

GENERAL ORDER



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Crowd Management and Civil Unrest		
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DISTRICT OF COLUMBIA

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I. PURPOSE

It is the statutory responsibility of the Metropolitan Police Department (MPD) to preserve the public peace, to prevent crime, arrest offenders, and to protect the rights of persons and their property. MPD provides trained personnel to respond to the scene when crowd management is required for peaceful public events including parades, festivals, and First Amendment assemblies, as well as situations involving civil disturbances and riots. For events involving First Amendment assemblies, MPD protects the constitutional and

statutory rights as well as the physical safety of people to assemble peacefully and exercise free speech while preserving the peace.

The overwhelming majority of the thousands of large gatherings, events, and protests handled by MPD each year are peaceful and occur without any enforcement action or arrests. When managing crowds, MPD makes all reasonable efforts to employ non-arrest methods of crowd management to maintain order. When such methods are unreasonable under the circumstances or unsuccessful, arrests shall be made for violations of the law. All arrests shall be based on probable cause and members shall use only the minimum necessary force to make the arrest. To the extent possible under the circumstances, high-volume arrests shall be made in an organized manner by units at the direction of the chief of police or his or her designee. All arrests shall be fully documented, and prisoners shall be subjected to reasonable conditions of confinement, adequately cared for, and expeditiously processed for court or release.

It is impossible to devise specific procedures for handling all possible crowd management situations, for each has its own characteristics and circumstances. The MPD philosophy is one of moderation, flexibility, and controlled response, employing the requirements of the National Incident Management System (NIMS). In some cases, peaceful gatherings escalate and include cases of civil disobedience, assaults, property damage, or rioting. Crowd behavior operates on a continuum and members must be prepared to reasonably de-escalate or respond to situations, whenever possible, while taking appropriate police action to maintain order.

The purpose of this general order is to provide effective and efficient crowd management procedures pursuant to applicable law and department policy, including provisions unique to safeguarding First Amendment assemblies. The tactical procedures established within this general order for managing crowds are a guide and not a substitute for the exercise of sound judgment and proper command and supervision. Since each situation is unique, both commanding and supervisory officials must plan to respond according to the nature and size of the crowd. This general order is intended to exceed constitutional requirements and satisfy the heightened requirements of local statutory law and best practices for protecting the First Amendment rights and safety of demonstrators while safeguarding persons and property in the District of Columbia.

II. PROCEDURES

A. Planned/Permitted and Unplanned Events

1. Planned events are those that the department is aware of in advance, either through the submission of a permit request or other means that allow for the advance planning of resources and response procedures. When large-scale, planned or permitted events are anticipated:
 - a. The chief of police shall designate command officials to serve as area or incident commanders at various sites to manage events.
 - b. The Special Operations Division (SOD) commanding official, under the direction of the Homeland Security Bureau (HSB) assistant chief, shall be responsible for preparing the necessary details and operational plans for events that are scheduled to occur within the District of

Columbia. In this capacity he or she shall:

Event Planning
(1) Coordinate all aspects of the event plan with the affected elements, units, and personnel;
(2) Coordinate activities with other law enforcement, District government, and federal agencies, as necessary; and
(3) Designate liaison officers to work with event leaders before, during, and after the event.

- c. The creation of various planning subcommittees shall be dependent upon the nature, scope, and size of the event. The responsibilities of each committee shall be at the discretion of the SOD commanding official. Pursuant to the Incident Command System (ICS), the following committees shall be considered when planning for an event:

Planning Subcommittees	
Venue security	Sanitation
Crisis management	Consequence management
Transportation	Traffic
Legal	Media relations

- d. After determining the type and level of activity to be expected during the event, the SOD commanding official shall ensure that an incident action plan (IAP) is prepared setting forth particulars by which the department will deal with a specific event. The IAP shall include the following, as applicable:

Incident Action Plan
(1) Command assignments and responsibilities;
(2) Event timeline;
(3) Staffing, unit structure, and deployment;
(4) Liaison with demonstration leaders;
(5) Liaison with external agencies;
(6) Release of information to the news media;
(7) Transportation and feeding of personnel;
(8) Traffic arrangements and assignments;
(9) First aid stations and ambulances;
(10) Redeployment of vehicles; and
(11) Prisoner detention areas.

- e. The SOD commanding official shall disseminate copies of the action plan to all supervisory officials and establish an incident command post at or near the location of the event for the purpose of providing command, control, and coordination of the event.
- f. The SOD commanding official shall ensure that the following language is included in any teletype issued ahead of any planned First Amendment assembly or demonstration: "All members are reminded to review and abide by [GO-HSC-801.01 \(Crowd Management and Civil Unrest\)](#) and [Chapter 3A \(First Amendment Rights and Police Standards\)](#) in Title 5 of the DC Official Code when handling mass demonstrations. [GO-HSC-801.01](#) and all of its attachments can be

found on Directives Online.”

2. Unplanned events are events that the department has no prior knowledge of. Such events may consist of spontaneous gatherings or First Amendment assemblies. Unplanned events are often peaceful and pose little problem for law enforcement; however, peaceful gatherings can become violent, requiring contingency plans employed as necessary to safeguard life and property.

- a. Planned or unplanned events continuing after a public-safety emergency or curfew declaration by the mayor and chief of police or his or her designee may be considered unplanned events for the purposes of member response and assembly dispersal.

- b. The first units to arrive on the scene of an unplanned event shall:

First On-Scene Unit Responsibilities	
(1)	Determine if the gathering has turned or has potential to turn violent.
(2)	Notify the Real Time Crime Center (RTCC), the Office of Unified Communications (OUC), and the watch commander of the nature and size of the gathering and request the assistance of a supervisor.
(3)	Attempt to identify and engage the group organizers or leaders to determine the duration of the event, the number of persons expected to attend, and if civil disobedience is anticipated or planned.
(4)	If criminal activity has occurred, attempt to identify involved individuals.

- c. In these events, the SOD commanding official or SOD watch commander shall be requested to respond to the scene and assume command of the event as the incident commander. If the SOD watch commander is unavailable, the district watch commander shall respond to the scene to serve as the incident commander.
- d. Incident commander responsibilities apply regardless of rank and should be implemented as soon as possible. The primary responsibility of the incident commander is the rapid assembly of sufficient staffing to provide a safe environment for the gathering and ensure that disruptions to people in the area are minimized. The incident commander shall immediately assess the situation for seriousness and its potential for escalation. In the case of First Amendment assemblies, if the assembly is peaceful and adequate resources are available, efforts shall be made to allow for the protest action to continue by redirecting vehicle and pedestrian traffic around the incident. The incident commander shall ensure OUC and RTCC are given detailed updates, including:

Incident Updates	
(1)	Location and number of participants;
(2)	Activities of the participants (e.g., neighborhood block party, protesters marching peacefully, blocking traffic, destruction of property);
(3)	Direction of movement of the participants when applicable; and
(4)	Ingress and egress routes for emergency vehicles.

B. Civil Disturbance Unit

1. MPD is the primary law enforcement authority during a civil disturbance or riot situation in the District of Columbia except on federal or congressional property. Assistance may be obtained from other city departments and from law enforcement mutual aid and military assistance agreements as necessary.
2. In order to handle events involving crowd management, to include providing for the safety of participants in First Amendment assemblies and addressing acts of civil disobedience and rioting, the department's Civil Disturbance Unit (CDU) consists of specially trained personnel that can be rapidly assembled. The CDU organizational structure is designed to facilitate command, control, and communication and allows for authority and accountability. In compliance with ICS, CDU platoons (i.e., mobile field forces) shall be organized as follows:

CDU Organization	
CDU platoons	<p>Each police district has a minimum of five platoons. District CDU staffing levels determine the total number of platoons. Each CDU platoon, commanded by a CDU-trained lieutenant, shall consist of a minimum of four squads.</p> <ul style="list-style-type: none"> • Each platoon can perform any crowd formation currently used by the department. • First, third, and fifth platoons are general platoons and require only basic CDU certification with no other specialized training or equipment. • Second platoon requires basic CDU certification with specialized rapid response training and equipment. • Fourth platoon requires basic CDU certification with specialized CDU mountain bike training.
CDU branch director	The SOD official the rank of lieutenant or above appointed by the SOD commanding official whenever any CDU element is activated. The CDU branch director shall organize CDU activities and logistical support for activated CDU members.
District CDU commander	The captain in command of all CDU platoons from one district. Each MPD district shall maintain a minimum of five fully-staffed CDU platoons commanded by a CDU-trained captain designated by the district commander. CDU shall be staffed by members in full duty status who have successfully completed all required training and be certified in the use of all department less lethal and chemical weapons.
SOD commanding official	The SOD commanding official, or his or her designee, shall serve as the day-to-day supervising official of CDU. All members assigned to SOD are required to be CDU-certified and shall be considered operational resources during CDU activation.

3. The patrol districts shall maintain a minimum of 35 CDU platoons. Additional CDU platoons shall be maintained by non-patrol units at the direction of the chief of police. The platoons are assigned numerical designations based on their patrol district and platoon number. Each district shall maintain a certain number of platoons based on the patrol district's staffing levels. CDU minimum staffing is as follows:

CDU Minimum Staffing	
Captains	7

Lieutenants	35
Sergeants	140
Officers	980
Total	1162

4. Members assigned to CDU shall work their regularly scheduled shift in their respective element except when activated for a CDU assignment or when participating in CDU training.
5. On-duty CDU members shall be prepared for deployment at all times. CDU members assigned to patrol vehicles shall maintain their standard CDU protective equipment in their vehicle at all times. CDU members not assigned to a patrol vehicle shall keep their standard CDU protective equipment secured and immediately available in their lockers. The storage of CDU protective equipment by CDU members shall be subject to quarterly inspection to ensure compliance with this provision.
 - a. Protective shields are maintained at police districts and provided to CDU members at the scene of an event.
 - b. Standard CDU protective equipment includes a ballistic helmet, gas mask with gas mask bag, expandable baton with d-ring, gloves, chemical/biological coveralls, boots, eye protection, and CDU equipment bag.
 - c. In addition to standard CDU protective equipment, members trained in rapid response will have additional gear (i.e., riot gear) to include a coverall suit, shoulder pads, forearm pads, thigh pads, groin pads, shin pads, foot pads, belt, and harness.
6. CDU Assignments
 - a. District CDU captains shall maintain a current CDU roster that includes each member's name, shift, and police service area (PSA) in order to immediately initiate the call-back process when notified to recall CDU personnel. CDU members shall report any change of home address or telephone number in PeopleSoft.
 - b. Due to specialized training needs, CDU is a permanent assignment. No assignment changes shall be made without the approval of the SOD commanding official or his or her designee. The only exceptions are when members are promoted or reassigned by the Executive Office of the Chief of Police.
 - c. CDU members seeking removal from CDU shall submit a request electronically, through channels, to the district CDU captain who shall make a recommendation, through channels, to the SOD commanding official. The SOD commanding official or his or her designee shall approve or deny all requests.
 - d. The chief of police shall ensure that all affected personnel are provided basic CDU certification and CDU re-certification training.

Members who fail to re-certify within five years shall be required to repeat the basic CDU certification training.

7. CDU Alert and Activation

- a. When the services of the CDU are required, the initial incident commander shall immediately notify the district watch commander of the district in which CDU shall be deployed and request, through the Joint Operations Command Center (JOCC) or RTCC, sufficient on-duty CDU members to respond to the designated staging area.
- b. The initial incident commander shall request the RTCC or JOCC to notify the SOD watch commander to respond to the scene of the incident. The initial incident commander shall remain at the scene until the situation has ended or he or she has been relieved as incident commander by the SOD watch commander or other competent authority.
- c. When CDU is activated, or when the chief of police or his or her designee orders the recall or deployment of all CDU personnel, the RTCC watch commander shall ensure that all police district watch commanders, command staff, the HSB assistant chief, SOD commanding official, SOD watch commander, members of the HSB Domestic Security Operations Section (DSOS), and CDU captains are notified to provide logistical support for CDU mobilization.
- d. The incident commander and field commander shall collectively determine whether the situation requires response by additional police district personnel, a portion of the on-duty police district CDU members, all on-duty police district CDU members, or all CDU members, including off-duty CDU members by recall. The operations section chief shall notify the RTCC, field commander, and the JOCC, in situations that shall require response by CDU personnel.
- e. When off-duty CDU members are notified to return to duty for a CDU assignment, the members shall immediately respond to their assigned element and begin preparing for deployment.
- f. The incident commander shall designate an operations section chief. The operations section chief shall establish a designated check in location and staging area for incoming personnel, ensuring that CDU members arriving at the staging area for the incident are organized into squads, regardless of their normal CDU or squad assignment. A record of the squad assignments for the incident shall be maintained by documentation officers.
- g. As full squads are assembled, the operations section chief shall deploy the squads as needed. When the situation allows, the operations section chief shall regroup CDU members into their regularly assigned squad or platoon assignments and recall the SOD members necessary for providing logistical support for CDU

mobilization.

- h. Each CDU platoon leader shall be designated a specific staging area, from which the operations of the unit can be coordinated with subordinate and superior officials.
- i. CDU platoon leaders shall ensure that subordinate officials' and members' uniforms and helmets identify their affiliation with MPD. Subordinate officials and members shall wear their badges and nameplates properly and ensure that badge numbers and nameplates are not concealed, damaged, or tampered with, so as to interfere with the ability of the member to be identified.

C. Field Force Extrication Team

- 1. The SOD Field Force Extrication (FFE) Team assists CDU platoons and arrest teams in removing protesters from improvised locking devices (e.g., sleeping dragons). By employing devices made from cement, steel, wood, and other materials, protesters may intentionally block roadways, entrances to public or private property, and resist arrest. FFE members are equipped with special extracting tools to defeat these improvised locking devices used by demonstrators.
- 2. When protesters are locked in protester devices, individuals shall be placed under arrest before extrication from the device can begin. The arrest team shall be prepared to take the individual into custody as soon as the extrication team removes the person from the device. The FFE Team is not part of the arrest team.
- 3. When it is apparent that demonstrators have locked themselves into improvised locking devices, the incident commander shall request FFE response. FFE services shall be requested through the SOD watch commander or his or her designee by providing the assignment location and type of service requested. Prior to approval, the SOD commanding official or his or her designee shall ensure FFE deployment is necessary and consistent with department policy.
- 4. FFE may be requested to assist other public safety agencies. All requests for assistance from an outside agency shall be approved by the chief of police or his or her designee.
- 5. Upon FFE deployment, the on-scene incident commander shall be in command of FFE deployment, with the exception of incidents involving an established unified command. In such cases, FFE shall report to the unified command post on the scene. When a unified command post has been established, all tactical operations involving multiple agencies will be coordinated through the unified command.

D. JOCC/RTCC Activation and Operations

- 1. The JOCC shall be established for major events at the discretion of the chief

of police.

2. Upon notification of a major event requiring activation of the JOCC, the RTCC watch commander shall ensure that the following notifications and any other applicable notifications are made. All notifications shall be reviewed and approved prior to being sent.
 - a. The COP and Command Staff page groups shall be notified. The MPD liaison official assigned to the Office of Unified Communication (OUC) shall be notified to ensure OUC is aware of the incident and can coordinate necessary assistance. Urgent notifications and those of a sensitive nature shall be followed-up with a telephone call to the chief of police and HSB assistant chief.
 - b. Public notifications (e.g., via social media) of street closures and alternate routes shall be made.
 - c. The Homeland Security and Emergency Management Agency (HSEMA) and other affected government agencies shall be notified.
3. The official commanding the JOCC shall notify the Office of the Attorney General (OAG) to request a representative to respond to the JOCC.
4. Situational Report
 - a. Upon activation of the JOCC, the RTCC commanding official shall ensure that a situational report, marked with the corresponding CCN, is initiated and continued until the JOCC is deactivated. The situational report shall include the following information:

Situational Report Requirements	
(1)	Time that the incident began;
(2)	Location of the incident;
(3)	Source of the information;
(4)	Staffing and location of units;
(5)	Check-in and check-out times of units;
(6)	Date and time JOCC deactivated and name of authorizing official; and
(7)	All events and notifications that could be considered significant.

- b. The RTCC commanding official, incident commander, and unit commanders (i.e., platoon lieutenants) shall designate one member of their unit to serve as the unit recorder for all significant events associated with the operation of the unit. Entries into the situational report will be made at the direction of the RTCC commanding official and the incident commander.
 - c. When it becomes necessary for DSOS or subordinate supervisory officials to initiate any independent action, or engage in or observe events that could be considered significant, they shall, as soon as possible, announce over the radio to the RTCC for inclusion in the situational report. Examples of events warranting entry in the log would be:

Situational Report Entries	
(1)	Tactical orders issued to personnel;
(2)	Orders received from higher authority;
(3)	Significant acts on the part of the demonstrators;
(4)	Conferences for issuance of dispersal warnings;
(5)	Authorizations for issuance of dispersal warnings;
(6)	Issuance of dispersal warnings and/or dispersal warnings;
(7)	Verification that dispersal warnings were audible;
(8)	Locations of exit routes for dispersal;
(9)	Incidents involving high-volume arrests;
(10)	Authorizations for donning rapid response gear;
(11)	Circumstances surrounding the use of force (including type of force, authorizations for deployment of less lethal weapons, duration, and effect); and
(12)	Complaints alleging serious police misconduct as defined in GO-PER-120.20 (Administrative Investigations) .

- d. Information shall be announced over the radio and recorded on the member's body worn camera (BWC). The RTCC commanding official shall ensure that the situational report is completed as soon as practical noting how and where information was captured.

5. The RTCC commanding official shall ensure all electronic and paper records (originals and copies) relative to the event are retained, indexed, marked with the corresponding event number, and copies forwarded to SOD no later than 10 days following the event.

E. Command Assignments and Responsibilities

During periods in which the department is fully activated for planned or unplanned events, the following command assignments shall be in effect:

1. The chief of police, as the commanding official of the MPD, shall oversee all police activities during CDU activation.
2. The executive assistant chiefs shall assist the chief of police. All other assistant chiefs shall be assigned specific duties and responsibilities as designated by the chief of police.
3. The chief administrative officer shall assist the chief of police and oversee the procurement of items and equipment required during the course of operations during CDU activation.
4. The HSB assistant chief shall have command authority over all arrangements and activities within HSB, to include the coordination and operational functions specific to RTCC, SOD, and CDU.
5. The SOD commanding official is designated as the CDU commanding official and shall coordinate, command, and direct all CDU and SOD activities. The SOD commanding official shall manage all traffic control activity and event participant activities and coordinate the collection and dissemination of pertinent demonstration or civil disturbance-related information.

6. The Criminal Investigations Division (CID) commanding official shall ensure a pre-designated response team is available for all misdemeanor and felony arrests.
7. The Violent Crime Suppression Division (VCSD) commanding official shall coordinate and implement operations for prisoner processing for high-volume arrests and prisoner transportation.
8. The Evidence Control Division (ECD) commanding official shall coordinate the implementation of emergency procedures for receiving and processing property taken into custody, including coordination with CID and VCSD regarding property that may need to be classified as evidence.
9. The general counsel shall provide field assistance to the chief of police and other command personnel, and perform liaison functions with courts, the United States Attorney's Office, the Office of the Attorney General, and other legal organizations as applicable.
10. The Internal Affairs Bureau (IAB) shall monitor, assess, and investigate allegations or instances of misconduct and use of force through the Internal Affairs Division (IAD). IAD shall investigate all incidents involving the use of force as outlined in this order.
11. The Medical Services Division (MSD) facilitates the health and welfare of all members by taking reasonable steps to ensure medical assistance is available during large scale events. When CDU has been activated, the optional sick leave program may be suspended. When the optional sick leave program is suspended:
 - a. All members reporting sick are required to report to the Police and Fire Clinic (PFC) for an evaluation in the uniform of the day and have in their possession all necessary equipment to assume their duty assignments.
 - b. In life-threatening situations, or when the PFC is closed, members requiring treatment for medical emergencies, or needing urgent care medical services for on-duty injuries and illnesses, shall report to the emergency room or urgent care facility pursuant to [GO-PER-100.11 \(Medical Services\)](#).
12. In the event of incidents involving suspicious packages and unknown substances, Explosive Ordnance Disposal Unit may be activated pursuant to [GO-HSC-805.04 \(Bomb Threats and Explosive Devices\)](#) and [GO-HSC-802.04 \(Hazardous Materials Incidents\)](#).

F. Crowd Management

1. Supervisors shall be aware of the type of crowd that is being managed, and remind members at the staging area of what to expect from the participants and what types of alternative responses the members may anticipate.

2. Absent exigent circumstances, the incident commander shall determine the type of response deemed necessary for crowd management.
3. Communication is an essential tool in crowd management. It ensures unity of action among members, and that police officials and crowd leaders understand one another. Communication must be constant, clear, and immediate, and on many occasions, can serve to defuse threatening situations.
4. Supervisors shall constantly observe and speak with members under their charge to ensure that they are complying with the orders of the unit commander and ensure that they are completely aware of probable responses to crowd attitude change. Supervisors shall ensure that members who are showing strain are provided temporary relief.
5. The incident commander shall establish communication with event leaders as soon as possible and maintain communication as a sign of cooperation, as a means of obtaining first-hand knowledge of crowd intentions, to ensure the safety of the crowd, and as a tool to facilitate negotiations and maintain the peace.
6. The incident commander shall ensure that a few members are strategically placed to assess the intentions of the crowd and relay changes in crowd behavior to the incident commander.

