



GOVERNMENT OF THE DISTRICT OF COLUMBIA OFFICE OF POLICE COMPLAINTS

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PCB POLICY REPORT #25-2: Stop and Frisk Data

Introduction:

Each time Metropolitan Police Department (MPD) officers formally stop a community member in the District, they have a duty¹ to document the stop in an Offense/Incident or Arrest Report.² Yet, in reviewing police reports associated with citizen complaints, the Office of Police Complaints (OPC) noticed that MPD members consistently fail to fill out the information in the stop card sections of the reports, which are meant to capture key details such as the time, location, and duration of the stop, legal justification, consent, and actions taken during the stop. Stops are unequivocally an invasion of individual constitutional rights. Therefore, the MPD has a duty to ensure its members document each incident and provide justification explaining the reason for the stop and any actions taken such as frisks, searches and arrests. This will safeguard individual rights and elucidate demographic information about stopped individuals, revealing any potential pattern of biased policing, and ensuring the community is informed and able to hold law enforcement accountable.³

The Police Complaints Board (PCB) steadfastly encourages more transparency by MPD with the community it serves; thus, the PCB issues this recommendation that MPD abide by District law and its own general orders and ensure members consistently complete the stop cards in police reports to collect and document data on stops, frisks, and searches.⁴

Background:

¹ Black Lives Matter D.C. v. Bowser, 2019 D.C. Super. LEXIS 73 (D.C. 2019).

² See <https://www.acludc.org/en/press-releases/judge-rules-dc-police-violation-near-act-stop-and-frisk-data-collection-requirements>. See also <https://www.acludc.org/en/cases/black-lives-matter-dc-v-bowser-enforcing-dc-laws-stop-and-frisk-data-collection-requirement-dc>.

³ OPC issued a [policy recommendation](#) to MPD in 2020 acknowledging that with the first release of the [Stop Data Report](#), MPD demonstrated to the community a commitment to identifying issues within the Department and finding ways to address them. OPC recommended that MPD publish any steps already taken to initiate a comprehensive analysis of the stop data and that MPD continue to keep the public apprised of the progress of this comprehensive analysis through regular updates to the Stop Data Report page on the MPD website.

⁴ The Police Complaints Board (PCB) is issuing this report pursuant to D.C. Code § 5-1104(d), which authorizes the Board to recommend to the District of Columbia Mayor, Council, MPD Police Chief, and the Director of District of Columbia Housing Authority reforms that have the potential to improve the complaint process or reduce the incidence of police misconduct.

OPC regularly receives complaints containing allegations of unlawful stops, frisks, and searches. Regardless of the outcome of these cases, OPC determined that MPD members routinely leave the stop card sections of the police reports blank. In fact, OPC conducted a random audit of 77 incident/arrest reports from cases wherein officers conducted a stop from September 2021 to March 2025 and determined that out of 77 reports, none of the stop cards were completed by the officers who drafted the reports. Below is an image of a Stop Card from an Offense/Incident Report from an actual OPC complaint.

STOP		
STOP TYPE	REASON FOR STOP	ACIC CHECKED
SEARCH / FRISK CONDUCTED	REASON FOR SEARCH	WAS SEARCH CONSENTED?
WAS PHYSICAL FORCE RESULTING IN BODILY INJURY USED DURING STOP?	WAS CONTRABAND DISCOVERED?	DESCRIPTION OF CONTRABAND
RESULT OF STOP	ARREST BASED ON?	WAS RACE / ETHNICITY KNOWN PRIOR TO STOP?
VIOLATION NUMBER		
WHAT SPECIFIC FACTS GIVE RISE TO A RAS REGARDING THE INDICATED CRIMES?		
WHAT SPECIFIC FACTS GIVE RISE TO A RAS THAT THE PERSON WAS ARMED?		
WHAT SPECIFIC FACTS GIVE RISE TO A RAS THAT THE PERSON WAS PRESENTLY DANGEROUS?		
IF SEARCHED, DESCRIBE THE PROBABLE CAUSE		
IF SEARCHED, DESCRIBE EXIGENT CIRCUMSTANCES		

OPC and the PCB provided a draft version of this recommendation to MPD for review and comment. MPD responded that the draft report incorrectly states that the 77 reports that OPC audited from Mark43, MPD's Records Management System, included no stop data. MPD acknowledged that the fields under the "STOP" heading of the report printouts that OPC reviewed were blank, as seen above. However, MPD stated that the fields OPC referenced are in Mark43's off-the-shelf system and **are neither visible nor accessible to officers when they are completing their reports.**

