

FIELD MANUAL



“INTEGRITY...FAIRNESS...SERVICE”

Rules, regulations, policies, and procedures stated in written directives of the Baltimore County Police Department are for departmental use only and do not apply in any criminal or civil proceeding. They will not be construed as creating a higher legal standard of care in any evidentiary sense with respect to third-party claims. Violations thereof will only form the basis for Department administrative sanctions.

Established September 1, 1994

FOREWORD

By virtue of authority granted by law, as set forth in the County Code, the Police Chief of Baltimore County has established the rules, regulations, and procedures contained in this manual for administering police services in the field. The Police Chief reserves the rights to alter, amend, or repeal any of these directives, or to make additions thereto as circumstances may require. If the occasion demands, the Police Chief may issue verbal or written orders, this will have the same force and effect as these rules, regulations, and procedures.

The Field Manual is a reference source of uniform standards for responding to given events. These standards are intended to promote efficiency and effectiveness in the delivery of police services, as well as continuity in police actions. However, members must recognize that rules, regulations, and procedures contained herein cannot cover every specific situation or problem encountered. A great deal must be left to the intelligence and discretion of the individual. To set strict procedures for every event would destroy initiative, negate discretion, and ignore the basic premise that inherent to any situation are many unknown and unforeseeable variables. The values of our organization — **Integrity, Fairness, and Service** — must be a factor in our decisions, the existence of written policy and procedures notwithstanding. The exercise of good judgment and the application of common sense, together with the highest degree of cooperation by those entrusted with police services, is essential for effective police work.

The Field Manual has been designed as a living document; one that will accommodate additions and revisions to policies and procedures now and into the future. All rules, regulations, and procedures previously issued are hereby revoked insofar as they conflict with this manual.

The rules, regulations, and procedures appearing in this manual are of direct interest to service providers and have Department-wide application. A command level Standard Operating Procedure (SOP) should communicate directives, which affect individual commands.

The Department is committed to identifying and correcting actions, practices, and attitudes that may contribute to community tensions and grievances. Problems within a community, real or perceived, should be acted upon with sensitivity to ensure that the respect and confidence of the community is retained. This can be accomplished by fostering a free flow of communication with the community; encouraging open and innovative thinking; creatively resolving problems; and taking advantage of opportunities.

Members should remember that in the execution of their duties they act not for themselves but for the public. The entire law regulating police functions hinges upon this principle. Members are to govern themselves without feeling, save zeal, to do what the law commands, and should never allow passion to urge them to brutality or allow fear, favoritism, or sympathy to persuade them to illegal leniency or neglect of duty.

MISSION STATEMENT

The Mission of the Baltimore County Police Department is to enforce the laws and ordinances of the State and County, safeguard life and property, prevent and detect crime and victimization, preserve the peace, and protect the rights of all citizens.

ORGANIZATIONAL VALUES

INTEGRITY

We uphold the public trust by being honest. We maintain the highest standards of ethical and moral character.

FAIRNESS

We treat everyone with respect and dignity in an unbiased manner. We protect constitutional rights through impartial enforcement of the law.

SERVICE

We provide dedicated and compassionate assistance by promoting leadership, cooperation, and creativity. We aspire to improve the quality of life in partnership with the community.

VISION OF THE CHIEF OF POLICE

We will be the model of an innovative, community-oriented police department.

We are committed to excellence and professionalism in delivering comprehensive law enforcement services. Our core responsibility is to prevent and reduce crime and victimization. All Department members have an obligation, a duty, to pursue those who commit crimes.

Using current and developing technologies, we are committed to research, innovation, and competency. Technology will enhance our highly skilled workforce in the investigation of traditional criminal acts, and the latest crime challenges such as Internet, economic and predator crime, organized gang, and youthful violent offenders.

Homeland security will remain a priority as we focus on the goal of moving beyond communities where our citizens feel safe to communities that are safe.

We recognize the value of all our employees and partners, from professional staff and sworn members, to the many citizens who come forth to volunteer, assisting us in fulfilling our mission. We remain committed to the further enhancement of these partnerships. We will continually strive to develop the skills of our members, and to efficiently and effectively manage our resources to deliver the highest level of service to the public.

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INVESTIGATIONS

1-1.0 GENERAL

ABBREVIATIONS

- ACRS - Automated Crash Reporting System.
- CC - Central Complaint.
- CIB - Criminal Investigations Bureau.
- LEOKA - Law Enforcement Officers Killed or Assaulted.
- MILES - Maryland Inter-Agency Law Enforcement System.
- NCIC - National Crime Information Center.
- NIBRS - National Incident Based Reporting System.
- RMS - Records Management System.
- UCR - Uniform Crime Report.
- UID - Unique Identifier.

INCIDENT REPORT FORMS

- Case Report.
- Officer Report.
- ACRS Report.

REFERENCES

- Field Manual, Article 3 (Juvenile Procedures).
- Field Manual, Article 8 (Report Writing).
- Field Manual, Article 11 (Major Incidents).

1-2.0 ASSIGNMENT OF CALLS FOR SERVICE

1-2.1 DELAYED RESPONSE PROGRAM

GENERAL

- Delayed response will be in effect from 0500 to 1900 hours daily.
- Supervisors will be notified of calls being held for delayed response.
- The 9-1-1 Communications Center will not hold calls for more than 90 minutes, unless authorized by a supervisor with sufficient justification.
- 9-1-1 Communications Center personnel will routinely hold no more than one call per post under delayed response.

RESPONDING OFFICERS

- Will be prepared to answer questions from complainants about delayed response.
- Use disposition code 7 (No report; Incident Unverified (Cannot Substantiate Occurrence)) if the complainant cannot be located.
- Advise the complainant to contact the 9-1-1 Communications Center at a later time if the complainant is unable to make a report due to a delayed response.

DESK OFFICERS

- Transfer all incoming calls for police service to the 9-1-1 Communications Center to ensure that the screening criteria are applied and instructions regarding delayed response are communicated to the caller.
- Advise callers to contact the 9-1-1 Communications Center at a later time if a caller is unable to meet with an officer due to a delayed response.

SUPERVISORS

- Have the precinct desk officer contact the caller and explain the additional delay when such action has been authorized.
- Verify the safety and location of a post car officer when notified by the dispatcher that either of the following occurs:
 1. Delayed calls have been dispatched to backup units due to expiration of the 90-minute delay period.
 2. More than one delayed response call has been received for a post car.
- Monitor delayed response calls to determine if unusual situations need a more timely response (e.g., interruption of the daily operations of businesses, schools, etc.). Dispatch will be notified via radio if it is determined that a more timely response is necessary.
- Allow dispatched delayed response calls to be held for the 90-minute period when operational needs dictate that the primary post car remains in service.
- Utilize the delayed response policy to more efficiently direct the activities of their subordinates for community oriented policing.
- Relay information on delayed response calls to oncoming supervisors at the end of their tour of duty.

1-2.2 CRITICAL CALLS FOR SERVICE

GENERAL

- When a call of a critical nature is received, at least two units and a supervisor for that particular post will be assigned.
- If the assigned team supervisor is not available, the adjoining team supervisor within the precinct will be notified. Response is optional.

SHIFT COMMANDERS

- Will be notified of critical calls for service, if team supervisors cannot be contacted.
- Assign the appropriate support.
- Approve and control the response of additional units.
- Will notify the precinct commander of the following incidents via telephone as soon as practicable:
 1. Homicides, suicides, and suspicious deaths;
 2. Shootings, stabbings, and crimes with substantial injuries or shots fired;
 3. Critical missing person cases;
 4. Hostage/barricade situations;
 5. Vehicle pursuits involving serious crashes, injuries, or death;
 6. Large scale demonstrations;
 7. Departmental crashes involving injuries or extensive property damage;
 8. Any incident that requires the dedication of resources from other precincts for an extended period of time;
 9. Any incident or arrest involving a public official, government employee, foreign official, notable figure, or law enforcement officer (e.g., police officer, federal agent, etc.);
 10. A member of the command is seriously injured on or off duty;
 11. Anytime a person in custody has been seriously injured or suffers a potential life-threatening medical event;
 12. Violent incidents in which children, the elderly, or minority communities are targeted;
 13. Incidents that have or have the potential to receive the attention of the media;
NOTE: These incidents can be operational or personnel related (e.g., pursuit, use of force, social media post, etc.).
 14. Unusual occurrences;

15. Anything the shift commander deems critical.

NOTE: Shift Commanders will ensure notification of the above incidents is also made to the Night Commander during evening and overnight hours when the Night Commander is on duty. Upon receiving notification of an incident, the Night Commander will ensure the precinct commander has been notified.

- Will e-mail the precinct commander in reference to the above incidents as soon as possible with additional details, after the initial telephone call.

NOTE: The shift commander should ensure that a confirmation from the precinct commander is received.

PRECINCT COMMANDERS

- Receive notifications from shift commanders.
- Reply to all e-mails with additional information to ensure verification of receipt.
- Notify the appropriate patrol division commander of the incidents listed above via telephone and by follow-up e-mail as any additional information is received.

PATROL DIVISION COMMANDERS

- Notify the Bureau Chief of the Operations Bureau of the incidents listed above via telephone, and by follow-up e-mail as any additional information is received.

REFERENCE

- Administrative Manual, Article 3 (Administrative Investigations and Reports).

1-2.3 CALLS FOR SERVICE IN BORDERING JURISDICTIONS

GENERAL

- In non-emergency situations, every effort will be made to resolve jurisdictional conflicts before an officer responds to the location.
- When there is a question as to whether or not the dispatched location is in Baltimore County, and it is an emergency situation, the officer will:
 1. Respond to the scene and address the emergency situation first.
 2. Inquire as to jurisdictional responsibility when emergency conditions no longer exist.

RESPONDING OFFICER

- Notifies his/her supervisor and the 9-1-1 Communications Center that the call is outside of Baltimore County.
- Continues to respond to emergency situations only, unless cancelled by a supervisor.

SUPERVISOR

- Cancels an officer dispatched to a location if there is knowledge that the location is outside of Baltimore County and no emergency situations exists.
- Ensures the 9-1-1 Communications Center notifies the proper police agency to respond when a call is determined to be in another jurisdiction.
- Responds to the location when jurisdictional responsibility is in question or cannot be readily determined.

REFERENCE

- Field Manual, Article 13 (Jurisdictional Assistance and Authority).

1-3.0 GENERAL INVESTIGATIVE PROCEDURES

GENERAL

- Maryland law requires members of the Department to:
 1. Provide, upon request, a private room to a victim to report information related to a crime under Title 3 of the Criminal Law Article; and
 2. Display a poster developed by the state that informs a victim of the right to request a private room to report information related to a crime under Title 3 of the Criminal Law Article.
- The Department has decided to expand upon the requirements of the Maryland law, and will require its members to use a private room, upon request, while interviewing any victim or complainant to obtain information related to their crime or incident.

MEMBERS

- Shall use a private room while interviewing a victim or complainant to obtain information related to their crime or incident, upon request.
NOTE: Private rooms are available at each precinct, and private victim-centered interview rooms are located at the Special Victims Unit (SVU), the Crimes Against Children Unit (CACU), and the Greater Baltimore Medical Center – Sexual Assault Forensics Exam (GBMC-SAFE) Suite upon request and availability.

COMMANDERS

- Ensure a poster provided by the State of Maryland is displayed in the public lobby of each Department facility under their command.

1-3.1 INVESTIGATIVE TASKS

GENERAL

- The preliminary investigation is the activity that begins when officers arrive at the scene of an incident. The activity should continue until such time as a postponement of the investigation or the transfer of responsibility will not jeopardize the successful completion of the investigation.
- A follow-up investigation is an extension of the preliminary investigation. The purpose is to provide additional investigation in order to close a case, arrest an offender, recover property, etc.
- Members suspecting an individual has been the victim of human trafficking, will notify:
 1. The Crimes Against Children Unit (CACU), if the person is a juvenile;
 2. The Vice/Narcotics Section (VNS), if the person is an adult.**NOTE:** The unit/section contacted will then notify the current victim advocacy group in partnership with the Department (e.g., TurnAround, Inc., etc.).

PRELIMINARY INVESTIGATION TASKS

- Providing aid to the injured.
- Protecting the incident scene to ensure that evidence is not lost or contaminated.
- Determining if an incident has actually occurred and, if so, the exact nature and circumstances of the incident.
- Determining the identity of suspects and effecting arrests if they can be accomplished either at the scene or through immediate pursuit.
- Furnishing other field units, through the communications system, relevant information concerning wanted person or vehicles.
- Communicating important information regarding the status of any suspects (e.g., whether there is an active search or the incident is contained, whether the suspect is in custody and/or incapacitated, etc.) over the radio, as soon as possible.

- Obtaining complete identification of all victims and witnesses.
- Determining and evaluating information known by the victims or witnesses.
- Arranging for the collection of evidence.
- Obtaining written statements from victims and witnesses.
- Accurately and completely recording all pertinent information on the appropriate incident report (i.e., Case Report, Officer Report, and/or ACRS Report). (Refer to Field Manual, Article 8, Report Writing).
- Providing assistance and referral services to the victim.
- Identifying which crime prevention services to deliver.

NOTE: List is not all-inclusive.

FOLLOW-UP INVESTIGATION TASKS

- Reviewing all prior investigative efforts.
- Identifying and apprehending offenders.
- Collecting, preserving, analyzing, and evaluating evidence.
- Recovering stolen property.
- Interviewing victims and witnesses.
- Interrogating suspects and obtaining written statements, within legal guidelines.
- Utilizing search and seizure worksheets, line-ups, photo shows, etc.
- Determining in detail the exact circumstances of the incident.
- Determining if other crimes may have been committed by a suspect.
- Developing information through other Department members, other agencies, informants, etc.
- Reporting information obtained.
- Preparing cases for court presentation.

NOTE: List is not all-inclusive.

INVESTIGATIVE NOTES

- Consist of notes taken during investigations which will be transcribed onto official Department reports/forms/records (i.e., Case Report, Officer Report, ACRS report, Detective Note, or Investigative Memo).
NOTE: Case Report/Officer Report Contingency Forms and ACRS Contingency Forms are considered investigative notes (Refer to Article 8, Section 17.0, RMS Contingency Plan, and Article 2-1.4.1, ACRS Contingency Plan).
- Only need to be maintained for criminal cases and motor vehicle crashes when an ACRS report has been completed.
- Each page must contain the Department member's name, identification number, and CC number.
- Department members are responsible for safely and permanently retaining these notes.
- If no investigative notes are taken the reporting officer is to document that in the report.

REFERENCES

- Field Manual, Article 2 (Traffic Procedures).
- Field Manual, Article 8 (Report Writing).

1-3.2 CONDUCTING INVESTIGATIONS

GENERAL

- When an officer is made aware of an incident that occurred in Baltimore County, it is the officer's responsibility to investigate the incident and, if necessary, file the appropriate incident report and other required documentation relating pertinent facts.

- The primary responsibility of the officer investigating a crime is to perform a thorough investigation in an attempt to develop information leading to the arrest of the perpetrator.
- The secondary responsibility of the investigating officer is to instruct the victim in crime prevention techniques to reduce the chance of a future recurrence of the incident.

INVESTIGATIVE INFORMATION

- All information that is necessary and relative for an investigation (e.g., suspect information, arrestee information, victim information, other persons involved, property, vehicles, LEOKA, a detailed account of the incident, etc.) will be included in the appropriate incident report(s) (i.e., Case Report, Officer Report and/or Automated Crash Reporting System (ACRS) Report).
EXCEPTION: Documentation containing information of a confidential nature (e.g., information gathered for or by specialized units, etc.) may be entered on an Investigative Memo (i.e., for information gathered for forwarding to a specialized unit) or a Detective Note (i.e., for information gathered by or activity conducted by a specialized unit or team).

1-3.2.1 INITIAL INVESTIGATION

GENERAL

- The appropriate incident report(s) will be made on all calls:
 1. Of a criminal nature.
EXCEPTION: Calls that are dispatched as a criminal incident, but are verified as non-criminal by the investigating officer, may be marked “Code 8.”
 2. Of a violent, criminal, or disorderly nature involving an establishment or organization holding a liquor license. The liquor license number and registration information (i.e., permanent license - trade name and actual name; temporary license - name of organization and event address) must be included in the narrative of the report.
 3. Of a violent, criminal, or disorderly nature involving a licensed medical marijuana grower, processor, or dispensary. The license number must be included in the narrative of the report.
 4. Of vulnerable adult/elder abuse, sexual assault, child abuse, or domestic abuse, whether founded or unfounded.
 5. Of animal abuse, animal cruelty, and animal neglect, whether founded or unfounded.
 6. Occurring on the premises of a hookah lounge/bar, or resulting from the operation of the business. The business license number, and or liquor license number, if applicable, must be included in the narrative of the report.
 7. Requiring National Incident Based Reporting System (NIBRS) offense/arrest reporting by the Baltimore County Police Department.
- Incidents/offenses, including traffic arrests and citations for serious (i.e., “Must Appear”) traffic offenses, occurring in conjunction with a motor vehicle crash require the filing of a Case Report in addition to an Automated Crash Reporting System (ACRS) report, using the same CC number for each.
EXCEPTION: Fatal crashes will not require the filing of a Case Report, unless an arrest is made or citations are issued for a serious traffic offense.

INVESTIGATING OFFICER

- Determines the disposition of calls for service and whether or not to make reports, subject to review by their supervisors.
- Has the option of making a report when deemed necessary for any reason.
- Completes a report when there is any doubt as to whether a report is necessary.
- Marks calls of added information “Code 8.” The added information will be placed on a the appropriate incident report using the original CC number (Refer to Field Manual, Article 8).

- Advises the dispatcher when the call has been cleared. Every incident identified by a CC number must be given disposition and situation found codes via voice radio message, regardless of whether it is transmitted via mobile data computer (MDC) or other means.
- Documents in the narrative of their report if the original call for service was initiated by an employee or representative of any business or organization involved in the incident, if applicable.

VIOLATIONS OF CONDITIONS OF PRETRIAL OR POST-TRIAL RELEASE

- Members will question complainants and victims to determine if they, and the person about whom they are calling, have been involved in any prior criminal court cases.
- If there are prior criminal court cases, members will determine if the other person was charged with:
 1. A sex crime against a minor.
 2. A crime of violence.
 3. Any crime that the victim could have obtained a protection order against the subject.
 4. Stalking.

NOTE: Members learning that the other person has been charged with one of the above crimes will ensure a query is conducted of Secure Judiciary Case Search (i.e., J Portal) to determine if any conditions of pretrial or post-trial release have been violated that prevent the person from contacting, harassing, or abusing the alleged victim or going in or near the alleged victim's residence or place of employment. Members discovering that a defendant has violated a condition of release will ensure the subject is arrested or a Form DC/CR1, Application for Statement of Charges, is completed.

REFERENCE

- Field Manual, Article 8 (Report Writing).

1-3.3 INTERVIEWS AND INTERROGATIONS

1-3.3.1 FIELD INTERVIEWS

GENERAL

- All field interviews will be documented on a Field Interview Report (FIR) in the RMS.
- A CC number is required to document all FIRs. If the interview is related to an existing case, the FIR will be initiated within the applicable existing Case Folder. If the interview is not related to an existing CC number, a new CC number must be generated.

NOTE: Additional related CC numbers may be listed in the *Related CC#* field.
- Corrections to FIRs after submission must be made by submitting a:
 1. New FIR containing the corrected information; and
 2. A Form 12L, Intra-Department Correspondence, to the Information & Records Management Section Commander, identifying the corrected Field Interview Number, the Field Interview Number containing the error, and a description of the error.
- Paper copies of FIRs will not be maintained.

INVESTIGATING OFFICERS

- May conduct field interviews to determine a suspicious person's identity, reason for being at a place at a certain time and/or possible association with criminal activity.
- May conduct a field interview on any property on which they have a right to be.

- May not detain suspicious persons against their will unless there is a reasonable, articulable suspicion that criminal activity is afoot. Generally, individuals detained for investigative purposes are not entitled to Miranda warnings, but the individuals may refuse to answer questions.
NOTE: Individuals may be handcuffed during investigative detentions if officers have reason to believe that the individuals have a weapon on or about their person. Officers should recognize that handcuffing individuals might be considered custodial for purposes of a Miranda warning. Refer to Field Manual, Article 12 (Use of Force/Weapon Systems) regarding proper handcuffing procedures.
 - Shall, in accordance with Maryland law, at the commencement of a stop of a subject to conduct a field interview:
 1. Display proper identification to the stopped individual; and
NOTE: The following will be considered proper identification:
 1. For uniformed members - wear of a Department uniform that includes:
 - a. A visibly displayed badge and nameplate; and
 - b. Department-issued outermost garment (e.g., shirt, jacket, coat, exterior vest carrier, etc.) labeled "POLICE" or displaying the Department's shoulder patches.
 2. For non-uniformed members and members wearing uniforms that do not meet the above criteria - display of the member's Department identification card.
 2. Provide the following information to the stopped individual, the:
 - a. Officer's name;
 - b. Officer's Department identification number;
 - c. Name of the law enforcement agency the police officer is representing;
 - d. Reason for the stop.
- EXCEPTION:** When exigent circumstances are present, the aforementioned actions may be delayed until the exigency has passed.
- Will not complete a FIR in addition to or in lieu of any Criminal or Civil Citation or any arrest.
EXCEPTION: Arrests unrelated to the reason for completing a FIR and at the discretion of a supervisor.
 - May show the presence of a suspicious vehicle in an area on a FIR.
 - May complete a FIR in addition to a traffic citation.
 - Complete the FIR prior to the completion of their tour of duty.
NOTE: Submitting a FIR to the workflow will finalize the record in the RMS.
 - Forward completed FIRs to the relevant investigative teams/units/members, when appropriate.
NOTE: A FIR can be shared by selecting "Print Preview/File/Share/Email/Send as PDF" within the Records Management System (RMS) upon submission of the FIR.