G. First Amendment Assemblies

1. [DC Official Code § 5-331.03 \(Policy on First Amendment Assemblies\)](#) states that persons and groups have a right to organize and participate in peaceful First Amendment assemblies on the streets, sidewalks, and other public ways, and in the parks of the District of Columbia, and to engage in First Amendment assembly near the object of their protest so they may be seen and heard, subject to reasonable restrictions designed to protect public safety, persons, and property, and to accommodate the interest of persons not participating in the assemblies to use the streets, sidewalks, and other public ways to travel to their intended destinations, and use the parks for recreational purposes and MPD shall not engage in mass arrests of groups that include First Amendment assemblies or that began as a First Amendment assembly unless MPD determines that the assembly has transformed, in substantial part or in whole, into an activity subject to dispersal or arrest and has issued an order to disperse.
2. Members shall not engage in demonstration-related discussion with participants and shall conduct themselves so as to display an attitude of neutrality. However, members shall be courteous and helpful, mindful that expressions of friendliness are a valuable tool in maintaining peace.
3. In accordance with [GO-SPT-302.13 \(Body Worn Camera Program\)](#), members shall activate their BWC when responding to First Amendment assemblies. Pursuant to [DC Official Code § 5-333.09 \(Preliminary Inquiries Relating to](#)

[First Amendment Assemblies](#)), members **shall not** record First Amendment assemblies for the sole purpose of identifying and recording the presence of individual participants who are not engaged in unlawful conduct. It is permissible for members to record the presence of individual participants not engaged in unlawful conduct while performing other police functions (e.g., maintaining the peace).

4. Upon notification of a First Amendment assembly, the incident commander shall secure a central complaint number (CCN) designated solely for the event. This CCN shall be used when referring to any records retained which are associated with the event. Different CCNs may be obtained for individual incidents which occur during the event (e.g., damage to property, arrests).
5. Equipment
 - a. Members are prohibited from removing or tampering with their badges or nameplates and are required to verbally identify themselves when asked their identities.
 - b. Supervisors shall ensure that all members have their assigned badge numbers and MPD affiliation affixed to their helmets.
 - c. Members may use CDU ballistic helmets when authorized by a CDU official when a reasonable threat of injury exists.
 - d. Any deployment of officers in rapid response gear must be consistent with the District's policy on First Amendment assemblies and approved by an on-scene incident commander who believes there is an impending risk to law enforcement officers of significant bodily injury.
 - (1) Rapid response gear deployment **shall not** be used as a tactic to disperse a First Amendment assembly.
 - (2) Deployment shall be reasonable, given the totality of the circumstances, and all other options shall have been exhausted or do not reasonably lend themselves to the circumstances.
6. Demonstrations Directed at Foreign Governments

MPD shall provide trained personnel to respond to the scene of First Amendment assemblies and demonstrations at foreign embassies and offices of international organizations located within the District of Columbia. Demonstrations directed at foreign governments shall be handled in accordance with this order with the following additional requirements.

 - a. The 100-foot rule established in [18 USC § 112 \(Protection of foreign officials, official guests, and internationally protected persons\)](#) prohibits certain activities within 100 feet of a building used for official purpose by a foreign government. Members shall enforce the 100-foot rule to protect foreign officials and official guests from any congregation that intimidates, coerces, threatens, or harasses a foreign official or an

official guest or obstructs a foreign official in the performance of his or her duties.

- b. Members shall allow individuals to display signs within 100 feet of an embassy or other building used for official purposes by a foreign government, whether or not the signs are critical of that government.
- c. The first responding member shall act according to the procedures set forth in this order and permit lawful activities to continue, ensuring that the SOD watch commander is notified. The SOD watch commander shall locate the on-scene officer or supervisor for the US Secret Service Uniformed Division (USSS/UD) to obtain intelligence information and determine the respective areas of responsibility for officers responding to the event. If no member of the USSS/UD responds to the scene, the SOD watch commander shall notify RTCC to request USSS/UD and notify the US Department of State senior watch officer.
- d. The SOD watch commander shall work with the USSS/UD to identify the respective areas of police responsibility related to the activities of the demonstration. In situations involving a group, the SOD watch commander shall ensure that the leader of the group has been identified and advised of the specific areas in which the group may demonstrate.
- e. If necessary, the SOD watch commander shall ensure that a police line is established to provide a security zone for access to and from the premises (e.g., when a protectee or head of state is arriving or departing).
- f. The SOD watch commander shall ensure that opposing demonstrators are separate where conflict may occur, including groups of embassy personnel.
- g. The SOD watch commander shall ensure there is a specific notation for demonstrations directed at foreign governments in the monthly federal man-hours on details report to the HSB assistant chief.

7. First Amendment Assembly Enforcement Action and Dispersal Orders

a. Police Lines

No emergency area or zone shall be established by using a police line to encircle, or substantially encircle, a First Amendment assembly, or subpart thereof, except where there is probable cause to believe that a significant number of the persons located in the area or zone have committed unlawful acts (other than failure to have an approved assembly plan), and the police have the ability to identify those individuals and have decided to arrest them; provided, that this section does not prohibit the use of a police line to encircle an assembly for the safety of the demonstrators.

- b. Where participants in a First Amendment assembly fail to comply with reasonable time, place, and manner restrictions, the MPD shall, to the extent reasonably possible, first seek to enforce the restrictions through voluntary compliance and then seek, as appropriate, to enforce the restrictions by issuing citations to, or by arresting, the specific non-compliant persons, where probable cause to issue a citation or to arrest is present.
- c. Where participants in a First Amendment assembly, or other persons at the location of the assembly, engage in unlawful disorderly conduct, violence toward persons or property where there is individualized probable cause for arrest, or unlawfully threaten violence, the MPD shall, to the extent reasonably possible, respond by identifying and dispersing, controlling, or arresting the particular persons engaging in such conduct, and not by issuing a general order to disperse, thus allowing the First Amendment assembly to continue.
- d. MPD shall not issue a general order to disperse to participants in a First Amendment assembly except where:
 - (1) A significant number or percentage of the assembly participants fail to adhere to the imposed time, place, and manner restrictions, and either the compliance measures set forth in subsection (b) of this section have failed to result in substantial compliance or there is no reasonable likelihood that the measures set forth in subsection (b) of this section will result in substantial compliance;
 - (2) A significant number or percentage of the assembly participants are engaging in, or are about to engage in, unlawful disorderly conduct or violence toward persons or property where there is individualized probable cause for arrest; or
 - (3) A public safety emergency has been declared by the mayor that is not based solely on the fact that the First Amendment assembly is occurring, and the chief of police determines that the public safety concerns that prompted the declaration require that the First Amendment assembly be dispersed.
- e. If and when MPD determines that a First Amendment assembly, or part thereof, should be dispersed, the MPD shall follow warning and dispersal procedures set forth in this order.

H. Civil Disobedience and Illegal Activity

- 1. Civil disobedience stemming from large scale events may involve groups of individuals who engage in unlawful conduct. This conduct may be non-violent, such as blocking traffic or the entry to a building, or it may be violent involving minor property damage or isolated assaults on members. Often there will be

little or no warning before the onset of violence or property damage. In some instances, it may be possible to estimate a level of civil disobedience by the nature of a pre-planned event. However, each civil disobedience situation is unique, and commanding and supervisory officials shall plan and respond according to the nature and size of the disturbance.

2. In some cases, groups planning to engage in illegal conduct will make their intentions known in advance. In such cases, the department shall ensure that the necessary resources and staffing are in place to respond to such events while minimizing the disruption to routine police services. In these cases, the department's response shall be based on the best available information as to the size, purpose, and expected type of activity of those participating in the demonstration. Other essential elements of information necessary to effectively plan the MPD's response are: time and location of demonstration, special circumstances of individuals involved (e.g., special needs, disabilities), estimated number of participants, the potential for counter-demonstrations, assembly areas, and expected activities of the demonstrators. Every effort shall be made to obtain the above information during advance negotiations with the leaders of the demonstration.
3. In the area outside the perimeter surrounding the disobedience site, the incident commander shall:
 - a. Move and reroute pedestrian and vehicular traffic around the disobedience site.
 - b. Limit access to the disobedience site only to those persons approved by the incident commander.
 - c. Control unauthorized egress from the disobedience site by participants who are subject to arrest based on probable cause.
4. The incident commander shall establish a field command post at or near the disobedience site, from which he or she shall control and coordinate police tactical operations.
 - a. A staging area shall be established for all responding emergency personnel and equipment.
 - b. Deployment of the personnel and equipment into the disobedience site shall be at the express direction of the incident commander.
5. The incident commander shall ensure that all necessary police security is provided to DC Fire and Emergency Medical Services (DCFEMS) personnel, as well as to other medical and public utility responders, to ensure their safety within the disobedience site while performing emergency tasks.
6. During instances of civil disobedience, the primary objectives of the incident commander shall be to:
 - a. Protect non-participants, participants, and property.

- b. Disperse disorderly or threatening crowds in order to eliminate the immediate risks of continued escalation and further violence. Dispersal orders shall be given in accordance with this order.
 - c. Deploy personnel to isolate and contain the people within a crowd who are acting unlawfully and effect the arrest of those individual law violators based on probable cause.
 - d. Ensure ongoing updates are provided to OUC or RTCC/JOCC.
 - e. Evaluate the need for additional staffing to manage the situation and determine if a partial or full activation of CDU personnel or a recall of off-duty personnel will be necessary.
 - f. Determine the level of equipment to be used and the tactics employed in response.
7. The incident commander has several options for dealing with groups engaged in civil disobedience:

Civil Disobedience Responses
a. The use of constructive force through uniformed police presence.
b. Issuance of formal orders to disperse using public address equipment to ensure notification to all leaders and crowd members, and to maximize the legal effects of such notifications. Dispersal orders shall be given in accordance with this order.
c. Use of tactical maneuvers and other crowd management formations to promote dispersal of those acting in violation of the law.
d. When necessary, make arrests based on probable cause of those participating in violations of law.
e. Use of force, including the use of less lethal weapons, consistent with this order.

I. Crowd Dispersal and Issuing Warnings

- 1. As a first means of addressing a crowd engaged in civil disobedience under static conditions, the unit commander shall attempt voluntary compliance with reasonable time, place, and manner restrictions.
- 2. Where the crowd participants engage in unlawful disorderly conduct and/or civil disobedience or unlawfully threaten violent civil disobedience, the unit commander shall, to the extent reasonably possible, respond by dispersing, controlling, or arresting the particular persons engaging in such conduct, rather than issuing a general order to disperse.
- 3. The unit commander shall not issue a general order to disperse except where:

Requirements for General Orders to Disperse
a. A significant number or percentage of the participants fail to adhere to the imposed time, place, and manner restrictions, and efforts to obtain voluntary compliance have failed or there is no reasonable likelihood that participants will voluntarily comply;

b.	A significant number or percentage of the crowd are engaging in, or are about to engage in, unlawful disorderly conduct or violence toward persons or property where there is individualized probable cause for arrest;
c.	An official the rank of inspector or above has declared that a First Amendment assembly has become a riot; or
d.	A public safety emergency has been declared by the mayor that is not based solely on the fact that a First Amendment assembly is occurring, and the chief of police determines that the public safety concerns that prompted the declaration require that the assembly be dispersed.

4. An official deeming it necessary to issue warnings to disperse shall confer with the unit commander to explain the official's basis for believing that a warning should be issued. An order to disperse shall only be authorized by an official the rank of inspector or above. The unit commander shall make any inquiries necessary to satisfy himself or herself whether the issuance is justified and direct that the issuing official act accordingly. This process shall be repeated as necessary during the course of the event.
5. Upon receiving approval to issue the dispersal order and prior to issuance, the issuing official shall ensure RTCC is notified of the dispersal order authorization, the circumstances justifying the warnings, and with whom he or she is conferring regarding the issuance of warnings.
6. Absent exigent circumstances, the issuing official shall use and complete a crowd dispersal warning sheet which can be found on the MPD intranet (Attachment K). The issuing official shall inform the persons to be dispersed of the law, regulation, or policy that they have violated that serves as the basis for the order to disperse and warn them that they may be arrested if they do not obey the dispersal order or abandon their illegal activity from a stationary vantage point that is observable to the crowd according to the following requirements. Where necessary, warnings shall be given from police vehicles, equipped with public address systems, moving around the crowd.
 - a. Where there **is not** an imminent danger of bodily injury or significant damage to property, the official shall issue at least three clearly audible and understandable orders to disperse using an amplification system or device, waiting at least two minutes between the issuance of each warning. If the warning is not confirmed audible, it must be repeated. For **each** warning, the issuing official shall:

No Imminent Danger of Bodily Injury or Significant Damage to Property	
(1)	Note the time of the warning;
(2)	Issue the warning using the warning format [i.e., "I am (official's rank and name) of the Metropolitan Police Department. You are in violation of (criminal offense). If you do not cease your unlawful behavior and disperse peaceably, you will be arrested. To exit the area, (directions to disperse). This is your (first, second, or third and final) warning."];
(3)	Notify RTCC of the official's call sign, location, and confirmation of the audible warning;
(4)	Wait two minutes between warnings to allow participants a reasonable amount of time to disperse;
(5)	If the crowd does not comply with the third and final warning, announce the intent to arrest [i.e., "I am (official's rank and name) of the Metropolitan

Police Department. You are in violation of (criminal offense) and are now subject to immediate arrest.”].

- b. Where there **is** imminent danger of bodily injury or significant damage to property, the official shall issue at least one clearly audible and understandable order to disperse using an amplification system or device.

Imminent Danger of Bodily Injury or Significant Damage to Property	
(1)	Note the time of the warning;
(2)	Issue the warning using the warning format [i.e., “I am (official’s rank and name) of the Metropolitan Police Department. You are in violation of (criminal offense) and pose an imminent danger of bodily injury and/or significant damage to property. If you do not cease your unlawful behavior and disperse peaceably, you will be arrested. To exit the area, (directions to disperse). This is your first and only warning.”];
(3)	Notify RTCC of the official’s call sign, location, and confirmation of the audible warning;
(4)	Allow participants a reasonable amount of time to disperse;
(5)	If the crowd does not comply with the warning, announce the intent to arrest [i.e., “I am (official’s rank and name) of the Metropolitan Police Department. You are in violation of (criminal offense) and are now subject to immediate arrest.”].

- c. To the extent possible, arresting members shall be positioned at the rear of the crowd so they can hear the order to disperse. The entire warning process and all notifications shall be captured on BWC and over the radio. Officials shall ensure that it the process is documented in accordance with procedures pertaining to high-volume arrests.

7. When the incident commander has reason to believe that members of the crowd are limited or non-English proficient, every effort shall be made to ensure warnings are provided in appropriate languages consistent with [GO-SPT-304.18 \(Language Access Program\)](#).
8. Nothing in this section is intended to restrict the authority of the MPD to arrest persons who engage in unlawful disorderly conduct, or violence directed at persons or property.

J. Riots

- Events may escalate beyond a civil disturbance with isolated incidents of criminal conduct into a riot. A declared riot is not a First Amendment assembly and is characterized by a group of five or more persons engaged or threatening to engage in near-simultaneous assaultive behavior or significant property damage that has aroused, or is likely to arouse, public alarm or apprehension.
- Absent exigent circumstances, a riot shall be declared by a member the rank of inspector or above. In cases where an inspector or above is not immediately available, the declaring official shall contact an inspector or above as soon as possible and be guided by his or her direction. In all cases, the declaring official shall voice the declaration over the radio and describe

the circumstances observed supporting the declaration.

3. To the extent that the incident commander has not already done so, a perimeter and command post shall be established pursuant to this order.
 4. During a declared riot, the department's primary and immediate objectives are to:
 - a. Protect non-participants, participants, and property.
 - b. Deploy personnel to isolate the group participating in the riot and arrest individuals based on probable cause.
 - c. Ensure ongoing updates are provided to OUC or RTCC/JOCC.
 - d. Evaluate the need for additional staffing to manage the situation and determine if a partial or full activation of CDU personnel or a recall of off-duty personnel will be necessary.
 - e. Determine the level of equipment to be used and the tactics employed in response.
 5. When dealing with groups engaged in riotous behavior, the incident commander shall authorize arrests based on probable cause for those participating in riotous behavior. Force may be used, including less lethal weapons, consistent with this order.
 6. Dispersal warnings are not required during a riot unless it began as a First Amendment assembly.
- K. Photographic and Video Recordings
1. Members who are assigned BWCs and who have recordings of First Amendment assemblies, civil unrest, or other related incidents or criminal activity shall ensure their recordings are categorized in evidence.com as "First Amendment Assembly, Civil Unrest, or Other Related Incident" **in addition to** any relevant BWC categories for associated criminal activity, when applicable. Members shall also ensure the assigned CCN is entered into the ID field.
 2. Commanding officials of units having members assigned to, or those with the capability to, use government-issued equipment other than BWCs to engage in photographic or video recording (e.g., audio, video, still photography) shall establish a log to index recordings. The log shall contain:

Recording Log
a. Member's name, CAD number, and assignment
b. Equipment and recording media used
c. Dates, times, and locations of the recordings
d. Notation of the indexing and logging of return of all media used

3. Members who are assigned to, or those with the capability to, use government-issued equipment other than BWCs to engage in photographic or video recording shall, upon completion of the assignment;
 - a. Label all recordings with the event number along with the times, and locations the recordings were taken and the CAD number.
 - b. Document their use of photographic or video recording in the unit's log. If no recordings were taken, note such in the log.
 - c. Ensure all recordings (originals and copies) along with a copy of the log are retained, properly marked, and forwarded to the SOD commanding official no later than 10 days following the event. The original log shall be retained at the organizational element. Photographs and videos shall be uploaded to evidence.com and labeled with the appropriate CCN. SOD shall preserve all photographs and videos with First Amendment retention records. This evidence may be necessary for papering determinations and potential civil litigation.
4. Absent exigent circumstances, members shall not use their personal equipment (e.g., personal cell phones) to take photographs or record videos of civil disturbances or riots stemming from First Amendment assemblies. In the event that members use their personal equipment to take photographs or recordings, they shall email the files to a BWC unit coordinator for upload into evidence.com prior to the end of their shift.

L. Use of Force Guidelines

1. The policy of MPD is to value and preserve the sanctity of human life at all times, especially when lawfully exercising the use of force. Therefore, MPD members shall use the minimum amount of force that the objectively reasonable officer would use in light of the circumstances to effectively bring an incident or person under control, while protecting the lives of the member or others. When using force, members shall continuously reassess the perceived threat in order to select the reasonable use of force response, or one that is proportional to the threat faced by him, her, or others. In accordance with [GO-RAR-901.07 \(Use of Force\)](#):
 - a. All members who encounter a situation where the possibility of violence or resistance to lawful arrest is present, shall, if possible, first attempt to defuse the situation through advice, warning, verbal persuasion, tactical communication, or other de-escalation techniques. Members shall attempt to defuse use of force situations with de-escalation techniques whenever feasible.
 - b. When using force, members must be able to articulate the facts and circumstances surrounding their tactics, decision making, and the extent of force used in any given situation.

2. MPD shall members adhere to [GO-RAR-901.07](#) regarding the use of force. However, during civil disturbances and riots, the use of force reporting, documentation, and investigative processes enumerated in these directives may raise practical, logistical, and safety-related concerns depending on the incident. Accordingly, the reporting, documentation, and investigative procedures for use of force set forth this order shall be used for First Amendment assemblies, civil disobedience, and riotous situations.
3. Nothing in this order shall prevent members from using force as necessary to protect the life of a civilian or member who is subject to the imminent threat of death or serious physical injury, when no other options are feasible, and the force is objectively reasonable and proportionate to the perceived threat.
4. The use of force guidelines provided in this order apply to CDU, other MPD members, and outside law enforcement officers working under agreement with MPD during major demonstrations in the District of Columbia.
 - a. Use of force may be initiated by individual members who use force independent of a CDU unit, guided by department policy including, but not limited to [GO-RAR-901.07](#), and all specified reporting and notification requirements outlined in this order.
 - b. CDU use of force options may be used by on-scene commanders and officials (i.e., “official-directed use of force”) in accordance with this order. On-scene commanders shall direct and approve CDU use of force options. Each official-directed use of force shall be individually reported in accordance with this order.
 - c. Absent exigent circumstances, only the chief of police or designee shall approve the use of 2-chlorobenzalmalononitrile (CS) agents (i.e., tear gas).
 - d. Members shall not deploy less lethal weapons at a First Amendment Assembly, any other public assembly, or riot unless the law enforcement officer actually and reasonably believes that the deployment of less lethal weapons is immediately necessary to protect the member or another person from the threat of bodily injury or damage to property, the deployment of less lethal weapons is not being used to disperse a lawful First Amendment assembly and is consistent with the District's policy on First Amendment assemblies, the member has received training on the proper use, in the context of crowds, of the specific type of less-lethal weapons deployed, the member's actions are reasonable, given the **totality of the circumstances**, and all other options have been exhausted or do not reasonably lend themselves to the circumstances.

Totality of Circumstances
(1) The member, or another law enforcement officer in close proximity, engaged in reasonable de-escalation measures prior to the deployment of less lethal weapons or rapid response gear, including issuing an order to disperse and providing individuals a reasonable opportunity to disperse;

(2)	Any conduct by the member prior to the deployment of less lethal weapons or rapid response gear unreasonably increased the risk of a confrontation resulting in less lethal weapons being deployed;
(3)	The use of less lethal weapons was limited to the people for whom MPD had individualized probable cause for arrest; and
(4)	The less lethal weapon was deployed in a frequency, manner, and intensity that is objectively reasonable.

