



**IMPLEMENTATION UPDATE ON THE
REPORTS AND RECOMMENDATIONS OF THE
POLICE COMPLAINTS BOARD
FROM FISCAL YEAR 2024
JANUARY 12, 2026**

Executive Summary

The Police Complaints Board (PCB) is authorized by D.C. Code §5-1104(d) to make recommendations to the Mayor, the DC Council, and the chiefs of the Metropolitan Police Department (MPD) and District of Columbia Housing Authority Police Department (DCHAPD) in any areas affecting police misconduct, such as the recruitment, training, evaluation, discipline, and supervision of police officers. The PCB issues policy recommendations that address large-scale concerns about District law enforcement policies, training, or supervision. In addition, the PCB issues policy reports that address substantive or procedural law enforcement matters, which, if corrected, could greatly improve community trust in the police. At the close of fiscal year 2025, the PCB had issued 74 detailed reports with recommendations for police reform since its inception. All reports and recommendations are available on the Office of Police Complaints' (OPC) website.

Annually, OPC reviews the actions that have been taken by the Mayor, the DC Council, and/or the chiefs of MPD and DCHAPD in response to the PCB's previous recommendations. Beginning on February 1, 2018, at the request of the DC Council, OPC published an update on the implementation of reports and recommendations made by the PCB in fiscal years 2015 and 2016. OPC continues these periodic reviews to promote transparency and ensure that all parties, including community members, are informed of the policy changes that are and are not being made each year in response to recommendations made by the PCB. OPC published these additional implementation updates:

- Implementation Update on the Reports and Recommendations of Police Complaints Board From Fiscal Year 2017; *published December 18, 2018*
- Implementation Update on the Reports and Recommendations of Police Complaints Board From Fiscal Year 2018; *published February 6, 2020*
- Implementation Update on the Reports and Recommendations of Police Complaints Board From Fiscal Year 2019 and a Reexamination of Implementation Updates from Fiscal Years 2015-2018; *published February 8, 2021*
- Implementation Update on the Reports and Recommendations of Police Complaints Board From Fiscal Year 2020; *published February 14, 2022*
- Implementation Update on the Reports and Recommendations of Police Complaints Board From Fiscal Year 2021; *published March 7, 2023*
- Implementation Update on the Reports and Recommendations of the Police Complaints Board from Fiscal Year 2022; *published April 1, 2024*
- Implementation Update on the Reports and Recommendations of the Police Complaints Board from Fiscal Year 2023; *published January 15, 2025*

The current report tracks the four reports with eight separate recommendations made in Fiscal Year 2024 to MPD. These reports were:

- Improved Guidance on Involuntary Emergency Hospitalization Procedures; *Issued August 29, 2024*
- Education-Based Development in Lieu of Discipline; *Issued August 29, 2024*
- Differentiating Field Contacts from Investigatory Stops; *Issued September 24, 2024*

- Improved Guidance on Protective Pat Downs; *Issued September 24, 2024*

OPC's review process includes requests to MPD to determine the status of the recommendations within the department. In addition, OPC also considered other information gleaned from interactions with MPD, media reports, and any other additional pertinent information.

Based on the review of all relevant information, OPC found that of the eight recommendations made in fiscal year 2024, one has been fully implemented, two are partially implemented, and five are not implemented. These findings are further explained in the contents of this report.

Improved Guidance on Involuntary Emergency Hospitalization Procedures
Issued August 29, 2024

Recommendation 1:

MPD should update General Order 308.04 to include detailed guidance for members on recognizing signs of mental health crises, interacting with mental health consumers, when and how to lawfully detain someone for emergency hospitalization, and the liberty interests of those involuntarily hospitalized. The updated version should include the exact language from D.C. Code Title 21, Chapter 5, Subchapter III. Emergency Hospitalization., and the FD-12 form, and should provide relevant definitions. Officers will then be able to reference a single document for procedural instruction. This will alleviate confusion and allow for more seamless interactions between officers, community members experiencing mental health crises, and their families.

Status According to MPD, December 2025¹:

Agree in Part. In Progress.

MPD is updating GO 308.04. We will ensure consistency with the language regarding involuntary commitments with the DC Code as well as with the courts' interpretations of that language. However, the FD-12 form is available to members via the MPD intranet and will not be included in the general order.

OPC Response:

OPC considers this recommendation **not implemented**. This recommendation will not be fully implemented until MPD updates General Order 308.04 to include the guidance provided in recommendation.

