

BUSINESS CARDS FOR MPD OFFICERS



REPORT AND RECOMMENDATIONS OF THE POLICE COMPLAINTS BOARD

TO

**MAYOR ANTHONY A. WILLIAMS,
THE COUNCIL OF THE DISTRICT OF COLUMBIA, AND
CHIEF OF POLICE CHARLES H. RAMSEY**

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POLICE COMPLAINTS BOARD

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I. INTRODUCTION AND OVERVIEW

In April 2005, the First Amendment Rights and Police Standards Act of 2004 took effect in the District of Columbia. Among its provisions, the law codified requirements for Metropolitan Police Department (MPD) officers to clearly display their nameplates and badges while in uniform, and particularly at any protests or demonstrations where officers are wearing additional protective gear that may cover their identifying information. The law also expanded the jurisdiction of the Office of Police Complaints (OPC) to include the authority to investigate and resolve police misconduct complaints alleging that officers failed to wear or display required identification or identify themselves by name and badge number when requested to do so by a member of the public. Since the new law took effect, OPC has received complaints alleging that officers have refused to identify themselves when asked or were not wearing their nameplate or badge. OPC also has received complaints where officers have attempted to identify themselves, but the information was not successfully conveyed to the person because of a miscommunication, illegible handwriting, lack of paper or a pen, or for other reasons.

In light of the new law and the complaints received by OPC, and consistent with its policy review authority,¹ the Police Complaints Board (PCB) has examined the issues that arise when officers attempt to identify themselves to citizens. To facilitate the ability of officers to identifying themselves as required by the new law and MPD general orders, and to help reduce the number of complaints by citizens related to this issue, PCB recommends that the MPD provide business cards to each of its officers. Besides meeting the requirements mentioned above, PCB also believes that providing officers with business cards will improve community policing in the District by assisting officers with identifying themselves in the neighborhoods in which they work and fostering relationships with the public so that citizens will have law enforcement officials to whom they can ask questions, provide information, or report crimes.

II. DISTRICT LAW AND DEPARTMENTAL ORDERS

The changes to the law relating to officers identifying themselves are contained in D.C. Official Code §§ 5-337.01 and 5-331.09. Section 5-337.01 provides:

“Every member of the Metropolitan Police Department (“MPD”), while in uniform, shall wear or display the nameplate and badge issued by the MPD, or the equivalent identification issued by the MPD, and shall not alter or cover the

¹ PCB “shall, where appropriate, make recommendations to [The Mayor, the Council, and the Chief of Police] concerning those elements of management of the MPD affecting the incidence of police misconduct, such as the recruitment, training, evaluation, discipline, and supervision of police officers.” D.C. Official Code § 5-1104(d).

PCB would like to acknowledge the assistance of OPC’s staff in preparing this report and recommendations. The project was conducted under the guidance of the agency’s executive director, Philip K. Eure, deputy director, Thomas E. Sharp, and special assistant, Angela M. Kiper. OPC’s spring 2006 law clerk, Loren Turner, who is enrolled at the American University’s Washington College of Law, performed research and provided other valuable assistance.

identifying information or otherwise prevent or hinder a member of the public from reading the information.”

Section 331.09 provides:

“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.”

The change to the law relating to OPC is contained in D.C. Official Code § 5-1107(a)(6), which provides:

“The Office shall have the authority to receive and to dismiss, conciliate, mediate, or adjudicate a citizen complaint against a member or members of the MPD ... that alleges abuse or misuse of police powers by such member or members, including: ... (6) Failure to wear or display required identification or to identify oneself by name and badge number when requested to do so by a member of the public.”

MPD’s general orders also include the same or similar requirements. General Order 201.26, Duties, Responsibilities, and Conduct of Members of the Department, states an officer’s duty to identify him or herself by name and badge number when requested to do so.² Other orders impose affirmative duties on officers to identify themselves, regardless of whether or not someone requests the information. For example, General Order 303.1, Traffic Enforcement, requires an officer to identify him or herself whenever he or she stops a person for a traffic or pedestrian violation.³ General Order 304.15, Unbiased Policing, specifies that when officers make contact with a person for a traffic or pedestrian violation, they must identify themselves in writing or by presenting a business card.⁴ Also, General Order 603.2, Gasoline and Oil Supplies, directs that officers who purchase gasoline for departmental vehicles must provide the station clerk with, among other information, their names and badge numbers.⁵

To MPD’s credit, before the recent changes to the law took effect, the Department’s orders contained the same or similar requirements designed to ensure that members of the public and other people could clearly identify any officers they encountered. What appears to be needed now, though, and what seems to be even more important in light of the new statutory requirements, is a simple, reliable, and effective way for officers to identify themselves.

² Part I, Section C, Paragraph 2.