- e. Individual officials may independently direct CDU use of force options when their squad is detached from the rest of their unit and when the isolated squad's safety or that of other persons is jeopardized. If conditions permit, officials shall apprise the incident commander prior to initiating CDU use of force options.
 - f. The application of CDU use of force options shall be immediately discontinued upon a determination by the ranking official on the scene that the condition that required the use of force has been alleviated.
 - g. The use of canines for crowd control during a protest is strictly prohibited. Explosive Ordnance Detection canines may be used to conduct sweeps.
 - h. Members shall not carry or use unauthorized tools or weapons.
 - i. During civil disturbances and riots, the reporting, documentation, and investigative processes for use of force and misconduct may raise practical, logistical, and safety-related concerns depending on the incident. Accordingly, the reporting, documentation, and investigative procedures for use of force and misconduct set forth in this order, consistent with [GO-RAR-901.07](#), shall be used.
 - j. IAD is responsible for monitoring, assessing, and assigning investigative responsibility for use of force incidents and misconduct allegations involving members of the MPD as well as members of other, non-federal agencies who have agreed to assist the department. Members assigned to IAD shall not be used in a CDU capacity.
2. In any grand jury, criminal, delinquency, or civil proceeding where a member's use of rapid response gear or less lethal weapons is a material issue, the trier of fact will consider the reasonableness of the member's belief and actions from the perspective of a reasonable law enforcement officer and the totality of circumstances, as described in this order.

M. CDU Use of Force Framework

The CDU use of force framework contains six categories of perceived threats and force responses, all of which are fluid, dynamic, and non-sequential. The appropriate force response shall be based upon the member's perception of the threat depicted here and pursuant to [GO-RAR-901.07](#) and department training and standards.

CDU Use of Force Framework

Constructive Force

Constructive force may be used in situations involving orderly crowds or marches.

1. Constructive force involves uniformed police presence. The presence may be in CDU platoon formation or line formation. Platoon formation is used to move a group of officers, on foot, from one location to another and to gather officers whenever they are in view of demonstrators. With constructive force, there is no physical contact between police and demonstrators. Line formation is used to stop, guide or redirect forward movement or form a protective barrier for safety or security reasons and to move a crowd to another location.
2. A police line shall not substantially encircle a First Amendment assembly except for the safety of the First Amendment assembly participants, or where there is probable cause to arrest a significant number or percentage of the persons located in the area of the assembly for unlawful acts, other than failing to have an approved assembly plan or permit.
3. A police line may consist of either uniformed personnel or blockade devices such as barricades, mountain bikes, buses, ropes, or motor scooters. It may be established to prevent damage to a specific target, such as a building, a utility, or a business area, or for other purposes as authorized by [24 DCMR 2100 \(Crowd and Traffic Control\)](#).
4. Persons who reside, are employed, have a business, or have business of an emergency nature in an area marked off by a police line shall not normally be barred from entering the area unless their safety would be jeopardized or their entry would interfere with police operations, and shall not be barred entry based upon their views or expression. All other persons shall be prohibited from crossing a police line into a disturbance area until order has been restored and the police line is removed.
5. Verbal harassment directed against members on a police line shall not be cause for members to break ranks to make an arrest or to engage in a verbal confrontation. However, assaults in the form of thrown missiles or physical attacks upon members will not be tolerated, and on-scene supervisors shall make every effort to identify and have arrested those engaged in such activity, after consultation with the incident commander.
6. When normal vehicular and pedestrian traffic is affected within a large area of the city by the establishment of a police line, the incident commander shall ensure OUC, JOCC, and RTCC are notified.

Physical Force

Physical force may be used when it becomes necessary to isolate an area in which large-scale unlawful activity is occurring or has the potential of occurring.

1. Physical force involves hands-on touching or pushing maneuvers. Physical force may include line and wedge formations (with or without protective shields and mountain bikes) that move a crowd. Wedge formation divides a large crowd into two smaller groups and may include mechanical force if tools or weapons are used in conjunction with the movement.
2. Arrests fall into the physical force category. Cross bow formation is used to enable an arrest squad to move into a crowd to remove individuals for whom there is probable cause to arrest, or to remove individuals from the crowd for their own safety. It is also used to split a crowd to enable movement of officers and uninvolved persons or protectees, and it may include mechanical force if tools or weapons are used in conjunction with the movement.

Oleoresin Capsicum (OC) Force

OC Force may be used when it is necessary to repel a substantial effort to breach a police line, to prevent significant physical injury of police personnel or others, or to prevent significant property damage. The decision to use OC force shall be based upon the necessity to protect officers or others from physical harm or to arrest actively resisting subjects, or if subjects are endangering public safety or security.

1. OC force includes uses of force involving OC, a natural inflammatory agent derived from the pepper plant, which is deployed via personal dispensers (i.e., department OC

- spray issued to all sworn members), large-scale canisters (i.e., MK-9 and MK-46 canisters), OC vapor munitions, and pepper ball launchers.
2. OC spray **shall not** be used for the purpose of dispersing a First Amendment assembly.
 3. Personal OC spray dispensers shall be used in accordance with [GO-RAR-901.04 \(Less Lethal Weapons\)](#).
 4. Large-scale canisters should, generally, be deployed only upon the approval of an incident commander to repel a substantial effort to breach a police line, to prevent significant physical injury of police personnel or others, or to prevent significant property damage. Members shall provide a warning prior to deployment, when practical.
 5. Subjects must be in close proximity for the effective use of MK-9 (i.e., six to 20-foot range) and MK-46 (i.e., 12 to 30-foot range) OC canisters.
 6. Subjects in police custody who have been affected by OC spray shall be given an opportunity for washing and flushing the affected areas with cold water within 20 minutes of being sprayed, or as soon as practicable. Members shall advise subjects not to use creams, ointments, or bandages on affected areas, and that continual rubbing of the skin against affected clothing will cause irritation and reddening of the skin areas.
 7. Subjects who complain of continued effects of OC after having flushed the affected areas shall be transported to a hospital for medical treatment.

Mechanical Force

Mechanical force may be used defensively for the purpose of dispersing crowds that are threatening or actively engaging in violence or to protect lives and property when the circumstances indicate that its use would be the most effective manner of accomplishing the objective.

1. Mechanical force includes uses of force involving the use of department-issued equipment or weapons (e.g., ASP baton, mountain bike, and protective shield) and the use of less-lethal projectiles (i.e., any munition that may cause bodily injury or death through the transfer of kinetic energy and blunt force trauma such as sting ball munitions, FN 303 tactical launcher, 40mm extended impact weapons).
2. Mechanical force should be limited and only used when other tactical options are either not available or when a lower level of force will not have the desired effect.
3. Less-lethal projectiles **shall not** be used for the purpose of dispersing a First Amendment assembly.
4. When holding the expandable baton members shall always use a two-hand grip, use a port arms position to move a resistive crowd from one area to another, and make every effort to avoid strikes to the head or other vital areas. A strike to the head with an expandable baton shall be investigated by IAD in accordance with this order.
5. When deploying sting ball munitions, members shall consider wind direction and except under extenuating circumstances, member shall deploy them underhand by rolling them along the ground rather than throwing them in the air. Members shall provide a warning prior to deployment, when practical.

Chemical Force

Chemical force may be used when other tactical options are unavailable or when a lower level of force will not have the desired effect.

1. Chemical force includes the use of tools or weapons that disperse CS agents (i.e., tear gas) that are approved by the department for crowd control purposes.
2. CS agents **shall not** be used for the purpose of dispersing a First Amendment assembly. Absent exigent circumstances, only the chief of police or his or her designee shall approve the use of CS agents.
3. CS agents shall only be used as a defensive weapon for the purpose of dispersing crowds that are threatening or actively engaging in violence or to protect lives and property when the circumstances indicate that the use of CS agents would be the most effective manner of accomplishing the objective.
4. Before CS agents are deployed, the official authorizing the deployment shall ensure that avenues of escape are available to the crowd.

5. Except under extenuating circumstances, member shall deploy them underhand by rolling them along the ground rather than throwing them in the air. Members shall provide a warning prior to deployment, when practical.
6. Individuals in police custody who have been affected by CS agents shall be given an opportunity for washing. Individuals who complain of continued effects after having flushed the affected areas shall be transported to a hospital for medical treatment. Members shall advise subjects not to use creams, ointments, or bandages on affected areas, and that continual rubbing of the skin against affected clothing will cause irritation and reddening of the skin areas.

Deadly Force

Deadly force may be used when it is immediately necessary to protect the member or another person (other than the subject of the use of deadly force) from the threat of serious bodily injury or death, the member's actions are reasonable given the totality of the circumstances, and all other options have been exhausted or do not reasonably lend themselves to the circumstances.

1. Deadly force is any force that is likely or intended to cause serious bodily injury or death.
2. Deadly force must be used in accordance with [GO-RAR-901.07](#).

N. Use of Force, Misconduct, and Complaints

1. Individual members who use force independent of a CDU unit, shall immediately notify the on-scene supervisor and complete a force incident report (FIR). Member use of force that is independent of a CDU unit shall be investigated in accordance with [GO-RAR-901.07](#). Notified supervisors shall:
 - a. For incidents involving a serious use of force as defined in [GO-RAR-901.07](#), immediately notify the incident commander who shall ensure IAD is immediately notified.
 - b. For all other uses of force, obtain incident summary (IS) numbers prior to being relieved from duty and ensure the reporting member completes the FIR.
2. Officials who direct the use of force (e.g., for a squad, platoon) shall notify the RTCC/JOCC and the incident commander.
 - a. For incidents involving a serious use of force, the incident commander shall ensure the IAD is immediately notified.
 - b. For all other uses of force, the official shall obtain IS numbers prior to being relieved from duty and complete a PD Form 901-m (Assembly or Demonstration Reportable Force Report) (Attachment E).
3. When a serious use of force occurs, IAD shall conduct a full investigation in accordance with [GO-RAR-901.07](#). The opportunity to conduct an extensive on-scene force review during an incident may be hampered by civil disturbance or riot-type conditions. In these scenarios, IAD members shall attempt to gather as much information as possible to initiate the investigation. However, due to safety concerns, IAD members may have to return to conduct more extensive reviews once the area is secure and conditions are safe. Conditions may exist in which IAD might not be able to enter a scene for several hours, or IAD is not notified of a serious use of force incident until

long after it occurs. In these cases, IAD members may have to rely on non-traditional means (e.g., reviewing video footage) to gather information about the incident. Nonetheless, the fullest investigation possible shall be conducted in relation to the safety level of the scene at the time of the incident.

4. The following requirements shall apply to IAB during civil disturbances and riots:
 - a. A representative from IAD shall be assigned as a liaison to the JOCC. This representative shall be responsible for coordinating force and misconduct-related information for the IAB.
 - b. IAD shall maintain a rapid response team to respond to serious use of force incidents occurring during civil disturbance situations. These members shall be prepared to respond to a scene in which a civil disturbance may be occurring.
 - c. IAD shall assess all serious use of force incidents, and in consultation with the IAB assistant chief, determine which incidents warrant a substantive IAD rapid response.
 - d. IAD Technical Surveillance Unit members shall provide technical support for IAD members.
 5. Reporting and Investigating Misconduct or Complaints
 - a. Members who observe other members engaging in misconduct shall report such misconduct to an official as soon as practicable.
 - b. Complaints of police misconduct received from the public during mass demonstrations and periods of civil disorder shall be properly recorded and investigated in accordance with department policy including, but not limited to, [GO-PER-120.25 \(Office of Police Complaints Investigations\)](#) and [GO-PER-120.20](#).
 - c. If a complaint is of a nature that would subject the department to public criticism or liability, the incident commander and the RTCC/JOCC shall be notified immediately. The incident commander shall determine what course of action should be taken.
 - d. Regardless of whether a complaint has been filed or is likely to be filed, officials who observe or have reported to them instances of misconduct by members shall take immediate steps to determine the facts, promptly take appropriate corrective action, if necessary, and report the alleged misconduct in accordance with department procedures.
- O. Arrest Guidelines
1. MPD has established the high-volume arrest prisoner control system

(HVAPCS) to handle high-volume arrests resulting from civil disorder. Only the chief of police or his or her designee shall activate the HVAPCS. For unlawful, non-violent civil disobedience by protestors, crowd activities should be monitored. Depending on the scenario and degree of disruption, high-volume arrests may be considered.

2. Once the determination has been made to activate the HVAPCS, the determination to make high-volume arrests shall be made by the incident commander.
 - a. The incident commander shall satisfy himself or herself that probable cause exists for the arrest of each person to be arrested. The incident commander shall not order the arrest of any person for whom he or she has not verified the existence of probable cause to arrest.
 - b. The incident commander should make the inquiries reflected on the Pre-High-Volume Arrest Checklist (Attachment B) in order to verify that the arrest is proper and lawful.
 3. Members shall document every arrest consistent with the department's responsibility to protect life and property and to prevent unlawful conduct. Documentation of the procedures shall be made pictorially and audibly, if possible. When applicable, the documentation of procedures must reflect the availability and location of exit routes available to the crowd, and of any persons who leave the area. When given, the number of warnings given, the method used, and the time intervals between warnings shall be recorded on the situational report.
 4. In accordance with [GO-SPT-302.13](#), members shall ensure that BWCs are turned on and in standby mode and activated when searching, transporting, and processing prisoners, including transport wagon cameras, when applicable. When practicable, three members shall be present for each search with BWCs positioned to capture the search from multiple angles. During manual processing non-BWC recordings shall be turned over to the Electronic Surveillance Unit (ESU) for download and preservation.
 5. High-volume arrest prisoner control system procedures are not meant to impede a member in fulfilling his or her responsibility to protect the public. It is his or her duty to take immediate and, if necessary, independent action when a felony offense or a crime of violence, as designated by the DC Official Code, is being committed. Members assigned to patrol police districts shall handle routine arrests in the usual manner at their respective districts, or at designated alternate sites.
- P. High-Volume Arrests
1. When high-volume arrests have been ordered, arrest teams shall effect arrests when directed by the on-scene commander who shall advise team members of the appropriate charge or charges.
 2. VCSD transport teams shall be staged in strategic areas, as designated by

the incident commander in coordination with the transport team supervisors.

3. On-scene commanders shall ensure that a sufficient number of teams are available to handle the arrest function properly and relieve teams that have handled a maximum number of prisoners at one location.
4. If an arrestee is seated and agrees to walk, the arresting officer or assisting officer shall lead him or her from the crowd to the transport vehicle. If an arrestee is seated or lying down and refuses to walk, he or she shall be carried by two or more officers.
5. Except for felony offenses, members shall not pursue demonstrators into buildings to make arrests unless specifically instructed to do so by an official. Officials shall accompany and exercise close control over members under their command who go on private property or enter buildings to effect arrests.
6. Restraints
 - a. All arrestees shall be secured. Members shall only use such restraints in the transporting, processing, and detention of persons as the chief of police or his or her designee determines to be reasonably necessary to maintain the safety of the arrestees and of MPD arresting, transporting, or processing personnel, and to prevent escape.
 - b. Members shall only use handcuffs, flex-cuffs, or other physical restraints on persons arrested in connection with a First Amendment assembly and held in any prisoner processing center to the extent reasonably necessary, and in a manner reasonably necessary, for the safety of officers and arrestees.
 - c. No arrestee shall be restrained by connecting his or her wrist to his or her ankle, nor shall any arrestee be restrained in any other manner that forces the person to remain in a physically painful position.
 - d. Where flex-cuff restraints are used to secure an arrestee's hands or arms, the member applying the flex-cuffs shall always check the restraints' tightness. Flex-cuffs should not be applied over clothing, jewelry, or any other item that will prevent flex-cuff to skin contact.
 - e. When applying the flex-cuffs, members shall draw the strap up only until it comes in contact with the arrestee's skin at all points, and ensure the flex-cuff is not too tight and avoid injuries that may be caused by over-tightening the restraints. Enough space for a finger to fit between the flex-cuff and the wrist is the proper gauge.
 - f. Members shall use double loop flex cuffs or combine two single loop flex-cuffs to create double loop flex-cuffs. Members **shall not** use a third flex-cuff to link flex-cuffs on arrestees' wrists. Members who cannot secure an arrestee with double loop flex-cuffs shall use standard issue metal handcuffs or two double loop flex-cuffs to secure

the arrestee.

- g. When using flex-cuffs, members shall ensure that arrestees place hands behind their back with palms out. The flex-cuffs shall be placed around the intersection of both wrists and tightened securely.
 - h. Even when flex-cuffs are properly applied, arrestees can still place pressure on the flex-cuffs, or turn their hands within the flex-cuff, causing constriction on part of the hand. After using the precautionary measures to prevent over-tightening of flex-cuffs, if the restrained person complains that the cuffs are too tight, the member shall stop (if reasonably possible) and check the tightness of the cuffs. If, upon checking the flex-cuffs, the member finds that the flex-cuffs are too tight, the member shall remove the flex-cuffs as soon as reasonably possible and replace them with flex-cuffs applied to fit properly. If the member finds that the flex-cuffs are at the appropriate tightness, and there does not appear to be a problem, the member need not loosen the cuffs.
 - i. Only department-issued flex-cuff cutters shall be used to remove flex-cuffs.
- 7. If an arrestee is not going to be questioned about matters relating to a misdemeanor offense, Miranda warnings are not necessary at that time, however, if an arrestee is charged with a felony or will be subject to questioning for a misdemeanor offense or violation, CID shall provide the arrestee with his or her Miranda rights.
- 8. Misdemeanor high-volume arrests shall be processed at the designated prisoner processing center. Felony high-volume arrests may be processed at prisoner processing centers when authorized by the chief of police or his or her designee. Individual felony and violent misdemeanor arrests will be processed at the closest patrol district.
- 9. For high-volume felony arrests or misdemeanor arrests requiring additional investigation, the incident commander shall notify the Criminal Investigations Division (CID) and request that a team of detectives respond to the scene, request an on-site attorney from OAG or the United States Attorney's Office (USAO), if appropriate, and coordinate the recovery of property and the approval of the arrest narrative with the CID.
- 10. The narrative section of all arrest reports shall include the following information, when applicable: the times that all three warnings were issued, specific violation, name and rank of the official giving the warnings, and documentation of any participating federal agencies at the scene, including the federal officer's name, agency, date, and time of questioning. The transport official shall ensure that the warning information is documented and submitted to the master control station of the designated prisoner processing center.
- 11. For all high-volume arrests, the incident commander shall coordinate

approval of the arrest narrative with designated CID personnel and, as appropriate, for vetting through the OGC, OAG, or USAO.

12. In all arrests, the incident commander shall ensure the documentation, transfer and storage of large or bulky items (e.g., bicycles) is coordinated with ECD.

Q. Prisoner Search and Transport

1. Each arrestee shall be subject to modified field searches prior to transport at the scene and upon entry to the prisoner processing facility. For the sake of expediency, money, belts, jewelry, shoe laces, identification, and sunglasses, shall not be removed during a modified field search. Depending on the type of charges, each arrestee shall also be subject to either a full or a modified field search prior to intake at the prisoner processing facility. When practicable, three members shall be present for each search with BWCs positioned to capture protective pat downs and searches from multiple angles.
2. Transport team members shall confiscate prisoner property and write a unique identifier comprised of the location code, arresting member's CAD number, and the arrest number on the arrestee's wristband, flex cuffs, and property bag prior to the arrestee being placed in a transport vehicle. The property bag shall also be labeled with the unique identifier and related CCN.
3. Members shall photograph arrestees twice (i.e., one front and one back). The photographs shall include: the arrestee, the arresting member, the whiteboard with the unique identifier, and any evidentiary property. The whiteboard shall be held in front of the arresting member in each photograph with an unobstructed view of the arrestee.
4. Members shall allow prisoners eligible for citation release or post and forfeit to keep money, jewelry, belts, shoe laces, and photo identification.
5. Transport team members shall ensure a van sheet is completed for each arrest location and forwarded to the designated prisoner processing center with each transport vehicle (e.g., buses, wagons, vans).
6. Adults and juveniles shall be transported separately. Juveniles shall be transported to the Juvenile Processing Center (JPC). Adults shall be transported to designated adult prisoner processing sites.
7. Prior to transport, transporting members shall ensure that arrestees are seated and secured with safety restraints, when available.
8. In cases of mass seizures of property or evidence, transport team members shall, whenever possible, record or photograph the seizure and preparation of the items to reduce the likelihood of claims of loss or damage.
9. Transport team members shall transport hard copies of all arrest paperwork (e.g., PD Form 256, van sheet) to the designated prisoner processing center with the arrestee.

10. Arresting members shall accompany their arrestees to the prisoner processing center with the transport teams. Once arresting members arrive at the designated prisoner processing center they **shall not** leave their arrestees unless directed to do so by the prisoner processing center official. Prisoner processing center officials will advise arresting members to either report to court or back to their field assignment.