Yet, MPD's own General Order, General Order 304.10, Field Contacts, Stops, and Protective Pat Downs, explicitly and repeatedly instructs members to document stopped individuals using the stop card. As seen in the image above, some of the information required in the stop card includes: "Stop type; Reason for stop; Search/Frisk conducted; Reason for search; Was search consented?; Was physical force resulting in bodily injury used during stop?; Was contraband discovered?; Description of contraband; Result of stop; Arrest based on?; Was Race/Ethnicity known prior to stop?" In addition, there is space in each stop report designated for members to answer the following questions: "What specific facts give rise to a RAS⁵ regarding the indicated crimes?; What specific facts give rise to a RAS that the person was armed?; What specific facts give rise to a RAS that the person was presently dangerous?; If searched, describe the probable cause; If searched, describe exigent circumstances; Was a stop involved?; What was the reason

⁵ Reasonable Articulate Suspicion.

for this stop?; Was an arrested involved?; Was stop information already collected on an O/I⁶ report?” Regarding frisks and searches, in each offense/incident report, authoring officers are asked, “Was this person patted down and/or searched as a result of the stop (Prior to arrest)?; Was this person’s property patted down and/or searched as a result of the stop (Prior to arrest)?; What was the type of search or pat down?; What was the reason for this search or pat down?; Was any property seized as a result of this search or pat down?” There is also a narrative section wherein members can describe the events in their own words.

In MPD’s response to OPC’s report, MPD noted that in lieu of filling out the stop cards, officers fill out the information seen in the image below. MPD claimed this stop data section was specifically customized to meet the legislative requirements of DC Official Code § 5–113.01(a)(4B). MPD pointed out that stop data is collected by officers “at the individual level, consistent with the law.” However, by leaving the stop cards blank, MPD is failing to document some key information required by District law and also violating its own general orders.

IF SEARCHED, DESCRIBE EXIGENT CIRCUMSTANCES			
DISPOSITION FOR CONTACT / STOP			
☐ District Intelligence Officer	☐ Drugs Seized		
☐ Fine/Citation Issued	☐ Fine/Citation Issued		
☐ Juvenile Diversion	☐ No Action		
☐ Notice of Intent Issued	☐ Operator Arrested		
☐ Other	☐ Other Warning Issued		
☐ Passengers Arrested	☐ Report Taken		
☐ Search Conducted	☐ Vehicle Impounded		
☐ Verbal Warning	☐ Verbal Warning		
☐ Weapon Seized	☐ Weapon Seized		
WAS A STOP INVOLVED?		WHAT WAS THE REASON FOR THIS STOP?	
Yes		Call for service	
WAS AN ARREST INVOLVED?			
Yes			
WAS STOP INFORMATION ALREADY COLLECTED ON AN O/I REPORT?			
SUBJECT-1			
SUBJECT-1 NAME (LAST, FIRST MIDDLE)		DOB / ESTIMATED AGE RANGE	
[REDACTED]		[REDACTED]	
SEX	RACE / ETHNICITY	PHONE NUMBER	EMAIL ADDRESS
Male	BLACK / Not Hispanic Or Latino		
HOME ADDRESS			BEEN AT LOCATION SINCE
[REDACTED]			
SUBJECT TYPE		WAS THIS PERSON STOPPED?	
		Yes	
STOP START DATE / TIME - STOP END DATE / TIME		HOURS STOPPED	MINUTES STOPPED
[REDACTED]		0	5
WAS THIS PERSON PATTED DOWN AND/OR SEARCHED AS A RESULT OF THE STOP (PRIOR TO ARREST)?			
No			
WAS THIS PERSON'S PROPERTY PATTED DOWN AND/OR SEARCHED AS A RESULT OF THE STOP (PRIOR TO ARREST)?			
No			
LOCATION OF STOP FOR SUBJECT-1			
LOCATION NAME / STREET ADDRESS/LOCATION NAME / APT, UNIT, STE / DESCRIPTION			
[REDACTED]			
CITY	STATE	ZIP	COUNTRY CODE
WASHINGTON	DC	20001	US

⁶ Offense/Incident Report.

⁷ This Stop Card is part of an Offense/Incident Report taken from an actual OPC complaint.

