

GENERAL ORDER



DISTRICT OF COLUMBIA

Subject Youth Bullying Prevention		
Topic	Series	Number
OPS	305	02
Effective Date		
September 11, 2020		
Replaces:		
SO-14-01 (Youth Bullying Prevention), Effective Date March 7, 2014		
Related to:		
GO-OPS-305.01 (Handling Juveniles)		

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I. PURPOSE

When sponsoring an event involving youth, the policy of the Metropolitan Police Department (MPD) is to provide a respectful and positive environment free from acts of bullying, harassment and intimidation. Pursuant to the *Youth Bullying Prevention Act of 2012*, the purpose of this order is to provide guidance on handling incidents involving youth bullying during MPD-sponsored events. Reported incidents of bullying shall be investigated promptly and, if sustained, appropriate remedies will be provided for bullying victims and appropriate sanctions for perpetrators.

II. PROCEDURES

A. General

1. Participants, volunteers and members who participate in MPD-sponsored activities where youth are present are required to behave in a way that supports the creation of a safe and welcoming environment by treating all participants and their property with respect and complying with instructions from MPD members in charge of the activity.
2. Bullying is any severe, pervasive, or persistent act or conduct whether physical, electronic, or verbal that:
 - a. May be based on a youth's actual or perceived race, color, ethnicity, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, intellectual ability, familial status, family responsibilities, matriculation, political affiliation, genetic information, disability, source of income, status as a victim of an intrafamily offense, place or residence or business, or any other distinguishing characteristic,

or on a youth’s association with a person, or group with any person, with one or more of the actual or perceived foregoing characteristics; and

b. Can reasonably be predicted to:

Potential Effects of Youth Bullying
(1) Place the youth in reasonable fear of physical harm to their person or property;
(2) Cause a substantial detrimental effect on the youth’s physical or mental health;
(3) Substantially interfere with the youth’s academic performance or attendance; or
(4) Substantially interfere with the youth’s ability to participate in or benefit from the services, activities, or privileges provided by an agency, educational institution, or grantee [D.C. Official Code § 2-1535.01 (2)].

3. Bullying by youth, participants, volunteers or members, is prohibited at MPD-sponsored functions and facilities, on MPD-provided or sponsored transportation, and in electronic communications sent from or on behalf of MPD.
4. The MPD School Safety Division (SSD) coordinates bullying prevention efforts and investigates reported incidents of bullying.
5. SSD shall seek to ensure that the reported incident is one of victimization, a sign of bullying, rather than of conflict. In the event a member receives an allegation of youth bullying that does not fall under the provisions of this order, he or she shall determine if a crime was committed and handle the incident in accordance with MPD policy and District law. In the event a crime has not taken place, the member shall report the incident to the appropriate agency for resolution (e.g., District of Columbia Public Schools, Department of Parks and Recreation).
6. Retaliation against anyone who reports bullying, provides information about bullying, or witnesses bullying is strictly prohibited. Persons found to have engaged in retaliation shall be subject to the consequences outlined in this order as well as any other applicable sanctions.

B. Reporting Bullying Incidents

1. Members and individuals volunteering at MPD-sponsored events shall report incidents of bullying or retaliation to SSD, within one day. Anonymous reports of bullying shall be accepted and reported but no formal response shall be taken solely based on an anonymous report.
2. SSD shall document all reports of alleged bullying. The documentation shall include all available details related to the alleged bullying including the date, names of alleged victims and perpetrators, and description of the alleged behavior.

- 3. Prior to the investigation of an incident, SSD shall take steps to preserve the safety of the alleged bullying victim (e.g., altering the alleged perpetrator’s location to reduce access to the alleged victim, creating a safety plan in consultation with the alleged victim).
- 4. Once a report of bullying has been received, the parents or legal guardians of all youth involved shall be notified about the incident and the planned response.

C. Investigating Bullying Incidents

- 1. The investigating member of SSD shall initiate bullying investigations no more than one business day after receipt of a report. Investigating members shall conclude bullying investigations no later than 30 calendar days after the receipt of the report.
- 2. If the investigating member determines that additional support is needed to conduct a thorough and equitable investigation, the member shall contact the District of Columbia Office of Human Rights Citywide Youth Bullying Prevention program director.
- 3. As part of the investigation, the investigating member shall interview any involved or relevant parties including alleged victims, perpetrators, witnesses, staff, and parents or guardians.
- 4. The investigating member shall provide confidentiality to the extent it is possible to relevant parties as part of the investigation and inform all relevant parties that retaliation for reporting acts of bullying is prohibited.
- 5. For each bullying investigation, the investigating member shall determine whether the reported incident constitutes a case of bullying. These determinations shall be made in consideration of the totality of the facts and the circumstances surrounding the incident.
- 6. For sustained cases of bullying, the investigating member shall:
 - a. Take appropriate steps to ensure the continued safety of the victim from additional incidents of bullying or retaliation while participating in MPD-sponsored events.
 - b. Determine appropriate consequences for the perpetrator that are age appropriate, preventative in nature, flexible, and appropriate based on the context of the bullying incident. Consequences for bullying incidents may include, but are not limited to:

Consequences of Bullying
(1) Oral counseling or reprimand
(2) Modifications to the perpetrator’s participation in activities (e.g., changes in schedule, seating)
(3) Suspension or ban from participating in MPD-sponsored activities

c. Apply the consequences within one business day of sustaining the bullying incident.

7. SSD shall maintain records of investigations for four years.

D. Appeals

1. Parties dissatisfied by the outcome of a bullying investigation may appeal the determination in writing to the Investigative Services Bureau (ISB) assistant chief within 30 calendar days of the initial determination. Upon the receipt of an appeal, the ISB assistant chief shall inform the party making the submission of their ability to seek additional redress under the District of Columbia Human Rights Act.

2. Upon receipt of an appeal, the ISB assistant chief shall ensure that a secondary investigation is conducted within 30 calendar days of the receipt of the appeal. This 30-day time period may be extended by up to an additional 15 calendar days if the ISB assistant chief sets forth in writing the reasons that more time is needed to conduct the investigation.

III. DEFINITIONS

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

	Term	Description
1.	Youth	An individual who is: a. 21 years of age or younger who is enrolled in an educational institution or who accesses the services or programs provided by an agency or grantee; or b. 22 years of age or less who is receiving special education services from an educational institution.



Peter Newsham
Chief of Police