FIR DATA ENTRY

- The *Field Interview* tab contains the basic information on the field interview such as the interview date/time, location, and reason for the stop.
- The *Individuals* tab contains information on the person(s) interviewed.
NOTE: Multiple people will be documented in a single FIR, when contacted during a single field interview.
- The *Vehicles* tab contains information on the vehicle(s) associated with the stop.
NOTE: Multiple vehicles will be documented in a single FIR, when involved in a single field interview.
- The primary reason for the stop must be selected from *Reason for the Stop* field.
- If a search is conducted as part of the field interview, it must be indicated in the *Search Conducted* field.
NOTE: The narrative must detail which person(s) and/or vehicles were searched.

- The *Find Field Interview Location*, *Find Subject*, and *Find Vehicle* wizards will be used to pull existing information from the RMS, when available.

REFERENCE

- Field Manual, Article 12 (Use of Force/Weapon Systems).

1-3.3.2 INTERVIEWS AND INTERROGATIONS IN POLICE FACILITIES

GENERAL

- Interview rooms will be thoroughly searched for weapons and contraband before and after each interview.
- Rooms must be properly equipped with a means for summoning emergency assistance.
- Rooms must have a level of privacy.
- Rooms will not contain any covert recording or surveillance devices.
EXCEPTION: Designated rooms that are used and equipped with audio/video capabilities.
- Rooms must only contain the materials and equipment needed to conduct the interview.

DEPARTMENT MEMBERS

- Conducting interrogations will identify themselves to the interviewee and state that they are working on behalf of the Department.
- Present during interviews or interrogations will be limited to those with a direct interest in the investigation.

FIREARMS

- Will not be permitted within interview rooms located within a facility's secured lockup area.
- Will be placed in firearms lockers where available or locked within a cabinet outside of the secured lockup area.

WEAPONS

- Other Department-issued weapons may be carried within the secured lockup area for defense purposes.
EXCEPTION: Conducted Electrical Weapons (CEWs) are not permissible in the secured lockup areas and will be placed in firearms lockers where available or locked within a cabinet outside of the secured lockup area. Officers may request shift/unit commander approval to wear a CEW in the secured lockup area. Shift/unit commander approval to carry a CEW into a secured lockup area is allowed only for a backup officer to wear a CEW to ensure the safety of other officers. The shift/unit commander must base their decision on articulable and notable concerns for officer safety based on specific circumstances regarding the individual(s) in custody. Shift/unit commander approval is necessary in all cases except exigent, in-progress, and immediate critical officer safety incidents.

INTERVIEWEES

- Members conducting custodial interviews will properly search subjects prior to entering into a secured interview room.
- Non-custodial interviewees will be asked if they are carrying weapons or contraband on their person.
- Interviewees will be provided reasonable access to water, restrooms, and other personal needs that may arise during an interview upon request.
NOTE: It is the responsibility of the primary interviewer to ensure the interviewee is monitored during these times.

STATEMENTS AND CONFESSIONS

- Will be properly documented and packaged as evidence (Refer to the Field Manual, Article 7, Evidence).

REFERENCE

- Field Manual, Article 7, Evidence.

1-3.4 HANDGUN SEARCH PROCEDURES

GENERAL

- A Form 97, Maryland State Police (MSP) Firearms Report, (original only) will be completed regardless of whether a handgun is found.
NOTE: The subject searched will not receive a copy of the Form 97.
- If a handgun is discovered during a search, document the information in the appropriate incident report using the appropriate offense code(s).
- If the search is in conjunction with a situation calling for a report, note it in the report narrative. Also place the CC number in the upper right corner of the Form 97.
- Contraband discovered during a lawful pat down search for weapons may be seized as long as the identity of the item is immediately apparent to the touch.
- The Form 97 is forwarded to the Information & Records Management Section.

INFORMATION & RECORDS MANAGEMENT SECTION

- Forwards the original Form 97 to the MSP.

1-3.6 SURVEILLANCE OPERATIONS

1-3.6.1 PHYSICAL SURVEILLANCE OPERATIONS

GENERAL

- Members wishing to conduct physical surveillance will do so only after obtaining permission from their team supervisor.
- Physical surveillance may be mobile or stationary.

APPROVED USES OF MOBILE OR STATIONARY PHYSICAL SURVEILLANCE OPERATIONS

- Protection of an undercover officer.
- Verification or corroboration of informant information.
- Obtaining evidence, probable cause, or intelligence information.

TEAM SUPERVISOR

- Reviews and approves the need for physical surveillance, on a case-by-case basis.
- Considers the following criteria when deciding to approve or deny a physical surveillance request:
 1. Goals and objectives of the investigation.
 2. Necessary manpower/equipment.
 3. Type and duration of surveillance.
- Controls and directs all aspects of the operation (e.g., necessary equipment, means of communication, personnel needs, etc.).
- Identifies the need for, and coordinates other agency assistance, where required.
- Addresses issues pertaining to legal aspects of the operation with the Legal Section and/or the State's Attorney's Office, prior to the start of the operation.
- Conducts a pre-operation briefing and a post-operating briefing.

MEMBERS CONDUCTING SURVEILLANCE

- Prepare for the operation by familiarizing themselves with:
 1. All aspects of the case.
 2. The target of the surveillance and his/her associates.
 3. The area of the surveillance.
- Attend the pre-operation briefing, prior to beginning surveillance.
- Monitor the radio channel of the precinct in which they are operating, and notify the precinct shift commander, when practical.
- Attend the post-operation debriefing, at the conclusion of the operation.
- Document surveillance findings, as appropriate, at the conclusion of the operation.

1-3.6.2 PORTABLE OBSERVATION DEVICES (PODS)

GENERAL

- Portable Observation Devices (PODs) may be used to monitor:
 1. Planned events (e.g., fairs, festivals, races, etc.);
 2. Major incidents (e.g., barricades, natural disasters, etc.);
 3. Locations that are important for homeland security/community safety (e.g., reservoirs, bridges, etc.);
 4. Traffic safety and management; and
 5. Areas experiencing a crime trend.

NOTE: Additional uses of PODs will be evaluated on a case-by-case basis.
- PODs are intended to be used in areas that are open to the public view, where individuals have no reasonable expectation of privacy.

NOTE: PODs must be clearly marked in a manner that identifies them as the property of the Department.
- PODs can be deployed by:
 1. Attaching the devices to utility poles; or
 2. By parking a trailer carrying the device in the selected area.
- PODs can:
 1. Record a selected area, or
 2. Provide video feeds that can be viewed in real time using a secure internet connection.

NOTE: When left unattended, PODs can be set to record continuously or when activated by motion.
- POD video storage systems can record for up to seven days.
- Access to and use of recorded POD videos and video feeds is only authorized for valid work-related purposes.

PROHIBITIONS

- Use to obtain views of areas where a reasonable expectation of privacy exists.
- Covert or surreptitious use.
- Recording of POD videos by any other means.
- Dissemination of images viewed/recorded by the PODs outside the Department without authorization from the Chief of Police, or designee.

MEMBERS

- Complete a Form 330, Portable Observation Device (PODs) Deployment Request, to request the deployment of PODs.
- Submit the Form 330 to their supervisor for approval.
- Submit a completed Form 330 within five days of obtaining an emergency deployment of PODs.

- Who are approved to view the video feeds sent by the PODs will have the ability to control the zoom, pan, and tilt functions of the device's cameras.
 - Complete the analysis section on the Form 330 at the conclusion of the POD deployment.
 - Requesting video from PODs, will telephone the Technology Section (TS) indicating the central complaint (CC) number, specific date and time, location, and if it is for evidentiary or non-evidentiary purposes.
- NOTE:** The member will also submit a copy of the video to the Evidence Management Unit.

SUPERVISORS

- Review Forms 330 for completeness.
- Determine if the deployment of PODs would be beneficial for the reason the investigating member requested.
- Forward approved Forms 330 to the Shift/Unit Commander.
- Ensure the analysis section on Forms 330 is completed by the requesting member at the conclusion of a POD deployment.
- Approve the analysis section on Forms 330 at the conclusion of POD deployments, and forward the approved forms to the Shift/Unit Commander.

SHIFT/UNIT COMMANDERS

- Review Forms 330 for completeness.
- Approve Forms 330, if warranted.
- Forward approved Forms 330 to the Precinct/Section Commander.
- Approve the analysis section on Forms 330 at the conclusion of POD deployments, and forward the approved forms to the Precinct/Section Commander.

PRECINCT/SECTION COMMANDERS

- Review Forms 330 for completeness.
- Contact the supervisor of the Investigative Services Team responsible for the location of the proposed deployment to ensure that placement of a device will not interfere with an active investigation.
- Approve Forms 330, if warranted.
- Forward approved Forms 330 to the Patrol Division Commander responsible for the area in which the POD is to be deployed.
- Contact his/her Division Commander when requesting an emergency deployment of PODs.
NOTE: Commanders whose chain-of-command does not include a division commander will contact their Bureau Chief.
- Approve the analysis section on Forms 330 at the conclusion of POD deployments, and forward the approved forms to the Operations Bureau.

DIVISION COMMANDERS

- Contact the TS Commander if authorizing emergency deployment of PODs.

PATROL DIVISION COMMANDERS

- Review all Forms 330 for POD deployment requests received for use within their command.
- Contact the Executive Officer of the Criminal Investigations Bureau and the Criminal Intelligence Section to ensure that placement of a device will not interfere with an active investigation.
- Coordinate with the other patrol division commanders and the TS to prioritize the deployment of PODs.
- Forward prioritized Forms 330, and Forms 330 completed in reference to emergency deployments, to the TS.

TECHNOLOGY SECTION

- Conducts all required maintenance for PODs.
- Conducts a site survey to determine the best method and placement for PODs at the target location after receiving an approved Form 330.
- Places and connects PODs at the target location.
- Removes PODs from the target location upon expiration of the approved request.
- Issues credentials to approved members to operate and view PODs.
- Contacts the affected patrol division commanders if there is a conflict with the emergency deployment of PODs.
- Forwards Forms 330 to the requesting officer's Patrol/Section Commander:
 1. Indicating the reason for the deployment request cannot be fulfilled, or
 2. For completion of the analysis section at the conclusion of the deployment.
- Retrieves requested video and provides it to the requesting member.

FORM 330 DISTRIBUTION

- Original forms will be maintained by the Operations Bureau for five years.

1-3.7 TACTICAL UNIT DEPLOYMENT REQUEST - PRE-PLANNED OPERATIONS

GENERAL

- To maintain a high level of officer safety, the Tactical Unit will be notified and briefed prior to assisting with pre-planned, elevated-risk operations (e.g., search/seizure and arrest warrants, building entries, vehicle take-downs, etc.).

FORM 321, TACTICAL UNIT DEPLOYMENT REQUEST- PRE-PLANNED OPERATIONS

- Will be completed for all pre-planned operations where the assistance of the Tactical Unit is required or requested.
- Will not be utilized for any emergency incidents where time is exigent (e.g., hostage, barricade, etc.).

SUPERVISORS

- Who are aware of and/or identify a pre-planned, elevated-risk situation where the deployment of the Tactical Unit is required and/or would be beneficial to the safety of officers and/or the public, will notify the shift/unit commander of such information.
- Complete a Form 321.
- May contact the Tactical Unit for assistance with completing the Form 321.
- Forward completed Forms 321 to the precinct/section commander, or designee for review.
- Electronically forward a copy of approved Forms 321 to the Tactical Unit.

NOTE: Original Form 321 will be sent via departmental mail to the Tactical Unit.

PRECINCT/SECTION COMMANDER, OR DESIGNEE

- Review and approve Forms 321.

TACTICAL UNIT

- Upon receiving the Form 321, will contact the requesting supervisor to acknowledge receipt and verify the information.
- Will maintain the Form 321 with the Tactical After Action Report for the incident.

1-3.8 INVESTIGATIVE RESPONSIBILITY

PRELIMINARY INVESTIGATION

- Unless otherwise directed, precincts are responsible for the preliminary investigation of reported crimes and incidents.

FOLLOW-UP INVESTIGATIONS

- Will be handled at the precinct level, except as noted in the Administrative Manual, other articles of this manual, and below.
- When an arrest is made, prior to charging the suspect, the investigating officer is to notify the supervisor of the unit having follow-up responsibility for the crime under investigation.
- Any incident a shift commander feels is not routine and may need response/input from CIB, the shift commander will discuss the case with the appropriate CIB commander.
- The Bureau Chief of the CIB will be notified for investigations involving bribery or felony extortion, to determine which CIB unit will have follow-up responsibility, on a case-by-case basis.
- Patrol supervisors may request assistance from any CIB unit in reference to any criminal investigation.
- Investigative Services Teams (ISTs) will follow-up those crimes falling under patrol responsibility in accordance with IST policy.
- Supervisors of specialized units and teams with follow-up investigative responsibility will, upon receipt of a report requiring follow-up, utilize the "Manage Case" function in the RMS to assign the Case Folder to the appropriate investigator(s) for follow-up.
- Investigating officers will follow-up the case until it is cleared or it is no longer feasible for the member to investigate.
- Cases temporarily suspended after preliminary investigation will be reassigned for follow-up if additional information is received.
NOTE: Members receiving additional information must file the appropriate incident report documenting the facts, and the member's supervisor will ensure that the case is actively followed-up.
- Cases requiring extensive investigation outside of either precinct or jurisdictional boundaries may remain a precinct level investigation at the discretion of the member's supervisor or commander.

REFERENCES

- Administrative Manual, Article 5 (Department Organization).
- Field Manual, Article 8 (Report Writing).

1-3.9 SUBPOENA OF RECORDS

GENERAL

- In conjunction with an ongoing investigation, any Department member may request the subpoena of business, corporate, medical, or government records.

REQUESTING MEMBERS

- Submit the request on a Form 12L, Intra-Department Correspondence, to their supervisor for approval and forward to the appropriate State's Attorney's section:
 1. State's Attorney's Office, Felony Complaint Unit for all pre-arrest subpoena requests and Circuit Court post-arrest cases.
 2. State's Attorney's Office, District Court Division for District Court post-arrest cases.
- Provide supporting documents/justification with the Form 12L.

MEDICAL RECORDS

- Will be held in a sealed envelope along with the Form 12L in the investigator's case file and not included in the incident report.
- Will not be disclosed without approval from the Legal Section.
EXCEPTION: May be disclosed to the State's Attorney's Office as part of an investigative file.

1-3.9.1 OBTAINING TELECOMMUNICATION RECORD INFORMATION (TELEPHONE AND WIRE SERVICE RECORDS, CALL DETAIL RECORDS, ETC.)

DEFINITION

- Exigent circumstances - an emergency situation (e.g., suicidal subject, kidnapping, etc.), or other judicially recognized exception to the warrant requirement (e.g., fleeing felons, imminent destruction of evidence or property, hot pursuit, etc.).

REQUESTS FOR INFORMATION

- Will be made by the appropriate Criminal Investigations Bureau (CIB) entity or precinct investigative services team.
EXCEPTION: Requests for emergency cellular phone pings may be made by a shift/unit commander in accordance with Section 3.9.1.1.
- Require:
 1. Supervisor approval;
 2. The appropriate legal process document (e.g., exigent circumstances form or search and seizure warrant, court order, etc.);
 3. Submission of required information to the carrier; and
 4. The logging of request information in the appropriate Request Spreadsheet.
- In exigent circumstances, telecommunication record information may be requested prior to receiving a subpoena or court order.

INVESTIGATIVE UNIT (IST/CIB)

- Designates personnel responsible for obtaining the required approval(s) for the investigation.
- Responsible for obtaining real-time cellular phone location (pinging), subscriber information, and call detail records.
EXCEPTION: Emergency pings obtained by shift/unit commanders.
- Sends signed subpoenas/court orders to the appropriate telecommunications company.
- Making a request due to exigent circumstances must obtain a subpoena or court order, if the investigative need for telecommunication record information continues beyond 48 hours.
- Maintains investigative records of telecommunication record information requests.
NOTE: Copies of CALEA sheets and/or L-Site printouts, subpoenas, court orders, written correspondence cancelling a request, etc. must be maintained as part of the case file.
- Designates a Request Coordinator.
- Members requesting telecommunication record information will forward a copy of the documentation submitted to the cellular carrier to the precinct/section Request Coordinator for entry in the Request Spreadsheet.

REQUEST COORDINATORS

- Maintain records of telecommunication records information on their respective precinct/section's Request Spreadsheet, upon receipt from members requesting telecommunication record information.

- Upon receiving an invoice from a telecommunication carrier will:
 1. Verify the requested services were received.
 2. Ensure a Form 121, Procurement and Maintenance Request Form, is completed and forwarded to their Bureau Budget Coordinator, with a copy of the associated paperwork (e.g., invoice from carrier, court order, subpoena, etc.).

NOTE: The date the Form 121 was forwarded to the Bureau Budget Coordinator will be documented on the Request Spreadsheet.

BUREAU BUDGET COORDINATOR

- Reviews Forms 121 and associated paperwork.
- Sends Forms 121 and associated paperwork to the Legal Section for review if authorization to pay the invoice is required.

NOTE: The date the Form 121 was forwarded to the Legal Section will be documented on the Request Spreadsheet.
- Processes payment of the invoice to the carrier via the Form 121 or forwards the Form 121 to the Budget Management Section for payment.

NOTES:

 1. Legal Section approval must be obtained prior to payment and/or forwarding to the Budget Management Section, when authorization is required.
 2. The date sent to the Budget Management Section and/or the payment date will be documented on the Request Spreadsheet. If approved for payment by a procurement card, the name of the member assigned to make the payment will be documented as miscellaneous information on the Request Spreadsheet.

LEGAL SECTION

- Reviews Forms 121 and associated paperwork and approves payment, upon receipt from a Bureau Budget Coordinator, when authorization is required.

REQUEST SPREADSHEETS

- Contain a record of all requests for telecommunication record information.

NOTE: This includes requests made for exigent circumstances and emergency pings.
- Maintained for the purpose of:
 1. Tracking departmental telecommunication record requests.
 2. Ensuring accurate billing and payment of invoices.
- Contain, at a minimum, the following information:
 1. Central Complaint (CC) number.
 2. Target number (i.e., telephone number).
 3. Requesting officer and identification (ID) number.
 4. Unit assigned.
 5. Telecommunications carrier.
 6. Type of request (e.g., call detail records, subscriber information, ping, etc.).
 7. Exigency declared (i.e., yes or no).
 8. Order obtained (i.e., yes or no).
 9. Start date.
 10. End date.
 11. Total cost.
 12. Invoice number.
 13. Date Form 121 forwarded to Budget Coordinator.
 14. Date invoice received by Budget Coordinator.
 15. Date Form 121 and court order received by Budget Coordinator.
 16. Date Form 121 forwarded to Legal Section.
 17. Date forwarded to the Budget Management Section for payment.
 18. Date paid by procurement card.

19. Miscellaneous information.

1-3.9.1.1 EMERGENCY CELLULAR PHONE PINGS

DEFINITIONS

- Emergency - a situation critical in nature, involving danger of death or serious physical injury to any person.
NOTE: This definition applies only to this section.
- Ping - obtaining real time location data for a cellular phone from the cellular carrier.

INDICATIONS THAT AN EMERGENCY PING SHOULD BE REQUESTED

- Imminent danger of death or serious physical injury to a person.
- A suspect has access to weapons and poses an imminent threat to public safety.
- There is physical evidence that a victim has been injured or abducted.
- Suicide or kidnapping notes have been located.
- Credible suicide or kidnapping threats (e.g., verbal, text, etc.) have been made.
- The victim is a critically endangered, missing person (e.g., age, health, mental condition, etc.).

NOTE: List is not all-inclusive.

MEMBERS

- Prior to requesting an emergency cellular phone ping:
 1. Will conduct a preliminary investigation and determine if an emergency exists.
 2. Will not attempt to call or message the cellular device.
EXCEPTION: When approved by the shift/unit commander.
- Contact their immediate supervisor when they believe conducting an emergency cellular phone ping will be beneficial to the investigation.
- Will not use the procedures contained in this section to request routine, investigatory cellular phone pings when an emergency does not exist.

SUPERVISORS

- Contact their shift/unit commander when they believe an emergency exists and a cellular phone ping would be beneficial to the investigation.

SHIFT/UNIT COMMANDER

- Determines if the cellular phone of a missing person will be contacted prior to requesting a cellular phone ping.
NOTE: The shift/unit commander will not authorize attempts to contact other victims' cellular phones without the authorization of any specialized unit or team responsible for the follow-up investigation.
- Determines the cellular carrier for the phone.
NOTE: The shift/unit commander may contact the investigative services team (IST) for assistance in determining the carrier, if needed.
- Contacts the cellular carrier to request an emergency cellular phone ping when he/she believes an emergency exists and conducting a ping would be beneficial to the investigation.
NOTE: If the cellular carrier determines an emergency ping is justified, the carrier will provide documents to the shift/unit commander to complete and return.
- Forwards a copy of the documentation submitted to the cellular carrier to the precinct/section Request Coordinator for entry in the Request Spreadsheet.