Applicable Directive or Law:

D.C. Law 21-125. Neighborhood Engagement Achieves Results Amendment Act of 2016., Subtitle G, Improving Stop and Frisk and Use of Force Data Collection,⁸ and Code of the District of Columbia § 5–113.01. Records required to be maintained; budget and staffing transparency.,⁹ mandate that specific information on stops, frisks, and searches be collected and maintained by MPD. Amongst other data points, D.C. Code § 5–113.01 specifically requires MPD to keep: “(4B) Records of stops, including: (A) The date, location, and time of the stop; (A-i) The bureau, division, unit, and if applicable, police service area, of the officer who conducted the stop, at the time it was conducted; (B) The approximate duration of the stop; (C) The traffic violation or violations alleged to have been committed that led to the stop; (D) Whether a search was conducted as a result of the stop; (E) If a search was conducted: (i) The reason for the search; (ii) Whether the search was consensual or nonconsensual; (iii) Whether a person was searched, and whether a person’s property was searched; and (iv) Whether any contraband or other property was seized in the course of the search; (F) Whether a warning, safety equipment repair order, or citation was issued as a result of a stop and the basis for issuing such warning, order, or citation; (G) Whether an arrest was made as a result of either the stop or the search; (H) If an arrest was made, the crime charged; (I) The perceived gender of the person stopped; (J) The perceived race or ethnicity of the person stopped; and (K) The date of birth of the person stopped;...” D.C. Code § 5–113.01 notes that the terms “contact,” “frisk,” and “stop” shall “have the meanings ascribed in Metropolitan Police Department General Order 304.10.”¹⁰

By failing to fill out the stop card in police reports, officers are not answering D.C. Code § 5–113.01 (E) If a search was conducted: (i) The reason for the search; (ii) Whether the search was consensual or nonconsensual; (iv) Whether any contraband or other property was seized in the course of the search; and (G) Whether an arrest was made as a result of either the stop or the search; (H) If an arrest was made, the crime charged. This oversight constitutes a violation of District law.

Furthermore, MPD General Order 304.10, explains in its initial purpose statement, “DC Act 21-356 ‘Neighborhood Engagement Achieves Results Amendment Act of 2016’ (NEAR Act) and DC Official Code § 5-113 require information collection specific to police stops and protective pat downs. Members shall be mindful of these reporting requirements when conducting stops in such a way that they are able to document all required information when completing reports.”¹¹

Stops

General Order 304.10 instructs officers, “Near Act data collection requirements apply to all stopped individuals. Members shall fully document each individual stopped *using the stop card*

⁸ Available at <https://code.dccouncil.gov/us/dc/council/laws/21-125>.

⁹ Code of the District of Columbia § 5–113.01. Records required to be maintained; budget and staffing transparency., available at [https://code.dccouncil.gov/us/dc/council/code/sections/5-113.01#:~:text=Records%20required%20to%20be%20maintained%3B%20budget%20and%20staffing%20transparency..\(a\)%20The%20Mayor&text=\(5\)%20Such%20other%20records%20as,of%20the%20Metropolitan%20Police%20force.](https://code.dccouncil.gov/us/dc/council/code/sections/5-113.01#:~:text=Records%20required%20to%20be%20maintained%3B%20budget%20and%20staffing%20transparency..(a)%20The%20Mayor&text=(5)%20Such%20other%20records%20as,of%20the%20Metropolitan%20Police%20force.)

¹⁰ *Id.*

¹¹ See MPD General Order 304.10, Field Contacts, Stops, and Protective Pat Downs, at 1, available [here](#).

on the offense/incident/arrest report, as appropriate.”¹² General Order 304.10 goes on to state, “Members shall...ensure that events occurring during the stop are properly documented pursuant to this order. The record of the stop shall briefly note that the member gave the individual an explanation for the stop, and the nature of that explanation.”¹³ General Order 304.10 further notes, “Every member conducting a stop must be prepared to cite the particular factors that supported the determination that reasonable suspicion existed. The record of the stop shall contain all factors relied on, whether or not they are specifically described in this order.”¹⁴

General Order 304.10 explains, in documenting each stop, “All stops regardless of the outcome of the event require a central complaint number (CCN). For each event, members shall select ‘yes’ in response to ‘Was a Stop Involved?’ to indicate that a stop occurred. This selection prompts all data collection fields necessary to document stops. Reports involving stops shall be properly classified and list the initial reason that the stop originated from the ‘What was the reason for the stop?’ field. The internal narrative of the report shall contain a description of the member’s reasonable suspicion justifying the stop, pat down, and any other outcomes of the stop.”¹⁵ Officers are also required to articulate the justification for the length of a stop if it occurs over an extended period of time.¹⁶