R. Prisoner Processing

1. Prisoners shall be processed as expeditiously as possible. Members assigned to prisoner processing sites shall wear the Class B uniform, have their issued CDU protective gear and chemical protective gear available, and be equipped with a BWC that is turned on and in standby mode when it is not activated in accordance with department policy.
2. Members assigned to prisoner processing centers, all transport team supervisors, and members operating vehicles shall monitor the radio channel designated by SOD for exclusive operations for the event.
3. IAD shall periodically monitor all prisoner-processing facilities to ensure that prisoners are being processed, restrained, and transported consistent with the law and department policy.
4. The types of personnel at each prisoner processing center include:

Prisoner Processing Center	
External processing/photograph station	Master control station
Intake station	Livescan station
Property station	Interview station
Booking station	Citation release/post and forfeit station
Detention and holding areas	Release area

5. When high-volume arrests are ordered, a master control station member shall obtain the arrest CCN. The transportation official shall call the master control station to acquire the CCN and ensure dissemination to the arresting members and transport teams.
6. Members at the prisoner processing facilities shall ensure eligible arrestees are advised of their release options (e.g., citation release, elect to forfeit) in a manner audible to the arrestees and they are provided with a copy of the Release Options form. The text of the form shall also be posted on large signs placed conspicuously throughout the processing area and offered in other languages (as is reasonable) to ensure meaningful access to the notice for persons who are limited English proficient in accordance with [GO-SPT-304.18](#).
7. Processing members shall determine whether arrestees are eligible for release pursuant to a lawful release option and promptly release any person who is eligible and opts for the release.
8. Any arrestee not being charged with an offense shall be immediately released

and incident shall be documented in accordance with [GO-PCA-502.05 \(Use of the Detention Journal\)](#).

9. Processing members shall establish an unloading/holding area for transport vehicles to facilitate the expedited removal of prisoners so transport vehicles can return to service quickly.
10. Processing members shall remove each arrestee separately from the transport vehicles upon their arrival and escort the arrestees along with the arresting member to the processing center staging area outside of the processing center.
11. Processing members shall conduct a modified field search for weapons of each arrestee upon entry to the processing center. The arrestee's entry time shall be documented on the entry log sheet which shall be submitted to the master control station at the end of each day.
12. Processing center officials shall ensure all arrestees are photographed with their arresting officer. The arresting member shall provide their department cell phone to the processing member to use the Axon Capture application to capture a head-to-toe photo of each arrestee with his or her arresting member. The arresting member shall hold a visible dry erase board marked legibly with the arrest location, date, CCN, arrestee name, arresting member name, CAD number, and the arrest number from the location with an unobstructed view of the arrestee. A full back photo of each arrestee with his or her arresting member shall also be taken. All photographs shall be properly annotated for storage in evidence.com.
13. Processing center officials shall ensure that each prisoner is searched for weapons and contraband.
14. Processing members shall escort prisoners from the pre-intake holding area and turn them over to escort personnel assigned to the internal processing area. The internal escorts shall take prisoners to the intake and property stations.
15. Intake station members shall document arrestees' name and initiate arrestee packages for each misdemeanor arrestee, note the preferred release option on the PD Form 256 (Quick Booking Form), print one arrestee photograph, and forward each package to the master control station. For high-volume felony arrests, members shall coordinate arrestee packages with CID.
16. Property station members shall, whenever possible, be teamed with at least two members; one member shall log prisoner property and one member shall release property. Property station members shall:
 - a. Organize prisoner property by CCN and within each CCN group, separate packages into the following four categories, depending on the arrestee's intended release status:

Property Station Categories	
Post and Forfeit	Eligible arrestee pays the collateral amount assigned by the court for the eligible charge or charges and the case ends
Citation Release	Eligible arrestee is being released and will attend court on a predetermined date.
Court Presentment and Lockup	Arrestee is being held in custody and will be presented on the next date court is in session
Evidence	High-volume arrestee is being held in custody and property (e.g., bandanas, goggles, gas masks, tools) is reviewed by a designated CID detective(s) to determine what should be classified as evidence.

- b. Take possession of all confiscated prisoner property and list items on the PD Form 82-HV (High Volume Arrest Property Receipt) (Attachment I). For all arrests resulting in lock-up and court presentment, a PD Form 58 (Prisoner's Property Receipt) shall be completed. During felony high-volume arrest processing, enter the felony arrestee's property into the evidence management system in coordination with CID. The property clerk, in coordination with the CID detective, shall ensure the PD Form 81 (Property Record) is completed and that the information is entered on the PD Form 82 (Evidence Property Book).
 - c. Verify the prisoner's identity, require prisoners to inspect their property, and sign the PD Form 82-HV indicating receipt of their property and forward a copy of the PD Form 82-HV to the master control station for upload into the records management system (RMS).
 - d. Transport property belonging to prisoners who require court presentment or lockup to the Fifth District station for storage within 48-hours of the arrest. Unclaimed property shall be held at the Fifth District station for 90 days. After 90 days the property shall be transferred to ECB for further processing.
 - e. Transport property designated as evidence by a CID detective to VCSD station for processing. Members shall ensure that all documentation required for seized evidence is completed and uploaded in the evidence management system.
17. Booking station members shall:
 - a. Access arrestee data packages from the master control station and complete all required arrest information in RMS. During felony high-volume arrest processing, the completion of arrest information shall be coordinated with CID.
 - b. Complete a WALES/NCIC check for all prisoners processed at the prisoner control system site or processing center.
 - c. Upon completion of the arrestee data package, forward the package back to the master control station.

18. Detention and holding area members shall receive and monitor arrestees in the designated detention areas, ensuring that all arrestees are provided with restroom breaks, food, and water, as needed. All food, water, and restroom breaks shall be documented in the jailer's log.
19. Master control station members shall:
 - a. Receive arrestee data packages from the intake section for each arrestee and forward the arrestee data package to the booking station.
 - b. Receive arrestee data packages from the booking station and ensure that a WALES/NCIC check has been performed.
 - c. Control and monitor the flow of the arrest paperwork between the processing stations.
 - d. Forward all completed paperwork to a member assigned to the jailer position. The processing center supervisor shall ensure all arrest paperwork is completed correctly and approved.
 - e. Ensure arrest documentation (i.e., PD Form 256, van sheets, PD Form 82-HV) is uploaded in RMS for court presentment.
20. Livescan station members shall ensure that all prisoners without valid identification are fingerprinted. Arrestees held for lockup and court presentment (felonies and misdemeanors) shall be fingerprinted prior to transport to Central Cellblock.
21. Interview station members shall ensure arrestees sign a copy of the release options form, place the arrestee's thumbprint on the fingerprint card provided, and add both items to the arrest package. During felony high-volume arrest processing, coordinate with CID detectives who shall handle arrestee interviews.
22. Processing officials shall ensure that the health and welfare of arrestees is monitored throughout their time at the prisoner processing center including, but not limited to, ensuring arrestees are provided with restroom breaks, and food and water.
23. Releasing members shall ensure that prior to their release, arrestees have retrieved and signed for their property, are aware of next steps (e.g., court dates), and are provided with information on available public transportation.
24. Arrest Documentation
 - a. Arrest documentation shall be collected and stored in RMS. In addition to the arrest report, documentation shall include, but not be limited to, the following applicable reports:

Arrest Documentation
(1) PD Form 256 (Quick Booking Form)

(2) Notice to Appear in Court or Post and Forfeit Arrest Processing for First Amendment Assemblies and Civil Disturbances
(3) Van Sheet
(4) PD Form 313 (Arrestee's Illness/Injury Report)
(5) PD Form 82-HV (High Volume Arrest Property Receipt)

- b. Photographs and recordings (e.g., BWC recordings) shall be uploaded and maintained in evidence.com in accordance with department policy.
 - c. Original post and forfeit arrest paperwork shall be transmitted with a completed PD Form 237-C (Transmittal) and copies of the Notice to Appear in Court or Post and Forfeit Arrest Processing for First Amendment Assemblies and Civil Disturbances form to the DC Treasury Office located in DC Superior Court. Funds shall be deposited under the SOD account.
- 25. Technical Services Bureau (TSB) shall provide the prisoner processing centers with on-site technical support staff during each activation to troubleshoot and minimize unanticipated information and computer system downtime that would delay prisoner processing. The on-call member may be paged through the RTCC.
- 26. Manual Back-Up Procedures
 - a. No routine computer upgrades shall be scheduled for or performed on days during which high-volume arrest prisoner processing is ongoing or anticipated. Where automated prisoner processing cannot be accomplished without performance of repairs or a remedial upgrade, the prisoner processing centers shall switch to manual backup procedures to accomplish prisoner processing.
 - b. Prisoner processing centers shall switch to manual backup processing procedures no later than 15 minutes after an information system goes off-line. The prisoner processing center supervisor shall document the procedures used to implement the manual system.
 - c. In the event the RMS is unavailable, a PD Form 759 (Field Arrest Form) (Attachment A) shall be used to capture arrestee information and shall be completed for each arrestee and turned over to the prisoner processing center supervisor upon transport. When the court is in emergency session, the information contained on the PD Form 759 may constitute the only evidence available to the judges in deciding whether or not to hold an individual for further action. At subsequent court appearances, additional evidence may be developed and presented, but this opportunity will be lost if the PD Form 759 does not provide the basis upon which to proceed.
 - d. Prisoner Processing
 - (1) Members assigned to the intake station shall document arrestees' name in the intake tracking book at the prisoner

processing center, verify each PD Form 759, and note the preferred release option on the PD Form 256. Members shall print one photograph of the arrestee for the package and forward it to the master control station.

- (2) Members assigned to the property station, during felony high-volume arrest processing, shall ensure the felony arrestee's property is entered into the evidence management system in coordination with CID as soon as the system becomes available.
- (3) Members assigned to the booking station shall:
 - (a) Obtain arrest numbers from the RMS system administrator, use the arrest number control log maintained at each prisoner processing center, and enter the date, time, and system arrest number obtained from the RMS system administrator in the corresponding spaces located on the control log. Prior to the event, the RMS system administrator will identify a range of arrest numbers that will be made available to the prisoner processing center in the event that the RMS is not available.
 - (b) For each arrest, enter the next sequential arrest number and the arrestee's name in the spaces provided. Any additional information shall be entered in the comments section on the arrest log. Arrest information shall be documented in an arrest log.
 - (c) In the event that RMS is unavailable, assist the arresting officers in the completion of all arrest paperwork. When the RMS returns to service, members shall ensure that arrest information, including information entered on the PD Forms 759, is entered for all arrest numbers issued and a document matching the manual numbers used to the system generated numbers is sent to the RMS system administrator.
- (4) Members assigned to the master control station shall receive arrestee data packages from the intake station for each arrestee and forward the entire arrestee data package to the booking station, receive arrestee data packages from the booking station and ensure that a WALES/NCIC check has been performed, coordinate the compilation of the arrest paperwork, and control and monitor the flow of the arrest packages between the processing stations. All completed paperwork shall be forwarded to a member at the jailer position for release or transfer. Members shall ensure all arrest documents (i.e., PD Forms 256, van sheets, PD Forms 759) are uploaded into RMS for court presentment.

S. Prisoner Detention

1. Prisoner processing centers shall be designated by the chief of police. The SOD commanding official shall deploy personnel to processing centers as necessary to assist with security.
2. Prisoners shall be separated by gender.
3. Members assigned to the jailer position shall ensure that only non-violent, cooperative prisoners are housed in open areas without cells. Members shall maintain constant visual contact with all prisoners during times of their incarceration and attempt to make the arrestees as comfortable as possible, while ensuring that adequate security measures are used. Members shall ensure that food and water provisions, restroom visits, advisements, and release options are logged.
4. Members assigned to the jailer position shall coordinate the release of citation and post and forfeit cases with escorting and releasing members.
5. Transportation to Central Cellblock
 - a. Prisoners being sent to the Central Cellblock for arraignment shall be sent in groups with consideration given to prisoners with the same arresting member or similar charges (i.e., all USAO and OAG).
 - b. A van sheet shall be generated and transported with each group of prisoners to the Central Cellblock, with a copy kept at the master control station.

T. Prisoner Release

1. Eligible prisoners who possess valid identification and meet the qualifications for citation release or post and forfeit shall be thumb-printed and released from the prisoner processing center.
2. Eligible prisoners without valid photo identification shall be fingerprinted. Upon completion of the fingerprinting process, the arrestee shall be released from the processing center.
3. All arrestees held for court presentment (felonies and misdemeanors) shall be transported to CCB in preparation for arraignment.
4. Pursuant to the *Lively Standard* [[Lively v. Cullinane, 451 F. Supp. 1000 \(1978\)](#)], an official shall document and explain in writing any instance in which a person is arrested and opts for release pursuant to a lawful release option or is not charged with any offense and is not released within four hours from the time of arrest.
5. Citation Release

- a. Citation release shall be granted to eligible defendants who request a court date. The DC Pretrial Services Agency (PSA) will provide citation release members with available citation dates and the number of defendants to be assigned to each day.
 - b. Members assigned to the citation release and post and forfeit station shall properly complete the Notice to Appear in Court or Post and Forfeit Arrest Processing for First Amendment Assemblies and Civil Disturbances form.
 - c. The arrestee must sign, date, and place their thumbprint on the form where indicated. Members shall explain to arrestees who refuse to sign the citation form that they will be denied participation in the citation release program.
 - d. Members assigned to the citation release and post and forfeit station shall explain that citation release is available to qualified defendants as a promise to appear in court at a later date and time and that if a defendant does not appear in court, on time, as promised, a warrant will be issued for his or her arrest.
6. Post and Forfeit
- a. Eligible defendants charged with offenses that can be adjudicated through the payment of collateral may post and forfeit in lieu of requesting citation release or a court date.
 - b. Members assigned to the citation release and post and forfeit station shall verify that the offense with which the defendant is charged is a collateral or bond offense and consult the current collateral list to ascertain the correct amount for the charge.
 - c. Members assigned to the citation release and post and forfeit station shall complete the Notice to Appear in Court or Post and Forfeit Arrest Processing for First Amendment Assemblies and Civil Disturbances form (Attachment F) marking the "Post and Forfeit Money Only" box, listing the charge and the corresponding collateral amount.
 - d. The arrestee must sign and date the form where indicated.
 - e. Members shall ensure that separate Notice to Appear in Court or Post and Forfeit Arrest Processing for First Amendment Assemblies and Civil Disturbances forms are completed for each charge placed against a prisoner (e.g., crossing a police line and unlawful demonstrating would require the issuance of two forms). This still applies when one prisoner is electing to forfeit collateral for another prisoner.
- U. Injured Prisoners
- 1. For arrestees with illnesses or injuries identified on the scene, arresting

members shall contact the District of Columbia Fire and Medical Services (DCFEMS) for transport to the nearest hospital and the processing center to obtain a CCN number and provide the arrestee's name, charge, hospital, transport call signs, and names of transporting officers. Members shall photograph any injuries on-scene. Upon the arrestee's medical release, arresting members shall transport the arrestee along with the PD Form 313 to the prisoner processing center to complete the arrest process.

2. For illnesses and injuries noted at the processing centers, members shall photograph any injuries and contact DCFEMS for prisoners who are ill, injured, or complain of pain for transport to the nearest hospital, in accordance with [GO-PCA-502.07 \(Medical Treatment and Hospitalization of Prisoners\)](#).

V. Public Information

1. The Office of Communications is in charge of activities relating to the press and the release of information related to First Amendment assemblies, civil disturbances, and riots. The Office of Communications shall arrange all press conferences and staging areas for the press in cooperation with the watch commander. In addition, the Office of Communications shall prepare press releases prior to the event informing the public of expected street closures, demonstrator activity, and other non-sensitive, noteworthy information likely to impact the visitors and residents of the District of Columbia.
2. The Office of Communications shall coordinate with public information officers from other agencies that will take part or play a role in upcoming demonstrations. When this is necessary, the Office of Communications shall institute, or become part of, a Joint Information Center (JIC). Some of the agencies that may occupy the JIC include: United States Secret Service, United States Park Police, United States Capitol Police, Metro Transit Authority, DC Fire and Emergency Medical Services, United States Bureau of Alcohol, Tobacco and Firearms, and DC Courts. The purpose of the JIC is to exchange information and establish protocol for the coordinated release of information.
3. MPD shall allow the media reasonable access to all areas where First Amendment assemblies occur. At a minimum, MPD shall allow the media no less access than that enjoyed by members of the general public and, consistent with public safety considerations, access to promote public knowledge of the assembly.
4. MPD shall make reasonable accommodations to allow the media to use photographic, video, or other equipment to report on First Amendment assemblies.
5. In instances of media misconduct, the observing member shall notify an MPD official who shall immediately report the incident to the Office of Communications for investigation. The report shall include the name, press affiliation, synopsis of the incident, and contact information for the member who witnessed the activity.

W. Equipment Accountability

1. Prior to relieving members of their command, unit commanding officials shall ensure items of equipment and rented vehicle issued by SOD or DSOS are accounted for and returned by the required due date and time.
2. CDU Equipment and Inspection
 - a. DSOS shall maintain supplies of crowd control munitions and ensure that they are available for use.
 - b. CDU captains shall ensure that CDU squad sergeants inspect all CDU equipment monthly. A copy of the records and results of the monthly CDU equipment inspections shall be submitted, through channels, to the SOD commanding official by the first day of each month.
 - c. CDU captains shall ensure that the CDU box is inspected quarterly by a CDU-certified official in January, April, July and October and that the inspection report is submitted, through channels, to the SOD commanding official by the fifth day of the month. CDU boxes shall be secured and accessed only for incidents of civil unrest and inspection purposes.

X. Consequence Management

1. In the event that damage or destruction occurs within the District of Columbia, either at the hands of demonstrators or as a result of an unrelated incident, HSEMA will be the lead agency coordinating the city's response to incidents of man-made destruction, instances of power, water, infrastructure failure, or natural disasters.

HSEMA Responsibilities	
a.	Coordinate rapid response for spilled debris, broken windows, or scenes requiring emergency repairs.
b.	Immediate access to the various utility companies in case they are required for emergency situations.
c.	Coordinate removal of excessive trash or other debris in areas where it may create hazards with possible demonstrator activities.

2. Requests for the services of HSEMA shall be made through the JOCC or RTCC, who will coordinate with the HSEMA emergency operations center.

Y. After Action Reporting and Records Retention

1. When directed by the chief of police or designee, district, division, and platoon commanders shall prepare an after-action report and submit it to the SOD commanding official within five calendar days of the return to normal operations. The after-action report shall contain a list of all events that occurred in chronological order, to include:

After Action Report	
a.	Date and time that each event occurred;

b. Brief description of the event;
c. Unit actions taken;
d. Outcomes (e.g., number of persons arrested); and
e. Complete and detailed report of problem areas encountered, highlights of significant events and unsatisfactory conditions, any recommendations for improvement, and negative reports as required.

2. Following any deployment of members in rapid response gear, the deployment of less lethal weapons, or upon request by the Chairperson of the Council Committee with jurisdiction over MPD, the highest ranking official at the scene of the deployment shall make a written report.

- a. The written report shall describe the deployment of rapid response gear or less lethal weapons, including the following information, where applicable and if known.

Written Report
(1) Number of members deployed in rapid response gear;
(2) Number of members who deployed less lethal weapons;
(3) Type, quantity, and amount of less lethal weapons deployed;
(4) Number of people against whom any force was used;
(5) Justification for the deployment of members in rapid response gear, deployment of less lethal weapons, and other uses of force; and
(6) Whether the deployment of members in riot gear, deployment of less lethal weapons, or other force applied, met the requirements of the District's policies on First Amendment assemblies.

- b. The report shall be submitted to the chief of police within five business days.
 - c. The report shall be published on the MPD website within 10 business days. If the report cannot be published by the deadline, an explanation of the delay shall be posted on the website until such time that the report is published.
3. When only helmets are donned, the on-scene commander shall submit a Use of Civil Disturbance Unit Protective Gear Report (Attachment H) within 48 hours to the chief of police and Risk Management Division. Reports regarding the use of rapid response gear during a First Amendment assembly shall be available to the public and retained by MPD for a minimum of four years, or until any litigation related to the CDU deployment has concluded.
4. All original computer files, communication recordings and radio runs, and documents reasonably related to First Amendment assemblies and mass demonstrations shall be retained for a period of no less than four years. The SOD commanding official shall designate a secure location within SOD where all records (originals and copies) shall be stored, ensuring that the records are properly marked and indexed with the identifying event number. The SOD commanding official shall serve as the preserver of these records and obtain written permission from OAG and the MPD Office of the General Counsel (OGC) prior to moving, surrendering, or destroying any records associated with mass demonstrations or protests.

5. The MPD OUC liaison official shall ensure all original recording and copies of all radio transmissions related to the events are retained, indexed, marked with the corresponding event number, and forwarded to the SOD commanding official, no later than 10 days following the event.

III. DEFINITIONS

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

	Term	Definition
1.	Bodily injury	Physical pain, physical injury, illness, or impairment of physical condition.
2.	Rapid response gear	Includes a coverall suit, shoulder pads, forearm pads, thigh pads, groin pads, shin pads, foot pads, belt, and harness (i.e., riot gear).
3.	Significant bodily injury	Bodily injury that to prevent long-term physical damage or to abate severe pain requires hospitalization or immediate medical treatment beyond what a layperson can personally administer. This includes: <ol style="list-style-type: none"> a. Fracture of a bone; b. Laceration that is at least one inch in length and at least one quarter of an inch in depth; c. Burn that is of at least second-degree severity; d. Brief loss of consciousness; e. Traumatic brain injury; and f. Contusion, petechia, or other bodily injury to the neck or head sustained during strangulation or suffocation.
4.	Standard CDU protective gear	Includes a ballistic helmet, gas mask with gas mask bag, expandable baton with d-ring, gloves, chemical/biological coveralls, boots, eye protection, and CDU equipment bag.