1-3.10 METERS/NLETS/NCIC RECORD CHECKS

INQUIRIES

- Made into METERS/NLETS/NCIC through:
 1. The METERS Master Query, using the stated identifiers:
 - a. Wanted persons - name and one numerical identifier (i.e., full date of birth, driver's license number and state, or Social Security number).
 - b. Stolen/wanted vehicles, mopeds/scooters, license tags, and vehicle parts - license tag number, vehicle identification number, off-road vehicle (ORV) number, or serial number.
 - c. Stolen disabled placard - placard number.
 - d. Stolen guns - serial number.
 - e. Stolen articles - serial number or owner applied number.
 - f. Stolen boats - boat hull number or boat registration number and state.
 2. METERS/NCIC, using the stated identifiers:
 - a. Wanted persons - name and one numerical identifier (i.e., full date of birth, Social Security number, Universal Control Number (UCN), driver's license number, or miscellaneous number (e.g., passport, military identification number, etc.)).
 - b. Stolen/wanted vehicles, license tags, and vehicle parts - license tag number and state, vehicle identification number, owner applied number, or serial number.
 - c. Stolen guns - serial number.
 - d. Stolen articles - serial or owner applied number and type of article.
 - e. Stolen securities - serial number, type, and denomination.
 - f. Stolen boats - boat hull number, boat registration number and state, Coast Guard document number, or owner applied number.
- Routinely made by the arresting officer on all arrested persons, prior to prisoner processing.
NOTE: The Information & Records Management Section (IRMS) will run a second records check, upon issue of a UID number or a juvenile identification (JID) number for the subject.
- Routinely made on all firearms by the EMU, upon submission.

MEMBERS RECEIVING A POSITIVE RESPONSE

- Verify responses with all known facts and the agency entering the record.
 - Contact the IRMS and request that a hit confirmation be sent by the Telecommunications/Inquiry Desk.
NOTE: A hit confirmation will be sent to confirm all positive responses. Telephoning the originating agency to confirm the data and obtain further details will not be used in lieu of a hit confirmation sent by the Telecommunications/Inquiry Desk.
 - Take the property or person under inquiry back to the precinct.
 - Contact the originating agency to confirm the data and obtain further details if possible.
NOTE: This contact can be made by telephone if the agency is nearby or by computer message if the agency is out of state or not a neighboring jurisdiction.
- EXCEPTION:** Members will not complete any of the above actions in reference to positive responses for alleged violations of the immigration laws (e.g., immigration warrant, final order of removal, etc.). Members will not stop, arrest, detain, or continue detention of individuals in reference to positive responses in reference to alleged violations of the immigration laws. Members receiving a positive response for alleged violations of the immigration laws will refer to Section 3.10.2 of this Article.

INFORMATION SECURITY

- All records, regardless of format (e.g., electronic, paper, digital, etc.), shall be sanitized or destroyed onsite prior to discarding.

- All digital media storage devices shall be placed in a media disposal bin for destruction.
NOTE: If the member's command does not have a media disposal bin, the Commander will ensure media storage devices are discarded at a command equipped with a bin.
- Commanders having a media disposal bin located at their command will ensure the:
 1. Bin remains locked and access to its contents is controlled.
 2. Contents are destroyed onsite prior to disposal.
- CDs, DVDs, and paper records shall be shredded in a CD/DVD compatible shredder located at the command prior to disposal.
NOTE: If a shredder is not available, the Commander will ensure the CD/DVD media and/or paper records are taken to a command with a shredder and destroyed.

1-3.10.2 NCIC IMMIGRATION VIOLATION RELATED RESPONSES

GENERAL

- Documents (e.g., detainers, warrants, etc.) issued and distributed by the U.S. Immigration and Customs Enforcement (ICE) differ from similarly titled documents received from other law enforcement agencies.
NOTE: Documents issued and distributed by ICE frequently use words such as detainer, warrant, etc. that are familiar to members, but do not carry the same legal authority.
- Members of the Department will treat all documents (e.g., detainers, warrants, etc.) received from ICE as civil, regardless of the immigration violation response.
NOTE: Members will not stop, arrest, detain, or continue detention of an individual on the basis of an immigration warrant, a final order of removal, or suspicion of immigration violations.

NCIC IMMIGRATION VIOLATION RESPONSE CATEGORIES

- Deported Felon - contains records of previously deported felons who have been convicted and deported for drug trafficking, firearms trafficking, or serious violent crimes.
- Absconder (i.e., Failure to Appear for Removal) - contains records of individuals with an outstanding administrative warrant of removal from the United States who have unlawfully remained in the country.
- National Security Entry-Exit Registration System (NSEERS) (i.e., National Security Registration) - contains records of individuals with an outstanding administrative warrant for failure to comply with the national security registration requirements.

MEMBERS

- Will not conduct self-initiated stops and/or NCIC checks of subjects for the sole purpose of determining their immigration status.
- Will not detain subjects solely for the purpose of confirming a positive NCIC immigration violation response or the existence of an ICE document (e.g., detainer, warrant, etc.).
- Will release subjects when the legal justification for the stop/detention no longer exists based upon Maryland law.
- Contact the ICE Law Enforcement Support Center (LESC) after the encounter has ended and provide the subject's information.
EXCEPTION: If a subject is arrested in reference to a violation of Maryland law, notification will be done upon arriving at the precinct, and a printed copy of the NCIC response will be placed with the subject's arrest documents.
- Will not delay or postpone an arrestee's appearance in front of a court commissioner or release on a citation:
 1. To confirm the existence of an ICE document (e.g., detainer, warrant, etc.).
 2. At the request of an ICE agent or document (e.g., detainer, warrant, etc.).

- Will not detain an arrestee following his/her appearance in front of a court commissioner due to a request from an ICE agent or document (e.g., detainer, warrant, etc.).
- Document all communications with ICE in the *Activity Log* tab of the subject's EBooking record.

REFERENCE

- Field Manual, Article 4 (Arrest, Custody, and Court).

1-3.10.3 MARYLAND MOTOR VEHICLE ADMINISTRATION (MVA) EMERGENCY CONTACT INFORMATION (ECI) REGISTRY

MVA ECI REGISTRY

- Contains emergency contact information for individuals who have obtained a Maryland driver's license or Maryland identification card.
NOTE: Participation in the registry is voluntary. Maryland driver's license and identification card holders may provide information to the MVA ECI registry at the time they receive their license or identification card, or by visiting the MVA website.
- Used to identify persons to be notified, should a participant become seriously injured or incapacitated in a crash or emergency.
NOTE: The victim's name and emergency contact information will not be broadcast via police radio.
- Accessed by querying a person's Maryland MVA record in the METERS or Dashboard systems.

MEMBERS

- Query the person's MVA record to determine if they are a participant in the MVA ECI registry upon encountering a seriously injured or incapacitated subject.

1-3.11 OTHER RECORD CHECKS

MARYLAND AUTOMATED FIREARMS SERVICES SYSTEM (FS00)

- Contains information on handgun licensing and permits held by Maryland residents.
- Will be utilized to check all target individuals prior to serving:
 1. Search Warrants.
 2. Arrest Warrants.
 3. Summonses.
 4. Interim/Temporary Protection Orders.
 5. Peace Orders.
 6. Emergency Petitions.**NOTE:** A copy of the system reply will be attached to the existing documents.

MARYLAND AUTOMATED BENEFITS SYSTEM (MABS)

- Contains Department of Labor, Licensing, and Regulation wage record information (e.g., employer, wages earned, unemployment claims, etc.) for individuals employed within the state of Maryland.
- Can be used to:
 1. Aid in locating a suspect.
 2. Enhance investigation into wage related criminal activities.**NOTE:** The system may only be used for official police investigations.
- Accessed, in a limited capacity, via the Dashboard system by authorized METERS users.

NOTE: The Dashboard system only includes the past 18 months of wage records, and query responses are not accepted as official documents in court.

- Accessed, in a full capacity, by:
 1. Contacting a MABS authorized user assigned to the Information & Records Management Section's Telecommunications/Inquiry Desk, for emergency and infrequent use.
 2. Obtaining authorization and MABS log-in credentials by submitting a Form 12L, Intra-Department Correspondence, to the Commander of the Technology Section - for frequent use.

NOTE: Full-capacity access to MABS provides complete wage record information, and query responses serve as official documents in court.

- Requires a subject's full Social Security number to query wage records.

1-3.12 CITIZEN'S INFORMATION AND ASSISTANCE

MEMBERS RECEIVING ADDITIONAL INFORMATION

- Ask the citizen's name, address, phone number, and the CC number.
- Determine the nature of the call and take appropriate action.
- When the investigating member is on duty:
 1. Ask if the citizen wants the investigating member to respond personally or by phone.
 2. Advise the citizen that the investigating member will be in contact as soon as possible.
 3. Relay the citizen's request to the investigating member.
- When the investigating member is off duty and the information would have an immediate effect on the case:
 1. Advise the citizen that the investigating member is off duty and another will respond to the location as soon as possible.
 2. Relay the request by phone to the 9-1-1 Communications Center so a unit may be dispatched to document the information.
- When the investigating member is off duty and the information would not have an immediate effect on the case:
 1. Advise the citizen the investigating member is off duty.
 2. Ask if the citizen wants the member to return the phone call.
 3. Contact the 9-1-1 Communications Center by phone if the citizen prefers to meet with someone immediately.
 4. Record the appropriate information in the station roll call book advising the investigating member of the citizen's request to be telephoned, if appropriate.

MEMBERS RECEIVING PHONE INQUIRIES

- Ask for the citizen's name, address, phone number, and the CC number.
- Advise the citizen of the investigating member's duty status and that they will be in contact as soon as possible.
- When the investigating member is:
 1. On duty, advise them of the citizen's request.
 2. Off duty, record the information in the station roll call book for advisement of the member.

REFERENCES

- Field Manual, Article 8 (Report Writing).
- Field Manual, Article 15 (Outreach Programs).

1-3.13 SPECIAL CIRCUMSTANCES

1-3.13.1 INCIDENTS INVOLVING FOREIGN OFFICIALS, DIPLOMATS, AND CONSULAR PERSONNEL

DEFINITIONS

- Foreign Officials include:
 1. Diplomatic Agents,
 2. Consular Officers and/or,
 3. Staff of the Missions of International Organizations.

INVESTIGATING OFFICERS

- Notify the U.S. Department of State, Office of Protocol, or the Bureau of Diplomatic Security whenever a foreign national, diplomat, or consular personnel is arrested or detained.
- Obtain a contact person's information from the detained person.
- Verify the detained person's claim of immunity from the contact person.
- Obtain a 24-hour hotline number for the Office of Protocol from the 9-1-1 Communications Center if unable to reach the contact person.
- Must advise foreign nationals of their right to have their consular officials notified when they are placed under arrest or detained. This includes: documented and/or undocumented persons, diplomats, consular officers, staff, and family.
NOTE: In some instances, notification of the consular official is mandatory and must be made immediately.
- Complete the appropriate incident report, when necessary.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REFERENCES

- [Consular Notification and Access Booklet \(U.S. Department of State\).](#)
- [Diplomatic and Consular Immunity, Guidance for Law Enforcement Officers, and Judicial Authorities \(U.S. Department of State\).](#)
- Field Manual, Article 2 (Traffic Procedures).
- Field Manual, Article 4 (Arrest, Custody, and Court).

1-3.13.2 INCIDENTS INVOLVING ALIENS/NONCITIZENS

MEMBERS

- Will not stop, arrest, detain, or continue detention of an individual on the basis of an immigration warrant, a final order of removal, or suspicion of immigration violations.

1-3.13.3 INCIDENTS INVOLVING RELATIVES, ASSOCIATES, OR NEIGHBORS

RESPONDING OFFICERS

- Answer all calls for service to determine the need for police assistance, regardless of the individuals involved.
- Will not investigate or make arrests in any dispute involving themselves, their relatives, associate, or neighbors, regardless of duty status, except to prevent:
 1. Injury or death.
 2. A felony or other serious crime from occurring.
 3. Destruction of property.
 4. Escape of a person that the member, under normal circumstances, would have arrested.
- When involved in such incidents, will:
 1. Request another officer to take action.
 2. Be available to serve as a witness or to assist in an arrest.

1-3.13.4 LINE-OF-DUTY CONFRONTATIONS BETWEEN MEMBERS

CHALLENGED PLAINCLOTHES OFFICERS

- Obey all directives given by challenging personnel even if it means losing a fleeing suspect.
- Develop a dialogue with challenging personnel using words and phrases commonly used by police personnel.
- Present the challenging member with identification in a controlled manner, if applicable.
- Have the primary responsibility for safe response through the use of sound tactics and judgment in their approach to such a situation.

UNIFORMED MEMBERS

- Meeting an off-duty/on-duty undercover member in a non-confrontational situation will not acknowledge the undercover member. The undercover member will speak if in a position to do so.

1-3.13.5 INCIDENTS INVOLVING LIQUOR LICENSES

GENERAL

- Calls of a criminal, violent, or disorderly nature involving an establishment or organization holding a liquor license (i.e., permanent or temporary) require completion of the appropriate incident report.
- The following information will be included within the report narrative:
 1. The liquor license number;
 2. Registration information (i.e., permanent license - trade name and actual name; temporary license - name of organization and event address); and
 3. A statement documenting if the original call for service was initiated by an employee or representative of the establishment or organization holding the liquor license.
- If an incident report is not being completed but a member suspects an establishment or organization holding a liquor license has committed a license-related violation, the member will contact (e.g., via telephone call, e-mail message, etc.) the Liquor Board and provide the relevant information.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

TEMPORARY LIQUOR LICENSES

- Issued by the Liquor Board to non-profit organizations.
- Non-profit organizations wishing to obtain a temporary license must submit an application to the Board and pay the required fee.
- Are date, time, location, and organization specific.
- Only members of the non-profit organization may serve alcohol at the event (i.e., a non-profit organization cannot obtain a temporary license and allow another organization to conduct their event).
- A copy of the license should be available at the location.
- The Liquor Board provides notification to the Operations Support Section (OSS) of temporary licenses issued.

NOTE: The OSS will ensure this information is provided to the Precinct Commander responsible for the location where the event is being held. Precinct Commanders will ensure this information is accessible to their personnel

1-3.13.6 MEDICAL MARIJUANA ESTABLISHMENTS

REPORTING

- Calls of a criminal, violent, or disorderly nature involving a licensed medical marijuana grower, processor, or dispensary require completion of the appropriate incident report.
- The following information will be included within the report narrative:
 1. The grower/processor/dispenser license number; and
 2. A statement documenting if the original call for service was initiated by an employee or representative of the grower, processor, or dispenser.
- Refer to Field Manual, Article 8 (Report Writing) for required report distribution.

1-3.13.7 COMMUNICABLE DISEASE

DEPARTMENT MEMBERS

- Will always treat people fairly and humanely.
- When assisting a sick person, will be especially sensitive to the person's condition and treat them with the same respect given to others.

INFORMATION/RECORDS

- Regarding an employee or arrestee with a communicable disease is confidential.
- Access is limited to those with a legal need to know. The Legal Section may be contacted regarding information access.
- Disclosure, except as required by law, must not be made without the expressed written consent of the person having the disease.
- Information concerning persons having or believed to be infected with a communicable disease will not be placed in regular Department reports. In no case will any information concerning the presence of a communicable disease infection in the suspect, defendant, victim, witness, etc. be revealed in an incident report without the express permission of the Legal Section.
EXCEPTION: When a communicable disease is an element of the crime being investigated (e.g., the suspect assaults a victim in an attempt to infect them with the disease, etc.) or when the communicable disease represents an item of evidence which will be used to help identify or prove the guilt of a suspect or defendant.

1-3.13.8 INCIDENTS INVOLVING FIREARMS

DEFINITION

- Prohibited Person - a subject who may not legally possess a firearm or ammunition.

GENERAL

- All incidents involving firearms will be thoroughly investigated and properly documented.
- Firearms do not need to be functional to charge individuals with illegal possession.
- The Maryland State Police (MSP) Gun Center is the statewide firearms enforcement center for the tracking, screening, and vetting of all firearms crimes committed in the state.
NOTE: The Department will provide information to the MSP Gun Center as required by law.

MEMBERS

- Make every effort to seize firearms used in the commission of crimes.
NOTE: This includes incidents where no arrest has been made.
- Determine, as early as possible in the investigation, if the subject is a prohibited person by:
 1. Reviewing the disqualifying factors listed in the *Firearm Disposition* supplemental tab of a Case Report or Officer Report.

NOTE: The *Firearm Disposition* supplemental tab can be triggered by selecting “Yes” from the dropdown for the question “Does this incident involve releasing or disposing of a firearm?” on the *Administrative* tab.

2. Determining if the suspect is a convicted drug felon who is in possession of a black powder firearm.
 - Make required notifications to the Firearm Interdiction Team (FIT).
 - Ensure the required report information is documented in the appropriate incident report.
 - Complete an Investigative Memo and ensure it is forwarded to the FIT, upon obtaining information regarding the possible illegal sale or transfer of a firearm.
 - Contact the MSP Gun Center via telephone and provide the requested information (e.g., officer’s name and contact information, suspect identifiers, firearm identifiers, a brief description of the incident, etc.) to request a MSP Gun Center Case Report, when a suspect has been identified, a firearm has been recovered, and charging documents will be completed for any crime committed with a firearm that is:
 1. Used in the commission of a crime of violence, as defined in Public Safety Article § 5-101; or
 2. Recovered in connection with illegal firearm possession, transportation, or transfer.

NOTES:

1. The MSP Gun Center will conduct an in-depth background investigation to determine eligibility to own and possess firearms, background investigation into the firearm to determine ownership and/or purchaser of the firearm, and recommend firearm related charges for each unique incident to assist in criminal prosecution. Upon completion, the MSP Gun Center will forward their official MSP Gun Center Case Report to the investigating officer to utilize during arrest and court proceedings along with supporting documentation.
2. The MSP Gun Center solely possesses the ability to determine whether a subject under the age of 30 is prohibited from possessing a firearm based on their juvenile record.
- Distribute a copy of the Incident Report to the MSP Gun Center when the following criteria are met:
 1. The incident involved a firearm used in the commission of a crime of violence, as defined in Public Safety Article § 5-101; or
 2. The incident involved a crime committed with a firearm that is recovered in connection with illegal firearm possession, transportation or transfer.

EXCEPTION: The Incident Report should not be distributed if the MSP Gun Center was notified via telephone for the purpose of obtaining a MSP Gun Center Case Report.

- Contact their supervisor, if the member is able to independently confirm that a subject is prohibited from possessing a firearm, prior to receipt of a requested MSP Gun Center Case Report.

NOTE: The supervisor will determine whether charging documents will be completed prior to receipt of the report.

- Are prohibited from:
 1. E-mailing controlled information (e.g., personal identifying information, CJIS information, etc.) via non-secure Department e-mail;
 2. Forwarding MSP Gun Center Case Reports via non-secure Department e-mail, upon receipt.

SUPERVISORS

- Determine whether charging documents will be completed prior to receipt of a Gun Center Case Report, when a member is able to independently confirm that a subject is prohibited from possessing a firearm.
NOTE: The MSP Gun Center solely possesses the ability to determine whether a subject under the age of 30 is prohibited from possessing a firearm based on their juvenile record.
- Ensure the *Case Status* is marked “Open” or “Pending Narrative,” until the MSP Gun Center Case Report has been received and the Case Number has been placed in the narrative of the appropriate report.

REQUIRED REPORT INFORMATION

- The make, model, caliber, serial number, importer, and country of origin of the firearm, if known.
- Description of how the firearm was used during the incident.
- Exact location of the firearm and/or ammunition at the time of the incident.
- Any statements made in reference to the possession or ownership of the firearm and/or ammunition by persons at the scene or interviewed.
- The MSP Gun Center Case Report number, when applicable.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

INCIDENTS REQUIRING IMMEDIATE NOTIFICATION OF THE FIREARM INTERDICTION TEAM (FIT)

- Burglaries of federal firearms dealers.
- Thefts of firearms from federal firearms dealers.
- Arrests of prohibited persons in possession of a firearm.
- Suspects arrested in possession of a stolen firearm or a firearm with damage to its serial number.
- Investigations involving a firearm if another law enforcement agency (i.e., federal, state, or local) becomes involved.

1-3.14 BIAS INCIDENTS

DEFINITIONS

- **Bias Incident** - a reported act or threat which appears to be motivated, or perceived by the victim to be motivated, all or in part, by a person or group’s race, color, religious beliefs, sexual orientation, ethnicity, gender, gender identity, disability, national origin, or because a person or group is homeless.
NOTE: To be considered a bias incident, the act or threat is not required to be a crime under any federal, state, or local statute. The key criterion for determining whether a crime or incident is of a bias nature is the motivation behind the act.
- **Bias** - A pre-formed opinion or attitude toward a person or group of persons based on their race, color, religious beliefs, sexual orientation, ethnicity, gender, gender identity, disability, national origin, or because a person or group is homeless.
EXAMPLES: A pre-formed opinion or attitude toward an individual or group of persons:
 1. Based on their physical or mental impairments/challenges, whether such disability is temporary or permanent, congenital or acquired by heredity, accident, injury, advanced age, or illness.
 2. Of the same race or ethnic origin who have common or similar traits, languages, customs, and traditions (e.g., Arab, Latino, Asian, etc.).
 3. Based on their actual or perceived gender (i.e., male or female), and/or their actual or perceived gender identity (e.g., bias against transgender or gender nonconforming individuals, etc.).
 4. Who:

- a. Lack a fixed, regular and adequate residence; or
- b. Have a primary residence that is:
 1. A supervised publicly or privately operated shelter designed to provide temporary living accommodations; or
 2. A public or private place not designed for or ordinarily used as a regular sleeping accommodation for human beings.
5. Who possess common physical characteristics (e.g., color of skin, eyes and/or hair, facial features, etc.), generally transmitted by descent and heredity which distinguish them as a distinct division of humankind (e.g., Asian, African American, Caucasian, etc.)
6. Who share the same religious beliefs regarding the origin and purpose of the universe and the existence or nonexistence of a supreme being (e.g., Catholics, Jews, Protestants, Atheists, etc.).
7. Based on their actual or perceived physical, romantic, and/or emotional attraction to members of the same and/or opposite sex, including lesbian, gay, bisexual, and heterosexual individuals.

