

GENERAL ORDER



DISTRICT OF COLUMBIA

Title School-Based Incidents and Offenses		
Topic RAR	Series 310	Number 08
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Related to: GO-OPS-305.01 (Interacting with Juveniles) DC Official Code § 5-132.01 et seq. (Contracting Procedures for Public School Security) DC Official Code § 16-2309 (Taking into custody)		

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I. PURPOSE

The purpose of this order is to provide information to support the efficient handling of incidents and offenses involving schools, students, and school staff that occur on public, charter, or private school grounds or within close proximity to schools or safe passage zones during the school day or immediately before or after school in the District of Columbia (DC).

In addition, this order provides for the prevention, detection and investigation of incidents of alleged corporal punishment (e.g., simple assault) occurring on public, charter, or private school grounds.

II. PROCEDURES

A. General

1. In accordance with [GO-PER-201.26 \(Duties, Responsibilities and Conduct of Members of the Department\)](#), members are reminded not to make inquiries into any person's immigration status, including students, for the purpose of determining whether they have violated the civil immigration laws or for the purpose of enforcing those laws.
2. Pursuant to [DC Official Code § 5-132.02 \(Establishment of the Metropolitan Police Department School Safety Division\)](#) school resource officers shall not report any information regarding a student's suspected crew or gang affiliation, or that of their family members, to any law enforcement agency for the purpose of including such information in a crew or gang database nor shall any such information shared by or

derived from a school resource officer be otherwise included in any District government crew or gang database.

3. School administrators and teachers are responsible for school discipline. Members **shall not** be involved with the enforcement of school rules or disciplinary infractions that are not violations of the law.

B. School-Based Incidents and Offenses

1. Members **shall not** stop, serve custody orders or warrants on, take into custody, or, in the case of suspects, interview DCPS or public charter school students at DCPS or public charter schools or on their grounds unless:

a. For school-based offenses unless:

- (1) The offense is alleged to be a crime of violence [[DC Official Code § 23-1331\(4\)](#)] or an intrafamily offense requiring mandatory arrest [[DC Official Code § 16-1031 \(Arrests\)](#)].

(a) In these cases, **prior to stopping, serving custody orders on, taking into custody, or, in the case of suspects, interviewing students,** members shall call the SSD watch commander at (202) 438-1656 and be guided by his or her instructions.

(b) The SSD watch commander shall consult with the school administration and the Office of the Attorney General (OAG) to determine if there are reasonable alternatives to stopping, serving a custody order/warrant on, interviewing, or arresting the student and shall present a copy of any warrant to the school's principal or assistant principal.

- (2) Exigent circumstances exist and, in the case of interviewing a student who is a suspect, the member has the approval of one of the following officials:

Approval for Interviewing Students	
Assistant chief, Investigative Services Bureau (ISB)	Assistant chief, Youth and Family Engagement Bureau (YFEB)
Commander, Criminal Investigations Division (CID)	Commander, Youth and Family Services Division (YFSD)

b. For non-school-based offenses unless exigent circumstances exist, and, in the case of interviewing a student who is a suspect, the member has the approval of one of the following officials:

Approval for Interviewing Students	
Assistant chief, ISB	Assistant chief, YFEB
Commander, CID	Commander, YFSD

- c. In cases where the commander of CID or YFSD approves a student interview, they shall consult with each other and their assistant chief in advance when possible.
2. Members who take police action inside a school under exigent circumstances shall, as soon as safe and practical, notify the SSD watch commander at (202) 438-1656 and keep the school principal and school security informed.
3. In all cases, the arrest of a student shall be limited to cases where all reasonable efforts have been made to divert the student from entry into the criminal justice system. When possible, and in cases where there are no immediate public safety concerns, members shall prepare an affidavit for an arrest warrant or custody order in lieu of an on-scene arrest.

NOTE: Members are reminded that the arrest of a juvenile who is 12 years old or under must be approved by the Youth and Family Services Division (YFSD) watch commander.

4. When effecting an arrest while school is in session, members shall take reasonable steps to avoid disruption to other students.

C. Allegations of Corporal Punishment

1. Members shall not allow any teacher, administrator, other school employee, or other person (including, but not limited to, another student under exigent circumstances) to subject a student to corporal punishment or condone the use of corporal punishment by any person under his or her supervision or by a school official.

NOTE: Parents or guardians cannot authorize the use of corporal punishment by DCPS, DCPCS, or private school employees.

2. Preliminary Investigations and Notifications

- a. Members responding to an allegation of corporal punishment shall ensure a supervisor has been requested to respond, if not already present.
- b. The responding supervisor shall ensure a thorough preliminary investigation is conducted including, but not limited to:
 - (1) Separating and interviewing all involved parties in a private area (e.g., an office) with the principal, or his or her designee present and obtaining the names of any potential witnesses.
 - (2) Keeping information regarding involved parties confidential. The public address system shall not be used to summon involved individuals to administrative offices.