IV. ATTACHMENTS

Attachment A: PD Form 759 (Field Arrest Form)

Attachment B: Pre-High-Volume Arrest Checklist

Attachment C: Situational Report

Attachment D: Rights Notification

Attachment E: Assembly/Demonstration Use of Force Report

Attachment F: Notice to Appear in Court or Post and Forfeit Arrest Processing for First Amendment Assemblies and Civil Disturbances

Attachment G: Legal Charges for Protests and Civil Disturbances

Attachment H: Use of CDU Helmet, Rapid Response Gear, and/or Less Lethal Weapons Report

Attachment I: PD Form 82-HV (High Volume Arrest Property Receipt)

Attachment J: First Amendment Assemblies Act of 2004

Attachment K: Dispersal Order Warning Sheet

A handwritten signature in black ink, reading "Pamela A. Smith". The signature is written in a cursive, flowing style with a large initial 'P'.

Pamela A. Smith
Chief of Police

Attachment A
PD Form 759 (Field Arrest Report)

PD 759, Rev. 9/71 METROPOLITAN POLICE DEPARTMENT - D.C.			
FIELD ARREST FORM			
SECTION A — ARRESTING OFFICER'S SECTION			
1. DATE	2. TIME	3.	
4. CHARGE			
5. LOCATION OF ARREST			
6. LOCATION OF OFFENSE (If other than 5)			
7. Brief Description of Facts & Circumstances Surrounding Arrest			
8. NAME OF SUSPECT			
9. ARRESTING OFFICER	10. BADGE NO.	11. UNIT	12. COURT DAY
SECTION B — TRANSPORTATION SECTION			
13. TRANSPORTED BY		14. TRANSPORTED TO	
SECTION C — PROCESSING SECTION			
15. ADDRESS OF ARRESTEE			
16. NAME IF FOUND TO BE DIFFERENT FROM ABOVE			
17. D.O.B.	18. WALES INQUIRY <input type="checkbox"/> YES <input type="checkbox"/> NO		
19. DISPOSITION (EF, BOND, COURT DATE, ETC.)			
SECTION D — PROPERTY SECTION			
20. PROPERTY IS: <input type="checkbox"/> PRISONER'S <input type="checkbox"/> EVIDENCE <input type="checkbox"/> ABANDONED <input type="checkbox"/> SUS PROCEEDS			
21. OWNERSHIP IS: <input type="checkbox"/> KNOWN <input type="checkbox"/> UNKNOWN <input type="checkbox"/> POSSIBLE OWNER			
NAME:			
22. BRIEF DESCRIPTION OF PROPERTY			
23. COMPLAINANT'S NAME OR BUSINESS			PHONE NUMBER
24. ADDRESS			

Attachment B
Pre-High-Volume Arrest Checklist

Pre-High-Volume Arrest Checklist

- ☐ What actions, by the persons to be arrested, require the proposed high-volume arrest?
 - ☐ Has anyone been injured?
 - ☐ Who?
 - ☐ Has property been damaged?
 - ☐ What?
 - ☐ What was the cause of the injury?
 - ☐ What was the cause of the damage?
- ☐ Will an effort to arrest likely cause more injuries than alternative police action?
- ☐ Will an effort to arrest likely cause more property damage than alternative police action?
- ☐ Will an effort to arrest likely cause greater disruption of traffic flow (or potentially block evacuation routes) than alternative police action?
- ☐ What are the offenses committed or to be charged?
- ☐ What evidence provides probable cause for the arrest of **each person** for the offenses to be charged? **You must have articulable probable cause to make any arrest.**

Charges that require dispersal warnings include, but are not limited to:	
(1) Crowding, obstructing, or incommoding	(9) Noise at night
(2) Unlawful demonstrating	(10) Jostling
(3) Cause of unreasonable fear	(11) Crossing a police line
(4) Inciting violence	(13) Failing to obey a police order
(5) Abusive language or gestures	(14) Forgery or uttering,
(6) Disrupting a congregation or gathering	(15) Throwing stones or other missiles
(7) Disrupting use of a public conveyance	(16) Kindling bonfires
(8) Disrupting use of a public building	(17) Obstructing public highway or obstructing bridges connecting DC and VA

- ☐ When orders to disperse are given:
 - ☐ How many orders to disperse were given?
 - ☐ How were the orders communicated?
 - ☐ When was each given?

Attachment B
Pre-High-Volume Arrest Checklist

- ☐ Who gave each order to disperse?
- ☐ Were audio or video recordings made of the warnings?
- ☐ Is there another way to gain control of the situation?
- ☐ Is there a viable alternative to a high-volume arrest?
 - ☐ Is dispersal of the crowd and arrest of a smaller number of persons as the group disperses reasonable?
 - ☐ Is extraction of a limited number of offenders reasonable?
- ☐ Has the JOCC (Joint Operations Command Center) confirmed, or have you independently determined that there are sufficient resources available to safely make the number of arrests anticipated?
- ☐ Is there adequate housing space and feeding capabilities for arrestees?
- ☐ Is the officer-to-arrestee ratio correct (up to 15 arrestees to each arresting officer)?
- ☐ Is there adequate transportation for arrestees?
- ☐ Has the official recommending a high-volume arrest articulated justification for a high-volume arrest on these bases?
- ☐ How do other circumstances weigh in favor of or against ordering a high-volume arrest?
- ☐ Were body worn cameras activated?

**Metropolitan Police Department
Washington, DC**

[illegible]

Attachment D
Rights Notification

POST AND FORFEIT

If you have been charged with an eligible offense and you are eligible to post and forfeit, you may pay the amount of money set by the Court for the offense and the case will end. If you choose to pay the amount set, you will **NOT** get your money back because you are agreeing to forfeit the amount. No sanction, penalty, enhanced sentence, or civil disability will be imposed by any District of Columbia court or agency in any subsequent criminal, civil, or administrative proceeding or action if you post and forfeit. You **WILL** have an arrest record. You may file a motion with the Superior Court to seal your arrest record. For more information regarding sealing your record, you can contact the Public Defender Service of the District of Columbia at **202-628-1200** or via email at www.pds.dc.org.

- **WHAT IF YOU CHANGE YOUR MIND AND DECIDE TO CONTEST THE CHARGES?**

If you decide you would rather appear in Court after you post the money, you can file a "Motion to Set Aside Forfeiture" within 90 days of today's date.

- **WHAT IF THE GOVERNMENT DECIDED TO OPPOSE YOUR POST AND FORFEIT DECISION?**

The Office of the Attorney General for the District of Columbia, the prosecutor for this case, may file a "Motion to Set Aside Forfeiture" within 90 days.

- **WHAT HAPPENS IF THE COURT GRANTS THE MOTION?**

If your motion or the government's motion is granted, the charges will be reinstated and you will have to go to Court. If you cannot afford an attorney, you may be eligible for appointed counsel.

If you choose not to post and forfeit and elect to continue the criminal case, you are eligible for release on citation.

CITATION RELEASE

If you are eligible, you may be released immediately on your promise to go to D.C. Superior Court, 500 Indiana Ave., NW, Washington, D.C. on the **date** and **time** on the Citation Release section on Page 1 of the "Notice to Appear in Court or Post and Forfeit Arrest Processing for First Amendment Assemblies and Mass Demonstrations" form.

A prosecutor will decide whether to file a criminal case against you. If you do not appear in Court, a bench warrant may be issued for your arrest. In addition, you could be charged with failing to appear even if the prosecutor decides to drop the case.

As a condition of your release on citation, you may be directed to stay away from and have no contact with a particular person or persons and/or to stay away from a particular place until you appear in Court.

If you violate the stay away, a police officer can immediately arrest you, and you will be brought to Court on the next day that the Court is open. If the prosecutor charges you with any crime, you will have a right to be represented by an attorney. If you cannot afford an attorney, one will be provided for you.

Attachment D
Rights Notification

IMPORTANT INFORMATION

Even though you were arrested, the government may decide not to file charges against you in Court. It is important that you bring the citation release form with you to Court on your arraignment date because it contains information that you may need to identify whether or not the government has filed charges in Court.

FOR CASE INFORMATION

For information on the status of your case, you may call the D.C. Superior Court's Criminal Division Customer Service line at **(202) 879-1373**.

Metropolitan Police Department
Washington, DC**ASSEMBLY/DEMONSTRATION USE OF FORCE REPORT****A. INCIDENT INFORMATION**

IS NUMBER	INCIDENT DATE	INCIDENT TIME	RELATED INCIDENT CCN	DISTRICT	PSA
EVENT/DETAIL		LOCATION OF REPORTED INCIDENT		FORCE USED?	
				<input type="checkbox"/> YES <input type="checkbox"/> NO	
TYPE OF FORCE USED (CHECK ALL THAT APPLY)					
<input type="checkbox"/> CDU PROTECTIVE GEAR WORN		<input type="checkbox"/> MECHANICAL FORCE		<input type="checkbox"/> NONE/OTHER – SPECIFY:	
<input type="checkbox"/> PHYSICAL FORCE		<input type="checkbox"/> CHEMICAL FORCE			
<input type="checkbox"/> OLEORESIN FORCE					
TOTAL MEMBERS USING FORCE:	TOTAL MUNITIONS USED: (IF APPLICABLE)	TOTAL MEMBERS INJURED: (IF APPLICABLE)			

B. AUTHORIZING OFFICIAL

LAST NAME	FIRST NAME	RANK	CAD #
ELEMENT		ASSIGNMENT	

C. GROUP/SUBJECT INFORMATION (Use ATTACHMENT 1 to capture information on additional subjects)

GROUP NAME (IF KNOWN)	TOTAL SUBJECTS FORCE USED ON:	ADDITIONAL SUBJECTS LISTED IN ATTACHMENT 1:			
		<input type="checkbox"/> YES <input type="checkbox"/> NO			
SUBJECT NAME (LAST NAME, FIRST NAME)	CLOTHING: (COLOR)	SHIRT	PANTS	JACKET	OTHER
ADDRESS	CITY	STATE	ZIP		
PHONE NUMBER	DOB	SEX	RACE		
GROUP/SUBJECT ACTION (CHECK ONE)					
<input type="checkbox"/> COMPLIANT			<input type="checkbox"/> ASSAULTIVE (PHYSICAL INJURY)		
<input type="checkbox"/> RESISTANT (PASSIVE)			<input type="checkbox"/> ASSAULTIVE (SERIOUS PHYSICAL INJURY/DEATH)		
<input type="checkbox"/> RESISTANT (ACTIVE)					
GROUP/SUBJECT ACTIVITY (CHECK ALL THAT APPLY)				ARRESTED?	
<input type="checkbox"/> APO		<input type="checkbox"/> DISORDERLY CONDUCT		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/> ATTEMPT ARREST		<input type="checkbox"/> DEMONSTRATION			
		<input type="checkbox"/> OTHER – SPECIFY:			

D. GROUP/SUBJECT WEAPON

WEAPON PRESENT	TYPE OF WEAPON	WEAPON RECOVERED
<input type="checkbox"/> YES	<input type="checkbox"/> FIREARM	<input type="checkbox"/> YES, PROVIDE DETAILS IN NARRATIVE
<input type="checkbox"/> NO	<input type="checkbox"/> BLUNT OBJECT <input type="checkbox"/> EDGED OBJECT <input type="checkbox"/> OTHER – SPECIFY:	<input type="checkbox"/> NO

E. NARRATIVE (Use ATTACHMENT 2 to continue narrative section)

CONTINUED? ☐ YES ☐ NO

CONTINUED? ☐ YES ☐ NO

F. INVOLVED MEMBERS

SPACE ALLOTTED FOR UP TO ONE FULL SQUAD, USE **ATTACHMENT 3**, IF NECESSARY FOR ADDITIONAL MEMBERS.

SQUAD LEADER:					
#1 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO (CHECK IF YES)
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED

#1 LAST NAME		FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
						<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#2 LAST NAME		FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
						<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#3 LAST NAME		FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
						<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#4 LAST NAME		FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
						<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#5 LAST NAME		FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
						<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#6 LAST NAME		FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
						<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#7 LAST NAME		FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
						<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED

CONTINUED? ☐ YES ☐ NO

G. REVIEW

REPORTING OFFICIAL PRINTED NAME		SIGNATURE		CAD NUMBER
INCIDENT COMMANDER (OR SOD/HSB OFFICIAL) PRINTED NAME		SIGNATURE		DATE

ASSEMBLY/DEMONSTRATION USE OF FORCE REPORT

ATTACHMENT 1: (ADDITIONAL GROUP/SUBJECT INFORMATION)

C. GROUP/SUBJECT INFORMATION – SUBJECT NUMBER _____

GROUP NAME (IF KNOWN)						
SUBJECT NAME (LAST NAME, FIRST NAME)		CLOTHING: (COLOR)	SHIRT	PANTS	JACKET	OTHER
ADDRESS		CITY		STATE	ZIP	
PHONE NUMBER		DOB	SEX	RACE		
GROUP/SUBJECT ACTION (CHECK ONE)						
<input type="checkbox"/> COMPLIANT			<input type="checkbox"/> ASSAULTIVE (PHYSICAL INJURY)			
<input type="checkbox"/> RESISTANT (PASSIVE)			<input type="checkbox"/> ASSAULTIVE (SERIOUS PHYSICAL INJURY/DEATH)			
<input type="checkbox"/> RESISTANT (ACTIVE)						
GROUP/SUBJECT ACTIVITY (CHECK ALL THAT APPLY)						ARRESTED?
<input type="checkbox"/> APO		<input type="checkbox"/> DISORDERLY CONDUCT	<input type="checkbox"/> OTHER – SPECIFY:		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/> ATTEMPT ARREST		<input type="checkbox"/> DEMONSTRATION				

D. GROUP/SUBJECT WEAPON

WEAPON PRESENT	TYPE OF WEAPON	WEAPON RECOVERED
<input type="checkbox"/> YES	<input type="checkbox"/> FIREARM	<input type="checkbox"/> YES, PROVIDE DETAILS IN NARRATIVE
<input type="checkbox"/> NO	<input type="checkbox"/> BLUNT OBJECT <input type="checkbox"/> EDGED OBJECT <input type="checkbox"/> OTHER– SPECIFY:	<input type="checkbox"/> NO

C. GROUP/SUBJECT INFORMATION – SUBJECT NUMBER _____

GROUP NAME (IF KNOWN)						
SUBJECT NAME (LAST NAME, FIRST NAME)		CLOTHING: (COLOR)	SHIRT	PANTS	JACKET	OTHER
ADDRESS		CITY		STATE	ZIP	
PHONE NUMBER		DOB	SEX	RACE		
GROUP/SUBJECT ACTION (CHECK ONE)						
<input type="checkbox"/> COMPLIANT			<input type="checkbox"/> ASSAULTIVE (PHYSICAL INJURY)			
<input type="checkbox"/> RESISTANT (PASSIVE)			<input type="checkbox"/> ASSAULTIVE (SERIOUS PHYSICAL INJURY/DEATH)			
<input type="checkbox"/> RESISTANT (ACTIVE)						
GROUP/SUBJECT ACTIVITY (CHECK ALL THAT APPLY)						ARRESTED?
<input type="checkbox"/> APO		<input type="checkbox"/> DISORDERLY CONDUCT	<input type="checkbox"/> OTHER – SPECIFY:		<input type="checkbox"/> YES <input type="checkbox"/> NO	
<input type="checkbox"/> ATTEMPT ARREST		<input type="checkbox"/> DEMONSTRATION				

D. GROUP/SUBJECT WEAPON

WEAPON PRESENT	TYPE OF WEAPON	WEAPON RECOVERED
<input type="checkbox"/> YES	<input type="checkbox"/> FIREARM	<input type="checkbox"/> YES, PROVIDE DETAILS IN NARRATIVE
<input type="checkbox"/> NO	<input type="checkbox"/> BLUNT OBJECT <input type="checkbox"/> EDGED OBJECT <input type="checkbox"/> OTHER– SPECIFY:	<input type="checkbox"/> NO

ATTACHMENT PAGE ____ OF ____

ASSEMBLY/DEMONSTRATION REPORTABLE FORCE REPORT

ATTACHMENT 2: (CONTINUATION OF NARRATIVE)

E. NARRATIVE

CONTINUED? ☐ YES ☐ NO

ATTACHMENT PAGE ____ OF ____

ASSEMBLY/DEMONSTRATION REPORTABLE FORCE REPORT

ATTACHMENT 3: (ADDITIONAL MEMBERS USING FORCE)

F. INVOLVED MEMBERS CONTINUED


SQUAD LEADER:					
#1 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO (CHECK IF YES)
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED

SQUAD MEMBER:					
#1 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#2 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#3 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#4 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#5 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#6 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#7 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED

SQUAD LEADER:					
#1 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO (CHECK IF YES)
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED

SQUAD MEMBER:					
#1 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#2 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#3 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#4 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#5 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#6 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED
#7 LAST NAME	FIRST NAME	RANK	CAD #	BADGE #	BWC INFO
					<input type="checkbox"/> EQUIPPED <input type="checkbox"/> ACTIVATED

Attachment F
Notice to Appear in Court or Post and Forfeit Arrest Processing for
First Amendment Assemblies and Civil Disturbances

	SUPERIOR COURT OF THE DISTRICT OF COLUMBIA Criminal Division Notice to Appear in Court or Post and Forfeit Arrest Processing for First Amendment Assemblies and Civil Disturbances	Thumb Print					
SUBJECT INFORMATION							
Arrest No. _____	CCN _____	PDID _____					
Station Clerk/Officer/Badge/Unit/Cad. No. _____		Offense PSA _____					
Name of Arrested Person: Last, First, Middle							
You Have Been Arrested for the following offense(s) <small>(Please List All Arrest Charges)</small>							
Release and Return to Court Information							
<div style="border: 1px solid black; padding: 5px;"><div style="text-align: center;"><input type="checkbox"/> CITATION RELEASE ONLY</div><div style="font-size: small; margin-top: 5px;"><i>Officer: Please mark the appropriate Courtroom location and select a date by using the date chart on the Court's website.</i></div><p>You are being released on your promise to appear at the Superior Court of the District of Columbia, 500 Indiana Ave., NW, Washington, D.C. on the DATE and TIMES below:</p><div style="display: flex; align-items: flex-start; margin-top: 10px;"><div style="flex: 1;"><div style="margin-bottom: 10px;"><input type="checkbox"/> ONLY OAG Charge(s) _____ DATE _____ at _____ TIME _____ in Courtroom 120</div><div style="margin-bottom: 10px;"><input type="checkbox"/> ONLY U.S. Charge(s) _____ DATE _____ at 9:30 a.m. in Courtroom C-10</div><div><input type="checkbox"/> U.S. AND OAG Charges _____ DATE _____ at 9:00 a.m. in Courtroom 120 _____ DATE _____ at 9:30 a.m. in Courtroom C-10</div></div><div style="border: 1px solid black; padding: 5px; margin-left: 10px; font-size: x-small;"><p style="text-align: center;">Appearance times are based on the charge(s):</p><table style="width: 100%;"><tr><td>Impaired Driving Offenses</td><td>9 AM</td></tr><tr><td>Any Other Traffic Offense</td><td>10 AM</td></tr><tr><td>All Non-Traffic Offenses</td><td>11 AM</td></tr></table></div></div><p style="font-size: x-small; margin-top: 10px;">I acknowledge receipt of this Notice to Appear. I promise to appear on the date and time indicated above. I understand that if I fail to appear, a bench warrant may be issued for my arrest. I also understand that if I fail to appear I may be charged with a criminal offense that may result in a fine, imprisonment, or both if I am convicted of failing to appear.</p><div style="display: flex; justify-content: space-between; margin-top: 10px;">_____ Signature of Arrested Person_____ Date</div></div>	Impaired Driving Offenses	9 AM	Any Other Traffic Offense	10 AM	All Non-Traffic Offenses	11 AM	<div style="font-size: 2em; margin-top: 100px;">THIS SPACE INTENTIONALLY LEFT BLANK</div>
Impaired Driving Offenses	9 AM						
Any Other Traffic Offense	10 AM						
All Non-Traffic Offenses	11 AM						
<div style="border: 1px solid black; padding: 5px;"><div style="text-align: center;"><input type="checkbox"/> POST AND FORFEIT MONEY ONLY</div><p>Charge: _____ Post and Forfeit Amount: _____ \$ _____</p><p style="font-size: x-small;">I have chosen to pay and forfeit the collateral (money) amount set for the charge(s). I understand that I am waiving my right to a Court hearing when I pay and forfeit the amount set for the charge(s).</p><div style="display: flex; justify-content: space-between; margin-top: 10px;">_____ Signature of Arrested Person_____ Date</div></div>	<div style="border: 1px solid black; padding: 5px;"><div style="text-align: center;"><input type="checkbox"/> Acknowledgement of Receipt of Notice to Arrested Person</div><p style="font-size: x-small;">I acknowledge that I have received and read the Notice To Arrested Persons and I understand my rights.</p><div style="display: flex; justify-content: space-between; margin-top: 10px;">_____ Signature of Arrested Person_____ Date</div><p>Address: _____ Phone: _____ Email: _____</p><div style="text-align: center; margin-top: 10px;">Issued by Acting Clerk, Superior Court of the District</div><div style="display: flex; justify-content: space-between; margin-top: 10px;">_____ Signature of Station Clerk_____ Badge No._____ Unit</div></div>						
<div style="border: 2px solid black; padding: 10px; margin: 10px auto; width: 80%;">ATTENTION ALL ARRESTED PERSONS If the Superior Court is closed due to an emergency, you must return to Court on the next business day at 9 a.m.</div>							

Attachment F
Notice to Appear in Court or Post and Forfeit Arrest Processing for
First Amendment Assemblies and Civil Disturbances

NOTICE TO ARRESTED PERSONS

Please review the information below that explains your release and your duty to comply. The information below is subject to change without advance notice.