NOTE: This list is not all inclusive for the purpose of reporting by Department members.

POLICE DEPARTMENT

- Places all its resources into quick action following any reported or observed bias incident. Special emphasis is to be placed on victim assistance and community cooperation in order to reduce victim/community trauma and fear.
- Takes an active role in promoting peace and harmony among the diverse groups within the County and in protecting citizens from intimidation and harassment due to bias.

1-3.14.1 CRITERIA FOR IDENTIFYING BIAS INCIDENTS

GENERAL

- Some incidents may not clearly fit a specific example of bias. A common sense approach must be used. If an incident appears to be motivated all or in part by bias, it should be reported as a bias incident.

IDENTIFICATION CRITERIA/FACTORS

- The totality of the circumstances.
- Motivation behind the incident.
- Existence of a display or expression of symbols, words, or acts which are known to the victims to represent a hate group or bias against the victims.
- The victims' perceptions of the incident.
- Statements, comments, or gestures made by any suspects or witnesses.
- Prior history of incidents with a similar modus operandi, in the same geographic area against the same victims.
- Area demographics.
- The officer's knowledge of the community where the incident occurred.

FINAL CLASSIFICATION

- Is determined by the Youth & Community Services Unit (YCSU), Bias Incident Coordinator after the incident has been fully investigated by field personnel. See Section 3.14.2 of this Article.

1-3.14.2 INVESTIGATION OF BIAS INCIDENTS

INVESTIGATIVE RESPONSIBILITY

- The proper investigation of bias crimes/incidents is the responsibility of all Department members.
- Primary responsibility for the investigation rests with the precinct in which the incident occurred.

INVESTIGATING OFFICERS

- Respond in a sensitive way to the feelings and needs of the victims.
- Attempt to effectively calm victims and reduce their alienation.
- Notify a supervisor to respond.
- Attempt to verify the incident as a bias incident using the Identification Criteria/Factors.
- Immediately take all possible investigative and enforcement action.
- Preserve the crime scene and evidence.
- Notify the Forensic Services Section (FSS) of any bias-motivated destruction or defacement of property to collect evidence for possible later comparison (e.g., paints, drawings, handwriting, etc.).
- Search the scene, gather evidence, and photograph any incidents to which the FSS does not respond.
- Prepare a detailed report as outlined below.
- Make a follow-up visit to alleviate fear and to assure the victim that the police are doing everything possible to apprehend the suspect(s).
- Responding to an incident on private property or involving vehicles parked on public streets will:
 1. Allow distributed materials (e.g., newspaper, leaflets, etc.) to remain if there are no individual complainants.
 2. If materials are distributed to multiple residences, try to make contact with each targeted resident to see if they wish to be listed as a complainant and if they wish the officer to take custody of the material.
 3. If individual contact cannot be made due to a large number of residences, ask the shift commander to assess the situation and make alternative arrangements such as:
 - a. Arranging for canvassing of the neighborhood as soon as possible.
 - b. Requesting assistance from the precinct commander.
 - c. Having the Community Outreach Team (COT) make contact with community leaders regarding the incident.

NOTE: The above procedures do not apply to any material that is posted illegally on public property or any other property covered by law. The circumstances of each occurrence have to be examined carefully.

- Distribute the “Bias Incidents Resource and Referral Guide” to all victims of bias incidents.

REPORTING

- Bias incidents are reported on the appropriate incident report, using the appropriate offense code(s).
- The *Bias Related* supplemental tab will be used for all bias incidents.

NOTE: The *Bias Related* supplemental tab can be triggered by selecting “Yes” from the dropdown for the question “Does this incident contain bias related information?” on the *Administrative* tab.
- Select all appropriate motivations for each offense from the *Hate/Bias* field on the *Offenses* tab.
- Complete the *Hate Bias* tab.

- Members needing to complete a subsequent version of a Case Report shall review the narrative to determine if the report has already been reviewed by the Youth & Community Services Unit (YCSU) Bias Incident Coordinator, prior to completion of all subsequent versions. If the narrative indicates it has already been reviewed by the YCSU Bias Incident Coordinator, the member:
 1. Will not make any revisions to the selections made on the *Hate Bias* tab of the report or to the *Hate Bias* field on the *Offenses* tab without first contacting the YCSU Bias Incident Coordinator and obtaining permission;
 2. Is prohibited from modifying or deleting the statement added by the YCSU Bias Incident Coordinator to the Case Report narrative; and
 3. Will ensure that the YCSU Bias Incident Coordinator is made aware of any additional information being documented that may affect the investigation or classification of the incident.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REQUIRED REPORT INFORMATION

- Details describing the events that occurred, the investigation conducted, and reasons that lead the investigator to believe it was a bias incident.
NOTE: This must be included in the report narrative.
- Whether any physical debris has been removed or covered.
- Whether the incident involves an organized hate group.
- Whether the victim recently moved to the area.
- Whether the victim had been associated with past or recent activities relating to bias-motivated incidents.
- Whether the victim was involved in past or repeated incidents of a similar nature and whether those incidents were documented.
- Whether the victim is the only group member in the neighborhood or one of a few.
- Whether multiple incidents occurred and if all the victims were members of the same group.
- The victim's perception as to why this incident occurred.
NOTE: This must be included in the report narrative.
- Whether the victim wishes to deny media access to information revealing the possible motivation for the incident.
- Whether the victim wishes follow-up contact with the Baltimore County Human Relations Commission, an agency of the Office of Law which enforces anti-discrimination laws of the County Code, and the Division of Neighborhood Improvement, an agency of the Office of Planning.
- Full data on the materials used (e.g., cross, literature, paint, etc.) including size, construction, wrappings, messages, plus the method of removal and disposition of the remains.
NOTE: This must be included in the report narrative.
- Whether any community leaders were contacted or were at the scene.
- Documents notification of the supervisor, shift commander, and the FSS.
- The times and names of the persons contacted from the YCSU, Criminal Intelligence Team, and the Public Affairs Section, if applicable.

SHIFT/SQUAD SUPERVISORS

- Respond immediately to the scene of all reported bias incidents.
- Contact the victims and assure them that the incident will be actively pursued.
- Notify the shift commander.
- Ensure all physical debris of the incident are removed or covered until proper restoration can be accomplished.

- Ensure incident reports are completed, when needed.
- Ensure an Incident Summary is sent on all bias incidents.

SHIFT COMMANDERS

- Respond immediately to the scene if seriousness or circumstances warrant.
- Visit victims as soon as possible to assure them that investigation of the incident will be actively pursued.
- Contact the precinct commander if additional resources are required.
- Arrange for an immediate increase of patrols in the affected area, if needed.
- Ensure all physical debris of the incident are removed after processing is completed. If the remains:
 1. Are too large to be transported by police vehicle, a commercial truck can be used.
 2. Cannot be physically carried away (e.g., paint on walls, etc.), attempt to impress upon building or property owners the need for complete restoration as soon as possible.

PRECINCT COMMANDERS

- Ensure the investigation is actively pursued to a successful conclusion or until all leads have been exhausted.
- Ensure the investigation is given priority by the investigating personnel.
- Make personal contact with the victims if the severity of the case (as measured by the enormity of the crime, the impact upon the community, etc.) dictates this action.
- Ensure increased patrols through the affected area are continued as long as necessary but at least for several days following the incident.
- Maintain contact with community leaders concerning the investigation.
- Ensure the words and/or symbols that cannot be carried away have been covered or eliminated as soon as possible.
- Ensure the victims and other concerned parties are informed of a case clearance.
- Ensure the Public Affairs Section is apprised of such incidents, clearances, and any other information that may be of interest to the media.
- Coordinate efforts with the YCSU as necessary.

CRIMINAL INTELLIGENCE TEAM

- Collects data for the purpose of tracking organized hate groups and extremists to detect patterns and suspects of criminal activity.

FORENSIC SERVICES SECTION

- Responds to the scene of any cross burning or any other bias-motivated destruction or defacement of property and will (if applicable):
 1. Obtain a sample of the cross, paints, or other materials used.
 2. Photograph and process the scene.
 3. Gather and take custody of related evidence.
 4. Forward copies of all photographs taken to the Criminal Intelligence Team.

COMMUNITY OUTREACH TEAM

- Reviews all bias incidents that are reported within their precinct on a daily basis.
- Responds to the scene of a bias incident, with the precinct commander's approval, to:
 1. Assist personnel assigned to the investigation as needed.
 2. Canvass the neighborhood to inform residents of the incident and gather information about the general "climate" of the community.
 3. Attempt to mobilize sentiment in a positive manner, calming the community to prevent retaliatory actions.

4. Contact and enlist the aid of community, religious, and educational groups and leaders.
 5. Work to reduce fear in the affected neighborhood.
- Monitors all reports of bias-motivated incidents taken within their precinct for policy compliance. Incidents handled out of policy must be brought to the attention of the precinct commander.

YOUTH & COMMUNITY SERVICES UNIT – BIAS INCIDENT COORDINATOR

- Reviews all bias incident related incident reports.
 - Determines the final classification for each reported bias incident after it has been fully investigated.
 - Completes a subsequent version of the Case Report upon review and classification of each bias incident. This version will contain:
 1. All necessary revisions to ensure the incident is properly reported to the Maryland State Police (MSP) and the Federal Bureau of Investigation (FBI).
 2. The following statement in the narrative:
 “This incident has been reviewed by the Youth & Community Services Unit (YCSU) Bias Incident Coordinator. No revisions may be made on the *Hate Bias* tab or to the *Hate Bias* field on the *Offenses* tab without first contacting the YCSU Bias Incident Coordinator and obtaining permission. If you are documenting additional information in reference to this incident that may affect this investigation, please contact the YCSU Bias Incident Coordinator to ensure they are aware of the additional information.”
 - Monitors all bias incidents and investigations for policy compliance.
 - Assists precinct personnel with special needs.
 - Identifies problem areas and trends in order to keep Department commanders informed.
 - Reports each case to the MSP as required by law.
 - Notifies precinct commanders of any incident not handled in accordance with Department policy.
 - Collects and analyzes information relating to bias incidents.
 - Prepares and submits the MSP Hate Bias Incident Report for the Maryland Uniform Crime Reporting (UCR)/National Incident-Based Reporting System (NIBRS) Program.
- NOTE:** Distribution is made by the Bias Incident Coordinator to the Baltimore County Human Relations Commission, and various entities within the Department, including the Information & Records Management Section.

INFORMATION & RECORDS MANAGEMENT SECTION

- Ensures the MSP Hate Bias Incident Report is transmitted to the MSP.

1-3.15 WORK RELEASE/HOME DETENTION INCIDENTS

1-3.15.1 ESCAPE FROM WORK RELEASE PROGRAM

GENERAL

- Individuals failing to return when required will be considered “escapees.”
- Corrections personnel will immediately obtain an Escape Warrant and deliver it to the Precinct 6 Shift Commander, who will assign an investigating officer.
- If apprehended prior to obtaining an Escape Warrant, the escapee will be processed and immediately returned to the Detention Center without being charged with escape at this time.

INVESTIGATING OFFICERS

- Initiate the appropriate incident report containing the escapee’s information.

- Concentrate on determining locations the subject may frequent based on information from corrections personnel and interviews with relatives/acquaintances.
- Coordinate activities through the Commander of the Fugitive Unit.

SHIFT COMMANDER

- Ensures the appropriate precinct or jurisdiction will be notified to assist in obtaining this information and in any initial search.
- Ensures the Escape Warrant is entered into METERS/NCIC.
- Notifies the Fugitive Unit Commander immediately:
 1. Upon completion of the initial investigation.
 2. If the subject is located and taken into custody by another unit or precinct.

FUGITIVE UNIT

- Assumes control of the Escape Warrant and the investigation when initial investigative efforts are unsuccessful.

1-3.15.2 ESCAPE FROM HOME DETENTION

GENERAL

- Escapees from home detention are handled in the same manner as escapees from the Baltimore County Detention Center (BCDC).
- Corrections personnel will make the same notifications and obtain an Escape Warrant.

SHIFT COMMANDER

- Of the precinct in which the detainee lives:
 1. Will be notified.
 2. Is responsible for the initial investigations.
 3. Notifies the Fugitive Unit Commander of the escape.

FUGITIVE UNIT

- Is responsible for the initial investigation in cases where the home location is outside of Baltimore County.

1-3.15.3 VIOLATION OF HOME DETENTION

GENERAL

- Violation of home detention necessitates return of the prisoner to the Detention Center.
- The corrections personnel will obtain an Escape Warrant for the individual, notify the shift commander of the precinct in which the individual lives, and make arrangements for their return.
- The Fugitive Unit Commander will be notified when a violation occurs at a location outside of Baltimore County.
- The responding officer taking the individual into custody will return the individual to the precinct for processing and later release the subject to the custody of corrections personnel.

1-3.16 CONSPIRACY

REPORTING

- When a report is taken for a conspiracy to commit a:
 1. Group A crime, the offense code “Conspiracy to Commit Group A” will be used.
NOTE: If the crime that was conspired was also attempted or carried out, the offense code for that crime will also be used.
 2. Group B crime, the offense code for the offense that was conspired will be used.
- The report narrative must clearly indicate which offense was conspired.
- If a subsequent investigation determines that the conspiracy and/or the related crime did not occur, the offenses must be revised in a subsequent version of the Case Report.
- Refer to Article 1, Section 5.5.2 for Conspiracy/Contract Murders.

1-3.17 GANG-RELATED INCIDENTS

DEFINITIONS

- Gang - three or more individuals who form an alliance for a common purpose and individually or collectively engage in criminal activity.
- Gang Member - a person who engages in a pattern of criminal gang activity and meets two or more of the following criteria:
 1. Admits to gang membership.
 2. Is identified as a gang member by an established informant or reliable source.
 3. Resides in or frequents a particular gang’s area and adopts their style of dress, hand signals, or tattoos and associates with known gang members.
 4. Has been arrested at least twice in the company of identified gang members for offenses that are consistent with gang activity.
 5. Is identified as a gang member by physical evidence such as photographs or other documentation.
 6. Has been stopped in the company of known gang members.
- Emerging Groups - three or more individuals who form an alliance, display gang characteristics, and are suspected, individually or collectively, of engaging in criminal activity.
- Gang Associates or Affiliates - individuals who associate with known gangs and participate in some activities but gang membership cannot be verified or, persons who hang around gang members and aspire to become a member.
- Gang Incident - any criminal activity that involves known gang members or associates and is related to gang behavior.
NOTE: The mere fact that an individual is a gang member or associate and becomes involved in a criminal incident does not constitute a gang-related incident. Circumstances supporting a gang relation must be present. Incidents that display elements of known gang behavior where the involved persons are not known as gang members or associates may also be classified as gang related.

GENERAL

- “Yes” will be selected from the *Gang Related* dropdown on the *Elements of the Incident* (EOI) tab of the incident report for all offenses/incidents involving gang activity or members.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

1-3.18 MENTAL HEALTH/EMOTIONAL CRISIS RELATED ISSUES

GENERAL

- A person may be suffering from a mental health-related issue or emotional crisis if they exhibit or demonstrate:
 1. A lack of cognitive reasoning.
 2. Hallucinations, delusions, or unwarranted agitation.
 3. Extreme sensitivity to light, sound, or touch.
 4. Hearing disembodied voices.
 5. Sentiments of grandeur.
 6. Irrational thoughts and/or actions, including suicidal ideations and attempts.
 7. Depression.
 8. Suffering from an addiction or extreme grief and a sense of hopelessness.
- **NOTE:** This list is not exhaustive.
- Some of the above listed behavior indicators may be present in individuals experiencing non-mental health-related medical issues (e.g., a traumatic brain injury, seizures, epilepsy, etc.).
- A combination of the above listed indicators may be indicative of multiple health issues that may be occurring at the same time, but may be independent of each other (e.g., a subject may have bi-polar disorder and also suffer from seizures.)

MEMBERS

- Attempt to assess whether citizens they encounter may be experiencing mental health/emotional crisis related issues and/or medical emergencies.
NOTE: Non-sworn members will request the assistance of a sworn member if they believe the subject poses a danger to self or others.
- Attempt to assess a subject's intellectual ability to function and understand criminal procedures such as waivers (e.g., Miranda, Johnson, etc.), during interviews and custodial interviews/interrogations.
NOTE: Members will consult their supervisor and the State's Attorney's Office for guidance, when in doubt regarding an interviewee's intellectual ability to function and understand criminal procedures such as waivers.
- Disseminate the crisis hotline telephone number to persons in crisis, concerned family or friends of persons in crisis, and all other persons inquiring about available crisis referral services.

MEMBERS ENCOUNTERING SUBJECTS EXPERIENCING MENTAL HEALTH/EMOTIONAL CRISIS RELATED ISSUES

- Have a duty to:
 1. Offer aid (e.g., referral to the crisis hotline, request that the Mobile Crisis Team (MCT) respond, etc.); and
 2. Seek immediate medical attention (e.g., provide basic medical care, request emergency medical services (EMS), etc.), when necessary.
NOTE: EMS will be notified of the patient's mental status, based on the officer's level of knowledge of the subject and situation.
- When safe to do so, attempt to de-escalate situations through verbal and active listening skills.
- Request an officer that has received Crisis Intervention Training (CIT) respond, if the member is not certified in CIT.
- Request the MCT respond, if the subject is believed to be experiencing mental health related issues.

- Consider additional referrals to programs/agencies within and outside of County government (e.g., the Health Department’s peer support program for citizens struggling with addiction issues, Prologue for the Homeless, National Alliance on Mental Illness, etc.).
- Must document the encounter via the appropriate incident report or a Field Interview Report (FIR), as outlined under the heading **REPORTING** below.

NOTE: A FIR will not be used, when an incident report is required.

REPORTING

- When completing an incident report for any offense or incident that also involves a mental health related issue, the report will include:
 1. All offense codes related to the initial incident.
 2. All applicable mental health related offense codes (e.g., “Behavioral Health Mental Illness,” “Behavioral Health Referral,” etc.) related to the subject(s).

EXCEPTION: Service of an emergency evaluation requires a separate CC number with an emergency evaluation offense code (i.e., “Emergency Evaluation, Officer Initiated,” “Emergency Evaluation, Health Service Initiated,” or “Emergency Evaluation, Court Ordered”). (Refer to Field Manual, Article 4, Section 8.1.1, Service of Petitions for Emergency Evaluation).

NOTE: A FIR will not be completed, when an incident report is written.
- When an incident report is not required or completed for a mental health-related encounter, members will:
 1. Complete a FIR to document contact with the subject and select “Behavioral Health Contact” in the *Reason for the Stop* field.
 2. Ensure a behavioral health situation found code (i.e., M1, M1, M3, or M4) is used to code the call.

NOTE: A FIR will not be completed if an incident report containing mental health related offense codes is written for the incident.

BALTIMORE COUNTY CRISIS RESPONSE SYSTEM (BCCRS)

- Is a collaborative partnership between the Department’s Behavioral Assessment Unit (BAU), the Baltimore County Health Department, and a contracted mental health services provider.
- Provides comprehensive crisis intervention services to persons with mental health needs.
- Maintains a toll free, 24-hour crisis hotline which is available to all citizens and Department members, staffed by the contracted mental health services provider.
- Staffs an In-Home Intervention Team (IHIT), comprised of licensed social workers from the contracted mental health services provider, who conduct follow-up outreach and referral to persons who request these services from the BCCRS or have utilized the MCT.
- Offers an Urgent Care program that provides clients with a free, one-time visit to psychiatric care provided by professionals affiliated with the contracted mental health services provider.

BEHAVIORAL ASSESSMENT UNIT

- Responsible for the MCT, the Peer Support & Wellness Team (PSWT), the Threat Management Team, and CIT.

MOBILE CRISIS TEAM

- Comprised of specially trained officers paired with a licensed social worker/clinician from the contracted mental health services provider.
- Responds to incidents involving subjects experiencing mental health related issues, when available.
- Clinicians conduct follow-up and referrals with subjects, after the initial call for service.

PEER SUPPORT & WELLNESS TEAM

- Provides critical incident stress management (CISM) skills for members who are encountering emotional crisis.
- Provides support and prevention services to address and reduce the emotional impact that critical incidents can inflict upon members and members' families.
- Provides training and education to members about wellness.

THREAT MANAGEMENT TEAM

- Assists primary investigators by conducting behavioral threat assessments and establishing threat management plans.
- Provides robust community education regarding prevention, awareness and response to threats of targeted violence and crisis in businesses, schools, Baltimore County Government, places of worship, and civic organizations.

CRISIS INTERVENTION TRAINING

- Provides select members with in-depth training on how to:
 1. Identify, understand, and respond to signs of mental illnesses and substance use disorders; and
 2. Assist individuals who are developing and/or experiencing mental health related issues or emotional crisis.

1-4.0 CRIMES AGAINST PROPERTY

1-4.1 DESTRUCTION OF PROPERTY

REPORTING

- Vandalism and property destruction will be assigned the offense code "Destruction of Property" regardless of monetary loss.

1-4.1.1 GRAFFITI

INVESTIGATING OFFICERS

- Take two sets of color photographs of all graffiti at the time a report is taken. One set will be held as evidence and the other set for the precinct file.
- Prepare the appropriate incident report using the offense code "Destruction of Property Graffiti."
- Indicate in the report colors of paint used and the words or designs painted at the scene.
- Handle incidents where bias remarks are painted or written as bias incidents.
- Refer to graffiti as vandalism and not art if interviewed by the media.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

INVESTIGATIVE SERVICES TEAM

- Maintain respective precinct graffiti files, including CC numbers and photos, for a period of at least two years.

CRIMINAL INTELLIGENCE TEAM

- Acts as a central repository for gang-related graffiti information.