³ Part I, Section A, Paragraph 2. Provision (e)(1).

⁴ Part IV, Section B, Paragraph 4.

⁵ Part I, Section A, Paragraph 1, Provision (b).

III. OPC COMPLAINTS

OPC has received complaints from citizens who expressed frustration after experiencing an encounter with an officer in which the citizen requested the officer's name and badge number, but did not get the information. In some instances, the officer was not clearly displaying his or her nameplate and badge, and when asked for the information, ignored the request or affirmatively refused to give it. In other instances, the officer had written his or her identifying information on a report or traffic ticket and referred the person to the document for the information, but the officer's handwriting was not legible, which, in effect, left the person without the information. Finally, in some cases, the officer communicated the information clearly, but the citizen did not have a pen or paper to write it down, the person misunderstood the officer or misspelled the name, or something else caused the person not to understand and accurately record the information. In one example, an officer stated his name to the citizen who requested it. As it happened, the officer's last name was uncommon, but sounded like a very common name, which is what the citizen wrote down. OPC ultimately was able to identify the officer through other means, but that is not always possible in every instance.

The allegations vary widely and are in addition to situations where a citizen simply forgets to ask for the information, an officer is asked for the information and forgets to give it to the citizen or is called away to a more pressing matter, or an officer has contacted citizens and wants them to be able to reach him or her to report crimes or provide information that would help with an investigation. In any event, it seems there are many cases where officer identifying information does not get communicated as is required by District law and MPD orders, and a simple solution can help address most, if not all, of these situations.

IV. PRACTICES IN OTHER JURISDICTIONS

Several police departments across the country provide their officers with business cards. Sometimes, a new statute, an amendment to a general order, or a community-based initiative forced the department to supply its officers with business cards. In other instances, the practice simply evolved for purposes of efficiency and uniformity. Examples of cities whose police departments have provided their police officers with business cards include the following: All cities in the State of Colorado,⁶ Boise, Idaho, St. Paul, Minnesota, Seattle and Bellingham, Washington, and Los Angeles, Long Beach, Anaheim, and Vallejo, California.

V. COST AND STYLE OF BUSINESS CARDS

In preparing this report and recommendations, PCB considered the potential cost and logistics of supplying business cards to MPD's 3,800-member police force. The cost could vary significantly depending on whether MPD elected to have cards printed by a professional printer, by a centralized, internal print shop, or by individual officers using technology and supplies provided by the Department. Some factors that MPD should consider include the initial and ongoing costs, the time needed for production, and the ability to scale supply to meet the demand

⁶ See Colorado Revised Statutes § 24-31-309(d)(4)(a).

of each officer to avoid waste and allow for re-printing of cards when the information on them has become outdated because of promotion, reassignment, or for other reasons.

MPD also could opt for a combination of printing methods to suit its needs. Whatever MPD chooses, however, PCB strongly suggests that the Department create the means for individual officers to make and print out their own cards to fill short-term or pressing needs. This could be accomplished by: (1) creating a template that would allow officers to quickly create cards using a personal computer equipped with word processing software, which is available in all MPD stations and offices; (2) purchasing card stock paper needed to make the cards, which is sold by several paper companies, is perforated for ease of use, and can be used with a standard office printer; and (3) preparing instructions for users to assist them with making the cards.

PCB also recommends that MPD adopt a standard format for the cards. The standard format will ensure that the business cards include all of the necessary information and have a consistent and professional appearance. Police departments that issue business cards to their officers generally include on the card the name of the police department, along with the officer's name, rank, badge number, and assignment with address and telephone number.

The Department also could add additional features or language that would assist officers in carrying out their work. For example, the back of each card could have a space for writing report or incident numbers or other information citizens might need later. Or MPD could use the cards to convey information to citizens that will enhance relationships with the public and assist these citizens with contacting their local officers to report crimes or provide information to assist with an investigation, goals that are consistent with effective community policing. For example, the Los Angeles Police Department includes the following message on the back of its business cards: "If a crime has just occurred or you have an emergency, please call 911. Should you have information requiring a criminal investigation or activity, please contact your local police station or the LAPD crime hotline at 1-877-529-3855. The Department is committed to providing quality service to the community. If you wish to comment on the level of service you received, please contact a Department supervisor or telephone 1-800-485-3604."

VI. RECOMMENDATIONS

Based on its examination of the information and issues discussed above, PCB recommends that the Mayor, the Council of the District of Columbia, and MPD:

1. Provide business cards to all MPD officers to assist officers in carrying out their duties and ensure that they are meeting the requirements under District law and Departmental orders to identify themselves to members of the public.
2. Ensure that, at a minimum, the cards include the name of the police department, along with the officer's name, rank, badge number, and assignment with address and telephone number.