CITATION RELEASE

If you are eligible, you may be released immediately on your promise to go to D.C. Superior Court, 500 Indiana Ave., NW, Washington, D.C. on the **date** and **time** on the Citation Release section on Page 1 of this document.

A prosecutor will decide whether to file a criminal case against you. If you do not appear in Court, a bench warrant may be issued for your arrest. In addition, you could be charged with failing to appear even if the prosecutor decides to drop the case.

As a condition of your release on citation, you may be directed to stay away from and have no contact with a particular person or persons and/or to stay away from a particular place until you appear in Court.

If you violate the stay away, a police officer can immediately arrest you, and you will be brought to Court on the next day that the Court is open. If the prosecutor charges you with any crime, you will have a right to be represented by an attorney. If you cannot afford an attorney, one will be provided for you.

IMPORTANT INFORMATION

Even though you were arrested, the government may decide not to file charges against you in Court. It is important that you bring the citation release form with you to Court on your arraignment date because it contains information that you may need to identify whether or not the government has filed charges in Court.

FOR CASE INFORMATION

For information on the status of your case, you may call the D.C. Superior Court's Criminal Division Customer Service line at **(202) 879-1373**.

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POST AND FORFEIT MONEY

If you have been charged with an eligible offense and you are eligible to post and forfeit, you may pay the amount of money set by the Court for the offense and the case will end. If you choose to pay the amount set, you will **NOT** get your money back because you are agreeing to forfeit the amount. No sanction, penalty, enhanced sentence, or civil disability will be imposed by any District of Columbia court or agency in any subsequent criminal, civil, or administrative proceeding or action if you post and forfeit. You **WILL** have an arrest record. You may file a motion with the Superior Court to seal your arrest record. For more information regarding sealing your record, you can contact the Public Defender Service of the District of Columbia at **202-628-1200** or via email at www.pds.dc.org.

- **WHAT IF YOU CHANGE YOUR MIND AND DECIDE TO CONTEST THE CHARGES?** If you decide you would rather appear in Court after you post the money, you can file a "Motion to Set Aside Forfeiture" within 90 days of today's date.
- **WHAT IF THE GOVERNMENT DECIDED TO OPPOSE YOUR POST AND FORFEIT DECISION?** The Office of the Attorney General for the District of Columbia, the prosecutor for this case, may file a "Motion to Set Aside Forfeiture" within 90 days.
- **WHAT HAPPENS IF THE COURT GRANTS THE MOTION?** If your motion or the government's motion is granted, the charges be reinstated and you will have to go to Court. If you cannot afford an attorney, you may be eligible for appointed counsel.

If you choose not to post and forfeit and elect to continue the criminal case, you are eligible for release on citation.

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Attachment G
Legal Charges for Protests and Civil Disturbances

Below are the criminal charges most likely to give rise to arrests resulting from expected protests, assemblies and demonstrations in the District of Columbia. For each charge, applicable elements of the offense and a brief description of circumstances in which the charge might be most appropriate is listed. Members are encouraged to contact the U.S. Attorney's Office or the Office of the Attorney General should questions arise concerning the statute most applicable to a given situation. Members should note this is a non-exhaustive list of charges¹.

I. STREET PROTESTS AND DISTURBANCES

CHARGE: Carrying a Pistol in a Prohibited Location. D.C. Official Code § 7-2509.04(a)

Elements of the Charge: It is unlawful for a person who is the holder of a concealed carry pistol license to carry a firearm inside a location where the person was prohibited to carry the firearm. This includes, but is not limited to, a building or office occupied by the District of Columbia, its agencies, or instrumentalities, a public transportation vehicle, including the Metrorail transit system and its stations, and a "gathering or special event open to the public; provided, that no licensee shall be criminally prosecuted unless, (A) The organizer or the District has provided notice prohibiting the carrying of pistols in advance of the gathering or special event and by posted signage at the gathering or special event; or (B) The licensee has been ordered by a law enforcement officer to leave the area of the gathering or special event and the licensee has not complied with the order.

Jurisdiction: Office of the Attorney General

Applicability: Someone who brings a firearm into a prohibited place or, in the case of gatherings and special events, where (A) the organizer or the District has provided notice prohibiting the carrying of pistols in advance of the gathering or special event and by posted signage at the gathering or special event; or (B) The licensee has been ordered by a law enforcement officer to leave the area of the gathering or special event and the licensee has not complied with the order.

CHARGE: Crowding, Obstructing, or Incommoding, D.C. Official Code § 22-1307(a)

Elements of the Charge: It is unlawful for a person, alone or in concert with others, to crowd, obstruct, or incommode the use of any street, avenue, alley, road, highway, or sidewalk, or the entrance of any public or private building or enclosure or the use of or passage through any public building or public conveyance, or the passage through or within any park or reservation, and to continue or resume the crowding, obstructing, or incommoding after being instructed by a law enforcement officer to cease the crowding, obstructing, or incommoding.

Jurisdiction: Office of the Attorney General

Applicability: Someone, who after being warned more than once to move on, continues to block vehicular or pedestrian traffic on a city street, sidewalk, or entrance to a building. This is likely to be the most appropriate charge for "street blockades" by protesters.

CHARGE: Unlawful Demonstrating D.C. Official Code § 22-1307(b)

Elements of the Charge: It is unlawful for a person, alone or in concert with others, to engage in a demonstration in an area where it is otherwise unlawful to demonstrate and to continue or resume engaging in a demonstration after being instructed by a law enforcement officer to cease engaging in a demonstration. For purposes of this charge, the

¹ *Parading without a Permit* is not an arrestable offense. This charge shall not be used to detain anyone.

Attachment G
Legal Charges for Protests and Civil Disturbances

term “demonstration” means marching, congregating, standing, sitting, lying down, parading, demonstrating or patrolling by one or more persons, with or without signs, for the purpose of persuading one or more individuals, or the public, or to protest some action, attitude or belief.

Jurisdiction: Office of the Attorney General

Applicability: A protestor is marching in an area where it is unlawful to demonstrate, and who after being warned to move on, continues to protest.

CHARGE: Disorderly Conduct – Cause Unreasonable Fear (Intimidate), D.C. Official Code § 22-1321(a)(1)

Elements of the Charge: (a) In any place open to the general public, and in the communal areas of multi-unit housing, it is unlawful for a person to: (1) intentionally or recklessly act in such a manner as to cause another person to be in reasonable fear that a person or property in a person's immediate possession is likely to be harmed or taken.

Jurisdiction: Office of the Attorney General

Applicability: A person has reasonable fear that acts in public space or in communal areas of multi-unit housing are likely to harm the person, or property in the person's immediate possession is likely to be harmed or taken.

CHARGE: Disorderly Conduct – Inciting Violence, D.C. Official Code § 22-1321(a)(2)

Elements of the Charge: (a) In any place open to the general public, and in the communal areas of multi-unit housing, it is unlawful for a person to: (2) incite or provoke violence where there is a likelihood that such violence will ensue.

Jurisdiction: Office of the Attorney General

Applicability: Someone yells to the crowd that they should attack people in a counter-demonstration and one or more of the listeners start walking towards the counter-demonstration carrying their signs as weapons.

CHARGE: Disorderly Conduct – Abusive Language or Gestures, D.C. Official Code § 22-1321(a)(3)

Elements of the Charge: (a) In any place open to the general public, and in the communal areas of multi-unit housing, it is unlawful for a person to: direct abusive or offensive language or gestures at another person (other than a law enforcement officer while acting in his or her official capacity) in a manner likely to provoke immediate physical retaliation or violence by that person or another person.

Jurisdiction: Office of the Attorney General

Applicability: John Doe makes an obscene remark towards Jane Smith while holding up his middle finger to further provoke anger. When John Doe realizes Jane Smith is offended by this gesture, he replicates it in his other hand while still screaming obscenities.

CHARGE: Disorderly Conduct – Disrupting a Congregation of Gathering, D.C. Official Code § 22-1321(b)

Elements of the Charge: (b) It is unlawful for a person to engage in loud, threatening, or abusive language, or disruptive conduct, with the intent and effect of impeding or disrupting the orderly conduct of a lawful public gathering, or of a congregation of people engaged in any religious service or in worship, a funeral, or similar proceeding.

Jurisdiction: Office of the Attorney General

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Applicability: A group of people, with the intent of disrupting a gathering, approach and heckle a lawfully assembled group of demonstrators. While the group does this, they block the group from moving along its parade route.

CHARGE: Disorderly Conduct – Disrupting use of a Public Conveyance (Public Building), D.C. Official Code 22-§ 1321(c)

Elements of the Charge: (c) It is unlawful for a person to engage in loud, threatening, or abusive language, or disruptive conduct with the intent and effect of impeding or disrupting the lawful use of a public conveyance by one or more other persons.

Jurisdiction: Office of the Attorney General

Applicability: Someone boards a Metrobus with a large boom box playing loud music. When asked to turn the music down because other patrons cannot hear the bus driver, the person refuses. As a result, patrons cannot hear the bus driver announce safety information.

CHARGE: Disorderly Conduct – Disrupting Use of a Public Building, D.C. Official Code § 22-1321(c-1)

Elements of the Charge: (c-1) It is unlawful for a person to engage in loud, threatening, or abusive language, or disruptive conduct in a public building with the intent and effect of impeding or disrupting the orderly conduct of business in that public building.

Jurisdiction: Office of the Attorney General

Applicability: Someone prevents persons from conducting business in a public building through loud, threatening, or abusive language or disruptive conduct.

CHARGE: Disorderly Conduct – Noise at Night, 22 D.C. Official Code § 1321(d)

Elements of the Charge: (d) It is unlawful for a person to make an unreasonably loud noise between 10:00 p.m. and 7:00 a.m. that is likely to annoy or disturb one or more other persons in their residences.

Jurisdiction: Office of the Attorney General

Applicability: After being given a warning and a reasonable amount of time for compliance, someone continues to create loud noise in a city street or area during the hours of 10:00pm and 7:00am, or in front of an apartment building or house and the residents are unable to sleep.

CHARGE: Disorderly Conduct – Jostling, D.C. Official Code § 22-1321(g)

Elements of the Charge: (g) It is unlawful, under circumstances whereby a breach of the peace may be occasioned, to interfere with any person in any public place by jostling against the person, unnecessarily crowding the person, or placing a hand in the proximity of the person's handbag, pocketbook, or wallet.

Jurisdiction: Office of the Attorney General

Applicability: Someone riding the metro bumps into or unnecessarily crowds the space of another person.

CHARGE: Crossing a Police Line, 24 DCMR § 2100.1 – 2100.5

Elements of the Charge: (2100.1) In cases of fires, accidents, wrecks, parades, explosions, or other occasions that cause or may cause people to collect on the public streets, alleys, highways, or parkings, an officer may establish an area or zone considered necessary to afford a clearing for (a) the operation of firemen or policemen; (b) the passage of a parade;

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(c) the movement of traffic; (d) the exclusion of the public from the vicinity of a riot, disorderly gathering, accident, wreck, explosion, or other emergency; or (e) the protection of persons and property. (2100.2) Each person present at the scene of an emergency occasion shall comply with any necessary order or instruction of officer; (2100.3) No person shall enter the emergency area or zone unless duly authorized by the person in command of the emergency occasion, except as provided in §2100.4. (2100.4) Bona fide representatives of the press, bona fide insurance adjusters and underwriters, and other persons that the Chief of Police may authorize to be within the emergency area or zone shall be permitted within the lines established by the Police Department under the conditions set forth in §2100.5 and 24-2101 DCMR through 24-2103 DCMR. (2100.5) Persons entering the emergency area or zone under §2100.4 shall have plainly exposed to view the press pass or fire pass issued under the provisions of 24-2101 DCMR through 24-2103 DCMR.

Jurisdiction: Office of the Attorney General

Applicability: Law enforcement sets up a barricade, a secured area, or attempts to prevent pedestrians from entering a particular area by setting up a police line, and an unauthorized person crosses the police line or enters the secured area. Prior to arrest, a warning should be given that the person has entered a secured area or has crossed a police line, and they should be given an opportunity to move back.

CHARGE: Failing to Obey a Police Order, 18 DCMR § 2000.1 – 2000.5

Elements of the Charge: (2000.1) It is unlawful for any person to do any act forbidden or fail to perform any act required in this subtitle. (2000.2) No person shall fail or refuse to comply with any lawful order or direction of any police officer, police cadet, or civilian crossing guard invested by law with authority to direct, control, or regulate traffic. This section shall apply to pedestrians and to the operators of vehicles. (2000.3) The owner of a vehicle shall be presumed to be the operator when any violations of these regulations may occur, unless he or she proves to the contrary. (2000.4) The driver of any vehicle shall obey the instructions of any official traffic control device applicable to the vehicle which has been placed in accordance with the provisions of this subtitle, unless otherwise directed by a police officer, subject to the exceptions granted the driver of an authorized emergency vehicle in this chapter. (2000.5) No provision of this subtitle for which signs are required shall be enforced against an alleged violator if, at the time and place of the alleged violation, an official sign is not in proper position and sufficiently legible to be seen by an ordinarily observant person.

Jurisdiction: Office of the Attorney General

Applicability: A police officer gives a command to the operator of a vehicle or a pedestrian relating to a vehicular or pedestrian traffic matter, and the person willfully fails to obey the order.

CHARGE: Forgery and Uttering, D.C. Official Code § 22-3241- § 22-3242 (felony)

Elements of the Charge: (1) person makes, draws, or utters a forged written instrument; (2) with intent to defraud or injure another.

Jurisdiction: United States Attorney's Office

Applicability: (1) Someone presents staff or fake law enforcement credentials; this constitutes an illegal uttering; (2) Someone presents legitimate staff or law enforcement credentials, but they are not the person to whom the credentials were issued; this constitutes an illegal uttering; (3) someone presents fake tickets to an inaugural ball; this

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does not constitute a crime, as we cannot prove that the person knew or should have known that the tickets were fake, and we cannot show that a crime has been committed.

CHARGE: Throwing Stones or Other Missiles, D.C. Official Code § 22-1309

Elements of the Charge: No person(s) may throw a stone or other missile in any street, avenue, alley, road, highway, open space, public square, or enclosure, or throw such stone or other missile from any place onto a street, avenue, alley, road, highway, open space, public square, or enclosure; under penalty of not more than \$500 for each offense.

Jurisdiction: Office of the Attorney General

Applicability: Someone endangers another's safety by throwing an object at them.

CHARGE: Kindling Bonfires, D.C. Official Code § 22-1313

Elements of the Charge: No person or persons within the limits of the District of Columbia shall kindle or set on fire, or be present, aiding, consenting, or causing it to be done, in any street, avenue, road, or highway, alley, open ground, or lot, any box, barrel, straw, shavings, or other combustible, between the setting and rising of the sun; and, any person offending against the provisions of this section shall on conviction thereof, forfeit and pay a sum not exceeding \$10 for each and every offense.

Jurisdiction: Office of the Attorney General

Applicability: Someone sets anything afire in a city street or area during the nighttime.

CHARGE: Rioting, D.C. Official Code § 22-1322a (misdemeanor) (felony if any person suffers serious bodily injury, or property damage exceeds \$5,000.)

Elements of the Charge: (a) A riot in the District of Columbia is a public disturbance, involving an assemblage of 5 or more persons which by tumultuous and violent conduct, or **the threat of such conduct**, creates grave danger of damage or injury to property or persons.

Jurisdiction: United States Attorney's Office

Applicability: A "public disturbance" must be more than mere loud noise making or minor breaches of the peace. It is conduct that has aroused, or is likely to arouse, public alarm or apprehension, and **is usually accompanied by the use of actual force or violence against property and persons**. At the very least it must be conduct that has a clear and apparent tendency to cause force or violence to erupt and thus create a grave danger of damage or injury to property or persons. "Grave danger" means danger actually present or threatened. Damage or injury to property includes actual physical damage, or the taking of another's property without permission.

CHARGE: Riots, 18 U.S.C. § 2101

Elements of the Charge: (1) person travels in interstate or uses any facility of interstate commerce, including, but not limited to, the mail, telegraph, telephone, radio, or television, **and** intends; (2) to incite a riot; **or** (3) to organize, promote, encourage, participate in, or carry on a riot; or (4) to commit any act of violence in furtherance of a riot; or (5) to aid or abet any person in inciting or participating in or carrying on a riot or committing any act of violence in furtherance of a riot.

Jurisdiction: United States Attorney's Office

Applicability: Extremely unlikely that this federal charge will be used, unless we can establish that suspect(s) crossed state lines intending to incite an actual riot. Merely

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crossing state lines/using any facility of interstate commerce in order to organize a demonstration is insufficient to pursue this charge.

CHARGE: Obstructing Bridges Connecting D.C. and VA, D.C. Official Code § 22-1323

Elements of the Charge: (1) person may not knowingly and willfully obstruct any bridge connecting the District of Columbia and the Commonwealth of Virginia.

Jurisdiction: Office of the Attorney General

Applicability: Person may not interrupt the flow of traffic on any bridge connecting D.C. and Virginia.

II. PROPERTY DAMAGE

CHARGE: Destruction of Property (Malicious Burning Destruction, or Injury of Another's Property), D.C. Official Code § 22-303 (misdemeanor or felony)

Elements of the Charge: (1) defendant injured, broke, or destroyed, or attempted to injure, break, or destroy, property; (2) the property was not the defendant's; (3) defendant acted on purpose. ; (4) defendant acted with the intent to destroy or injure the property, or with a conscious disregard of known and substantial risks of harm that were likely to result to the property from his actions. (Note: if the value of the destroyed property is equal to or exceeds \$1,000, the offense is a felony. If the value of the destroyed property is under \$1,000 it is a misdemeanor.)

Jurisdiction: United States Attorney's Office

Applicability: An individual intentionally destroys the property of another. To charge felony "destruction of property", an officer must prove the destroyed property had a value greater than \$1,000.

CHARGE: Federal Destruction of Property (Government Property or Contracts), 18 U.S.C. § 1361

Elements of the Charge: (1) Someone willfully injures (or attempts to injure) or commits (or attempts to cause) any depredation against (a) any property of the United States, or (b) of any department or agency thereof, or (c) any property which has been or is being manufactured or constructed for the United States, or (d) any department or agency thereof. Note: if the damage or attempted damage to such property exceeds the sum of \$1,000, the punishment is a fine or imprisonment for not more than ten years, or both; if the damage or attempted damage to such property is under \$1,000, a fine or imprisonment for not more than one year, or both.

Jurisdiction: United States Attorney's Office

Applicability: We will use this charge rarely, and under the most serious circumstances. Normally, D.C. Superior Court Destruction of Property charges will be most applicable.

CHARGE: Defacing Public or Private Property, D.C. Official Code § 22-3312.01 (misdemeanor)

Elements of the Charge: (1) Defendant may not willfully or wantonly disfigure, cut, chip, cover or rub with or place filth or excrement; or (2) write, mark, or print obscene or indecent figures; or (3) write, draw, mark or paint any word, sign or figure, without the consent of the owner or proprietor (or, in the case of public property, the person having custody or control thereof, upon: (a) any property (public or private); building, statue, monument, office, mass

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transit equipment or facility, dwelling or structure of any kind; (b) doors, windows, steps, railings, fencing, balconies, balustrades, stairs, porches, halls, walls, sides of any enclosure thereof, or any movable property.

Jurisdiction: United States Attorney's Office

Applicability: Someone spray-paints (or in any manner disfiguring) the Washington Monument, a subway car, the fence surrounding the IMF building, or any other public or private property, without permission.

CHARGE: Arson, D.C. Official Code § 22-301 (felony)

Elements of the Charge: (1) defendant burned or attempted to burn a building or any steamboat, vessel, canal boat, or other watercraft; (2) the building was the property, in whole or in part, of someone other than the defendant; and (3) defendant set or attempted to set the building on fire on purpose; and (4) defendant acted with the intent to kill or seriously injure another person; with the intent to threaten the security of anyone who lived in or occupied that building; or in conscious disregard of a known and substantial risk that his actions would endanger human life or threaten the security of anyone who lived in or occupied the building; and (5) defendant acted without mitigation.

Jurisdiction: United States Attorney's Office

Applicability: Suspect set fire (or attempted to set fire) to a building intending to kill or injure someone. The charge is destruction of property if the object burned is a car, for example, or if we do not have proof (direct or circumstantial) that the defendant's intent was to kill or seriously injure another person.

CHARGE: Manufacture, Transfer, Use, Possession, or Transportation of Molotov Cocktails, or Other Explosives for Unlawful Purposes, D.C. Official Code § 22-4515a (felony)

Elements of the Charge: (a) No person shall manufacture, transfer, use, possess, or transport a Molotov cocktail. *Molotov cocktail* means: (1) a breakable container containing flammable liquid and having a wick or similar device capable of being ignited; or (2) any other device designed to explode or produce uncontained combustion upon impact; but such term does not include a device lawfully and commercially manufactured primarily for the purpose of illumination, construction work, or other lawful purpose.

Jurisdiction: United States Attorney's Office

Applicability: Someone transports or possesses an explosive device intending to use the device unlawfully against a person or property. **In cases of mass seizures of property or evidence, every attempt shall be made to document the seizure and preparation of said items via videotape or photographs.** This documentation will strengthen the Department's position as to the treatment of these items to reduce the likelihood of frivolous claims of damage.