1-4.2 MAIL/E-MAIL/TELEPHONE MISUSE

GENERAL

- Mail, e-mail and telephone misuse incidents will be investigated and followed up by precinct personnel.
 - Initiate the appropriate incident report and include the following:
 1. Complete address, e-mail address, or telephone number of the phone where the incident occurred.
 2. Name of the telephone service provider, if applicable.
 3. Name of the person(s) to whom the phone/e-mail service is provided, if applicable.
 4. Nature and frequency of the mail, e-mails, or calls.
 5. The appropriate offense codes (e.g., Harassment Mail/Email Misuse, Harassment Telephone Misuse, etc.).
 6. Selection of "Computer Equipment/Handheld Device" from the *Using* field on the *Offenses* tab, if applicable.
 - Advise the victim(s):
 1. To notify his/her telephone service provider or e-mail provider that a police report has been filed and follow their instructions, if applicable.
 2. To maintain a record of the dates and times of any future calls, e-mails, or mail.
 3. Of the warrant/summons procedures when a suspect is identified.
- NOTE:** Service provider identification of a responsible subscriber is insufficient evidence alone to charge the identified subscriber with telephone misuse.
- Re-contact victim(s) within seven days to determine if additional calls were received.

1-4.3 FIRES

GENERAL

- At a fire scene, the Fire Department is in full command.

INVESTIGATING OFFICERS

- Notify the 9-1-1 Communications Center of the location, size, and type of fire upon discovery.
 - Alert persons in the burning building (if possible) and adjoining buildings.
 - Enter burning buildings only for the purpose of saving a life or at the request of a supervising Fire Department member.
 - Cooperate fully with the Fire Department.
 - Ensure no person hinders or obstructs members of the Fire Department in the performance of their duties.
 - Protect hoses and maintain fire lines which extend beyond the fire apparatus of the Fire Department or hydrant in use farthest from the fire.
 - Conduct a preliminary investigation into the origin of the fire if the Fire Department is not called.
 - Exercise care that the rights of citizens, business interests, and traffic are not interfered with any longer than required.
 - Notify the owner or occupants of the affected properties via their precinct desk officers as soon as possible if the premises are not occupied.
 - Notify the Arson Team if assistance of an arson investigator is needed and the fire resulted in extensive damage.
 - Complete the appropriate incident report on all fires.
- NOTE:** A report will be initiated even if the Arson Team is not called.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

OFFICER-IN-CHARGE AT LARGE FIRES

- Establishes a Command Post at a convenient and accessible point.
- Informs the 9-1-1 Communications Center of the number of reinforcements and type of equipment required, if needed.
- Contacts displaced persons to determine if assistance is needed to retrieve valuables or other items.
- Meets with the on-scene Fire Department commander and the building inspector to make a determination regarding the safe retrieval of valuables.
- Ensures a list is made of displaced persons and valuables retrieved and where these individuals may be contacted. This information will be documented in the incident report.
- After the departure of the Fire Department, provides a detail to take charge of damaged buildings to prevent entry of unauthorized persons and to warn the public of existing dangers.

COMMANDERS

- Respond to large fire scenes and assume general supervision of officers present.

1-4.3.1 ARSON INVESTIGATIONS

ARSON TEAM INVESTIGATIONS AND RESPONSIBILITIES

- Cases of first and second degree arson.
- Fires of unknown origin and cause.
- Malicious burnings, if trends appear.
- Fatal fires.
NOTE: See Field Manual Article 1, Section 4.3.2, Investigation of Fatal Fires.
- Assistance to the Hazardous Devices Team for bombings and attempted bombings.

INVESTIGATING OFFICERS

- Conduct preliminary investigations and make arrests, if applicable.
- Locate witnesses and/or property owners.
- Check with the senior fire official to see if an Arson Team investigator has been called to the scene.
NOTE: Members may request an Arson Team investigator even if one has not been requested by the Fire Department.
- Complete the appropriate incident report using the appropriate offense code(s), or as directed by the Arson Team investigator.
- Select the appropriate building status (i.e., Occupied or Unoccupied) from the *Building Status* field of the *Offenses* tab.
- Enter buildings and other items damaged by fire and/or in the course of fighting the fire on the *Property* tab, and select “Burned (Includes Damage Caused in Fighting Fire)” from the *Status* dropdown.
- Enter buildings and other items that were attempted to be burned on the *Property* tab, and select “None/Information Only” from the *Status* dropdown.
- Assist the Arson Team investigator with their investigations.
- Can make the determination at the scene for a malicious burning, without the presence of an Arson Team investigator when the Fire Department does not respond and complete the appropriate incident report. If the officer has any doubt as to the type of fire, they should contact the Arson Team.
- Preserve evidence at the fire scene.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

1-4.3.2 INVESTIGATION OF FATAL FIRES

GENERAL

- The senior ranking investigating officer will contact the Arson Team to respond to all fatal fires regardless of whether arson is involved.
- The Arson Team will request the Homicide/Missing Persons Unit (HMPU) if arson is suspected.
- The HMPU will respond to all fatal fires, regardless of the cause, where the deceased is under the age of eighteen.
- Victims' bodies will not be removed prior to the completion of the fire scene investigation.

1-4.3.3 OPEN BURNING COMPLAINTS

GENERAL

- Open air burning is only allowed with a permit issued by the Fire Department.

INVESTIGATING OFFICERS

- Determine if a permit was issued.
- Have the 9-1-1 Communications Center ascertain from Fire Dispatch the status of the permit if questions arise to its validity.
- Advise the responsible persons of the County Code requirements and request they extinguish the fire if no permit was issued.
- Have the Fire Department respond if the request is not honored.
- Complete the appropriate incident report using the offense code "Fire Open Burning Complaint."
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

1-4.4 BURGLARY

DEFINITIONS

- Breaking - under Maryland law, it requires some use of force, no matter how slight (e.g., pushing open an unlocked door, prying open a door or window, etc.).
- 1st Degree Burglary – Under Maryland law, a person may not break and enter the dwelling of another with the intent to commit theft or a crime of violence.
- 2nd Degree Burglary - Under Maryland law, a person may not break and enter the storehouse of another with the intent to commit theft, a crime of violence, or arson in the second degree.
- 3rd Degree Burglary - Under Maryland law, a person may not break and enter the dwelling of another with the intent to commit any crime.
- 4th Degree Burglary - Under Maryland law:
 1. A person may not break and enter the dwelling/storehouse of another.
 2. A person, with the intent to commit theft, may not be in or on:
 - a. The dwelling or storehouse of another; or\
 - b. A yard, garden, or other area belonging to the dwelling or storehouse of another.
 3. A person may not possess a burglar's tool with the intent to use or allow the use of the burglar's tool in any of the above mentioned crimes.

GENERAL

- The following may be the target of a burglary:
 1. Dwellings.
 2. Storehouses (e.g., nonresidential structures, apartment storage lockers, sheds, boats, trailers not attached to vehicles, etc.).

- 3. A yard, garden, or other area belonging to the dwelling or storehouse of another.
- If after entering a dwelling or storehouse through an open door, the perpetrator commits any form of breaking (e.g., opening a closed door, etc.), no matter how slight, with the intent to commit theft, the offense is burglary, under Maryland law.
- Certain thefts where no breaking occurred under Maryland law require the use of the offense code of “Burglary First Degree” or “Burglary Second Degree” solely for the purpose of NIBRS/UCR reporting (Refer to Field Manual, Article 1, Section 4.5, Theft).
NOTE: The use of a burglary offense code in these cases is for NIBRS/UCR report writing only. These cases will not be investigated or charged as burglaries.
- Requests for residential or commercial security surveys will be followed up by the Community Outreach Team (COT).
- The initial investigating officer will attempt to actively pursue all leads that may bring a burglary case to a prompt conclusion.
- The Burglary Unit is responsible for the follow-up investigation of all first and second degree burglaries under Maryland law.
- The precincts are responsible for the follow-up investigation of all:
 1. Attempted burglaries.
 2. Third and fourth degree burglaries.**NOTE:** The Burglary Unit may conduct follow-up investigations of the above offenses at the discretion of the Burglary Unit Commander.
- 3. Thefts entered using the offense code of “Burglary First Degree” or “Burglary Second Degree” solely for the purpose of NIBRS/UCR reporting, that are not considered burglaries under Maryland law because breaking did not occur. (See Field Manual, Article 1, Section 4.5, Theft.)
- If the Burglary Unit has follow-up responsibilities, the investigating officer will notify the Burglary Unit within 24 hours of any identified leads or ongoing investigations, to prevent duplication of efforts.
NOTE: The Burglary Unit will offer assistance and coordinate efforts, if required.

REPORTING

- Officers must select the appropriate burglary offense code(s) consistent with Maryland law.
NOTE: The offense code of “Burglary First Degree” or “Burglary Second Degree” will also be used for certain theft cases that require reporting to UCR/NIBRS as a burglary, even though breaking has not occurred.
- All additional applicable offense codes (i.e., “Destruction of Property,” “Theft All Others,” etc.) will be entered, regardless of whether they are considered an element of burglary under Maryland law.
- Offense codes will only be used for report writing purposes and are independent of charges placed.
- Officers must make all appropriate selections from the *Burglary MO* dropdown on the *Offenses* tab and *Burglary/Robbery MO* dropdown on the *Offenders* tab.
- The appropriate selection (i.e., “force” or “no force”) must be made in the *Entry* field on the *Offenses* tab.
- Burglary of several units which are either under construction or have not been leased or rented will be reported on a single Case Report using one CC number.
NOTE: The victim will be the owner of the units and the numerical street address must be the same.

- Burglary of several units within a motel, hotel, inn, other temporary lodging, or rental storage facility will be reported on a single Case Report using one CC number. The number of premises (i.e., rooms, suites, units, or storage compartments) will be listed in the *Premises Entered* field.
NOTE: The numerical street address must be the same.
- If a vehicle is taken as a result of a burglary, the vehicle information will be recorded in the *Property* tab of the Case Report. The telex message will be sent for the vehicle in accordance with Field Manual, Article 10 (Electronic Communications). The telex message number will be documented in the Notifications section of the *Administrative* tab of the incident report.
- When property is taken belonging to the business and any other employee or customer, the business will be recorded as the first victim in the incident report. One report will be filed with one CC number. The employee or customer information will be recorded in the Case Report by adding additional new victims on the *Victims* tab. The property of the employee or customer will be recorded in the *Property* tab of the Case Report.
- Select appropriate status regarding a Security Survey from the *Security Survey Information* dropdown on the *Elements of the Incident (EOI)* tab:
 1. Requested - victim wants a survey conducted.
 2. Completed - victim has had a survey conducted.
 3. Refused - declines a survey.
 4. Other - explain in *Narrative* tab of the incident report.**NOTE:** See Field Manual, Article 15, Section 9.0, Security Surveys, for procedures.
- A list of known stolen property will be documented in the *Property* tab of the incident report.
- A Form 25, Civilian Stolen Property Form, must be issued, when the criteria are met (Refer to Field Manual, Article 1, Section 4.4.1).
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REFERENCES

- [Digest of Criminal Laws.](#)
- Field Manual, Article 10 (Electronic Communications).
- Section 1-4.4.1 (Form 25, Civilian Stolen Property Form).

1-4.4.1 FORM 25, CIVILIAN STOLEN PROPERTY FORM

GENERAL

- The Form 25 will be given to crime victims who have suffered a loss of property (e.g., burglary victims, robbery victims, etc.) and:
 1. Are unable to provide a complete list of stolen property at the time the police report is initiated, or
 2. May be able to provide additional descriptive information (e.g., brand, model, serial number, etc.) regarding stolen property at a later time.**NOTE:** All available information will be entered in the *Property* tab of the incident report at the time the initial report is completed.

INVESTIGATING OFFICERS

- Complete the following blocks on the Form 25:
 1. OFFENSE: Indicate the crime as verified.
 2. CC NUMBER: Self-explanatory.
 3. OFFICER'S NAME/ID#: Enter the investigating officer's name and identification number.
 4. DATE OF REPORT: The date the crime was reported to the police.

5. PRECINCT PHONE/FAX #: Enter the phone and fax numbers of the precinct where the crime occurred.
 6. INSURANCE COMPANY: Enter the name of any insurance company to which a claim may be made in reference to the incident.
 7. PRECINCT ADDRESS: Enter the address of the precinct where the crime occurred.
 8. LOCATION OF OFFENSE: Enter the address where the crime occurred.
- Instruct the victim to:
 1. Enter the name of their insurance company on the Form 25.
 2. Itemize any stolen property not previously recorded.
 3. Sign and date the Form 25.
 4. Return the Form 25 within three days to the precinct station listed on the form by mail, fax, or in person.

NOTE: After three days, make arrangements to have the victim contacted in an attempt to retrieve the Form 25.
 - Thoroughly explain to the victim the importance of returning the Form 25.

RECEIVING OFFICERS

- Review the Form 25 for completeness, paying particular attention to the description of the stolen property to ensure that it is adequately described.
- Obtain more detail if necessary and add the information to the Form 25.
- Place the CC number in the upper right corner.
- Complete the following on the Form 25:
 1. OFFICER RECEIVING REPORT: Enter the name and identification number of the officer receiving the Form 25 from the victim.
 2. DATE RECEIVED: Indicate the date the form was received.
 3. PAGE #: Indicate the number of pages of the Form 25.
 4. DIVISION/PRECINCT: Enter the precinct number of the officer receiving the form.
- Complete a subsequent version of the Case Report to:
 1. Enter all added property which was not previously reported in the *Property* tab.
 2. Indicate that the information was obtained from a Form 25 in the *Narrative* tab.
- After completing the form, forward it to their supervisor for approval.

SUPERVISORS

- Ensure that the case status remains marked “Open” until the Form 25 is completed and returned.
- Approve the Form 25.
- Forward the original Form 25 to the Information & Records Management Section and maintains a copy for the precinct file.

1-4.5 THEFT

GENERAL

- Incidents involving theft will be investigated and reported using the appropriate offense code(s) (e.g., “Theft All Others,” “Theft Auto Parts/Accessories,” “Theft/Fraud Bad Checks,” etc.).
- The offense code “Theft Stolen Property Offenses” will be used to document persons receiving, buying, selling, possessing, concealing, or transporting any property that has been unlawfully taken (e.g., by burglary, embezzlement, fraud, larceny, robbery, etc.).
- Thefts from lockers, (e.g., health club, school, etc.) will be recorded as a theft, not as a burglary.

EXCEPTION: Apartment storage lockers.

- Reaching through an open window, walking through an open door, without any other form of breaking of a house, boat, trailer, etc., to commit a theft, will be recorded using a burglary offense code (i.e. “Burglary First Degree” or “Burglary Second Degree”), in addition to a theft offense code.
NOTE: The use of a burglary offense code in these cases is for NIBRS/UCR report writing only. These cases will not be investigated or charged as burglaries.
- When a credit card is used for an unauthorized “call-in order” or order over the Internet, the store receiving the order will be the victim and the offense will be considered a theft.

1-4.5.1 SHOPLIFTING

GENERAL

- The person responsible for completing the charging document will retain and be responsible for producing the evidence in court.
- A shoplifting where the suspect:
 1. Hides inside of the store after hours to steal merchandise, requires a theft offense code and the offense code “Burglary 2nd Degree.”
 2. Has been previously given a verbal or written trespass warning and then reenters the store at a subsequent time to steal merchandise, requires a theft offense code and the offense code “Burglary 2nd Degree.”
 3. Assaults a store employee or security guard while attempting to leave the store, requires a theft offense code and a robbery offense code.
NOTE: The use of a burglary or robbery offense code in these situations is for Uniform Crime Reporting (UCR)/National Incident-Based Reporting System (NIBRS) purposes only. For all other purposes (e.g., required notifications, report completion and submission deadlines, Incident Summary requirements, Situation Found codes, etc.) these cases will be handled as a shoplifting or assault and not as a burglary or robbery.
- When shoplifting suspects are to be released without immediate arrest because they have presented positive identification to the satisfaction of the officer, the specific type of identification presented, including soundex number, will be documented in the *Offenders* tab of the incident report.

APPREHENSIONS BY SPECIAL POLICE OFFICERS (SPO)

- Investigating officers will:
 1. Review the charging documents to make sure:
 - a. Probable cause exists.
 - b. Correct documents have been used.
NOTE: See Field Manual 4-6.0, Criminal/Civil Citations, to determine if the subject:
 1. Must be charged by way of a criminal citation.
 2. Is eligible to be charged by way of a criminal citation.
 2. Obtain a phone number and address where the SPO can be reached.
 3. Transport the prisoner and the charging documents to the precinct and process in accordance with procedures stated in Article 4 of the Field Manual.
 4. Complete the appropriate incident report using the appropriate offense code(s) based upon the information provided by the SPO.

INVESTIGATING OFFICERS

- When stolen goods valued under \$1,500 are recovered:
 1. Verify with the business agent/owner that the responsible individual has been apprehended.
 2. Establish the suspect’s identity, if possible.
 3. Show the complainant the suspect’s identification.
 4. Obtain a wanted check on the subject.

5. And if prosecution is desired, identification is satisfactory, the wanted check is negative, and the suspect is:
 - a. A juvenile, charge the suspect in accordance with the Field Manual, Article 3 (Juvenile Procedures).
 - b. An adult, release the suspect, and have the complainant complete an Application for Statement of Charges and submit it to the Court Commissioner.
EXCEPTION: If the apprehension is made by a SPO, refer to Apprehensions by Special Police Officers.
6. And if the suspect's identity cannot be satisfactorily established or the suspect is wanted:
 - a. Arrest the suspect, based on laws of arrest for the State of Maryland.
 - b. If the arrest was made by the store owner/agent, complete a Statement of Charges, or applicable criminal citation, for an adult.
NOTE: See Field Manual 4-6.0, Criminal/Civil Citations, to determine if the subject:
 1. Must be charged by way of criminal citation.
 2. Is eligible to be charged by way of a criminal citation.
 - c. If the arrest was made by a SPO, review the charging documents completed by the SPO. If probable cause exists, take the suspect into custody and obtain a phone number and address where the SPO may be reached.
 - d. If it is determined that the suspect gave false identification, prior to a bail hearing, or release on citation, the officer will make every attempt to identify the suspect.
 - e. Transport the suspect to the precinct.
- When stolen goods are valued over \$1,500 or are not recovered:
 1. Arrest the suspect and transport to the precinct.
 2. And if the stolen goods or suspect are recovered/apprehended later:
 - a. Return to the location of the offense with them.
 - b. Have the owner/agent identify the suspect and merchandise and if identified, arrest the suspect and transport to the precinct.
- Take a juvenile into custody if the laws of arrest apply and one or more of the following apply:
 1. The juvenile is apprehended by a SPO.
 2. The juvenile does not possess valid identification.
 3. The goods are not recovered.
 4. The goods are valued at more than \$1,500.

REFERENCES

- Field Manual, Article 3 (Juvenile Procedures).
- Field Manual, Article 4 (Arrest, Custody, and Court).

1-4.6 FRAUD

GENERAL

- If a physical credit card is presented and used (i.e., swiped or inserted in a chip reader), it is considered:
 1. Credit card misuse, if the:
 - a. Actual card was stolen; or
 - b. Account is taken over by a suspect who has a replacement card sent to them.
 2. Identity theft, if:
 - a. A fraudulent account is opened by a suspect who obtained the card using the personal identifying information of the victim; or
 - b. The card has been created with the victim's personal account information encoded in the magnetic stripe and a name that is not the account holder's is imprinted on it.
- If no physical card is presented (i.e., the credit card number only is used), the person whose card was used is the victim of an identity theft.

- If a physical card is presented, and manually keyed in because it does not swipe due to being counterfeited, it will be documented as a counterfeiting.
- Automated teller machine (ATM) cards used as:
 1. Credit cards will be documented as credit card misuse.
 2. Debit cards will be documented as identity theft.
- For scam related cases, including all internet based scams where money is sent or requested by mail or electronically (e.g., Craigslist scams, employment opportunities, e-mail scams, fraudulent business websites, etc.) the offense code “Theft/Fraud By Deception” will be used.

REPORTING

- Include in the incident report:
 1. The person who accepted the document or credit card.
 2. The owner of the document or credit card.
 3. The doctor’s name and address in cases of forged prescriptions.
- The *Finance Related* supplemental tab will be used for all incidents involving worthless document (see Required Report Information for Worthless Documents below).

NOTE: The *Finance Related* supplemental tab can be triggered by selecting “Yes” from the dropdown for the question “Does this incident contain financial related documents?” on the *Administrative* tab.
- If a vehicle is taken as a result of a worthless document, record the information in the *Property* tab of the Case Report. A telex will be sent.
- If the same person passes a worthless document at the same location on different days or times, all of the offenses may be reported on a single offense report using the same CC number. In this instance:
 1. Indicate the date and time the first document was passed in the incident report as well as the date and time that the latest document was passed.
 2. If there is more than one forged check, indicate the total amount of all the checks in the incident report.
 3. If more than one forged check was cashed on different days, indicate in the report narrative the date and time that each check was cashed.

NOTE: This procedure may be used when the account numbers, the firm name, or the signer is the same.
- Indicate in the narrative whether a copy of the document has been obtained, as well as who has possession of the original document.
- In the case of credit card misuse:
 1. Indicate in the report narrative if the credit card company has an investigator working on the case and, if so, the name of the investigator.

NOTE: Credit card company investigators only investigate whether or not a customer conducted the transaction. They do not investigate the criminal aspects of the case.
 2. List the credit card company as the victim, unless the credit card is backed by a bank. For the latter, the bank will be the victim.
- The value of the stolen property for certain written instruments will be the amount due or collectible as the face value of the document (i.e., the amount of a forged check).
- If there is more than one forged check included in the offense report, enter the total value of all the checks in the *Property* tab of the Case Report.
- Account numbers may only be entered in reports on the *Finance Related* tab using the *Related Accounts* fields.

