

GENERAL ORDER



DISTRICT OF COLUMBIA

Title
**Service of Communicable Disease
Removal and Detention Orders**

Topic/Number
GO-OPS-502.03

Effective Date
May 6, 2009

Replaces:
General Order 502.3 (Service of Communicable Disease
Removal and Detention Order), Effective Date June 26, 1986

Related to:
GO-OPS-308.11 (Handling Fire/EMS Incidents)
S.O. 97-37 (Protective Equipment)

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I. BACKGROUND

Individuals who are affected with a communicable disease, or who are carriers of a communicable disease, may constitute a threat to the general population through the potential for spreading the disease. In order to prevent the spread of communicable diseases, the Mayor may issue to individuals with a communicable disease, who refuse medical treatment, removal and detention orders to be executed by members of the Metropolitan Police Department [D.C. Official Code § 7-133(a)]:

"Whenever the Mayor, after consultation with the Director of the D.C. Department of Health, has probable cause to believe that a person is affected with a communicable disease or is a carrier of a communicable disease and that the person's presence in the general population is likely to cause death or seriously impair the health of others, the Mayor may, by written order, direct the removal of that person for the purpose of isolation, quarantine, or treatment. The order shall state a place of detention within the District of Columbia or outside of the District of Columbia; provided, that any place of detention outside the District of Columbia is under the supervision of the District of Columbia government."

The purpose of this general order is to establish the policy and procedures for the service of communicable disease removal and detention orders by members of the Metropolitan Police Department.

II. POLICY

The policy of the Metropolitan Police Department is to ensure that communicable disease removal and detention orders are executed in a lawful manner while providing for the protection and safety of the members involved in the execution of the orders and the general public.

III. DEFINITIONS

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

1. Affected with a Communicable Disease – Person infected with a communicable disease who is capable of infecting others with the same disease if permitted to move freely in the general public; or a person who, while not infected with a communicable disease is a carrier of, or contaminated with, an infectious disease and capable of infecting others with the disease [D.C. Official Code § 7-132(1)].
2. Communicable Disease – Any disease:
 - a. Denominated a reportable disease pursuant to D. C. Official Code § 7-131, including any illness due to an infectious agent or its toxic product that is transmitted;
 1. Directly or indirectly to a well person from an infected person, animal, or ectoparasite; or
 2. Through the agency of an intermediate host or vector, or by exposure to chemical or radiological agents within the immediate environment; or
 3. Through the agency of an intermediate host or vector, or by exposure to chemical or radiological agents within the immediate environment; or
 - b. Occurring as an outbreak of illness or toxic conditions, regardless of etiology, in an institution or other identifiable group of people [D.C. Official Code § 7-132(2)].
3. Communicable Disease Removal and Detention Order (Order) – Written order by the Mayor that directs a member of the Metropolitan Police Department to remove a person affected or believed to be affected with a communicable disease from the general population.
4. Custody – Being held under guard by a member of the Metropolitan Police Department.

5. Ectoparasite – A parasite that lives on or in the skin but not within the body. Fleas and lice are types of ectoparasites.
6. Infectious Material – Any bodily fluid or secretion from a person believed to be affected with a communicable disease (e.g., blood, respiratory droplets, mucous membranes, respiratory secretions, fecal matter, semen).
7. Member – Sworn employee of the Metropolitan Police Department (MPD).
8. Occupational Exposure – Reasonably anticipated skin, eye, mucous membrane, or parenteral contact with blood or other potentially infectious materials that results from the performance of a member's duties.
9. Parenteral – Piercing of mucous membranes or the skin barrier through such events as needle sticks, human bites, cuts, and/or abrasions.
10. Personal Protective Equipment (PPE) – Specialized clothing or equipment, provided by the MPD, and worn by a member for protection against an occupational exposure. General work clothes (e.g., uniforms, pants, shirts, blouses) are not considered personal protective equipment. PPE supplies include: surgical mask or N95 mask, goggles or face shield, hand sanitizer, and both inner and outer latex gloves. A full face air purifying respirator with filter may be used in place of the surgical mask and goggles.
11. Service Team – Sergeant and three (3) members (officers) assigned to the Homeland Security Bureau, Special Operations Division, Tactical Patrol Branch serve a Communicable Disease Removal and Detention Order.
12. Significant Exposure – Specific eye, mouth, other mucous membrane, non-intact skin, or parenteral contact with blood or other potentially infectious material that results from the performance of a member's duties.
13. Suitable Person – Competent individual, eighteen (18) years of age or older, who is deemed capable of understanding the contents of a Communicable Disease Removal and Detention Order.
14. Transmission – Transfer of a disease from one individual to another by one or more of the following modes:

