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MENDELSON MOVES TO STREAMLINE SERVICE OF PROCESS

(Washington, DC) At today's legislative meeting, Councilmember Phil Mendelson (D, At-Large) introduced legislation to address widespread evasion of services of process by MPD officers. Co-sponsored by Councilmembers Bowser (Ward 4), Cheh (Ward 3), and Schwartz (At-Large), the "MPD Service of Process Amendment Act of 2007" puts an end to police officers evading the service of court-related summons in civil cases – and puts an end to the persistent complaints about such evasion.

Spurred by reports of evasion of services of process by the ACLU and the Public Defender Service, the Council acted last year to require the Chief of Police to issue rules establishing a procedure for service of process upon sworn members of the Metropolitan Police Department for actions arising out of the performance of their duties.

The Department issued regulations September 7th, but those regulations failed to meet the Council's intent. For example, the regulations create a convoluted process whereby an MPD officer may, but is not required to, appoint an "Assistant Chief and/or his/her designee(s)" as the officer's agent for service. But, the act clearly states that the Department, not the officer, designate offices where service may be accepted on behalf of the officer.

"Efficient service of process is vital to the proper functioning of our judicial system," stated Mendelson. "The 'MPD Service of Process Amendment Act of 2007' will put an end to the counter-productive cat-and-mouse game that is all too common when officers know they are about to be served."