NOTE: The *Finance Related* supplemental tab can be triggered by selecting “Yes” from the dropdown for the question “Does this incident contain financial related documents?” on the *Administrative* tab.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REQUIRED REPORT INFORMATION FOR WORTHLESS DOCUMENTS

- Type of document (e.g., check, credit card, prescription, etc.).
- Sequence number of the document.
- Date of document.
- Amount of document.
- Account number.
- Made payable to.
- Property/Service obtained.
NOTE: If a vehicle or property was obtained, it must also be listed in the *Property* tab of the Case Report.
- Loss value of services obtained, if applicable.
- Firm name on document.
- Name of the issuing bank or institution (e.g., bank, credit card company, doctor, hospital, etc.).
- Reason the document was not honored (e.g., stolen, forged, no funds, etc.).
- Authorized signature on the document.
- Name of the person receiving/endorsing the document.
- Type of identification presented and any identifying number.
- Whether or not a photograph of the suspect is available.
- Whether or not the complainant will prosecute.
- Whether or not warrant/summons application procedures were explained.

1-4.6.1 BAD CHECK CASES

DEFINITION

- **Bad Check** - a check used by the account holder to immediately obtain money, goods, or services on an account that is closed, has insufficient, or no funds.
EXCEPTION: A two-party check where the second party is unaware of the account status of the first party, checks received in payment of rent or an established bill, payroll or credit card checks, partially repaid checks, pre- or post-dated checks, and checks which are repayment of a loan or civil contract agreement. These are civil issues and complainants shall be referred to civil court.
NOTE: Altered, fraudulent, lost, or stolen checks are not considered bad checks. These should be documented on the appropriate incident report using the appropriate offense code (i.e., "Forgery," etc.).

STATUTE OF LIMITATIONS

- Bad checks for less than \$1,500 carry a one year statute of limitations.
NOTE: The statute of limitations for bad checks begins on the date that the check was passed/uttered.
- Bad checks written for \$1,500 or more carry no statute of limitations.
- When a bad check complaint is received for which the statute of limitations has expired, no police action can be taken. The victim/complainant should be advised to seek legal counsel regarding civil actions.

INVESTIGATIVE RESPONSIBILITY

- Members will confirm that the account number on the check is associated with the name on the check (i.e., confirm the check is not counterfeited), and that the account holder was the person who passed the check, prior to handling an investigation as a bad check case.
- The Department will handle all bad check cases where the check was uttered in Baltimore County.

- In cases where the check was uttered outside Baltimore County, the victim/complainant will be directed to the other agency for reporting.
- Bad check reports will be initiated at the precinct for all cases.
EXCEPTION: An offense in progress.

MEMBERS HANDLING BAD CHECK CASES

- Provide a Form 175, Instructions to Victims of Bad Checks, and a Form 175W, Bad Check Worksheet, to the victim/complainant and explain that they must complete the following procedures prior to the initiation of the appropriate incident report:
 1. For checks marked insufficient or no funds, submit the check to the bank twice in attempt to receive payment.
NOTE: This procedure is not needed for checks marked “Account Closed.”
 2. Attempt to notify the check passer by telephone.
 3. If unsuccessful, complete the back of the Form 175, and attach the check as a master to photocopy. Send a copy of the completed Form 175 to the check passer via certified mail.
 4. If after 10 days the victim is unable to obtain payment, they may return to the precinct with the completed Forms 175 and 175W to initiate the appropriate incident report.
- Initiate a Case Report using the Bad Check Information template and the offense code “Theft/Fraud Bad Checks,” only after the Form 175 has been sent to the check passer by the victim/complainant and 10 days has passed without payment.
- The *Finance Related* supplemental tab will be used for all bad check incidents (see Required Report Information below).
NOTE: The *Finance Related* supplemental tab can be triggered by selecting “Yes” from the dropdown for the question “Does this incident contain financial related documents?” on the *Administrative* tab.
- Verify the present status of the account and the information on the check by contacting bank security for the bank named on the check.
- Contact the person named on the check to determine:
 1. If the check or the identification used was lost or stolen.
 2. The identity of the check writer.
- Explain warrant/summons procedures to the victim/complainant.
- Inquire through the Motor Vehicle Administration (MVA) for further information if a soundex number was recorded on the check.
NOTE: Under no circumstances will a complainant be advised to obtain a warrant/summons based solely on a soundex/other identification number.
- Enter the CC number on the top right corner of the Forms 175 and 175W and forward them to the Information & Records Management Section.
- Retain a copy of the Forms 175 and 175W in the precinct/section files.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REQUIRED REPORT INFORMATION

- Type of check.
- Date of the check.
- Check number.
- Face amount of the check.
- Account holder’s name.
- Bank drawn on by the check.
- The person made payable on the check.
- Name of the person whose signature appears on the check.
- Name of the person who endorsed the check.
- Type of identification presented by the check passer.

- Reason the check was not honored by the bank.
- Property/service obtained with the check.
- Whether there is a photograph available of the check passer.
- The person who accepted the check.
- Whether the person who accepted the check can identify the check passer.
- Whether the person who accepted the check will appear in court as a witness.
- Whether the victim will prosecute.
- Whether an MVA check or other search was made.
- The date contacted, phone number, and name of person from bank security contacted, if the check was returned for reasons other than insufficient funds or no funds.
- Additional information obtained from the bank representative.
- Whether the check writer was contacted by the officer to see if the check or identification was stolen.

1-4.6.2 FORGERIES

DEFINITION

- Forgery - valid documents altered in any manner or documents signed with a fictitious or false name including: prescriptions, checks, and other official documents.

GENERAL

- An attempt to identify the person responsible will be made.
- If the forged name is of an actual person, that person's full information will be included in the report.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- The document will be processed as evidence in accordance with Field Manual, Article 7 (Evidence).

REFERENCES

- Field Manual, Article 7 (Evidence).
- Field Manual, Article 8 (Report Writing).

1-4.6.3 MEDICAID FRAUD INVESTIGATIONS

RECIPIENT FRAUD

- Committed by a person who would normally receive services.
- Types include:
 1. Misuse of services by cardholder.
 2. Use of services by unauthorized person.
 3. Unauthorized possession of card by someone other than the owner.
 4. Use of card to obtain forged prescriptions.
- Handled by the Office of the Attorney General, Medicaid Fraud Control Unit.

PROVIDER FRAUD

- Committed by a person or institution which provides services through the Medicaid System.
- Usually occurs when fraudulent claims are submitted by the provider.
- Includes physical abuse of Medicaid patients by providers.
- Handled by the Office of the Attorney General, Medicaid Fraud Control Unit.

INVESTIGATING OFFICERS

- Determine, if possible, the type of fraud.
- Notify the appropriate above listed agency.

- May contact either agency with inquiries regarding the Medicaid system.
- Report Medicaid Fraud on the appropriate incident report using the appropriate offense code(s).
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

1-4.6.4 IDENTITY THEFT

DEFINITION

- Identity Theft - the act of knowingly, willfully:
 1. And with fraudulent intent obtaining or aiding another person to obtain personal identifying information (e.g., name, date of birth, social security number, driver's license number, credit card or bank account number, etc.) of an individual without the consent of that individual for the purpose of using, selling, or transferring that information to obtain an item of value (e.g., benefit, credit, goods, services, etc.) in the name of that individual; or
 2. Assuming the identity of another:
 - a. With fraudulent intent to obtain any item of value; or
 - b. With fraudulent intent to avoid payment of a debt or other obligation; or
 - c. To avoid prosecution for a crime.

GENERAL

- Federal law requires a report be written for all victims of identity theft.
- The Department has investigative authority for cases of identity theft when the victim resides:
 1. In Baltimore County and the events occurred anywhere within the United States; or
 2. Outside of Baltimore County and any portion of the events occurred within Baltimore County.

NOTE: The location of the suspect has no impact on the authority of the Department to investigate an identity theft case.
- A business cannot be the victim of an identity theft.
- "Theft/Fraud Identity Theft" will not be used as the primary offense code if a victim's credit card number or bank account number is compromised and another offense code (e.g., credit card misuse, counterfeiting, etc.) also applies.

MEMBERS

- Initiate a Case Report using:
 1. The appropriate offense codes (e.g., Theft/Fraud Identity Theft, etc.).
 2. The location of the identity theft as the location of the incident, if the events occurred in Baltimore County, or the victim's Baltimore County address as the location of the incident if the events occurred outside of Baltimore County.
 3. The section of "Internet" from the *Location Type* field on the *Offenses* tab, when applicable.
 4. The selection of "Identity Intangible (Identity Theft)" from the *Property* field on the *Property* tab.

NOTE: A value of \$0.00 will be entered in the *Total Value* field.

NOTE: A Case Report must be written in lieu of an Officer Report, if the Department has investigative authority as described above.
- Conduct a complete and thorough investigation and attempt to identify the suspect.

NOTE: The Financial & Cyber Crimes Team (FCCT) does not routinely follow-up all identity theft cases.

- Provide a copy of the Form 298A, Identity Theft File Consent Document, to the victim and explain the Identity Theft Consent program. If the victim wishes to participate in the program:
 1. Ensure the victim reads and signs the Form 298A.
 2. Sign the Form 298A as the witnessing officer and ensure the following distribution:
 - a. Original - retained in the precinct/division file.
 - b. First Copy - to the Information & Records Management Section (IRMS).
 - c. Second Copy - to the victim.
 3. Obtain the relevant information from the victim necessary to complete the Form 298B, Victim Profile.
 4. Ensure all information from the Form 298B is sent via telex to the IRMS for entry into the National Crime Information Center (NCIC) database.
- Encourage victims to obtain credit reports.
- Assigned to patrol, may consult with their supervisor and request FCCT assistance, when an initial investigation indicates the case may be too complex to investigate at the precinct level.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

1-4.6.5 COUNTERFEITING

DEFINITION

- **Counterfeiting** - the reproducing of an original instrument or the manufacturing of a completely fraudulent item (e.g., personal or business checks, money orders, travelers checks, credit cards, trademark bearing goods, etc.) with the intent to defraud.

REPORTING

- Complete the appropriate incident report including:
 1. The appropriate offense code(s) (e.g., "Counterfeit Currency," "Counterfeit Merchandise," "Counterfeit Non-negotiables," etc.).
 2. The person or business taking the financial loss as the victim in the *Victims* tab.
 3. The serial numbers of any serialized items (e.g., bills, checks, etc.) recovered in the *Property* tab.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

MEMBERS SEIZING COUNTERFEIT CURRENCY

- Contact the United States Secret Service to:
 1. Notify them of the seizure.

NOTE: The name of the notified agent will be included in the incident report.
 2. Determine if they will respond to interview the subject, if an arrest was made.
- Package counterfeit currency per Department procedures for submission to the Evidence Management Unit.

NOTE: Counterfeit currency does not require packaging per Department procedures for money. A copy of the front and back of all counterfeit currency should be retained in the member's case file.
- Complete the appropriate Form 128D, Disposal/Destruction of Property/Evidence, for release to the United States Secret Service, or Form 128R, Retention of Property/Evidence.

NOTE: Money released to the Secret Service will be destroyed. Money should not be released if a suspect has been identified and charges/adjudication are pending.

1-4.7 VEHICLE/BOAT RELATED INVESTIGATIONS

1-4.7.1 VEHICLE THEFT

INVESTIGATING OFFICERS

- Will notify the Regional Auto Theft Task Force (RATT) immediately, via the 9-1-1 Communications Center, upon discovery of a “chop shop.”
- Will, within 24 hours, forward the report to the RATT for the following:
 1. Recovery of a stolen vehicle with an obliterated serial number or extensive stripping.
 2. Recovery of a stolen vehicle and arrest of a suspect wishing to be interviewed by officers and having additional information on other auto thefts, “chop shops,” or auto theft rings.
 3. Handling the theft of a commercial tractor and/or empty trailer.
 4. Handling the theft of heavy construction equipment.
 5. Handling a case of cargo theft taken in a commercial vehicle.

RATT

- Follows up the following:
 1. Persons attempting to title a stolen vehicle.
 2. Stolen vehicles that show up on a dismantler’s inventory.
 3. Recovered stolen vehicles with extensive stripping.
 4. Vehicles with altered or removed identification/serial numbers.
 5. Organized theft-for-profit rings.
 6. “Chop shop” operations.
 7. Commercial vehicle theft.
 8. Construction vehicle theft.
 9. Vehicle insurance fraud.

1-4.7.2 VEHICLE TAMPERING

REPORTING

- For tampering with a vehicle which would indicate intent to steal:
 1. A vehicle - the report will be completed using the appropriate offense code(s) to reflect the theft of the vehicle (e.g., “Theft Stolen Motorcycle/Moped,” “Theft Stolen Auto/Truck/Other,” etc.), and “No” selected from the *Completed* field.
 2. Articles within a vehicle - the report will be completed using the offense code to reflect the theft of the articles (e.g., “Theft from Auto,” etc.), and “No” selected from the *Completed* field.
 3. Parts/accessories attached to a vehicle - the report will be completed using the offense code to reflect the theft of the parts/accessories (e.g., “Theft Auto Parts/Accessories,” etc.), and “No” selected from the *Completed* field.
- If intent cannot be determined and property was:
 1. Destroyed - the report will be completed using the appropriate offense code(s) (e.g., “Destruction of Property,” etc.).
 2. Not destroyed or damaged - the report will be completed using the offense code “Suspicious Incident/Condition/Person/Vehicle” and document the tampering in the *Property* tab of the Case Report.
- Tampering with a boat, motorcycle, etc., will be reported using the above guidelines.

1-4.7.3 VEHICLE/BOAT THEFTS

INVESTIGATING OFFICERS

- Conduct a thorough search of the area for the stolen vehicle/boat.

- Complete the appropriate incident report.

DESK OFFICERS

- Send telex messages in accordance with the Field Manual, Article 10 (Electronic Communications).
NOTE: The telex number will be listed in the *Notification* section of the *Administrative* tab of the incident report.

REPORTING

- Boat thefts will be reported using the:
 1. “Theft All Others” offense code on the *Offenses* tab; and
 2. Appropriate selection from the *Property* dropdown on the *Property* tab (e.g., “Watercraft –Yacht,” “Watercraft – Powerboat,” etc.); and
 3. Appropriate selection in the *Status* field.
NOTE: The *Status* field must updated in a subsequent version on the Case Report when the status of a stolen item of property has changed (e.g., when a boat previously reported as stolen is recovered, etc.).
- Vehicle thefts will be reported using the:
 1. Appropriate theft offense code (i.e., “Theft Stolen/Auto/Truck/Other” or “Theft Motorcycle/Moped”); and
 2. Appropriate selection from the *Property* dropdown on the *Property* tab (e.g., “Automobile (Locally Stolen)”, “Van Passenger Non-Commercial (Stolen Locally and Recovered by Other Jurisdictions)”, “Motorcycle (Stolen Locally and Recovered Locally), etc.); and
 3. Appropriate selection in the *Status* field.
NOTE: The *Status* field must updated in a subsequent version on the Case Report when the status of a stolen item of property has changed (e.g., when a vehicle previously reported as stolen is later recovered, etc.).
- For vehicle/boat related thefts, the Case Report will note the type of vehicle/boat stolen.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

1-4.7.4 STOLEN VEHICLE/BOAT RECOVERY

DESK OFFICERS

- Notified via telex that a vehicle stolen from Baltimore County was unreported when recovered by another jurisdiction will:
 1. Acknowledge the telex message.
 2. Initiate a Case Report using the most appropriate offense code(s).
 3. Direct the post car nearest the owner’s residence to notify the owner of the recovery.
- Notified via telex that a vehicle reported as stolen within Baltimore County has been recovered by another jurisdiction will:
 1. Acknowledge the telex message.
 2. Initiate a subsequent version of the Case Report, updating the *Property* tab information to reflect the recovery.
 3. Direct the post car nearest the owner’s residence to notify the owner of the recovery.

RECOVERING OFFICERS

- Request a tow truck to respond, unless the vehicle is operable and the vehicle owner can respond in a short period of time to take custody of the vehicle.
- Ensure the vehicle is processed for evidence in accordance with current Department procedures.
- Remain with the vehicle until it is removed.

OFFICERS RECOVERING VEHICLES STOLEN WITHIN BALTIMORE COUNTY

- Notify owner of recovery and location of vehicle, if practical.
- Ensure cancellation telex is sent in accordance with the Field Manual, Article 10 (Electronic Communications), unless the vehicle was unreported at the time of recovery.
NOTE: The telex number will be listed in the *Notification* section of the *Administrative* tab of the incident report.
- If the theft was:
 1. Previously reported, initiate a subsequent version of the Case Report to update *Property* tab information.
 2. Not previously reported, initiate a Case Report using the most appropriate offense code(s) and document the recovery information in the *Property* tab.
- Prior to a precinct telex being sent, note the recovery information in the *Property* tab of the Case Report.

OFFICERS RECOVERING VEHICLES STOLEN FROM OTHER JURISDICTIONS

- Ensure a telex message is sent requesting that the other agency notify the vehicle owner of the recovery and the location where the vehicle is stored.
- Initiate a Case Report using the:
 1. Offense code "Other Jurisdiction Recovered Stolen Vehicle."
 2. Address from where the vehicle was stolen as the incident location address in the *Incident* tab.
 3. Baltimore County address for the location of the vehicle recovery in the *Property* tab.
 4. *Status* of "Recovered (Previously Reported Stolen)" on the *Property* tab.
- Attempt to notify the owner and document results in the report narrative.
- Include the offense number from the reporting agency along with the date and time reported in the *Narrative* tab.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

NOTIFICATION OF OWNERS OF STOLEN VEHICLES

- Officers will notify the owner of the recovery and location of the vehicle.
- If the owner cannot be promptly notified of the storage and/or recovery of the vehicle, then:
 1. The recovering officer will verbally notify their supervisor and make such notation in the report.
 2. The supervisor will ensure that the shift commander of the relieving shift is notified that the vehicle owner could not be contacted. The report will be marked "Open."
 3. The relieving shift commander will make certain that continuing efforts are made to notify the vehicle owner.
 4. Shift follow-up will continue for 48 hours. After 48 hours, if the owner has not been contacted, the shift commander of the shift originally taking the report will issue a Department form letter notifying the owner of the recovery and location of storage of the vehicle. The letter will be sent through the County mailroom via certified mail to the vehicle owner's last known address. A return receipt will be requested for the certified letter.
 5. If the certified letter is returned undeliverable, then the letter will be sent by regular mail.
 6. Document notification attempt(s) in the appropriate incident report. Write the CC number on the receipt for the certified letter and file it in the precinct files. A photocopy of the receipt will be sent to the Information & Records Management Section. A copy of the form letter will be sent to the Towing Team.
 7. The Towing Team will maintain a file of the copies of "Notification of Owner" letters sent to document the Department's "good faith effort" to contact the owner.

8. The aforementioned items 1 through 7 also apply to:
 - a. Notifications received from the other jurisdictions via telex that a vehicle reported stolen in Baltimore County has been recovered and stored in an outside jurisdiction.
 - b. Vehicles stolen in other jurisdictions, whether reported or not, and recovered in Baltimore County.
 - c. Stored motor vehicles when the officer cannot immediately notify the owner.

REFERENCES

- Field Manual, Article 6 (Miscellaneous Property Issues).
- Field Manual, Article 7 (Evidence).
- Field Manual, Article 10 (Electronic Communications).

1-4.7.5 VEHICLE RECOVERY TECHNOLOGY

INVESTIGATING OFFICERS

- Ask auto theft victims if their vehicles are equipped with vehicle recovery technology.
- Document whether or not the stolen vehicle is equipped with recovery technology in the incident report.
- Follow all procedures specific to the type of vehicle recovery technology.

LOJACK

- Members will immediately ensure that the vehicle information is entered into the National Crime Information Center (NCIC) when it is found that a stolen vehicle is equipped with LoJack.
- Members operating a LoJack equipped unit, and receiving a signal on the receiver, will provide the dispatcher with the code displayed.
- The 9-1-1 Communications Center will advise the member if the code is from a stolen vehicle, as well as a description of the vehicle, if applicable.
- Members will utilize the direction and signal strength indicators on the LoJack receiver in an attempt to locate the stolen vehicle.
NOTE: Additional units and/or the Aviation Team may be utilized to assist in the search.
- If the signal indicators direct the member into another jurisdiction, a supervisor will be notified, and the 9-1-1 Communications Center will notify the other jurisdiction.
- Upon recovery of a stolen vehicle equipped with LoJack, members will ensure that a telex is sent immediately to remove the vehicle from NCIC.
NOTE: Once the vehicle is removed from NCIC, the signal from the vehicle will be deactivated by LoJack.
- Members will document the recovery through use of LoJack in the incident report.

ONSTAR

- Members can utilize OnStar for stolen vehicle recovery in the following ways:
 1. Global Positioning System (GPS) location.
 2. Remote ignition block.
 3. Stolen vehicle slowdown.**NOTE:** Members will obtain approval from their immediate supervisor prior to requesting these services through OnStar.
- Members will immediately ensure that the vehicle information is entered into NCIC when it is found that a stolen vehicle is equipped with OnStar.
- Program representatives will provide members with the GPS coordinates of the stolen vehicle, if available.

- Program representatives have the ability to send a remote ignition block signal to the stolen vehicle, making it impossible to restart the engine once it has been turned off.
- Members may request a stolen vehicle slowdown if the vehicle is in sight of the officer and conditions are appropriate.
NOTE: Once the OnStar representative sends the signal to remotely remove engine power to the vehicle, the vehicle slows gradually to an idle speed of three to five miles per hour, while braking and steering remain intact.
- Members will advise the OnStar representative that the vehicle has been recovered and to enable the vehicle's engine upon recovery, if applicable.
- Members will document the recovery through the use of OnStar in the incident report.