- a. Airborne Transmission – Due to tiny suspended droplets containing micro-organisms (e.g., chickenpox, tuberculosis, measles);
- b. Droplet Transmission – Due to the propulsion of micro-organisms through sneezing, coughing, and talking (e.g., strep throat, scarlet fever, influenza, meningitis, whooping cough); and
- c. Contact Transmission – Due to skin contact with infected skin, body fluids or blood, contaminated surfaces, clothing, and other materials (e.g. pink eye, ringworms, lice, scabies, impetigo, diarrhea, respiratory infection).

IV. REGULATIONS

- A. The Homeland Security Bureau, Special Operations Division, Tactical Patrol Branch, shall be responsible for serving Communicable Disease Removal and Detention Orders for a communicable disease and any warrant obtained by the D.C. Department of Health in connection with a Communicable Disease Removal and Detention Order.

NOTE: The service of such warrants is not typical in that the individual taken into custody will not be processed through the MPD's central cell block, but will be transported to only the location or institution named in the warrant.

- B. Communicable Disease Removal and Detention Orders are to be delivered by the D.C. Department of Health directly to the Chief of Police or the MPD's Command Information Center. The Watch Commander of any element/unit receiving a Communicable Disease Removal and Detention Order shall be responsible for immediately notifying and transmitting the Order to the CIC in compliance with Part V.P.1 below.
- C. Members shall recognize that Communicable Disease Removal and Detention Orders expire within twenty-four (24) hours of issuance unless a judge of the Superior Court of the District of Columbia continues their force and effect for a longer period based on a finding that probable cause exists to believe that the detained person's presence in the general population is likely to cause death or seriously impair the health of others [D. C. Official Code § 7-134 (a)].
- D. The member executing a Communicable Disease Removal and Detention Order shall inform the person subject to the Order of its contents and provide the person with a copy of the Order. [D. C. Official Code § 7-133(b)]

- E. A copy of each Communicable Disease Removal and Detention Order served shall be delivered to the person in charge of any place or institution where a person has been taken or detained, or, if the place of detention is a residence, to any suitable person then present in the residence.
- F. Members who may come in contact with any person named in a Communicable Disease Removal and Detention Order shall wear the appropriate Personal Protective Equipment.
- G. Members of the Homeland Security Bureau, Special Operations Division, Tactical Patrol Branch, who serve Communicable Disease and Detention Orders (except in exigent circumstances) shall have successfully completed all training on the service of such Orders as prescribed by the Assistant Chief, Homeland Security Bureau.
- H. All official radio communications recordings (Office of Unified Communications), records, files, and notes related to the service of a Communicable Disease Removal and Detention Order and, when appropriate, a related warrant, shall be kept by the Metropolitan Police Department, Office of the General Counsel, for a period of three (3) years.

V. PROCEDURAL GUIDELINES

- A. As applicable, the Chief of Police, or the Watch Commander, Command Information Center (CIC), following receipt of a Communicable Disease Removal and Detention Order (Order), shall:

1. Notify the Chief of Police (when applicable); Assistant Chief, Homeland Security Bureau; on duty Field Commander;
2. Cause the Order to be immediately hand delivered to the Watch Commander, Special Operations Division, Homeland Security Bureau; and
3. Record the receipt and transmission of the Order on the Watch Commander's Report (PD Form 150, Tour of Duty Supervisor's Report, and the CIC report.

