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"INTEGRITY...FAIRNESS...SERVICE"

SECOND ADDENDUM TO SPECIAL ORDER #2016-05

DATE: October 7, 2021

TO: All Police Department Personnel. To be announced at Roll Call and a Copy Posted on the Department's intranet site.

RE: Line of Duty Death and Officer Involved Death Reporting.

EFFECTIVE: Immediately.

BACKGROUND: House Bill 954 (Deaths Involving a Law Enforcement Officer) was adopted into law during the 2015 Legislative Session of the Maryland General Assembly, and went into effect on July 1, 2015. The bill requires local law enforcement agencies to provide the Governor's Office of Crime Prevention, Youth, and Victim Services (within the Governor's Coordinating Offices) with information regarding officer involved deaths and deaths of officers in the line of duty.

The bill tasked the Governor's Coordinating Offices with adopting procedures for the collection and analysis of this data statewide, and requires that the Governor's Coordinating Offices prepare a report containing these statistics on an annual basis. During 2016, the Governor's Coordinating Offices released the Law Enforcement Reporting Guide for House Bill 954 (2015) Deaths Involving a Law Enforcement Officer. The reporting procedures established by the Department are based upon the definitions of officer involved death and line of duty death established in the Governor's Coordinating Offices reporting guide and a definition contained in House Bill 954.

The Governor's Coordinating Offices procedures require reporting prior to March 1 of the year following the incident, so that it may be reported to the state. Per the Governor's Coordinating Offices guidelines, all officer involved deaths involving a member of the Department, and deaths of Department officers in the line of duty, will be reported to the Governor's Coordinating Offices by the Department, regardless of whether the incident occurred in another jurisdiction or required a multijurisdictional response.

The Special Order Addendum is being amended to reflect the Department's current reporting practice and the removal of a previous requirement for an initial notification to the Governor's Coordinating Offices as soon as possible following an incident.

PURPOSE: To establish procedures for the Department to report line of duty deaths and officer involved deaths to the Governor's Coordinating Offices.

RELATIONSHIP TO DEPARTMENTAL VALUES: This project supports the Department's value of **SERVICE** by ensuring that our Department is compliant with legislation mandating the collection of data regarding line of duty deaths and officer involved deaths.

POLICY: It is the policy of the Baltimore County Police Department to collect information regarding officer involved deaths involving a member of the Department and deaths of Department officers in the line of duty and report it to the Governor's Coordinating Offices.

SECOND ADDENDUM TO SPECIAL ORDER #2016-05 (Continuation)

PROCEDURES:

DEFINITIONS

- Law Enforcement Personnel - for the purpose of this policy, includes sworn members of a law enforcement agency, and private security officers performing duties as part of a contract with a law enforcement agency (e.g., prisoner transport officer, etc.)
- Line of Duty Death - death of law enforcement personnel killed in the:
 1. Line of duty, or
 2. Course of law enforcement activities.
- Officer Involved Death - citizen death:
 1. Resulting from any use of force by state or local law enforcement personnel acting either on-duty, or off-duty in the capacity of a law enforcement officer.
 2. Caused by injuries sustained while attempting to elude state or local law enforcement personnel or injuries incurred after custody has been established.
 3. In cases of suicide, only when the suicide occurs while law enforcement is present at the scene.
 4. In cases of deaths as a result of drug overdose or medical condition, only when the fatal alcohol or other drug intoxications, or medical conditions (e.g., cardiac arrest, etc.) occurred while law enforcement was attempting to detain or arrest the subject.
 5. Occurring during the process of arrest by or in the custody of state or local law enforcement personnel.
 6. Occurring in the custody of state or local law enforcement personnel responding to a medical or mental health assistance or welfare call.
 7. That occur while confined in lockups or booking centers run by a Maryland law enforcement agency.
 8. Of bystanders when law enforcement is present and/or as the result of a law enforcement action.