CHARGE: Placing Explosives with Intent to Destroy or Injure Property, D.C. Official Code § 22-3305 (felony)

Elements of the Charge: (1) defendant places, or causes to be placed, in/on/under/against/near any building, vessel, car, monument, statue, structure, gunpowder any type of explosive substance; (2) with intent to destroy or injure the same (in whole or part).

Jurisdiction: United States Attorney's Office

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Applicability: Someone places any explosive device in a public or private area intending to destroy property.

CHARGE: Unlawful Entry, D.C. Official Code § 22-3302 (misdemeanor)

Elements of the Charge: (1) defendant entered, or attempted to enter, a public or private dwelling, building, or other property, or part of same; (2) defendant did not have lawful authority; (3) the entry or attempt to enter was against the will of the lawful occupant or the person lawfully in charge of the premises, and the defendant refuses to leave when ordered to do so; and (4) defendant's entry or attempt to enter was on purpose.

Jurisdiction: United States Attorney's Office

Applicability: Someone enters the grounds of a private residence, or a restricted public building, and refuses to leave when ordered to do so [remember that to have a burglary, we must be able to prove that at the time the suspect entered the area in question, he or she had formulated intent to commit a separate crime (e.g., assault, destruction of property, theft)].

CHARGE: Burglary, D.C. Official Code § 22-801 (felony)

Elements of the Charge: (1st degree): (1) defendant entered any dwelling, or room used as a sleeping apartment in any building (2) at the time of the entry, any person was in any part of that dwelling or room; and (3) at the time of the entry, defendant had the specific intent to commit a crime (such as theft, assault, etc.) (Note: if element 3 is not satisfied, the offense is unlawful entry.) **(2nd degree):** defendant entered any room, apartment, dwelling, store, bank, or other building of another; and (2) at the time of the entry, defendant had the specific intent to commit a crime (such as theft, assault, etc.) (Note: if element 3 is not satisfied, the offense is unlawful entry.)

Jurisdiction: United States Attorney's Office

Applicability: We must be able to demonstrate that a suspect entered the place with the specific intent to commit a crime. Otherwise, the correct charge is unlawful entry.

III. WEAPONS

CHARGE: Carrying a Dangerous Weapon, D.C. Official Code § 22-4504 (felony)

Elements of the Charge: (1) defendant carried a deadly or dangerous weapon **openly or concealed** on or about his person; (2) defendant carried the weapon on purpose; (3) defendant **intended to use the object as a weapon**; (4) the weapon **could be concealed**; (5) the weapon was not being carried on land/property possessed/controlled by defendant (Note: a dangerous weapon is any object likely to produce death or great bodily injury by the use made of it).

Jurisdiction: United States Attorney's Office

Applicability: Many objects (such as crowbars or wrenches) may be used as tools or for other useful purposes, and the law does not prohibit carrying those objects for those purposes. We must therefore prove that defendant intended to use the object as a deadly or dangerous weapon. Legitimate considerations include: the design/construction of the object; defendant's conduct prior to his arrest; and the time and place defendant was found in possession of the object. Walking down the street during a demonstration carrying a crowbar is not a crime.

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CHARGE: Possession of a Prohibited Weapon, D.C. Official Code § 22-4514 (a) and (b) (misdemeanor)

Elements of the Charge: (PPW) (a): (1) defendant possessed a machine gun, sawed-off shotgun, bump stock, black jack, slungshot (note: this is different than a slingshot), sand club, sandbag, switch-blade knife, metal knuckles, or silencer; and (2) such possession was knowing and intentional. (PPW) (b): (1) defendant possessed an imitation pistol, dagger, dirk, razor, stiletto, knife with blade longer than 3", or other dangerous weapon; **and** (3) at the time of the possession, defendant had the specific intent to use it unlawfully against another.

Jurisdiction: United States Attorney's Office

Applicability: Some objects may be used as tools or for other useful purposes, and the law does not prohibit carrying those objects for those purposes. Unless specifically set forth in PPW (a) as being per se unlawful, we must in all other circumstances prove that defendant intended to use the object as a deadly or dangerous weapon. Legitimate considerations include: the design/construction of the object; defendant's conduct prior to his arrest; and the time and place defendant was found in possession of the object.

CHARGE: Possession of Implements of a Crime ("PIC"), D.C. Official Code § 22-2501 (misdemeanor)

Elements of the Charge: (1) defendant possessed any instrument, tool, or implement for picking locks or pockets; (2) with the intent to use such instrument, tool, or implement to commit a crime.

Jurisdiction: United States Attorney's Office

Applicability: Some objects may be used as tools or for other useful purposes, and the law does not prohibit carrying those objects for those purposes. We must prove that defendant intended to use the tool to commit a crime. Simply possessing crowbars, tripods, concrete sleeves, axes, sledge hammers, and any other tool that arguably has a legitimate purpose is not sufficient to convict someone under this statute.

IV. ASSAULTIVE CRIMES

CHARGE: Simple Assault, D.C. Official Code § 22-404 (misdemeanor)

Elements of the Charge: (1) defendant made an attempt or effort, with force or violence, to injure another person, **or** the defendant committed a threatening act that reasonably would create in another person a fear of immediate injury; (2) that at the time he or she made the attempt or effort to injure, **or** committed the threatening act, the defendant had the apparent ability to injure the person; and (3) the defendant committed the act voluntarily, and on purpose, and not by accident or mistake.

Jurisdiction: United States Attorney's Office

Applicability: Someone spits upon, hits, swings at, throws an object at, or injures in any manner, another person.

CHARGE: Assault D.C. Official Code § 22-404 (felony)

Elements of the Charge: (a)(1) Whoever unlawfully assaults, or threatens another in a menacing manner, shall be fined not more than the amount set forth in § 22-3571.01 or be imprisoned not more than 180 days, or both. See above for elements of assault.

Felony if: (2) Whoever unlawfully assaults, or threatens another in a menacing manner, and intentionally, knowingly, or recklessly causes significant bodily injury to another shall be

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fined not more than the amount set forth in § 22-3571.01 or be imprisoned not more than 3 years, or both. For the purposes of this paragraph, the term "significant bodily injury" means an injury that requires hospitalization or immediate medical attention.

Jurisdiction: United States Attorney's Office

Applicability: Where someone threatens another, and the threat not only was intended to threaten and frighten another that he or she was in danger of serious bodily injury or harm, **but the ordinary hearer would feel so frightened**, then the suspect may be charged with threats. Without more intimidating or threatening behavior, the case will be treated as a misdemeanor.

CHARGE: Assault on a Police Officer, D.C. Official Code § 22-405 (b) (misdemeanor)

Elements of the Charge: (1) complainant was a member of a police force operating in D.C.; (2) defendant assaulted the complainant; (3) complainant was engaged in the performance of his/her official duties; (4) defendant knew or had reason to know that complainant was a member of a police force; and (5) defendant did not act by mistake.

(c)(felony) (1) complainant was a member of a police force operating in D.C.; (2) defendant assaulted the complainant; (3) complainant was engaged in the performance of his/her official duties; (4) defendant knew or had reason to know that complainant was a member of a police force; and (5) defendant did not act by mistake (6) causes significant bodily injury to the law enforcement officer, or commits a violent act that creates a grave risk of causing significant bodily injury to the officer.

Jurisdiction: United States Attorney's Office

Applicability: Mere interference with a police officer generally will not be deemed sufficient to prosecute an APO. More is needed, particularly during a demonstration, where tempers may flare, and otherwise inappropriate behavior may be tolerated. If serious bodily injury is suffered by the officer, or the suspect uses a weapon against the officer and injury is sustained, an APO may be the appropriate charge. If a weapon (other than a gun) is used, and no injuries are sustained, Simple Assault and PPW (b) are probably the more appropriate charges.

CHARGE: Resisting Arrest, D.C. Official Code § 22-405.01

Elements of the Charge: (1) complainant was a member of a police force operating in D.C.; (2) defendant intentionally resists an arrest by the complainant or prevents that individual from making or attempting to make an arrest of or detain another person; (3) complainant was engaged in the performance of his/her official duties; (4) defendant knew or had reason to know that complainant was a member of a police force; and (5) defendant did not act by mistake.

Jurisdiction: United States Attorney's Office

Applicability: An individual attempts to stop a police officer from lawfully arresting another person by standing in front of the arrestee or blocking the officer's access to the person. The distinction between this charge ("Resisting Arrest") and "Assault on a Police Officer" is whether or not the officer is assaulted.

CHARGE: Assault on a Federal Police Officer, 18 U.S.C. § 111 (misdemeanor/felony)

Elements of the Charge: (1) person forcibly assaults, resists, opposes, impedes, intimidates, or interferes with any person designated in section 1114 of this title while engaged in or on account of the performance of his or her official duties (Note: where the

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acts constitute only simple assault, defendant is fined or imprisoned not more than one year, or both; in all other cases, defendant is fined or imprisoned not more than three years, or both; enhanced penalty if suspect uses a deadly or dangerous weapon, or inflicts bodily injury, suspect is fined or imprisoned not more than ten years, or both).

Jurisdiction: United States Attorney's Office

Applicability: A federal law enforcement officer is assaulted during the course of his law enforcement responsibilities. We will use this federal charge **rarely**, and under only the most serious circumstances. Normally, the Superior Court Assault on a Police Officer charge will be the most applicable charge. See APO, above.

CHARGE: Harassing, Interfering with, Injuring, or Obstructing a Police Animal, D.C. Official Code § 22-861

Elements of the Charge: Any person who intentionally and without justifiable and excusable cause, harasses, interferes with, injures, or obstructs a police animal when he or she has reason to believe the animal is a police animal. It is a felony if the person causes significant bodily injury to, or the death of, a police animal.

Jurisdiction: United States Attorney's Office

Applicability: Any law enforcement officer's dog or horse is assaulted during the course of the officer's/animal's law enforcement responsibilities. See Cruelty to Animals, below.

CHARGE: Harming Animals Used in Law Enforcement, 18 U.S.C. § 1368

Elements of the Charge: (1) person willfully and maliciously harms any police animal, or attempts or conspires to do so; (2) and the animal is "employed" by a federal agency (in the executive, legislative, or judicial branch) for the principal purpose of aiding in the detection of criminal activities, enforcement of laws, or apprehension of criminal offenders.

Jurisdiction: United States Attorney's Office

Applicability: A federal law enforcement officer's dog or horse is assaulted during the course of the officer's/animal's law enforcement responsibilities. We will use this federal charge **rarely**, and under only the most serious circumstances. Normally, the Superior Court charge of Harassing, Interfering with, Injuring, or Obstructing a Police Animal or Cruelty to Animals will be the more applicable charge. See Harassing, interfering with, injuring, or obstructing a police animal, above or Cruelty to Animals, below.

CHARGE: Cruelty to Animals, D.C. Official Code § 22-1001 and 1002 (misdemeanor)

Elements of the Charge: (1) person knowingly overdrives, overloads, drives when overloaded, overworks,, tortures, torments, deprives of necessary sustenance, cruelly chains, cruelly beats or mutilates, or knowingly causes or procures any animal to be so overdriven, overloaded, driven when overloaded, overworked, tortured, tormented, deprived of necessary sustenance, cruelly chained, cruelly beaten, or mutilated, and whoever, having the charge or custody of any animal, knowingly inflicts unnecessary cruelty upon the animal, or unnecessarily fails to provide the same with proper food, drink, air, light, space, veterinary care, shelter, or protection from the weather.

Jurisdiction: United States Attorney's Office

Applicability: A local law enforcement officer's animal is assaulted during the course of the officer's/animal's law enforcement responsibilities.

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CHARGE: Assault with a Dangerous Weapon, D.C. Official Code § 22-402 (felony)

Elements of the Charge: (1) the three elements of simple assault must be proved; and (2) the assault must have been committed with a dangerous weapon. A weapon is anything that is designed to be used, **or** actually is used to attack or threaten another person. A weapon is dangerous if it is used in a manner to produce death or great bodily injury. Need not prove that defendant actually injured or even touched complainant with the weapon; pointing it in a threatening manner is sufficient, for example.

Jurisdiction: United States Attorney's Office

Applicability: Where person acts in a threatening manner while brandishing or using a weapon that could cause death or great bodily injury. Not sufficient merely to be in possession of an object that could, in some circumstances, be deemed dangerous.



USE OF CDU HELMET, RAPID RESPONSE GEAR, AND/OR LESS LETHAL WEAPONS REPORT

A. INCIDENT INFORMATION

INCIDENT DATE	INCIDENT TIME	RELATED INCIDENT CCN	DISTRICT	PSA
EVENT/DETAIL		LOCATION OF REPORTED INCIDENT		
TOTAL MEMBERS DONNING HELMETS:	TOTAL MEMBERS DONNING GEAR:	TOTAL MEMBERS USING LL WEAPONS:		
TOTAL MEMBERS INVOLVED:	TOTAL MEMBERS INJURED:	IS NUMBER:		

B. NARRATIVE

The authorizing official shall document in the narrative below the facts and circumstances requiring the use of CDU helmets, rapid response gear, and/or less lethal weapons. Any deployment of CDU helmets, rapid response gear, and/or less lethal weapons shall be consistent with GO-HSC-801.01 (Crowd Management and Civil Unrest).

C. REVIEW

AUTHORIZING OFFICIAL RANK, NAME, ASSIGNMENT	SIGNATURE	CAD NO.	DATE
INCIDENT CMDR/HSB OFFICIAL NAME	SIGNATURE	CAD NO.	DATE

Distribution: Approved reports shall be submitted to the Executive Office of the Chief of Police.

METROPOLITAN POLICE DEPARTMENT WASHINGTON, D.C. 20001
PD FORM 82HV (HIGH VOLUME ARREST PROPERTY RECEIPT)

GO-HSC-801.01 (Crowd Management and Civil Unrest)
Attachment I
PD Form 82-HV (High Volume Arrest Property Receipt)
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January 14, 2025

Chapter 3A. First Amendment Rights and Police Standards.

Subchapter I. First Amendment Assemblies (§§ 5-331.01 – 5-331.17)

<https://code.dccouncil.us/dc/council/code/titles/5/chapters/3A/subchapters/I/>

§ 5–331.01. Short title.

This subchapter may be cited as the “First Amendment Assemblies Act of 2004”.

§ 5–331.02. Definitions.

*NOTE: This section includes amendments by temporary legislation that will expire on April 16, 2022.

For the purposes of this subchapter, the term:

(1) "Chemical irritant" means tear gas or any chemical that can rapidly produce sensory irritation or disabling physical effects in humans, which disappear within a short time following termination of exposure, or any substance prohibited by the Convention on the Prohibition of the Development, Production, Stockpiling and Use of Chemical Weapons and on their Destruction, effective April 29, 1997.

(2) “First Amendment assembly” means a demonstration, rally, parade, march, picket line, or other similar gathering conducted for the purpose of persons expressing their political, social, or religious views.

(3) "Less-lethal projectiles" means any munition that may cause bodily injury or death through the transfer of kinetic energy and blunt force trauma. The term "less-lethal projectiles" includes rubber or foam-covered bullets and stun grenades.

(4) “MPD” means the Metropolitan Police Department.

§ 5–331.03. Policy on First Amendment assemblies.

It is the declared public policy of the District of Columbia that:

(1) Persons and groups have a right to organize and participate in peaceful First Amendment assemblies on the streets, sidewalks, and other public ways, and in the parks of the District of Columbia, and to engage in First Amendment assembly near the object of their protest so they may be seen and heard, subject to reasonable restrictions designed to protect public safety, persons, and property, and to accommodate the interest of persons not participating in the assemblies to use the streets, sidewalks, and other public ways to travel to their intended destinations, and use the parks for recreational purposes; and

2) MPD shall not engage in mass arrests of groups that include First Amendment assemblies or that began as a First Amendment assembly unless MPD:

(a) Determines that the assembly has transformed, in substantial part or in whole, into an activity subject to dispersal or arrest; and

(b) Has issued an order to disperse as described in section 107(e) and (e-1).

§ 5–331.04. Reasonable time, place, and manner restrictions on First Amendment assemblies.

(a) The MPD shall recognize and implement the District policy on First Amendment assemblies established in [§ 5-331.03](#) when enforcing any restrictions on First Amendment assemblies held on District streets, sidewalks, or other public ways, or in District parks.

(b) The MPD may enforce reasonable time, place, and manner restrictions on First Amendment assemblies by:

(1) Establishing reasonable restrictions on a proposed assembly prior to its planned occurrence though the approval of a plan, where the organizers of the assembly give notice;

(2) Enforcing reasonable restrictions during the occurrence of an assembly for which a plan has been approved, which are in addition to the restrictions set forth in the approved plan, where the additional restrictions are:

(A) Ancillary to the restrictions set forth in the approved plan and are designed to implement the substance and intent in the approval of the plan;

(B) Enforced in response to the occurrence of actions or events unrelated to the assembly that were not anticipated at the time of the approval of the plan and that were not caused by the plan-holder, counter-demonstrators, or the police; or

(C) Enforced to address a determination by the MPD during the pendency of the assembly that there exists an imminent likelihood of violence endangering persons or threatening to cause significant property damage; or

(3) Enforcing reasonable restrictions on a First Amendment assembly during its occurrence where a plan was not approved for the assembly.

(c) No time, place, or manner restriction regarding a First Amendment assembly shall be based on the content of the beliefs expressed or anticipated to be expressed during the assembly, or on factors such as the attire or appearance of persons participating or expected to participate in an assembly, nor may such restrictions favor non-First Amendment activities over First Amendment activities.

§ 5–331.05. Notice and plan approval process for First Amendment assemblies — Generally.

(a) It shall not be an offense to assemble or parade on a District street, sidewalk, or other public way, or in a District park, without having provided notice or obtained an approved assembly plan.

(b) The purpose of the notice and plan approval process is to avoid situations where more than one group seeks to use the same space at the same time and to provide the MPD and other District agencies the ability to provide appropriate police protection, traffic control, and other support for participants and other individuals.

(c) Except as provided in subsection (d) of this section, a person or group who wishes to conduct a First Amendment assembly on a District street, sidewalk, or other public way, or in a District park, shall give notice and apply for approval of an assembly plan before conducting the assembly.

(d) A person or group who wishes to conduct a First Amendment assembly on a District street, sidewalk, or other public way, or in a District park, is not required to give notice or apply for approval of an assembly plan before conducting the assembly where:

(1) The assembly will take place on public sidewalks and crosswalks and will not prevent other pedestrians from using the sidewalks and crosswalks;

(2) The person or group reasonably anticipates that fewer than 50 persons will participate in the assembly, and the assembly will not occur on a District street; or

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(3) The assembly is for the purpose of an immediate and spontaneous expression of views in response to a public event.

(e) The Mayor shall not enforce any user fees on persons or groups that organize or conduct First Amendment assemblies.

(f) The Mayor shall not require, separate from or in addition to the requirements for giving notice of or applying for approval of an assembly plan for a First Amendment assembly, that persons give notice to, or obtain a permit or plan from, the Chief of Police, or other District officials or agencies, as a prerequisite for making or delivering an address, speech, or sermon regarding any political, social, or religious subject in any District street, sidewalk, other public way, or park.

(g) The Mayor shall not require, separate from or in addition to the requirements for giving notice of or applying for approval of an assembly plan for a First Amendment assembly, that persons give notice to, or obtain a permit or plan from the Chief of Police, the Department of Consumer and Regulatory Affairs, or any other District official or agency as a prerequisite for using a stand or structure in connection with such an assembly; provided, that a First Amendment assembly plan may contain limits on the nature, size, or number of stands or structures to be used as required to maintain public safety. Individuals conducting a First Amendment assembly under subsection (d) of this section may use a stand or structure so long as it does not prevent others from using the sidewalk.

(h) The Mayor shall not require, separate from or in addition to the requirements for giving notice of or applying for approval of an assembly plan for a First Amendment assembly, that persons give notice to, or obtain a permit or plan from, the Chief of Police, the Director of the Department of Consumer and Regulatory Affairs, or any other District official or agency as a prerequisite for selling demonstration-related merchandise within an area covered by an approved plan or within an assembly covered by subsection (d) of this section; provided, that nothing in this subsection shall be construed to authorize any person to sell merchandise in a plan-approved area contrary to the wishes of the plan-holder.

§ 5–331.06. Notice and plan approval process for First Amendment assemblies — Processing applications — Appeals — Rules.

(a)(1) Subject to the appeal process set forth in subsection (d) of this section, the authority to receive and review a notice of and an application for approval of a plan for a First Amendment assembly on District streets, sidewalks, and other public ways, and in District parks, and to grant, deny, or revoke an assembly plan, is vested exclusively with the Chief of Police or his or her designee.

(2) Persons or groups providing notice to and applying for approval of a plan from the District government to conduct a First Amendment assembly on a District street, sidewalk, or other public way, or in a District park, shall not be required to obtain approval for the assembly from any other official, agency, or entity in the District government, including the Homeland Security and Emergency Management Agency, the Mayor's Special Events Task Group, or the Department of Parks and Recreation.

(b)(1) The Chief of Police shall take final action on a notice of and an application for approval of a plan for a First Amendment assembly within a reasonably prompt period of time following receipt of the completed application, considering such factors as the anticipated size of the assembly, the proposed date and location, and the number of days between the application date and the proposed assembly date, and shall establish specific timetables for processing an application by rules issued pursuant to subsection (e) of this section.

(2) Except as provided in paragraph (3) of this subsection, where a complete application for approval of a First Amendment assembly plan is filed 60 days or more prior to the proposed

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assembly date, the application shall receive final action no later than 30 days prior to the proposed assembly.