NOTE: Communicable Disease Removal and Detention Orders are to be delivered directly to the Chief of Police or the CIC.

- B. The Watch Commander, Special Operations Division, shall:

1. Review the Order to ensure the Order is complete (i.e., includes the person's name, address, age, gender, race, approximate weight, approximate height, and **designation of the location to which the person is to be transported**) and also contains the signature of the Director, D.C. Department of Health;

2. Obtain any missing information or signature from the Director, D.C. Department of Health; and
3. Cause the Order and four (4) copies to be immediately transmitted to the official in charge of the Special Operations Division, Tactical Patrol Branch (Tactical Patrol Branch).

C. The official in charge of the Tactical Patrol Branch shall:

1. Designate at least four (4) members to serve the Order, one of whom shall be serving in at least the rank of Sergeant and who shall supervise the Service Team;
2. Determine the appropriate PPE required to serve the Order, contacting the Director, Human Resources Management Division, Medical Services Branch, and D.C. Department of Health as appropriate;
3. Ensure that each member of the Service Team is appropriately attired and equipped;
4. Ensure that a transporting ambulance has been identified by the D.C. Fire and Emergency Medical Services Department;
5. Determine the proper transport vehicle, consulting the Director, D.C. Department of Health and Director, Human Resources Management Division, Medical Services Branch, as appropriate, if an uncooperative person must be transported in an MPD vehicle to the place of detention;
6. Determine the proper decontamination procedures to follow after the transport, consulting the Director, D.C. Department of Health and Director, Human Resources Management Division, Medical Services Branch, as appropriate; and
7. Ensure that the Service Team is briefed in advance on the service procedures.

D. Upon serving the Order, the Service Team supervisor shall:

1. Advise the person named in the Order of its contents;
2. Record on the Order the date and time that the person was taken into custody; and
3. Give a copy of the Order to the person taken into custody, or, if the person is not a suitable person, provide a copy to the parent or guardian.

- E. In order to eliminate unnecessary delays in the admission of such persons to institutions or residences, the Service Team supervisor shall, as soon as practical after the person is taken into custody, notify a member of the institution listed in the Order, or a suitable person present in the residence listed in the Order, that the person is in the process of being transported to that institution or residence for the purpose of admission based on a Communicable Disease Removal and Detention Order.
- F. Cooperative persons shall be transported in a D.C. Fire and Emergency Services Department ambulance in the custody of the MPD Service Team or an officer/employee of the D.C. Department of Health as designated by the Director, D.C. Department of Health, consistent with the procedures established in GO-OPS-308.11 (Handling Fire/EMS Incidents), Part V.B.
- G. Uncooperative persons shall be transported in an MPD transport vehicle in a manner consistent with GO-PCA-502.01 (Transportation of Prisoners), unless the individual's physical condition is such that it would not be advisable to use an MPD transport vehicle and an ambulance is required.
- H. If the person is transported in a D.C. Fire and Emergency Services Department ambulance, a member of the Service Team shall ride inside the ambulance to assist with safety and security.
- I. The Service Team supervisor shall deliver to the admitting physician, or suitable person, the original and three (3) copies of the Order.
 - 1. The admitting physician/suitable person will indicate on the original and three (3) copies of the Order the exact date and time the person was delivered into the custody and care of the institution or residence.
 - 2. The official shall leave one (1) completed copy of the Order with the admitting physician or person of suitable age prior to returning to service.
 - 3. The original and two (2) remaining copies of the Order shall be submitted to the station clerk, Special Operations Division, with a completed PD Form 251 (Incident-Based Event Report) classified as "Sick Person to Hospital (Communicable Disease)." It should be noted that the person named in the Communicable Disease Removal and Detention shall **not** be named in the P.D. 251.
 - 4. One (1) copy shall be retained by the Homeland Security Bureau, Special Operations Division, and the one transmitted for retention to the MPD's Office of the General Counsel
- J. Members serving and/or transporting persons suspected of having a communicable disease under the conditions described in this general

order shall complete a PD Form 318 (Communicable Disease Contact Report) setting forth all pertinent information concerning the contact with the person served the Order.