REPORTING

- Is required for:
 1. Officer involved deaths, as defined above.
 2. Line of duty deaths, as defined above.
 3. On-duty suicides by law enforcement personnel.

NOTE: Incidents where the subject or the officer has not died, but is suffering from life threatening injuries also require reporting.
- Is not required for:
 1. Deaths attributed to federal law enforcement personnel.
 2. Any inmate death that occurred in the custody of local jails (not run by a Maryland law enforcement agency), state prisons, state juvenile correctional facilities, or private correctional facilities.
 3. Any death of a criminal suspect that occurred before the decedent came into contact with law enforcement.
 4. Deaths of federal law enforcement personnel.

SHIFT/UNIT COMMANDER

- Notifies the IAS Commander and the Executive Officer of the Professional Standards Bureau (PSB) via e-mail within 24 hours of any incident for which his/her shift/unit has investigative responsibility that is reasonably believed to be a line of duty death, officer involved death, or an on-duty suicide that requires reporting.
- Forwards a PDF copy of the appropriate incident report(s) to the IAS Commander, Executive Officer of the PSB, and the Executive Officer of their assigned bureau.
- Provides additional information not included in the incident report(s) to the IAS Commander and/or the Executive Officer of the PSB, as needed.

INTERNAL AFFAIRS SECTION (IAS) COMMANDER

SECOND ADDENDUM TO SPECIAL ORDER #2016-05 (Continuation)

- Serves as the Department's coordinator for the Governor's Coordinating Offices Line of Duty Death and Officer Involved Death reporting program.
- Forwards information to the Governor's Coordinating Offices for each reportable death, at the conclusion of the investigation or no later than March 1 of the year following the incident by:
 1. Completing the required fields on the official reporting website; or
 2. Compiling a report using their own format, including the following information:
 - a. Primary agency.
 - b. Date and time of incident.
 - c. Age, gender, ethnicity, and race of the deceased, for officer involved deaths and line of duty deaths.
 - d. Age, gender, ethnicity, and race of officer(s) involved, for officer involved deaths.
 - e. Location of incident.
 - f. Narrative/summary of the incident.

NOTE: For cases where the initial investigation is not completed prior to March 1 of the year following the incident, the IAS Commander will indicate that the results are preliminary and the investigation is not yet complete.

- Forwards a draft copy from the summary of the required fields on the official reporting website or alternate reports to the Bureau Chief of the investigating bureau.
- Submits the required fields on the official reporting website or alternate reports to the Governor's Coordinating Offices at the conclusion of the investigation, or no later than March 1 of the year after the incident occurred, upon approval of the Chief of Police.
- Receives and responds to follow-up requests from the Governor's Coordinating Offices regarding officer involved deaths, line of duty deaths, and on-duty suicides.

NOTE: These tasks will be completed by the Executive Officer of the PSB, in the absence of the IAS Commander.

BUREAU CHIEF OF THE INVESTIGATING BUREAU

- Notifies the IAS Commander and the Executive Officer of the PSB, when the investigation of a reportable incident is complete.
- Reviews a draft copy from the summary of the required fields on the official reporting website or alternate reports, upon receipt from the IAS Commander.
- Forwards an approved draft copy from the summary of the required fields on the official reporting website or alternate reports to the Office of the Chief for final approval.

CHIEF OF POLICE

- Approves or denies the approved draft copy from the summary of the required fields on the official reporting website or alternate reports, upon receipt from the Bureau Chief of the investigating bureau.
- Forwards the approved draft copy from the summary of the required fields on the official reporting website or alternate reports to the IAS Commander for submission to the Governor's Coordinating Offices.

IMPLEMENTATION: This Second Addendum to Special Order 2016-05 supersedes the Addendum to Special Order 2016-05, Line of Duty Death and Officer Involved Death Reporting, dated February 13, 2019. This Special Order Addendum will be distributed electronically to all Department members. Shift/Unit supervisors will be responsible for the referencing of this Special Order Addendum.

By order of,

Melissa R. Hyatt
Chief of Police