(3) Following the approval of an assembly plan in response to an application pursuant to paragraph (2) of this subsection, the Chief of Police may, after consultations with the person or group giving notice of the assembly, amend the plan to make reasonable modifications to the assembly location or route up until 10 days prior to the assembly date based on considerations of public safety.

(c) The Chief of Police shall inform the person or group giving notice of an assembly, in writing, of the reasons for any decision to:

(1) Deny an application for approval of a First Amendment assembly plan;

(2) Revoke an assembly plan prior to the date of the planned assembly; or

(3) Approve an assembly plan subject to time, place, or manner restrictions that the applicant has advised the Chief of Police are objectionable to the applicant.

(d)(1) Any applicant whose proposed assembly plan has been denied, revoked prior to the date of the planned assembly, or granted subject to time, place, or manner restrictions deemed objectionable by the applicant, may appeal such decision to the Mayor or the Mayor's designee, who shall concur with, modify, or overrule the decision of the Chief of Police.

(2) The Mayor shall make a decision on appeal expeditiously and prior to the date and time the assembly is planned to commence, and shall explain in writing the reasons for the decision.

(e)(1) Within 90 days of April 13, 2005, the Mayor, pursuant to [subchapter I of Chapter 5 of Title 2](#), and in accordance with this subchapter, shall issue rules governing the approval of plans to persons or groups seeking to conduct a First Amendment assembly on District streets, sidewalks, or other public ways, or in District parks.

(2) Existing procedures for the issuance of permits to persons or groups seeking to conduct a First Amendment assembly on District streets, sidewalks, or other public ways, or in District parks, that are not inconsistent with this subchapter shall remain in effect pending the issuance of the rules promulgated under paragraph (1) of this subsection.

§ 5-331.07. Police handling and response to First Amendment assemblies.

(a) The MPD's handling of, and response to, all First Amendment assemblies shall be designed and implemented to carry out the District policy on First Amendment assemblies established in [§ 5-331.03](#).

(b)(1) Where participants in a First Amendment assembly fail to comply with reasonable time, place, and manner restrictions, the MPD shall, to the extent reasonably possible, first seek to enforce the restrictions through voluntary compliance and then seek, as appropriate, to enforce the restrictions by issuing citations to, or by arresting, the specific non-compliant persons, where probable cause to issue a citation or to arrest is present.

(2) Nothing in this subsection is intended to restrict the authority of the MPD to arrest persons who engage in unlawful disorderly conduct, or violence directed at persons or property; provided, that there is individualized probable cause for arrest.

(c) Where participants in a First Amendment assembly, or other persons at the location of the assembly, engage in unlawful disorderly conduct, violence toward persons or property, or unlawfully threaten violence, the MPD shall, to the extent reasonably possible, respond by identifying and dispersing, controlling, or arresting the particular persons engaging in such conduct, and not by issuing a general order to disperse, thus allowing the First Amendment assembly to continue.

(d) The MPD shall not issue a general order to disperse to participants in a First Amendment assembly except where:

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(1) A significant number or percentage of the assembly participants fail to adhere to the imposed time, place, and manner restrictions, and either the compliance measures set forth in subsection (b) of this section have failed to result in substantial compliance or there is no reasonable likelihood that the measures set forth in subsection (b) of this section will result in substantial compliance;

(2) A significant number or percentage of the assembly participants are engaging in, or are about to engage in, unlawful disorderly conduct or violence toward persons or property; or

(3) A public safety emergency has been declared by the Mayor that is not based solely on the fact that the First Amendment assembly is occurring, and the Chief of Police determines that the public safety concerns that prompted the declaration require that the First Amendment assembly be dispersed.

(e) If and when the MPD determines that a lawful First Amendment assembly, any other public assembly, riot, or part thereof, should be dispersed, the MPD shall:

(1) Where there:

(A) Is not an imminent danger of bodily injury or significant damage to property, issue at least 3 clearly audible and understandable order to disperse using an amplification system or device, waiting at least 2 minutes between the issuance of each warning; or

(B) Is imminent danger of bodily injury or significant damage to property, issue at least one clearly audible and understandable order to disperse using an amplification system or device;

(2) Provide the participants a reasonable and adequate time to disperse and a clear and safe route for dispersal; and

(3) Capture on body-worn camera each component of the order to disperse described in subsection (e-1) of this section.

(e-1) An order to disperse shall:

(1) Be authorized by an official at the rank of Lieutenant or above;

(2) Inform the persons to be dispersed of the law, regulation, or policy that they have violated that serves as the basis for the order to disperse;

(3) Warn the persons to be dispersed that they may be arrested if they do not obey the dispersal order or abandon their illegal activity; and

(4) Identify reasonable exit paths for participants to use to leave the area that will be dispersed.

(e-2) When dispersing a First Amendment assembly, any other public assembly, riot, or part thereof, MPD shall, to the extent possible:

(1) Position all arresting officers at the rear of the crowd so they can hear the order to disperse; and

(2) Have the arresting officers positioned at the rear of the crowd provide verbal confirmation or a physical indication that the warnings were audible.

(2) Except where there is imminent danger of personal injury or significant damage to property, the MPD shall issue multiple dispersal orders and, if appropriate, shall issue the orders from multiple locations. The orders shall inform persons of the route or routes by which they may disperse and shall state that refusal to disperse will subject them to arrest.

(3) Whenever possible, MPD shall make an audio or video recording of orders to disperse.

(f)(1) Where a First Amendment assembly is held on a District street, sidewalk, or other public way, or in a District park, and an assembly plan has not been approved, the MPD shall, consistent with the interests of public safety, seek to respond to and handle the assembly in substantially the same manner as it responds to and handles assemblies with approved plans.

(2) An order to disperse or arrest assembly participants shall not be based solely on the fact that a plan has not been approved for the assembly.

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(3) When responding to and handling a First Amendment assembly for which a plan has not been approved, the MPD may take into account any actual diminution, caused by the lack of advance notice, in its ability, or the ability of other governmental agencies, appropriately to organize and allocate their personnel and resources so as to protect the rights of both persons exercising free speech and other persons wishing to use the streets, sidewalks, other public ways, and parks.

§ 5–331.08. Use of police lines.

No emergency area or zone will be established by using a police line to encircle, or substantially encircle, a demonstration, rally, parade, march, picket line, or other similar assembly (or subpart thereof) conducted for the purpose of persons expressing their political, social, or religious views except where there is probable cause to believe that a significant number or percentage of the persons located in the area or zone have committed unlawful acts (other than failure to have an approved assembly plan) and the police have the ability to identify those individuals and have decided to arrest them; provided, that this section does not prohibit the use of a police line to encircle an assembly for the safety of the demonstrators.

§ 5–331.09. Identification of MPD personnel policing First Amendment assemblies.

NOTE: This section includes amendments by emergency legislation that will expire on August 1, 2021. To view the text of this section after the expiration of all emergency and temporary legislation affecting this section, click this link: [Permanent Version](#).

(a) The MPD shall implement a method for enhancing the visibility to the public of the name or badge number of officers policing a First Amendment assembly by modifying the manner in which those officers' names or badge numbers are affixed to the officers' uniforms or helmets. The MPD shall ensure that all uniformed officers assigned to police First Amendment assemblies are equipped with the enhanced identification and may be identified even if wearing riot gear.

(b) During a First Amendment assembly, the uniforms and helmets of officers policing the assembly shall prominently identify the officers' affiliation with local law enforcement.

§ 5–331.10. Documentation of arrests in connection with a First Amendment assembly.

(a) The MPD shall cause every arrest in connection with a First Amendment assembly to be documented, in writing or electronically, by the officer at the scene who makes the arrest.

(b) Except as provided in subsection (c) of this section, the arrest documentation shall be completed at a time reasonably contemporaneous with the arrest, and shall include:

- (1) The name of the person arrested;
- (2) The date and time of the arrest;
- (3) Each offense charged;
- (4) The location of the arrest, and of each offense;
- (5) A brief statement of the facts and evidence establishing the basis to arrest the person for each offense;
- (6) An identification of the arresting officer (name and badge number); and
- (7) Any other information the MPD may determine is necessary.

(c)(1) The Chief of Police may implement a procedure for documenting arrests in connection with a First Amendment assembly different from that set forth in subsection (b) of this section where the Chief determines that an emergency exists with regard to a specific First Amendment assembly, and that implementation of the alternative procedure is necessary to assist police in

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protecting persons, property, or preventing unlawful conduct; provided, that any such procedure shall adequately document the basis that existed for each individual arrest.

(2) The determination of the Chief of Police made pursuant to paragraph (1) of this subsection shall be made in writing and shall include an explanation of the circumstances justifying the determination.

(3) The determination of the Chief of Police made pursuant to paragraph (1) of this subsection shall be valid for a period of 24 hours, and may be renewed by the Chief, or in the Chief's absence, the Chief's designee.

§ 5–331.11. Use of handcuffs, plastic cuffs, or other physical restraints on persons arrested in connection with a First Amendment assembly.

(a) The MPD shall adhere to the standard set forth in subsection (b) of this section in using handcuffs, plastic cuffs, or other physical restraints on any person arrested in connection with a First Amendment assembly who is being held in custody in the following circumstances:

(1) The arrestee is being held in a police processing center:

(A) To determine whether the arrestee should be released or the method for release;

(B) To determine whether the arrestee should be presented to court; or

(C) Pending presentation to court;

(2) The arrestee is being held in an unsecured processing center, and is not being held in a cell; or

(3) The arrestee is charged solely with one or more misdemeanor offenses, none of which have, as one of their elements, the commission of a violent act toward another person or a threat to commit such an act, or the destruction of property, or a threat to destroy property.

(b) With regard to any person who is being held in custody by the MPD in the circumstances identified in subsection (a) of this section, the MPD shall use handcuffs, plastic cuffs, or other physical restraints only to the extent reasonably necessary, and in a manner reasonably necessary, for the safety of officers and arrestees; provided, that no such person shall be restrained by connecting his or her wrist to his or her ankle, and no such person shall be restrained in any other manner that forces the person to remain in a physically painful position.

(c) Nothing in this section is intended to restrict the otherwise lawful authority of the MPD to use handcuffs, plastic cuffs, or other physical restraints on persons arrested in connection with a First Amendment assembly at the time of or immediately following arrest, while arrestees are being transported to a processing center, or while arrestees are being transported to or from court.

§ 5–331.12. Prompt release of persons arrested in connection with a First Amendment assembly.

(a)(1) The MPD shall promptly process any person arrested in connection with a First Amendment assembly to determine whether the person is eligible for immediate release pursuant to a lawful release option, and shall promptly release any person so eligible who opts for release.

(2) The MPD shall promptly release any person arrested in connection with a First Amendment assembly who, it is subsequently determined, should not be charged with any offense, or as to whom arrest documentation has not been prepared and preserved.

(b)(1) The MPD shall require that an officer holding a supervisory rank document and explain any instance in which a person arrested in connection with a First Amendment assembly who opts for release pursuant to any lawful release option or who is not charged with any offense is not released within 4 hours from the time of arrest.

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(2) The MPD shall provide to any person not released within a reasonable time of arrest food appropriate to the person's health.

(c) The Chief of Police shall issue an annual public report that:

(1) Identifies the number of persons in the preceding year who were arrested in connection with a First Amendment assembly and opted for release pursuant to any lawful release option or were not charged with any offense and were not released from custody within 4 hours after the time of arrest;

(2) Discusses the reasons for the delay in processing such persons for release; and

(3) Describes any steps taken or to be taken to ensure that all such persons are released within 4 hours from the time of arrest.

(d) The MPD shall ensure that it possesses an automated information processing system that enables it to promptly process for release or presentation to the court all persons arrested in connection with a First Amendment assembly, and shall ensure that such system is fully operational (with respect to its hardware, software, and staffing) prior to a First Amendment assembly that has a potential for a substantial number of arrests.

§ 5–331.13. Notice to persons arrested in connection with a First Amendment assembly of their release options.

(a) The MPD shall fully and accurately advise persons arrested in connection with a First Amendment assembly of all potential release options when processing them for release from custody or for presentation to court.

(b)(1) The MPD shall provide a written notice identifying all release options to each person arrested in connection with a First Amendment assembly who is charged solely with one or more misdemeanor offenses. The notice shall clearly indicate that the options are alternative methods for obtaining a prompt release, and that the availability of each option is dependent on a determination that the arrestee is eligible to participate in that release option. The notice shall also identify the misdemeanor charges lodged against the arrestee.

(2) The notice required by paragraph (1) of this subsection shall be offered in the Spanish language to those persons who require or desire notice in this manner, and shall be offered in other languages as is reasonable to ensure meaningful access to the notice for persons who are limited English proficient.

§ 5–331.14. Police-media relations.

(a) Within 90 days of April 13, 2005, the Chief of Police, pursuant to subchapter 1 of Chapter 5 of Title 2, shall issue rules governing police passes for media personnel.

(b) Within 90 days of April 13, 2005, the Chief of Police shall develop and implement a written policy governing interactions between the MPD and media representatives who are in or near an area where a First Amendment assembly is ongoing and who are reporting on the First Amendment assembly. The policy shall be consistent with the requirements of subsection (c) of this section.

(c)(1) The MPD shall allow media representatives reasonable access to all areas where a First Amendment assembly is occurring. At a minimum, the MPD shall allow media representatives no less access than that enjoyed by members of the general public and, consistent with public safety considerations, shall allow media representatives access to promote public knowledge of the assembly.

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(2) The MPD personnel located in or near an area where a First Amendment assembly is ongoing shall recognize and honor media credentials issued by or officially recognized by the MPD.

(3) The MPD shall make reasonable accommodations to allow media representatives effectively to use photographic, video, or other equipment relating to their reporting of a First Amendment assembly.

§ 5–331.15. Training for handling of, and response to, First Amendment assemblies.

The Chief of Police shall ensure that all relevant MPD personnel, including command staff, supervisory personnel, and line officers, are provided regular and periodic training on the handling of, and response to, First Amendment assemblies. The training shall be tailored to the duties and responsibilities assigned to different MPD positions and ranks during a First Amendment assembly. The training shall include instruction on the provisions of this subchapter, and the regulations issued hereunder.

§ 5–331.16. Use of riot gear and riot tactics at First Amendment assemblies.

(a) For the purposes of this section:

(1) “Bodily injury” means physical pain, physical injury, illness, or impairment of physical condition.

(2) “Significant bodily injury” means a bodily injury that to prevent long-term physical damage or to abate severe pain requires hospitalization or immediate medical treatment beyond what a layperson can personally administer. The term “significant bodily injury” includes a:

(A) Fracture of a bone;

(B) Laceration that is at least one inch in length and at least one quarter of an inch in depth;

(C) Burn of at least second degree severity;

(D) Brief loss of consciousness;

(E) Traumatic brain injury; and

(F) Contusion, petechia, or other bodily injury to the neck or head |sustained during strangulation or suffocation,

(b) Law enforcement officers shall not be deployed in riot gear unless:

(1) The on-scene Incident Commander believes there is an impending risk to law enforcement officers of significant bodily injury;

(2) The deployment is not being used to disperse a First Amendment assembly and is consistent with the District’s policy on First Amendment assemblies;

(3) The deployment of officers in riot gear is reasonable, given the totality of the circumstances; and

(4) All other options have been exhausted or do not reasonably lend themselves to the circumstances,

(c) Law enforcement officers shall not deploy less-lethal weapons at a First Amendment Assembly, any other public assembly, or riot unless:

(1) The law enforcement officer actually and reasonably believes that the deployment of less-lethal weapons is immediately necessary to protect the law enforcement officer or another person from the threat of bodily injury or damage to property;

(2) The deployment of less-lethal weapons is not being used to disperse a lawful First Amendment assembly and is consistent with the District’s policy on First Amendment assemblies;

(3) The law enforcement officer has received training on the proper use, in the context of crowds, of the specific type of less-lethal weapons deployed;

(4) The law enforcement officer’s actions are reasonable, given the totality of the circumstances; and

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(5) All other options have been exhausted or do not reasonably lend themselves to the circumstances.

(d) In any grand jury, criminal, delinquency, or civil proceeding where an officer's use of riot gear or less-lethal weapons is a material issue, the trier of fact shall consider:

(1) The reasonableness of the law enforcement officer's belief and actions from the perspective of a reasonable law enforcement officer; and

(2) The totality of circumstances, which shall include whether:

(A) The law enforcement officer, or another law enforcement officer in close proximity, engaged in reasonable de-escalation measures prior to the deployment of less-lethal weapons or riot gear, including issuing an order to disperse and providing individuals a reasonable opportunity to disperse, as described in section 107(e) and (e-1);

(B) Any conduct by the law enforcement officer prior to the deployment of less-lethal weapons or riot gear unreasonably increased the risk of a confrontation resulting in less-lethal weapons being deployed;

(C) The use of less-lethal weapons was limited to the people for whom MPD had individualized probable cause for arrest; and

(D) The less-lethal weapon was deployed in a frequency, manner, and intensity that is objectively reasonable.

(e)(1) Following any deployment of officers in riot gear as described in subsection (b) of this section, the deployment of less-lethal weapons as described in subsection (c) of this section, or upon request by the Chairperson of the Council Committee with jurisdiction over the Metropolitan Police Department, the highest ranking official at the scene of the deployment shall make a written report to the Chief of Police, within 5 business days after the deployment, that describes the deployment of riot gear or less-lethal weapons, including, where applicable and if known:

(A) The number of officers deployed in riot gear;

(B) The number of officers who deployed less-lethal weapons;

(C) The type, quantity, and amount of less-lethal weapons deployed;

(D) The number of people against whom any use of force was deployed;

(E) The justification for the deployment of officers in riot gear, the deployment of less-lethal weapons, or any other uses of force; and

(F) Whether the deployment of officers in riot gear, or the deployment of less-lethal weapons or any other uses of force, met the requirements of this act.

(2) MPD shall publish the report on a publicly accessible website within 10 business days after the deployment.

(3) If MPD cannot post a report in compliance with section 116(e)(2), MPD shall post an explanation of the delay within 10 business days

(f) The Mayor shall request that any federal law enforcement agency operating in the District follow the requirements of this section.”.



METROPOLITAN POLICE DEPARTMENT



DISPERSAL ORDER WARNING SHEET

Prior to issuing dispersal order(s), issuing officials shall:

- ☐ Confer with unit commander and received authorization by an inspector or above.
- ☐ Notify RTCC of authorization.
- ☐ Establish reasonable exit route(s) for participants to disperse.
- ☐ Issue warning(s) in a stationary vantage point visible to the crowd.
- ☐ Use amplification system or device to issue warning(s).
- ☐ Position officers positioned at the rear of the crowd to confirm audible warning(s).
- ☐ Where there **is not** an imminent danger of bodily injury or significant damage to property, issue **at least three** audible orders to disperse via Warning Format #1, waiting at least two minutes between the issuance of each warning. Where there **is** imminent danger of bodily injury or significant damage to property, issue **at least one** clearly audible order to disperse via Warning Format #2.
- ☐ Notify RTCC of each warning.
- ☐ Capture entire warning process on BWC and radio.
- ☐ Absent exigent circumstances, document all warnings using this sheet.

WARNING FORMAT #1

When there is no imminent danger of bodily injury or significant damage to property:

"I am _____ of the Metropolitan Police Department.
(Official's Rank and Name)

You are in violation of _____.
(Criminal Offense)

If you do not cease your unlawful behavior and disperse peaceably, you will be arrested.

To exit the area, _____.
(Directions to Disperse from Area)

This is your (first, second, or third and final) warning."

Note time of first warning _____

Issuing official to notify RTCC of: call sign, time and location of first warning, and method of amplification. Wait at least two minutes before issuing second warning.

Confirming member to notify RTCC of: call sign, location, and confirmation of the audible warning. If the warning is not confirmed audible, it must be repeated.

Time of Second Warning _____

Issuing official to notify RTCC of: call sign, time and location of second warning, and method of amplification. Wait at least two minutes before issuing third warning.

Confirming member to notify RTCC of: call sign, location, and confirmation of the audible warning. If the warning is not confirmed audible, it must be repeated.

Time of Third Warning _____

Issuing official to notify RTCC of: call sign, time and location of third warning, and method of amplification. Wait at least two minutes to determine compliance.

Confirming member to notify RTCC of: call sign, location, and confirmation of the audible warning. If the warning is not confirmed audible, it must be repeated.



METROPOLITAN POLICE DEPARTMENT



DISPERSAL ORDER WARNING SHEET

If the crowd does not comply, announce:

"I am _____ of the Metropolitan Police Department.

(Official's Rank and Name)

You are in violation of _____

(Criminal Offense)

and are now subject to immediate arrest."

WARNING FORMAT #2

When there is imminent danger of bodily injury or significant damage to property:

"I am _____ of the Metropolitan Police Department.

(Official's Rank and Name)

You are in violation of _____

(Criminal Offense)

and pose an imminent danger of bodily injury and/or significant damage to property.

If you do not cease your unlawful behavior and disperse peaceably, you will be arrested.

To exit the area, _____

(Directions to Disperse from Area)

This is your first and only warning."

Note time of warning _____

Issuing official to notify RTCC of: call sign, time and location of warning, and method of amplification. Wait a reasonable amount of time to determine compliance.

Confirming member to notify RTCC of: call sign, location, and confirmation of the audible warning. If the warning is not confirmed audible, it must be repeated.

If the crowd does not comply, announce:

"I am _____ of the Metropolitan Police Department.

(Official's Rank and Name)

You are in violation of _____

(Criminal Offense)

and are now subject to immediate arrest."