- K. If the person named in the Order cannot be located within twenty-four (24) hours, the Service Team supervisor shall record the reason(s) on the original and all copies of the Order.
 - 1. The original and three (3) copies shall be submitted immediately, to the station clerk, Special Operations Division, for immediate transmission to the Director, D.C. Department of Health.
 - 2. One (1) copy shall be made and retained in the Special Operations Division, and the OGC.
 - 3. The Director, D.C. Department of Health shall determine if additional information can be supplied or if another reason exists for the MPD to be asked to make a second attempt to take the person into custody or if it is necessary to prepare an affidavit for an arrest warrant. The arrest warrant will be obtained by the D.C. Department of Health.

- L. In the event a person cannot be taken into custody for the service of an Order by reason of not permitting entry to the premises where the person has been found, the official in charge of the Service Team shall record this fact on the original and three (3) copies of the Order.
 - 1. The original and three (3) copies shall be submitted immediately to the station clerk, Special Operations Division, for immediate transmission to the CIC.
 - 2. One (1) copy of the Order shall be made and retained in the Special Operations Division.

- M. Members serving and/or transporting persons suspected of having a communicable disease, under the conditions described in this general order, in a case of significant exposure, and also when the diagnosis is tuberculosis, shall report immediately to the Police and Fire Clinic.
 - 1. When members report to the Clinic, the members shall present a completed PD Form 318 (Communicable Disease Contact Report) setting forth all pertinent information concerning the contact with the person served with the Order.
 - 2. If the Clinic is closed, members shall respond to the Washington Hospital Center if their last name begins with letters "A" through "K" or Providence Hospital Urgent Care Facility if their last name begins with the letters "L" through "Z".

NOTE: Unless determined to be necessary by the Human Resources Management Division, Medical Services Branch, precautionary tuberculosis testing will not require that members be placed in a non-full-duty status.

- N. Transport of a person from an institution or residence of detention to the court and back to the institution or residence of detention (e.g., for a hearing to determine if the person is affected with a communicable disease) shall also be conducted by members of the Tactical Patrol Branch.
1. The official in charge of the Tactical Patrol Branch shall ensure that a medical officer from the D.C. Department of Health is present at the transport in order to prepare the proper paperwork and testify in court.
 2. If the same officer transports the person suspected of having a communicable disease multiple times within one day, the officer shall prepare a single PD Form 251 and describe in the PD Form 251 the circumstances surrounding each transport (e.g., time and location transported to).
 3. If the transport is handled by different officers, separate PD Forms 251 and 318 must be prepared.
- O. Members who come in contact with the subject of a Communicable Disease Removal and Detention Order, at a minimum, should:
1. Use a surgical mask, N95, or appropriate PPE mask if the person is coughing with expectoration;
 2. Avoid the direct breath of the person as much as possible;
 3. Wash hands thoroughly with soap and hot water for at least twenty (20) seconds after hands on contact with the person, being careful to not injure the skin;
- NOTE:** Hand washing is one of the most important and effective methods of preventing the spread of various communicable diseases.
4. Use disposable gloves (unless exigent circumstances dictate otherwise) when assisting a person in a manner that may cause blood or other body fluid to be on one's hands; and
 5. Clean up blood spills and other body fluids with regular household bleach diluted one (1) part bleach to ten (10) parts water, wearing disposable gloves during this procedure.