Frisks

Regarding frisks or protective pat downs, General Order 304.10 explains, “Every member conducting a protective pat down must be prepared to cite the specific factors that supported his or her determination that reasonable suspicion existed to support the pat down. The RMS¹⁷ record of the protective pat down shall contain all factors relied upon to establish reasonable suspicion.”¹⁸ If a member inspects any item during a pat down, the member must be able to “articulate the factors justifying an inspection of the contents of the item, and shall note such factors in the RMS report.”¹⁹

Searches

Moreover, General Order 304.10 mandates, “Searches conducted during a stop shall be [...] documented pursuant to this order.”²⁰ “Searches occurring during the stop shall be documented by selecting ‘Yes’ in response to one or both of these questions: ‘Was this PERSON patted down and/or searched as a result of the stop (prior to arrest)?’²¹ and/or ‘Was this person’s PROPERTY patted down and/or searched as a result of the stop (prior to arrest)?’ Property seized pursuant to a search conducted during a stop *shall be documented on the stop card* by selecting the category or categories that most closely describe each item seized.”²²

¹² MPD General Order 304.10, at 11.

¹³ MPD General Order 304.10, at 6.

¹⁴ MPD General Order 304.10, at 5.

¹⁵ MPD General Order 304.10, at 13.

¹⁶ MPD General Order 304.10, at 6.

¹⁷ Records Management System.

¹⁸ MPD General Order 304.10, at 8.

¹⁹ MPD General Order 304.10, at 9.

²⁰ MPD General Order 304.10, at 11.

²¹ Post-arrest searches are not subject to NEAR Act requirements. However, pursuant to General Order 304.10, MPD requires post-arrest searches to be documented in the arrest report.

²² MPD General Order 304.10, at 14.

Additionally, MPD General Order 304.10 explicates, “Members shall complete RMS reports prior to the end of their shift. In all cases, members shall use the instructions provided in this order in addition to all other department RMS reporting requirements to properly document their actions. For the purpose of NEAR Act data collection and this order: All arrests are also considered stops.”²³ Reviewing officials are also obligated to “review all RMS reports for conformity with this order, including ensuring that officers are properly classifying stops and documenting the factors that justify members’ reasonable suspicion for the stop, and separately for a pat down, if applicable.”²⁴ Essentially, if officers stop a person, pat down the person and/or their belongings, and/or search the person or their belongings, each of these actions must be documented in the police report.

General Order 304.10 is sufficiently informative and provides simple, clear instructions for officers to fill out stop cards. General Order 304.10 repeats that “Data collection requirements apply to all stopped individuals. Members shall fully document each individual stopped.”²⁵ ²⁶ OPC acknowledges that if officers cannot see or access this information, they are not at fault for failing to complete it. However, in order to comply with District law and its own general orders, it is incumbent upon MPD to make this information visible, accessible, and fillable for officers, and instruct its members to complete the stop card for every interaction wherein officers initiate a stop. The Council of the District of Columbia deems stop and frisk documentation necessary for the efficient operation of MPD. For the public, this information is crucial in understanding when, where, why, and under what circumstances individuals are stopped by police. Proper documentation also helps to ensure that policing practices are unbiased and that departmental policies and training support fair and constitutional policing.

Recommendations:

It is clear that both District law and MPD’s policies require officers to record a comprehensive and detailed account of each stop using the stop cards in police reports. The public deserves transparency, and this data is integral to holding officers accountable and ensuring that members are respecting Fourth Amendment rights to be free from unreasonable searches and seizures. Thus, in order to comply with District law and MPD’s own general orders, and to help foster a stronger relationship between MPD and the community, the PCB recommends that:

1. MPD make the stop card section a fillable, mandatory field in its Record Management System to ensure that officers are documenting the required data for each stop.
2. MPD train its officers to record the required information in the stop card for each stop and train supervisors to review and verify reports for accuracy and completion. MPD can inform officers of this policy by including it in training for new recruits and issuing reminders with roll-call training and annual professional development training for more experienced officers.

²³ MPD General Order 304.10, at 11.

²⁴ MPD General Order 304.10, at 14.

²⁵ *Id.*

²⁶ General Order 304.10 provides separate, specific instructions for documenting Notice of Infraction (NOI) stops. Those instructions are not covered in this report.