- (3) When reviewing circumstances surrounding assaults related to corporal punishment, considering:
 - (a) Whether the action taken was in self-defense or defense of others and was proportionate to the student’s conduct and was the least intrusive means of controlling the situation.
 - (b) Whether the action taken against the student was for the protection of the educational environment or to regain or maintain order and was a last resort after all other reasonable means had been exhausted and was the least intrusive means of controlling the situation.
- (4) In cases where the preliminary investigation indicates that an offense occurred (i.e., corporal punishment or assault), ensuring the following information is documented:

Criminal Offense Information	
Student’s Name, DOB, Address, Phone No., Current Location	
Parents’ Names, Address	
Suspect’s Name, DOB, Address, School Position, Current Location	
Observed Evidence (e.g., injuries, presence of video)	

- (5) Notifying the YFSD watch commander who shall determine if a YFSD investigator should respond to handle the investigation (e.g., criminal cases, where follow-up interviews are necessary). When applicable, the YFSD investigator shall ensure an affidavit for an arrest warrant is prepared and presented to the United States Attorney’s Office or the OAG.
- (6) Making the following notifications:

Corporal Punishment Allegation Notifications	
DC Public School	Notify DCPS Office of School Security
DC Charter School	Notify DC Public Charter School Board

Corporal Punishment Arrest Notifications	
DC Public School	Notify SSD watch commander and DCPS Office of School Security
DC Charter School	Notify SSD watch commander and DC Public Charter School Board
Contract security officer (CSO) arrests	Notify SSD watch commander and Security Officers Management Branch (SOMB)

NOTE: Current contact information for the DCPS Office of School Security and the DC Public Charter School Board can be obtained from SSD.

3. The SSD watch commander shall ensure the following notifications are made for all arrests related to corporal punishment:
 - (a) Public Information Office, Office of Communications;
 - (b) MPD command officials, via the Command Information Center (CIC); and
 - (c) The DCPS Liaison.
4. The SSD commander shall ensure a listing of reported and sustained instances of criminal offenses involving allegations of corporal punishment in DCPS, DCPCS, and private schools is maintained.

D. RMS Requirements

1. When completing field reports for school-related incidents and offenses, members shall include the statement “School-Based Event” at the beginning of their internal narrative and select the “School-Based Event” checkbox in the records management system (RMS) “Incident Statistics” section.
2. Members shall ensure the central complaint numbers (CCNs) from completed field reports for school-related incidents and offenses are forwarded to the SSD administrative email box (ssd.adminbox@dc.gov).

E. Resources

1. Members shall direct requests from schools for public safety outreach activities (e.g., school safety briefings) to SSD at (mpd.schoolsafety@dc.gov).
2. The OAG Juvenile Hotline [(202) 788-2084] is available 24 hours a day, seven days a week, to provide guidance on the following subjects, as needed:

OAG Juvenile Hotline
Juvenile custody orders or warrants
Arrest or the sufficiency of evidence pertaining to any charge against a juvenile (including school-based events)
Length of detention when delays before papering or presentment occur

The hotline is not intended to assist with statistics, policy questions, case updates, juvenile detention status, or GPS tracking information.

F. Communications and Media Releases

The Office of Communications director shall ensure the release of information to the public stemming from incidents on DCPS properties involving the MPD or

security contract personnel is coordinated with the DCPS Office of Communications.

III. DEFINITIONS

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

	Term	Definition
1.	Assault	Attempt or effort with force or violence to do injury to the person of another, coupled with the apparent present ability to carry out such attempt or effort [D.C. Official Code § 22-404 (Assault or Threatened Assault in a Menacing Manner; Stalking)], more commonly known as “simple assault.”
2.	Corporal punishment	Use, or attempted use, of physical force upon or against, a student, either intentionally or with reckless disregard for the student’s safety, as a punishment, or discipline (5 DCMR § 2403.1). Corporal punishment is an administrative violation prohibited by District of Columbia Municipal Regulations (5 DCMR § 2403.2) and includes shoving, striking, grabbing, shaking, hitting, throwing objects, unreasonable restraint or directing others to inflict any of the above (5 DCMR § 2403.5).
3.	Crime of violence	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 [DC Official Code § 23-1331(4)].
4.	School-based incident	Incidents involving schools, students, and school staff that occur on public, charter, or private school grounds or within close proximity to schools or safe passage zones during the school day, immediately before or after school, or at school-related events.



Robert J. Contee, III
Chief of Police