P. Roles and Responsibilities

1. The Watch Commander of any element/unit receiving a Communicable Disease Removal and Detention Order shall be responsible for notifying the CIC, making a record of the receipt, and ensuring that the Order is transmitted immediately to the Watch Commander, Special Operations Division.
2. The CIC is responsible for the proper notifications following the receipt by the MPD of Communicable Disease Removal and Detention Orders, and, when appropriate, the immediate transmission of any Order received in the CIC to the Homeland Security Bureau, Special Operations Division.
3. The Watch Commander, Special Operations Division, is responsible for ensuring that Orders are complete and signed and transmitted immediately to the Tactical Patrol Branch.
4. The Sergeant in charge of the Tactical Patrol Branch is responsible for briefing the Service Team members and for ensuring that members comply with this general order in serving Orders and any associated warrants and/or in transporting detained persons to and from court.
5. The Sergeant in charge of the Service Team shall be responsible for:
 - a. Ensuring compliance with this general order;
 - b. Contacting a supervisor, absent exigent circumstances, for approval to deviate from the requirements of this general order;
 - c. Ensuring the required PD forms are prepared, and that all official radio communications recordings (Office of Unified Communications), records, files, and notes are forwarded to the OGC for retention.
 - d. Ensuring involved members report to the Police and Fire Clinic or other medical facility as required by this general order; and
 - e. Ensuring any required transport vehicle decontamination requirements are met.
6. The station clerk, Special Operations Division, shall be responsible for:

- a. Immediately and properly processing the paperwork associated with the Orders;
 - b. Ensuring the immediate transmission of any un-served Order to the Director, D.C. Department of Health; and
 - c. Maintaining a filing system that contains the following information:
 1. Date and time an Order was received;
 2. Date and time an Order was sent to the Tactical Patrol Branch;
 3. Date and time an Order was returned to be filed or transmitted back to the Director, D.C. Department of Health;
 4. Date and time an Order (or if served, a copy) was returned to the Director, D.C. Department of Health;
 - d. For served Orders, filing the original at the Special Operations Division and sending a copy immediately to the Director, D.C. Department of Health; and
 - e. For un-served Orders, returning the original and three (3) copies immediately to the Director, D.C. Department of Health, and filing a fourth copy filed at the Special Operations Division.
7. The Assistant Chief, Homeland Security Bureau, shall be responsible for establishing and monitoring the training required by this general order and the overall direction of the service process.
 8. The Chief of Police will be responsible, upon receipt of a Communicable Disease Removal and Detention Order, for the immediate transmission of the Order to the Watch Commander, Special Operations Division.

VI. CROSS REFERENCES

- A. GO-OPS-308.11 (Handling Fire/EMS Incidents)
- B. GO-PCA-502.01 (Transportation of Prisoners)

VII. ATTACHMENTS

- A. Sample Communicable Disease Removal and Detention Order

- B. Sample Completed PD Form 251 (Incident-Based Event Report) For
Service of Communicable Disease Removal and Detention Order:
"Person to Hospital"

A handwritten signature in black ink, reading "Cathy L. Lanier". The signature is written in a cursive style with a large initial "C".

Cathy L. Lanier
Chief of Police

PH:JGW:JC:CY

**DEPARTMENT OF HEALTH
PREVENTIVE HEALTH SERVICES
COMMUNICABLE DISEASE REMOVAL AND DETENTION ORDER**

TO: THE CHIEF OF POLICE, METROPOLITAN POLICE DEPARTMENT:

DATE:

ORDER:

I, _____, Director of the Department of Health of the District of Columbia, have probable cause to believe that _____, of _____, Washington, D.C. is infected with _____ and that he/she is likely to be dangerous to the lives or health of other persons and that by reason of non-cooperation with treatment the public health is likely to be endangered.