1-5.0 CRIMES AGAINST PERSONS

1-5.1 THREATS

1-5.1.1 EXTORTION

REQUIRED REPORT INFORMATION

- Type, target, and method of threat.
- Type of weapon to be used (e.g., gun, explosives, etc.).
- Demand made by suspect and deadline.
- Whether there will be a later meeting or return call.
- Location of drop site.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

1-5.2 DOMESTIC INCIDENT/ABUSE

DEFINITIONS

- Respondent - a person alleged to have caused a domestic disturbance or act of abuse.
- Cohabitant - an individual who has had sexual relations with the respondent at any time and has lived with the respondent for a total of at least 90 days within the past year.
NOTE: The 90 days need not be consecutive.
- Domestic/spousal relationship - a relationship between two people who:
 1. Are currently or formerly married to each other;
 2. Live or have lived together as sexual partners in the same home; or
 3. Have a child in common.
- Domestic Incident - a call involving two or more persons who are involved in a domestic/spousal relationship including:
 1. Calls of a disturbance.
 2. Request for assistance in removing personal items or transportation to a shelter.
 3. Service of a protective order.
 4. Any other incident brought to the officer's attention that may indicate a potential for domestic abuse.
- Domestic Abuse - any act committed between individuals in a domestic/spousal relationship resulting in any of the following:
 1. Serious bodily harm.
 2. Placing the victim in fear of imminent danger or serious bodily harm.
 3. Assault in any degree.
 4. Rape, a sexual offense, or attempted rape or sex offense.
 5. False imprisonment.
 6. Possible/alleged assault.

- Strangulation - any act involving the application of pressure to the throat or neck of another person which impedes the normal breathing or blood circulation of that person.

INVESTIGATING OFFICERS

- Provide compassionate assistance, keeping in mind the need to protect the victim and responding officers from harm.
- Must be aware that the criteria for making a warrantless arrest, obtaining a protective order, selecting offense codes for reporting purposes, and completing a domestic violence lethality assessment are all different.
- May make an arrest when:
 1. An assault is witnessed by the officer.
 2. A felony assault (e.g., suspect causes or attempts to cause serious injury to the victim, suspect commits an assault with a firearm, suspect intentionally strangles the victim, etc.) was committed prior to the officer's arrival.
 3. A second degree assault is committed prior to the officer's arrival, a report of the alleged incident is made to the police within the time frame specified by the Annotated Code of Maryland, and there is probable cause to believe that all of the following exist:
 - a. The respondent battered their spouse or another person with whom they reside.
 - b. There is evidence of physical injury.
 - c. Unless the respondent is immediately arrested, they may not be apprehended, may cause injury to the victim or damage property of one or more persons, or may tamper with, dispose of, or destroy evidence.

NOTE: When the circumstances for a warrantless arrest are present, and at the officer's discretion, no arrest is made, a complete explanation must be provided in the report.
- Are not required to make a dual arrest when mutual assault allegations are placed if standard investigative techniques allow the determination of a primary aggressor.

NOTE: When the primary aggressor can be identified and/or the decision is made not to make a secondary arrest, the facts leading to this determination should be completely explained in the report.
- Refer to Field Manual, Article 4-8.2.4 for verified civil protective order violations.
- May seize and remove a firearm from the scene of an alleged act of domestic violence if probable cause exists that the alleged act occurred and the officer has observed the firearm at the scene. Officers will:
 1. Carefully base their decision upon known facts at the time.
 2. Seize any observed firearm if the safety of those at the scene is in doubt.

NOTE: Officers may not conduct a search for firearms other than allowed by law or with the consent of the owner(s).
- Seizing an observed firearm, will:
 1. Provide the owner with a copy of the Form 15, Property Inventory.
 2. Advise the owner that the firearm will be held until the conclusion of any domestic violence proceedings unless otherwise ordered by law.

NOTE: The owner must qualify to receive the firearm under state and federal laws.
- Conduct a lethality assessment, when required. Refer to Field Manual, Article 1-5.2.1.
- Employ appropriate crisis intervention and problem solving techniques to reduce the escalation of violence and prevent future occurrences.

- Advise the victim of criminal and civil measures which can be taken (e.g., warrant/summons, protective orders, etc.) and counseling agencies available for help. This information has been provided in the Maryland Crime Victims and Witnesses Rights and Services Brochure kept in each precinct. A copy will be given to the victim by the investigating officer.
NOTE: Refer to Field Manual, Article 4 (Arrest, Custody, and Court) for information identifying persons that are eligible for relief via a protective order.
- Provide any reasonable assistance to the victim, which may include:
 1. Activation of the Emergency Medical System (EMS), if medical treatment is requested or necessary.
 2. Removal of personal effects required for immediate needs or any other items specified by law.
 3. Transportation to a shelter, court commissioner, or home of a friend or relative if no other means are available.

REPORTING

- The appropriate incident report will be completed for all domestic incidents/abuses, regardless of whether a crime was committed, and regardless of the victim's intentions concerning prosecution.
NOTE: "Domestic" must be selected from the *Report Type* dropdown on the *Administrative* tab for all incidents determined to be a domestic incident or domestic abuse. This will activate the *Domestic* supplemental tab, containing required report information.
- When an officer verifies an incident or assault as involving persons in a domestic/spousal relationship, the report will be written including:
 1. The appropriate offense code(s) (e.g., "Domestic Incident," "Assault 1st Degree," "Assault 2nd Degree Simple," etc.); and
 2. "Yes" selected from the *Domestic Related* dropdown for each domestic related offense on the *Offenses* tab.
 3. The appropriate selection from the *Domestic Related Circumstances* dropdown.
- The *Domestic* supplemental tab must be completed for all domestic abuses and domestic incidents.
- The Maryland Crime Victims and Witnesses Rights and Services Brochure will be given to any victim(s) and indicated by selecting "Yes" from the *MD Crime Victim/Witness Brochure Issued* dropdown on the *Elements of the Incident (EOI)* tab of the incident report.
- If no disturbance was found during a domestic incident investigation, the officer will complete the appropriate incident report using the offense code "Domestic Incident" and by selecting "Unfounded" from the disposition dropdown on the *Administrative* tab.
- If, during a domestic incident investigation, the victim(s) allege(s) an assault occurred and no verification of this can be made, the appropriate incident report will be initiated using all appropriate offense code(s) (e.g., "Assault 1st Degree" or "Assault 2nd Degree," etc.) and the circumstances which made it unverified will be documented in the *Narrative* tab.
- If a protective order is served, a Case Report will be completed selecting:
 1. "Protective Order Service" from the *Report Type* dropdown on the *Administrative* tab; and
NOTE: This selection will activate the *Protective Order Service* supplemental tab, containing required report information.
 2. The offense code of "Protective Order Service" on the *Offenses* tab.
- If a violation of a protective order occurs and the violation does not meet the criteria for domestic abuse, a Case Report using the offense code "Protective Order Violation" will be completed.
- Upon request, the Information & Records Management Section will provide an official copy of the report to the victim of a domestic abuse at no cost.

- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REQUIRED REPORT INFORMATION FOR ALL DOMESTIC INCIDENT/ABUSE CASES

- If the incident involved an assault.
- Sex, race, and date of birth of the involved parties.
- Detailed account of the actual incident including the time of occurrence.
- Household status/domestic relationship (e.g., living together, living apart, unknown, etc.) of the involved parties.
- Length of relationship and, if applicable, date the relationship ended.
- Events leading up to and factors contributing to the assault/incident.
- Prior history of domestic violence. If documented, include previous CC numbers.
- List of pending charges.
- Protective order (current, expired, or explained) and issuing judge, where applicable.
- Action taken by the investigator.
- If the incident was alcohol related.
- Weapon(s) involved.
- Verbal statements made by the involved parties and witnesses. Statements may be written, quoted, or paraphrased in the report narrative.
- Alternate contact for the victim/involved parties.
- Demeanor of victim/involved parties upon officer arrival/interview (e.g., angry, nervous, shaking, crying, etc.).
- Information on minor children living with either parent involved.
NOTE: Minor children will be documented in the *Others* tab of the incident report. If there are no minor children, this fact will be noted in the *Narrative* tab.
- Additional required report information for domestic abuse, if applicable.
- Additional required report information for strangulation cases, if applicable.

ADDITIONAL REQUIRED REPORT INFORMATION FOR DOMESTIC ABUSE CASES

- Location and type of injuries and descriptions of those injuries for all parties involved (e.g., bruises, redness, cuts, burns, etc.).
- Immediate statements made by the victim and by the suspect.
- Medical treatment (e.g., will seek own, first aid administered by police personnel, etc.).
- Whether the victim was transported to a medical facility, and the treating hospital/doctor, when applicable.
- Whether strangulation occurred.
- Evidence collected (e.g., crime scene, hospital, etc.).
- Whether photographs were taken.
- If the suspect or victim owns firearms.
- Whether weapons were confiscated.
- Victim's responses to the Domestic Violence Lethality Assessment, if applicable.

ADDITIONAL REQUIRED REPORT INFORMATION FOR STRANGULATION CASES

- Method of strangulation (e.g., one hand-right or left, two hands, forearm-right or left, device, weapon, etc.).
- Whether suspect is right-handed or left-handed.
- Suspect's statement(s) during strangulation.
- Whether victim's head was pounded against wall, floor, ground, or other surface. If yes, describe.
- Action, if any, taken by victim to protect self.
- Length of strangulation.
- Reason(s) the suspect stopped.

- Whether the victim experienced:
 1. Problems breathing.
 2. Loss of consciousness.
 3. Fading vision or seeing stars.
 4. Loss of control of bladder or bowels.
 5. Voice changes. If yes, describe.
- How the victim felt physically afterwards.
- What the victim felt was going to happen.
- Type of injuries observed (e.g., ligature marks, fingerprint marks, petechiae, defensive wounds, etc.).

REFERENCES

- [Digest of Criminal Laws](#).
- Field Manual, Article 4.
- Field Manual, Article 8.

1-5.2.1 DOMESTIC VIOLENCE LETHALITY ASSESSMENT

DEFINITIONS

- Domestic/Intimate Partner Relationship - a relationship between two people who:
 1. Are currently or formerly married to each other; or
 2. Live or have lived together as sexual partners in the same home; or
 3. Have a child in common; or
 4. Are dating, or have dated in the past, but do not live, or have never lived together, and there have been prior incidents of violence or threats of violence.

NOTE: Reports involving persons who are dating or have dated in the past, and do not meet the definition of a domestic/spousal relationship in section 5.2 of this article, will not be reported as domestic incidents/abuses.
- Lethality Assessment - process for identification of domestic violence victims who are at the highest risk of being killed or seriously injured by their attackers.
- Face-to-Face Contact - when a Domestic Violence Coordinator and a Victim Advocate (when possible) meet with a domestic violence victim in their home, or other safe place (e.g., police precinct, hospital, service provider office, etc.), to discuss their domestic violence situation.

RESPONDING OFFICER

- Initiates a Domestic Violence Lethality Assessment in qualifying cases where the criteria for completion of a lethality assessment are met.

EXCEPTION: Cases meeting the criteria where one or more prohibiting factors also exist, do not require completion of a lethality assessment.
- Attempts to notify the victim's parents immediately, when handling a domestic violence case with a victim under the age of 18.

NOTE: If the parents cannot be located in a reasonable amount of time, the officer will initiate the lethality assessment on the victim.
- Contacts the Lethality Response Line (LRL) when the assessment triggers the referral protocol.
- Advises the victim of the potential for danger and provides contact information for service providers and the Domestic Violence Coordinator when the assessment is not completed.

- Documents the lethality assessment in an incident report using the *Lethality* supplemental tab.
- NOTE:** The *Lethality* supplemental tab is activated by selecting “Yes” to the question:
1. “Was an assault involved?” on the *Domestic* tab for qualifying cases involving persons in a domestic/spousal relationship.
 2. “Is this a non-domestic related assault that requires a lethality assessment?” on the *Administrative* tab in qualifying cases involving persons in a domestic/intimate partner relationship that do not meet the criteria for a domestic/spousal relationship.

REQUIRED REPORT INFORMATION

- Whether the victim refused to answer any or all questions.
- Lethality assessment referral protocol questions and all corresponding answers.
- Reason(s) why the lethality assessment was not completed (i.e., mutual, intoxicated, etc.), if applicable.
- Whether the victim screened-in “High Danger” according to the protocol or based on belief of the officer, or did not screen-in “High Danger.”
- The LRL counselor’s name, and date and time notified, if applicable.
- Resources recommended to the victim (e.g., immediate assistance with crisis intervention, emergency shelter, safety planning, etc.).

CRITERIA FOR COMPLETION OF A DOMESTIC VIOLENCE LETHALITY ASSESSMENT

- A call for service involving person in a domestic/intimate partner relationship where any of the following crimes occurred:
 1. Possible/alleged/verified assault, with or without injury.
 2. A completed or attempted third or fourth degree sex offense.
 3. False imprisonment.
 4. Harassment.
 5. Stalking.
 6. A property crime with the propensity for escalation to violence (e.g., burglary, destruction of property, malicious burning, etc.).
 7. An act that places one in fear of physical injury.
- A call for service involving persons in a domestic/intimate partner relationship where:
 1. It is a repeat call for service.
 2. The responding officer believes that upon leaving the call for service the potential for assault or danger is high.
 3. The responding officer believes the assessment should be done, at his or her discretion.

PROHIBITIONS TO COMPLETION OF A DOMESTIC VIOLENCE LETHALITY ASSESSMENT

- Abuser is present and the officer is unable to speak to the victim alone.
- Victim is inebriated.
- Victim goes to the hospital and the interview is not practical.
- Victim has no access to a phone.
- Assessment would place the victim in immediate danger.
- Officer is not able to ensure the victim’s immediate safety.
- Incident is considered “mutual battery,” and the primary aggressor cannot be determined.
- First or second degree rape has been committed and a Special Victims Unit detective has been called.

NOTE: The Special Victims Unit detective will complete the lethality assessment in these cases.

LETHALITY ASSESSMENT REFERRAL PROTOCOL

- A “Yes” response to any of the three questions below automatically triggers the “High Danger” protocol referral:
 1. Has he/she ever used a weapon against you or threatened you with a weapon?
 2. Has he/she threatened to kill you or your children?
 3. Do you think he/she might try to kill you?
- Negative responses to the questions above, but positive responses to at least four of the questions below, trigger the “High Danger” protocol referral:
 1. Does he/she have a gun or can he/she easily get one?
 2. Has he/she ever tried to strangle/choke you?
 3. Is he/she violently or consistently jealous or does he/she control most of your daily activities?
 4. Have you left him/her or separated after living together or being married?
 5. Is he/she unemployed?
 6. Has he/she ever tried to kill himself/herself?
 7. Do you have a child that he/she knows is not his/hers?
 8. Does he/she follow or spy on you or leave threatening messages?
- An officer may trigger the “High Danger” protocol referral, if not already triggered above, as a result of the:
 1. Victim’s response to the questions:
 - a. Is there anything else that worries you about your safety?
 - b. If “yes,” what worries you?
 2. Officer’s belief that the victim is in a potentially lethal situation.

DOMESTIC VIOLENCE COORDINATOR (DVC)

- Reviews the incident report to determine if a lethality assessment was initiated.
- Initiates a lethality assessment, if not completed by the reporting officer, unless the primary aggressor cannot be determined and there is no history of victimization by either party.
- Conducts a face-to-face contact with victims who trigger the “High Danger” referral protocol in order to:
 1. Determine the current status of the situation.
 2. Provide additional referral and advocacy information and assistance.
 3. Encourage the victim to access available domestic violence services.

NOTE: The Victim Advocate should accompany the DVC on the face-to-face contacts, and must be notified within 24 hours if a face-to-face contact is conducted without the advocate.
- Considers a face-to-face contact when the screening does not trigger the referral protocol, but a high level of potential violence exists.
- Contacts the victim via telephone to provide referral and advocacy information if the referral protocol was not triggered and no face-to-face contact was conducted.
- Sends the victim referral and advocacy information via mail, if contact was not made during a face-to-face contact or via telephone.
- Completes an Officer Report or Case Report containing follow-up information.

1-5.2.2 POLICE PERSONNEL INVOLVED IN DOMESTIC INCIDENTS

GENERAL

- Domestic incidents involving any police personnel of any law enforcement agency are to be handled with the same diligence as incidents involving the general public.

RESPONDING OFFICERS

- Notify the on-duty shift commander to respond to the scene.
- Follow the procedures for investigating domestic incidents/abuse (see Section 1-5.2).

SHIFT COMMANDERS

- Assess the immediate situation and, if necessary, direct further police action to relieve tension and fear.
- Provide recommendations to prevent future occurrences, if appropriate.
- Immediately complete a Form 258, Statement of Incident, if the incident involves a Department member suspected of a departmental violation.
- Notify the member's commander of the incident, actions taken, and recommendations provided, regardless of the severity of the complaint.
NOTE: Notifications are to be made expeditiously and with utmost confidentiality.
- Notify the member's commander, or other appropriate authority, when an incident involves an employee of another police agency and there is an act of abuse or use of a weapon.
NOTE: Notification is discretionary for incidents not involving abuse or a weapon. This decision should be based on the severity of the complaint, the safety of parties involved, past occurrences, the potential for re-occurrences, and the employee's right to privacy.

EMPLOYEE'S COMMANDER

- Determines the need for providing the employee with further assistance based on an assessment of the situation in terms of the:
 1. Safety of the employee and any other persons involved.
 2. Potential for increased tension and/or violence.
 3. Potential for recidivism.
 4. Actions and recommendations of the shift commander that responded to the incident.
- If further intervention is warranted, determines the appropriate measure of intervention or resource referral to best serve all parties involved. The Department's Psychological Services caregiver may be consulted prior to the commander:
 1. Informing employees of their options for counseling assistance and where they may obtain referral information (e.g., the Department's Psychological Services caregiver, Employee Insurance Plan, etc.).
 2. Recommending that the employee make an appointment for psychological counseling.
 3. Ordering the employee to visit the Department's Psychological Services caregiver for evaluation and possible referral. An ordered visit will be monitored by the commander for timely compliance and any other follow-up necessary.

1-5.3 VULNERABLE ADULT/ELDER ABUSE, NEGLECT, AND EXPLOITATION

DEFINITIONS

- Vulnerable Adult - an adult who lacks the physical or mental capacity to provide for the adult's daily needs.
- Abuse - the:
 1. Sustaining of any physical injury by a vulnerable adult as a result of cruel or inhumane treatment or as a result of a malicious act by any person; or
 2. Intentional and malicious infliction of severe emotional distress on a vulnerable adult.
- Neglect - the willful deprivation of a vulnerable adult of adequate food, clothing, essential medical treatment or rehabilitative therapy, shelter, or supervision.
NOTE: Neglect does not include the providing of nonmedical remedial care and treatment for the healing of injury or disease, with the consent of the vulnerable adult, recognized by state law instead of medical treatment.
- Self-Neglect - inability of a vulnerable adult to provide the vulnerable adult with the services that are necessary for the vulnerable adult's physical and mental health and the absence of which impairs or threatens the vulnerable adult's well-being.

- Exploitation - any action which involves the misuse of a vulnerable adult's funds, property, or person.
- Cognitive Disorder - any deterioration of mental or brain functioning due to disease (e.g., Parkinson's disease, etc.), physical trauma, or other developmental dysfunction (e.g., intellectual and developmental disorders, etc.).

INVESTIGATING OFFICERS

- Notify a supervisor upon receiving a call of vulnerable adult abuse, neglect, self-neglect, or exploitation.
- Ensure that the Crime Scene Team collects:
 1. Evidence and/or color photographs of the victim's injuries and the scene; and
 2. Any available surveillance videos.

NOTE: If the Crime Scene Team is unavailable, the investigating officer will assume these responsibilities. If the investigating officer is unable to extract the surveillance video(s), a Form 88, Request for Laboratory Examination, will be completed and forwarded to the Forensic Services Section for video extraction.
- Must notify the precinct Investigative Services Team (IST) and the Department of Social Services (DSS) Adult Protective Services of all calls of vulnerable adult abuse, neglect, self-neglect, or exploitation prior to going off duty.

EXCEPTIONS:

1. Notifications are not required for calls determined to be unfounded.
 2. For long term care resident abuse in a nursing home or assisted living, the Baltimore County Department of Aging, Ombudsman Program will be notified in lieu of the DSS via 410-887-4200, prior to going off duty. The Ombudsman will follow up on all advocacy needs for care or resident rights. Notification can be made at any time to office staff, via telephone, voicemail, or by e-mailing ombudsman@baltimorecountymd.gov.
- Contact the Baltimore County Department of Aging, if applicable, for assistance and/or advice during these investigations.
 - Complete the appropriate incident report on all calls of vulnerable/elder adult abuse, neglect, self-neglect, or exploitation even if unfounded, before going off duty.
 - Ensure the incident report includes:
 1. The appropriate offense code(s) (e.g., "Vulnerable Adult Abuse Assault 1st Degree," "Vulnerable Adult Abuse Assault 2nd Degree Aggravated," "Vulnerable Adult Abuse Assault 2nd Degree Simple," "Vulnerable Adult Neglect/Exploitation," etc.); and
 2. The selection of "Yes" for the question "Does this incident contain a possible elder or vulnerable adult abuse, neglect, or exploitation?" on the *Administrative* tab; and

NOTE: This activates the *EVAA* supplemental tab, containing required report information.
 3. The selection of "Yes" for the question, "Did the incident occur in a care facility?," when applicable.

NOTE: The name and license number of the facility must be inserted in the applicable fields.
 - Determining the offense to be unfounded will document the incident using the most appropriate offense code(s) and select "Unfounded" from the *Disposition* dropdown on the *Administrative* tab.