Recommendation 2:

MPD should provide updated training for all members to ensure they are familiar with the changes made to General Order 308.04. This can be accomplished through roll call training and by updating MPD's training for new recruits. MPD can also include a training module or add to an existing module on mental health at its annual professional development training.

Status According to MPD:

Agree. In Progress.

¹ All responses attributed to MPD, throughout this report, are verbatim as received from the department.

MPD will provide training to members on the updated GO 308.04 once it is published.

OPC Response:

OPC considers this recommendation **not implemented**. This recommendation will not be fully implemented until MPD revises General Order 308.04 to provide *written* guidance for its members and issues subsequent trainings on the revisions to the general order.

Education-Based Development in Lieu of Discipline

Issued August 29, 2024

Recommendation 1:

MPD follow DC Code § 5–1112 and its own general order by imposing discipline from the Table of Penalties Guide in General Order 120.21 for sustained OPC complaints to ensure fairness and consistency. MPD should administer disciplinary action “in a manner, and at a level, appropriate with the member’s past record and the seriousness of the offense, giving due consideration to mitigating and aggravating factors,” per General Order 120.21. MPD should also follow the general order and not allow officers to participate in EBD more than once within a three-year period for similar conduct.

Status According to MPD:

Agree in part. Closed.²

MPD will continue to follow DC Code and MPD policy regarding the imposition of discipline including the administration of education-based development (EBD) for eligible officers when appropriate.

OPC Response:

OPC considers this recommendation **not implemented**. This policy recommendation stemmed from MPD’s failure to issue adequate discipline to its members with sustained allegations of misconduct from OPC complaints, which circumvents the legislative intent of the DC Council, significantly undermines OPC’s entire investigatory process, and corrodes the community’s trust in the District’s police force.³ This recommendation will not be fully implemented until MPD implements the guidance provided in recommendation.

Recommendation 2:

MPD should be more consistent in its initial and final disciplinary notices. For example, MPD should avoid stating in the initial discipline recommendation letters to community members that its recommendation is Adverse Action, which is founded on initial merit, and then continually issue the officers EBD in lieu of any Adverse or even Corrective Action. Furthermore, if the final disciplinary action differs from the initial recommendation, MPD should include an explanation

² MPD stated, “We’ve added a new ‘Closed’ category for those recommendations where we either continue to disagree with a recommendation or have taken the actions we view to be appropriate.”

³ For specific data on MPD-issued discipline, see OPC’s report at https://policecomplaints.dc.gov/sites/default/files/dc/sites/office%20of%20police%20complaints/publication/attachments/Discipline%202022-2024_FINAL.pdf.

for the discrepancy in the final notice. This will help eliminate the appearance of capriciousness in MPD's current disciplinary process and help improve community trust in the Department.

Status According to MPD:

Agree in part. Closed.

MPD cannot eliminate the possibility that an eligible officer may receive EBD, including after initial discipline is recommended. However, we understand the public is not familiar with the department's disciplinary process, and we are adding language in the initial notice that is sent to complainants so they are aware that an officer may be eligible for EBD. We are also adding language to the final letter explaining why there may be a change from the initial recommendation to the final discipline imposed. As you know, complainants are provided an opportunity to respond to MPD's initial letter, and MPD will continue to give full consideration to any written response received from the complainant, consistent with DC Code § 5-1112.

OPC Response:

OPC considers this recommendation **not implemented**. OPC is encouraged that MPD is taking steps to better inform the public about its disciplinary process, and this recommendation will be fully implemented when MPD is more consistent in its initial and final disciplinary notices and includes an explanation for any discrepancies in the final notice. This will help eliminate the appearance of capriciousness in MPD's current disciplinary process and help improve community trust in the Department.

Differentiating Field Contacts from Investigatory Stops

Issued September 24, 2024

Recommendation 1:

MPD should add additional guidance to General Order 304.10 regarding specific police actions, suspect characteristics, and other factors that distinguish field contacts from stops. Furthermore, MPD should ensure the additional guidance is consistent with D.C. case law. The law in the District of Columbia is clear: when officers initiate encounters by surrounding citizens with either police vehicles or bodies, and subject citizens to repeated, insistent, or implicitly accusatory questioning, those encounters are not field contacts; they are stops.²⁹ Training should reiterate that the distinction between a field contact and a stop depends on whether, under the particular circumstances, an individual could reasonably perceive that he or she is not free to leave the member's presence. Adding guidance from D.C. case law into General Order 304.10 would provide officers with factors that may differentiate a consensual encounter from a seizure, the latter requiring reasonable, articulable suspicion.