Therefore I, _____, Director of the Department of Health of the District of Columbia, acting in accord with my belief, as stated above, by authority of the provisions of law contained in District of Columbia Official Code § 7-131 *et seq.* (2006 Supp) and according to the regulations promulgated by the Commissioners of the District of Columbia under those provisions of law (22 DCMR 22-200 *et seq.*), order that you cause _____, of _____ Washington, D.C. 20020 a _____, _____ years of age, weighing approximately _____ pounds and standing approximately _____ tall, to be taken into custody and removed to _____ and deliver him/her together with the original of this order, into the custody of _____ or _____ to be detained in the hospital under the provisions of the laws and regulations referred to herein.

Director
Department of Health

Incident-Based Event Report

MPD INTERNAL Unofficial Document

CLASSIFICATION OF EVENT								
1. TYPE OF REPORT Incident	2. EVENT START DATE/TIME 04-27-2009 1300	EVENT END DATE/TIME -	3. DATE OF REPORT 04-27-2009	4. TIME OF REPORT 1300	5. DISTRICT 7D	6. SECTOR 3	7. PSA 702	8. COMPLAINT NO. 01234567
9. EVENT LOCATION ADDRESS 123 Main Street SE		POSITION Inside of	CORNER / BLOCK OF N	10. REPORT RECEIVED BY On-Scene	11. RADIO RUN AND EVENT LOCATION SAME? N		12. PROPERTY TYPE Private	
13. EVENT NO. 1 SICK PERSON TO HOSPITAL Originally:			14. EVENT NO. 2		15. EVENT NO. 3			
16. FORCED ENTRY N	17. POINT OF ENTRY	18a. METHOD USED		18b. TOOLS USED	19. WEATHER CONDITIONS			
20. HATE CRIME? N None	21. SECURITY SYSTEM	22. LOCATION TYPE		23. DESIGNATED AREA 1	23. DESIGNATED AREA 2			
GANG RELATED? N	DOMESTIC VIOLENCE? N	PD378 ISSUED? N		CPO TPO OUTSTANDING? CPO TPO #	SUSPICIOUS? N None			
VICTIM (None Specified) / COMPLAINANT (None Specified) / WITNESS (None Specified) / REPORTING PERSON (None Specified)								
BUSINESS/AGENCY (1)								
1.	TYPE Government	NAME D.C. Department of Health		PHONE (202) 442-	ADDRESS 875 North Capitol St. N.E. Washington, D.C.			
MISSING PERSONS (None Specified)								
SUSPECTS (None Specified)								
WEAPONS (None Specified)								
PROPERTY (None Specified)								
VEHICLES (None Specified)								
Narrative (Event and Action Taken.)								
The below listed service team members executed a Communicable Disease Removal and Detention Order. Upon arrival at the residence, the named individual was located and identified. The individual was transported to (Name of Hospital) by (MPD Transport # or DCFEMS Ambulance #). Upon arrival at (Name of Hospital) the individual was received by (Name of Physician). On Scene: Names of Service Team Members, Name of EMS Supervisor, Ambulance number if ambulance is used to transport, Names of MPD members if MPD is used to transport, Name of Department of Health members, Notifications: Watch Commander of District in which the order was executed, SOD Watch Commander Office, General Counsel (Name), Teletype (Provide name of individual in Communicable Disease Removal and Detention Order and name of Hospital).								
EVIDENCE TECH/CSES #	TELETYPE	OTHER POLICE AGENCY		STATUS	REVIEWER:			
Technician:	Notified:			Closed - PSA	DISTRIBUTION:			

CSES No:	Teletype#: 0			
REPORTING OFFICER	SECOND OFFICER	INVESTIGATOR	INVESTIGATIVE REVIEW	SUPERVISOR
NAME: YEZZI, CHRISTOPHER ELEMENT: SOD BADGE #: S0631	NAME: ELEMENT: BADGE #:	NAME: ELEMENT: BADGE #: RECOMMENDATION:	NAME: ELEMENT: BADGE #: RECOMMENDATION:	NAME: ELEMENT: BADGE #: RECOMMENDATION: