based on the facts of the victim's case
  - b. Refer the victim to DVIC/DVICSES locations during business hours and DC SAFE when DVIC/DVICSES is closed.
  - c. Suggest that the victim consider filing an emergency temporary protection order or a temporary protection order.
  - d. Members can transport victims with supervisory approval. If the victim leaves home, advise the victim to bring important items and necessities.
  - e. Inform the victim that a detective will be following up regarding any criminal offenses if no arrest is made. If the victim wishes, DC SAFE will follow up the next day.
  - f. Inform the victim of second sighting procedures and to call 911 if the suspect is located later.

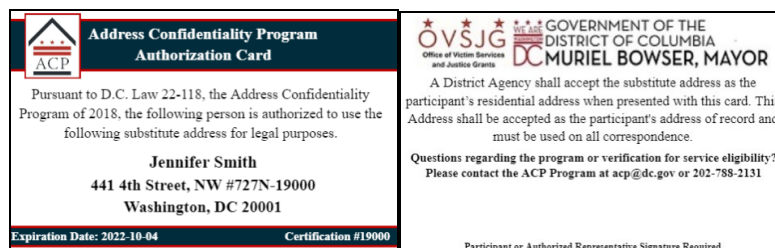
9. Members calling DC SAFE at the request of a victim shall only provide the advocate with information that will be documented in the public narrative of the RMS report.
10. DC SAFE advocates assess risk using a domestic violence assessment tool to attempt to identify victims of domestic violence in a potentially high risk or lethal situation. The top five criteria that indicate a particularly heightened risk of lethality are:

<b>DC SAFE Risk Assessment Screening</b>
<ol style="list-style-type: none"> <li>1. Does the person who hurt you have access to any weapon such as a gun?</li> <li>2. Does the person who hurt you control most or all of your daily activities or is the person violently jealous?</li> <li>3. Have you ever been strangled by the person who hurt you?</li> <li>4. Has the person who hurt you ever forced you to have sex?</li> <li>5. Has the physical or sexual abuse increased in severity or frequency over the last 12 months?</li> </ol>

11. In some cases, based on risk assessment screening and the immediate circumstances, the DC SAFE advocate may follow-up with the victim at a later time.

**C. Address Confidentiality Program**

1. All members shall keep address confidentiality program (ACP) addresses confidential. ACP participants are required to provide the ACP card to members as proof of participation in the program.



2. When completing an RMS report involving an ACP participant at an offense location that is **different from the ACP participant's actual home address**, members shall enter the substitute address in the home address field and the actual location of the offense in the offense location field.
3. When completing an RMS report involving an ACP participant at an offense location that is the **same as the ACP participant's actual home address**, members shall enter the substitute address in the home address field and the address of the district station in which the incident occurred in the offense location field. In the narrative of the RMS report, members shall document that the subject's actual home address is being withheld pursuant to the Address Confidentiality Act.
4. Members shall not enter ACP participants' school or work address in the



person card. If a participant’s school or work address is needed for the report, members shall enter the address in the internal narrative of the report.

5. Members shall indicate that the subject is an ACP participant by selecting “ACP” in the dropdown cautions menu on the person card in RMS.
6. The Freedom of Information Act (FOIA) officer shall ensure that reports are not released to the public containing ACP participants’ actual home, work, or school address.
7. The Office of Victim Services and Justice Grants (OVSJG) will inform the ACP liaison team, consisting of designated Technical and Analytical Services Bureau (TASB) members, of new ACP participants upon request of the participant. Upon one business day of receiving the names, the designated TASB members shall query RMS for any ACP participants. Any actual home, work, or school addresses of ACP participants shall be removed from fields that appear on the public report, and the historical address shall be preserved internally in the “Miscellaneous Description” field.
8. To request an ACP participant’s real address, an official the rank of sergeant or above shall complete and submit a Metropolitan Police Department ACP Participant Address Request Form. Instructions for submitting the request, including those of a time sensitive, nature can be found on the form located on MPD Online Forms.

**D. RMS Requirements**

1. Whether or not an arrest is made or a criminal offense occurred, members shall complete a report according to the procedures set forth in [GO-SPT-401.01](#). Members shall ensure that all domestic violence-related reports are flagged properly according to the following functions.

<b>Flagging Domestic Violence Reports</b>	
Domestic violence	Indicate whether the report involves domestic violence using the DV drop down function.
Intimate partner	Indicate whether an intimate partner relationship existed using the IPV drop down box.
Strangulation	Indicate whether a strangulation occurred.
DC SAFE notification	Enter the name of the DC SAFE advocate contacted.

2. In addition to routine reporting requirements, members shall include the following information, as applicable, in the RMS fields provided or **internal narrative**. Members shall:
  - a. State that the reported event occurred as a result of an intrafamily matter and identify which party called 911. Describe the relationship between the victim and suspect and information on current or prior protection orders. Include any known information related to other calls at this location, when applicable.

- b. Provide the victim's name, address, and contact information to include phone numbers, email, and work information. If the victim is an ACP participant, members shall ensure that the victim's addresses be withheld from the victim's profile in RMS and replaced with the substitute address found on the participant's ACP participant card.
  - c. Provide the name, address, and contact information for all witnesses and suspects, including the names, ages, and dates of birth of all children who were present during the incident.
  - d. Describe the condition and demeanor of victims and suspects, including injuries sustained and whether or not the victim was transported to the hospital for medical treatment. List any weapons used in the offense. Document informing the victim about the ETPO program, if applicable.
  - e. Describe the condition and demeanor of all witnesses. Provide a brief synopsis of what each witness observed, heard, or knows about the offense. Include the names, ages, and dates of birth of all children who were present.
  - f. If reciprocal arrests are made, clearly document the facts supporting each arrest, list the arrestees as both victims and offenders, and mark the relationship between the arrestees on both name records.
  - g. If no arrests were made, document any warning provided and include an explanation of the reasons that an arrest was not made.
  - h. Document the condition of the crime scene and all evidence collected.
  - i. Document all notifications that were made (e.g., CFSA, YFSD, watch commander). Include the time, name of the person notified, and the nature of the response that took place as a result of the notification.
- E. District Domestic Violence Coordination
- 1. District supervisory officials shall monitor all intrafamily-related calls for service to ensure that calls are handled pursuant to this order, that RMS reports are completed properly, and that all required notifications are made.
    - a. An official shall respond to the scene in all calls involving reciprocal complaints and any incident in which the responding member needs assistance in determining the classification of the event.

- b. Officials shall notify the district domestic violence (DV) captains of all persons or addresses within their district in need of follow-up assistance (e.g., those that would benefit from the Domestic Violence Intervention Program). Indicators include cases involving weapons, frequent calls for service between two individuals, cases involving vulnerable populations, and any other indication of extreme violence.
- 2. DV captains shall serve as the district liaison between the districts and the central DV Unit. DV captains shall assist the DV Unit in providing service and resources to community members affected by intrafamily-related offenses by ensuring district members adhere to arrest, reporting, and protection order requirements for intrafamily calls for service.
  - a. DV captains shall identify individuals or families that involve high risk/lethality situations or repeat/chronic domestic violence-related issues, work with the district DV detectives to assess these cases, and report them to the DV Unit for presentment to Domestic Violence Intervention Program partner agencies;
  - b. DV captains shall review the weekly domestic violence and strangulation reports to address discrepancies.

**F. Training**

Pursuant to [DC Official Code § 16-1034](#), newly hired sworn members shall receive a minimum of 20 hours of training in responding to intrafamily offenses prior to appointment. All sworn members shall also receive periodic in-service training.

**III. DEFINITIONS**

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

	<b>Term</b>	<b>Definition</b>
1.	Family member	A person: <ul style="list-style-type: none"> <li>• To whom the offender is related by blood, adoption, legal custody, marriage, or domestic partnership; or</li> <li>• Who is the child of an intimate partner [<a href="#">DC Official Code § 16-001(5A)</a>].</li> </ul>
2.	Household member	A person with whom, in the past year, the offender: <ul style="list-style-type: none"> <li>• Shares or has shared a mutual residence; and</li> <li>• Has maintained a close relationship, beyond mere acquaintances, rendering application of the statute appropriate [<a href="#">DC Official Code § 16-001(5B)</a>].</li> </ul>
3.	Intimate partner	A person: <ul style="list-style-type: none"> <li>• To whom the offender is/was married;</li> <li>• With whom the offender is/was in a domestic partnership;</li> <li>• With whom the offender has a child in common; or</li> <li>• With whom the offender is/was, or is seeking to be in a romantic, dating, or sexual relationship [<a href="#">DC Official Code § 16-001(7)</a>].</li> </ul>
4.	Intrafamily offense	<ul style="list-style-type: none"> <li>• Act punishable as a criminal offense against an intimate</li> </ul>

		<p>partner, family member, or household member.</p> <ul style="list-style-type: none"><li>• Offense punishable as cruelty to animals [under <a href="#">DC Official Code §22-1001- §22-1002</a>] against an animal that an intimate partner, family member, or household member owns, possesses, or controls [<a href="#">DC Official Code § 16-001(8)</a>].</li></ul>
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Pamela A. Smith  
Chief of Police