Status According to MPD:

Agree in Part. In Progress.

MPD is updating GO 304.10 (Field Contacts, Stops, and Protective Pat Downs) to include enhanced guidance on distinguishing contacts from stops and recent case law. Additionally, MPD devoted significant resources in 2024 and 2025 to providing members with the most current guidance on the Fourth Amendment including over a dozen roll call trainings on the Fourth Amendment as well as training bulletins on recent court decisions.

OPC Response:

OPC considers this recommendation **not implemented**. OPC is encouraged that MPD is taking steps to update GO 304.10. This recommendation will not be implemented until MPD provides updated *written* guidance for its members.

Recommendation 2:

MPD should provide training to all sworn officers on the updates to GO 304.10. The OPC cases listed above indicate that MPD does not provide adequate training to its officers regarding the distinction between field contacts and stops. When MPD officers are unable to make this distinction accurately in the field, they run the risk of violating citizens' constitutional rights, and they risk overturned convictions tainted by unlawfully obtained evidence. Training new and veteran officers would provide much needed clarity to officers in the field. MPD can accomplish this by updating its training for new recruits and with roll-call training and annual professional development training.

Status According to MPD:**Agree in Part. In Progress**

MPD will provide training to members on the updated GO 304.10 once it is published. However, as noted above, MPD devoted significant resources in 2024 and 2025 to providing members with the most current guidance on the Fourth Amendment.

OPC Response:

OPC considers this recommendation **partially implemented**. OPC acknowledges that MPD has conducted a plethora of trainings regarding the Fourth Amendment since the PCB issued this recommendation. However, this recommendation will not be fully implemented until MPD revises General Order 304.10 to provide *written* guidance for its members and issues subsequent trainings on the revisions to the general order.

Improved Guidance on Protective Pat Downs

Issued September 24, 2024

Recommendation 1:

MPD should provide additional guidance to its members on General Order 304.10, specifically that members do not have the legal authority to perform a protective pat down merely because an individual is stopped. Rather, MPD should reinforce that officers must have reasonable suspicion that the individual is armed and presently dangerous before conducting a frisk. OPC acknowledges the external pressure on MPD officers to get guns off the street and maintain public safety. However, officers must lawfully perform protective pat downs in a way that preserves both the constitutional rights of the community member and the safety of the investigating officer. Subsequent to a lawful stop, the officer must have reasonable suspicion that the person presently is armed and dangerous to perform the pat down. It would also be beneficial for MPD to provide officers a quick reference guide similar to the BPD guide above. Reinforcing this policy through roll-call training and annual professional development training will alleviate confusion among officers and allow prosecutors to paper cases.

Status According to MPD:

Agree. Closed.

As noted above, MPD devoted significant resources in 2024 and 2025 to providing members with the most current guidance on the Fourth Amendment including over a dozen roll call trainings on the Fourth Amendment as well as training bulletins on recent court decisions. Five of those trainings reinforced the reasonable articulable suspicion requirement that an individual be armed and dangerous before conducting a protective pat down (PPD). MPD's 2024 professional development training also included ten hours of combined online and in-person instruction on the Fourth Amendment that includes discussion of the legal requirements for PPDs.

OPC Response:

OPC considers this recommendation **fully implemented**.

Recommendation 2:

MPD should reinforce to its members that General Order 304.10 requires officers to remove bags that are immediately separable from an individual before performing a frisk. The OPC cases indicate that MPD officers are generally unaware of the policy to remove immediately separable objects from individuals who are stopped. MPD can remind officers of this policy by including it in training for new recruits and with roll-call training and annual professional development training for more experienced officers.

Status According to MPD:

Agree in Part. In Progress.

In our draft update to GO 304.10, we are clarifying that if a member has sufficient reasonable suspicion to conduct a pat down, the pat down may extend to any part of the person's clothing or accessories (e.g., jacket, bag) that reasonably could contain a weapon. The updated policy will no longer require the removal of bags that are immediately separable. As noted above, MPD will provide training to members on the updated GO 304.10 once it is published.

OPC Response:

OPC considers this recommendation **partially implemented**. OPC recognizes that MPD has dedicated substantial resources to Fourth Amendment training for its members. This recommendation will be fully implemented once MPD revises General Order 304.10 to provide updated written guidance for its members and issues subsequent trainings on the revisions to the general order.