

# SPECIAL ORDER



Title  
**The “Lively Standard”**

Topic/Number  
**SO – 04 – 05**

Effective Date  
**March 23, 2004**

Distribution  
**B**

Rescinds:  
**Special Order 78-61 (Prisoner Processing);  
Special Order 89-24 (Prisoner Processing)**

## DISTRICT OF COLUMBIA

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### I. BACKGROUND

The purpose of this Special Order is to familiarize members with prisoner processing requirements that resulted from Lively v. Cullinane, 451 F. Supp. 1000 (1978). The U.S. District Court for the District of Columbia issued an Interim Order (an order in effect until a final order is entered), which required the Metropolitan Police Department to process prisoners within a four-hour time period. This four-hour period includes from the time of arrest until the time the prisoner is ready to be transported to court.

The “Lively” case was dismissed in November, 1989. However, in requesting dismissal of the case, the Department agreed that it would continue to process prisoners within the timeframe established by the Court, and would also adopt the four-hour time limit as official Department policy.

### II. POLICY

The policy of the Metropolitan Police Department (MPD) is to process prisoners coming into custody, in the most reasonable time that will allow the collection of information to positively identify and process the individual in custody.

### III. REGULATIONS

- A. Members shall make all reasonable efforts to ensure that all prisoners are processed, and either released (citation release, post bond and post or forfeit collateral), presented to court, or ready to be delivered to court within four hours from the time of the arrest.
- B. District booking facilities are required to process arrestees eligible for early release (citation release, post bond and post or forfeit collateral) within the four-hour time requirement.

- C. Time requirements for lockup cases are indicated below:
1. When processing lockup cases for transport to the Central Cellblock (CCB), district prisoner processing personnel shall have up to three hours from the time of the arrest to process and transport prisoners to the CCB. This provides CCB with the balance of the four hours to complete the processing of lockup cases received from the district booking facilities.
  2. When processing lockup cases for transport directly to the U.S. Marshal's Service cellblock, district prisoner processing personnel shall have four hours from the time of the arrest to process and transport prisoners.
- D. When district prisoner processing facilities have not met the time requirement, district station personnel shall provide justification to the district Watch Commander, who shall:
1. Document the justification on side two of the PD Form 256 (Quick Booking Form).
  2. If necessary, provide a detailed explanation.
- E. District Commanders shall ensure that reasonable efforts are made to comply with this directive.
- F. The Director, Business Services Division, Office of Corporate Support, shall ensure that CCB members make reasonable efforts to either present prisoners in court or have prisoners ready for court presentation within the time requirement, and that reasons for non-compliance are documented appropriately on the PD Form 256.
- G. The provisions in this Special Order shall supercede any conflicting information in related directives.

**IV. CROSS REFERENCE**

- A. Standard Operating Procedure (District Prisoner Processing)
- B. Standard Operating Procedure (District Booking)

//SIGNED//  
Charles H. Ramsey  
Chief of Police

CHR:NMJ:MAR:edg