NOTE: Officers must consult with the State's Attorney's Office, who will make the final determination if the incident can be "Unfounded."
 - Will not explain charging procedures to the victim's families.

NOTE: When charges are filed against a suspect, it will be done by the:

 1. Investigating member after consulting with the precinct's IST and the State's Attorney's Office; or
 2. Precinct's IST.

- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

SUPERVISORS

- Ensure proper investigation of all initial calls for vulnerable adult abuse, neglect, self-neglect, or exploitation.
- Ensure that all initial incident reports are completed and approved prior to the end of the officer's tour of duty.

PRECINCT INVESTIGATIVE SERVICES TEAMS

- Conduct follow-up investigations, as determined by the precinct's Community Outreach & Investigative Services Commander, with the assigned DSS Adult Protective Services worker, as necessary.
- Places charges, when appropriate, after consulting with the State's Attorney's Office.

YOUTH & COMMUNITY SERVICES UNIT (YCSU)

- Acts as the Department liaison with local, state, and federal agencies.
- Reviews all reports for compliance with the law.
- Advises and assists precinct officers regarding administrative or regulatory issues.
- Monitors state legislation.
- Maintains a central file on reference information to answer requests as needed.
- Monitors reports to establish trends.

REMOVAL AUTHORITY

- Investigating officers will have a vulnerable adult transported to an appropriate medical facility when, based on personal observations, it appears probable:
 1. A vulnerable adult will suffer immediate and serious physical injury or death if not immediately placed in a medical facility.
 2. A vulnerable adult is incapable of giving consent.
 3. That the situation is too critical to wait for a court order.

NOTE: Justification must be noted in the report.
- Investigating officers exercising this authority will respond to the medical facility and provide pertinent information.
- In the absence of these exigent circumstances, the investigating officer will contact DSS Adult Protective Services and a supervisor prior to removing a vulnerable adult from an incident scene.

REQUIRED REPORT INFORMATION

- Name, age, and home address of the alleged vulnerable adult victim.
- Present location of the victim.
- Nature of the victim's incapacity.
- Whether there is someone who is responsible for the care of the victim and/or if the victim is in need of care.

NOTE: If an individual is responsible for the care of the victim, the person will be documented in the *Others* tab.
- Nature and extent of the abuse, neglect, self-neglect, and/or exploitation of the victim, including evidence or information available to the investigating officer concerning any previous injury resulting from abuse, neglect, self-neglect, or exploitation.
- Any other information that would help determine the cause of the abuse, neglect, self-neglect, or exploitation and/or the individual responsible.
- Whether the location is a nursing home or assisted living facility.
- Name, type, and license number of the facility, if applicable.
- Whether charges are being filed.

- An explanation of why charges are not being pursued, when no charges will be filed by the Department.
- Notifications and contacts will be noted in the report.

1-5.4 RAPE AND SEX OFFENSES

INVESTIGATIVE RESPONSIBILITY

- Rapes involving victims 13 years of age or older (at the time of the offense) will be the responsibility of the Special Victims Unit (SVU). Case investigation will be coordinated by the SVU and may be conducted jointly with precinct officers.
- Rapes involving victims under the age of 13 or under the age of 18 (at the time of the offense), if care and custody issues are involved, will be the responsibility of the Crimes Against Children Unit (CACU).
- Third or fourth degree sex offenses will be the responsibility of precinct officers assigned where the offense occurred. The SVU or CACU may be consulted, if needed.
- Precinct officers will handle all attempted rapes and all attempted sex offenses not being investigated by the CIB.
NOTE: The SVU or CACU (depending upon the age of the victim) must be contacted immediately after the precinct officer's preliminary investigation is initiated for attempted rapes. The SVU or CACU supervisor has final authority to determine investigative responsibility for attempted rapes.
- The Sex Offender Registration Team (SORT) supervisor will determine investigative responsibility for, and may elect to take investigative responsibility of, any rape or sex offense case (including attempts) not being investigated by members of the CIB in which a registered sex offender is a suspect.

NOTE: In the event that investigative responsibility cannot be agree upon, the shift/unit commander and the CIB unit commander will consult and agree upon investigative responsibility.

RESPONDING OFFICERS

- Summon an ambulance, if necessary.
- Secure the crime scene.
- Briefly interview the victim to determine the criminal elements, the degree of the offense, and the investigative responsibility.
- Separate the victim/witnesses to protect statement integrity.
- Request that the victim not smoke, drink, bathe, shower, douche, urinate, or defecate, if possible, in order to preserve evidence.
- Have the 9-1-1 Police Liaison contact the appropriate CIB unit for verified rapes and attempts.
- Determine the need for a search and seizure warrant before notifying the Forensic Services Section (FSS) or processing the crime scene.
- Wait for the approval of the appropriate CIB detective before interviewing the victim in detail for rapes and attempts.

INVESTIGATING OFFICERS

- Offer rape and sex offense victims the opportunity for an examination at an approved medical facility when appropriate.
- Arrange for examination at the hospital. The victim will be transported by the officer or medic to the:
 1. Closest hospital available if immediate medical attention is required.

2. Greater Baltimore Medical Center if immediate medical treatment is not required.
NOTE: Officers will consult with a CACU Sexual Abuse supervisor to determine if a Sexual Assault Forensic Examination (SAFE) should be administered to a victim 12 years of age or younger.
- Accompany the victim to the hospital for the medical examination.
 - Request that a Sexual Assault Forensic Examination (SAFE) be administered by a certified SAFE nurse.
 - Arrange for the FSS Crime Scene Team technician to recover evidence from the hospital.
 - Protect the identity and confidentiality of the victim.
 - Conduct an interview with the victim in private, away from other officers and persons.
 - Consult with the CIB investigating unit before taking any written statement for rapes and attempts.
 - Immediately contact the SORT supervisor anytime a registered sex offender is a suspect in any rape or sex offense case (including attempts).
 - Inform the victim of peace/protective order procedures, if applicable.
 - Provide the victim with the Maryland Crime Victims and Witnesses Rights and Services Brochure and document that it was issued on the *Elements of the Incident (EOI)* tab of the incident report.
 - Keep the victim informed of the investigation's progress.
NOTE: Within 30 days after a request by the victim from whom the evidence was collected, the investigating officer or unit must:
 1. Provide the victim with information regarding the status of the SAFE kit analysis;
 2. Provide all available results of the kit analysis except results that would impede or compromise an ongoing investigation;
 3. Complete an Officer Report, which states, in general terms, that the victim's request was satisfied, and include the method of communicating the information to the victim (e.g., mail, e-mail, verbally, etc.).
 - Complete the appropriate incident report using the:
 1. Most specific offense code(s) applicable to circumstances of the case (e.g., "Sexual Assault Rape Sex Act 1st Degree," "Sexual Assault Rape Sex Act w/ Object 2nd Degree," "Sexual Assault Rape Vaginal Intercourse 1st Degree," "Child Abuse Rape Sex Act w/ Object 1st Degree," etc.), as determined by the circumstances of the investigation, and as advised by the entity having investigative responsibility; or
 2. Offense code "Child Abuse Sexual Assault Pending Classification" or "Sexual Assault Pending Classification," if the circumstances of the investigation have not yet yielded a determination of the circumstances of a potential sexual assault related case.
NOTE: The offense code of "Suspicious Incident Condition/Person/Vehicle" will not be used in lieu of "Child Abuse Sexual Assault Pending Classification" or "Sexual Assault Pending Classification," when an investigation into a possible sexual assault has not yet been completed.
 - Will not use the offense code "Child Abuse Sexual Assault No Final Classification" or "Sexual Assault No Final Classification" until an investigation has been completed by a specialized entity having investigative responsibility and it cannot be determined that a crime occurred.
 - Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

SUPERVISORS

- Assign officers as needed to ensure that the victim is accompanied to the hospital and that the crime scene is protected.

MEMBERS

- Upon receiving written request from a victim regarding notification and/or retention of evidence collected from the victim, forwards:
 1. The original written request to the Legal Section.
 2. A copy of the written request and a Form 128R for all evidence in the case to the Evidence Management Unit (EMU).

NOTE: The EMU will attach a copy of the documentation to the Form 15 for all evidence in the case.

REFERENCE

- Field Manual, Article 7 (Evidence).

1-5.4.1 DELAYED SEXUAL ASSAULT REPORTING

DEFINITION

- Delayed Reporting- sexual assault victims responding to a hospital for treatment are informed by the hospital staff that they may have a Sexual Assault Forensic Examination (SAFE) completed without immediate law enforcement involvement.

PROCEDURES FOR DELAYED REPORTING

- When a sexual assault victim declines immediate law enforcement involvement, the forensic nurse examiner (FNE) will have the victim acknowledge and sign a consent form for a SAFE examination and a 90-day delayed reporting of the incident to law enforcement. The victim will be provided with a copy of the consent form and contact information for the Baltimore County Police Department, Special Victims Unit (SVU).
- The FNE will notify the 9-1-1 Communications Center to dispatch a mobile crime scene technician to pick up the SAFE kit at the hospital/center where the SAFE examination was conducted.
- The FNE will then contact the desk officer at the precinct in which the SAFE examination was completed and obtain a Central Complaint (CC) number. The officer will complete the appropriate incident report using the offense code "Sexual Assault Safe Kit Delayed Report." The FNE will provide a name or a letter/number associated with the name.
- The receiving officer will include the name of the FNE and hospital location in the report. If possible, the date, time, location, and any pertinent information the FNE can provide relative to an investigation of the incident should be obtained.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

SPECIAL VICTIMS UNIT

- Receives and reviews all delayed reporting sexual assault incidents ensuring appropriate investigative procedures are taken.
- Determines the final disposition of evidence and the report if no further action is taken by the victim after 90 days.
- Maintains liaison with the Governor's Office of Crime Control and Prevention (GOCCP) and health care representatives to ensure compliance with Violence Against Women Act (VAWA) regulations.

FORENSIC SERVICES SECTION

- Collects, documents, and transports the SAFE kit evidence from the hospital to the Evidence Management Unit.
- Forwards a copy of the 90 day notice/consent form with the evidence per departmental procedures.

REFERENCE

- [Violence Against Women Act \(VAWA\)](#).

1-5.4.2 SEX OFFENDER REGISTRATION

DEFINITION

- **Sex Offender** - a person who has been convicted of an offense that requires the person to be classified as a Tier I, Tier II, or Tier III sex offender.

NOTE: Sex offenders are categorized into Tier I, II, or III depending upon the offense they were convicted of committing, as defined by the Annotated Code of Maryland, Criminal Procedure Article.

GENERAL

- All sex offenders, including homeless offenders, must register in person in each county where they reside, work, or attend school, within three days of their release or moving to a new location.
- All homeless sex offenders shall register in person every seven days.
- Tiers I and II sex offenders shall register in person every six months.
- Tier III sex offenders shall register in person every three months.
- Sex offenders must re-register each time their primary address changes.
- Registration and re-registrations must include a digital photograph.

OFFICERS COMPLETING A SEX OFFENDER REGISTRATION

- Ensure that the offender is registered in a timely manner.
- Will not send away an offender and request that they return at another date or time.
- Contact the 9-1-1 Communications Center and draw a CC number for a sex offender registration.
- Complete an arrest record in the EBooking system.
NOTE: The completing officer will ensure:
 1. The *UID*, *SID*, and *Confirmed by* fields are left blank for completion by a member assigned to the IRMS.
 2. He/she opens the *Charge* field and types "SOR" into the *Non-CJIS/Local Charge* field to ensure a CC number appears on the printed form.
- Fingerprint the subject using the LiveScan system if it is his/her first time being registered.
NOTE: A member assigned to the IRMS will complete the *UID*, *SID*, and *Confirmed by* fields in the EBooking arrest record upon receipt of the confirmation e-mail from the Department of Public Safety and Correctional Services (DPSCS) and completion of a warrant check.
- Request a member assigned to the IRMS complete the *UID* and *Confirmed by* fields in the EBooking arrest record if a follow-up registration is being completed and the subject is not being LiveScan fingerprinted.
NOTE: A member assigned to the IRMS will conduct a warrant check prior to completion of the above fields.
- Take a digital photograph using the prisoner processing camera.
- Complete the "Sex Offender Registration" form.
NOTE: The form must be signed and dated by both the registrant and the officer.
- Review with the registrant the "Notice of Sexual Offender Registration Requirements" form, which is then signed and dated by the registrant and the officer.
- Place all documents into the sex offender registration envelope and forward it to the Sex Offender Registration Team (SORT).
- Contact the SORT supervisor through the 9-1-1 Communications Center with any questions.

SEX OFFENDER REGISTRATION TEAM (SORT)

- Collects arrest reports and registrations for sexual offenders from the precincts, the Information & Records Management Section, and the State of Maryland.
- Reviews and approves the registrations and enters them into the Maryland Online Sex Offender Registry (MOSOR).
- Monitors and tracks sex offenders to ensure their compliance with the law.
- Makes notifications to the Baltimore County Safe School Facilitator and the Baltimore County Child Care Link.
- Notifies the 9-1-1 Communications Center to have hazard alerts placed or removed from offenders' new addresses and former addresses.
- Contacts Parole and Probation agents and a Crimes Against Children Unit supervisor if a sex offender is found to be non-compliant.
- Reviews assigned cases and attempts to contact the offenders.
- Documents all attempts to locate offenders.
- Documents sex offender registration violations in the appropriate incident report.
- Prepares a Form DC/CR1, Application for Statement of Charges, for offenders who are non-compliant.
- Provides precinct personnel with training regarding sex offender registrations.
- Makes final decisions regarding sex offender registrations.
- Conducts criminal investigations jointly with the primary investigator, when a case involves a registered sex offender.

SEX OFFENDER REGISTRATION TEAM (SORT) SUPERVISOR

- Reviews documentation on non-compliant sex offenders, to determine if further investigation is warranted.
- Reviews and approves reports, as needed.
- Assigns personnel to make contact with selected sex offenders and to conduct compliance inspections of their addresses.
- Coordinates criminal investigations involving registered sex offenders.
- Coordinates proactive compliance and enforcement efforts with regard to registered sex offenders.

1-5.5 HOMICIDE CASES

HOMICIDE/MISSING PERSONS UNIT (HMPU)

- Has the sole responsibility for coordinating all phases of the investigation.
- Will handle identification of the deceased, and notification of the next-of-kin for their cases.
- Will be notified immediately when a suspect is arrested in a homicide case. The suspect will be taken to the nearest precinct unless otherwise directed by the HMPU.

FIRST OFFICER AT THE SCENE

- Determines the possible cause or circumstances of death, if possible.
- Protects the immediate area of the crime scene, indoors, and outdoors by:
 1. Establishing the crime scene perimeter as large as reasonably possible.
 2. Not disturbing anything at the crime scene. Extreme care should be used not to contaminate the scene, taking every precaution to safeguard any evidence.
EXCEPTION: Evidence may be taken into possession by an officer if the evidence may be lost, stolen, or damaged if left in its original position.
 3. Clearing the building, if it contains the crime scene, of all persons once it is determined that there are no victims or suspects remaining.
 4. Making exact notes of any alterations made to the scene (e.g., opening or closing doors, turning lights on or off, etc.).

- Notifies the 9-1-1 Communications Center of all particulars which have been obtained, especially a description of the suspect, route of escape, etc. and requests whatever assistance is required from CIB, Forensic Services Section, etc.
NOTE: Telephones within the crime scene will not be used until processed by the Forensic Services Section.
- Ensures that the body is left in its original position. If it is necessary to move the body to the hospital or elsewhere, indicate the position of the body by sketching it in their memo book and recording the names and assignments of the ambulance personnel.
- Obtains the names, addresses, and identification of all witnesses and detains them.
- Records all facts and details regarding the case (e.g., date and time of call, time of arrival, weather conditions, lighting conditions, location, names and addresses of suspects and witnesses, complete identification of victim, description, and location of evidence, complete description of crime scene, etc.).
- Remains under the supervision of CIB until the conclusion of the investigation at the crime scene.
- With the permission of the officer's commander, may be detailed to a prolonged investigation with detectives until such time as the CIB Persons Section Commander decides that the officer's services are no longer required.
- Completes the appropriate incident report, following current Department procedures for reporting of confidential investigations.
- Refers to Field Manual, Article 8 (Report Writing), for required report distribution.

SENIOR-RANKING OFFICER ON THE SCENE

- Details an appropriate number of officers required to guard the crime scene.
- Has all witnesses or other persons having knowledge of the crime taken to the precinct for interview with a detective present:
 1. If this is impractical, assigns an officer to question the person and takes necessary statements immediately.
 2. Directs that such questioning be done privately and, if possible, prevents witnesses from discussing the case among themselves until they have been interviewed individually.
- Keeps the 9-1-1 Communications Center informed of all new developments in the case regarding a description of the assailant and information regarding the escape, weapon used, and any probable injuries suffered by the assailant.
NOTE: The 9-1-1 Communications Center will relay information via radio and telex unless otherwise ordered.
- The radio dispatcher will instruct all cars in the vicinity not to converge on the scene but search the area for possible suspects. If the assailant was injured, they will order a check of all hospitals and doctors' offices.
- Assigns personnel to canvass the neighborhood with detectives, questioning anyone who may have information regarding the crime. Names, addresses, and telephone numbers of all persons interviewed will be recorded.
- Assigns personnel to search the surrounding area for any evidence that may have been lost or disposed of by the assailant while in flight.
- Assists other police units assigning officers as needed in other phases of the investigation.
- Will be in command until the HMPU member arrives.

PRECINCT PERSONNEL

- Will not formally interrogate the suspect.
- Record any spontaneous comments made by the suspect.
- Package and retain as evidence any items collected from the suspect.

- Check the suspect's hands for physical evidence (e.g., blood, fibers, etc.) prior to placing the suspect in the cellblock area.

CIB

- Takes charge of the crime scene.
- Directs the processing of the scene by the Forensic Services Section (FSS) personnel.
- Ensures that required notes and sketches are made.
- Assists the Medical Examiner as needed.
- Ensures that all evidence is taken into custody by FSS personnel.
- Attends autopsies at the Medical Examiner's Office.
- Conducts necessary investigation outside Baltimore County.
- Reviews the entire case with the State's Attorney's Office.

DYING DECLARATIONS

- Investigating officers will make every effort to obtain a dying declaration.

HOSPITAL PROCEDURES

- The investigating officer will:
 1. Take possession of all clothing removed from the victim at the hospital and caution hospital personnel against loss or destruction of other articles left on the body.
 2. Package each item of clothing separately in paper containers.
 3. Attempt to interview the victim's family/friends arriving at the hospital in an effort to find out who the victim was last seen with, where the victim was going when last seen, and get as much background information on the victim as possible.

REFERENCE

- Field Manual, Article 7 (Evidence).

1-5.5.1 DEATH AND MURDER SCENE SEARCHES

RESPONDING OFFICERS

- May enter a dwelling or building without a search warrant for the purpose of:
 1. Searching for and locating the victims and summoning medical aid, if necessary.
 2. Locating any dead bodies and taking necessary steps to prevent the loss or destruction of any evidence.
 3. Searching for and detaining any assailants that may still be on the premises.
- Must stop their searches once the victim and/or assailants are located. Further search must be accompanied by consent or a warrant.
- Attempt to obtain a verbal or written consent to search from a person authorized to grant the consent.
- If the consent is granted:
 1. Investigate the scene to determine the manner and cause of death.
 2. Vacate the scene and establish a perimeter if the death appears to be a homicide.

1-5.5.2 CONSPIRACY/CONTRACT MURDERS

DEPARTMENT MEMBERS

- Receiving information of a possible contract or conspiracy murder will:
 1. Immediately notify the Homicide/Missing Persons Unit (HMPU).
 2. Complete an Investigative Memo, documenting information known at that time, and forward it to the HMPU.

SHIFT/UNIT COMMANDER

- Ensures that immediate notification is made to the HMPU upon obtaining information concerning a contract or conspiracy murder.
- Ensures that appropriate action is taken to safeguard the lives of potential victims.

HOMICIDE/MISSING PERSONS UNIT (HMPU)

- Initiates the appropriate incident report, using the offense code "Conspiracy to Commit Group A."
NOTE: If a crime that was conspired was also attempted or carried out, the additional appropriate offense code(s) will also be used.
- Conducts follow up investigations in accordance with current Standard Operating Procedures (SOPs).

1-5.6 ROBBERY

INITIAL RESPONSE

- Sirens will not be used in the proximity of the robbery scene.
- Extreme caution will be used at all times when approaching robbery scenes.
- Officers will not rush into any building upon arriving at the scene of a robbery alarm.
- Business establishments will not be contacted by telephone to verify robbery alarms.
- As new information is received, the 9-1-1 Communications Center must be notified.
- If a suspect fits the description and a field interview creates reasonable suspicion, take the suspect into custody and advise the dispatcher.

INVESTIGATING OFFICER

- Notify their supervisor.
- If victims have suffered a loss of property, refer to Section 1-4.4.1 for instructions regarding the Form 25, Civilian Stolen Property Form.
- Complete a Form 208, Investigative Guide, if needed, and forward it to the Information & Records Management Section.

SUPERVISORS

- Ensure the investigation is properly conducted.
- Notify the Robbery Unit if the robbery is verified and the Robbery Unit has the responsibility to conduct the follow-up investigation.

EVIDENCE

- Refer to the Evidence/Property Packaging Manual for procedures specific to commercial robberies.

REPORTING

- Robberies will be reported on the appropriate incident report using the appropriate offense code(s).
- All robbery reports will be completed and approved prior to the end of the officer's tour of duty.
- If force is used to obtain a purse from a victim, or a purse is obtained by placing the victim in fear, the offense will be reported as robbery with a situation found code of "J10 Robbery, Purse Snatching."
- If robbery occurs at a business, the business will be listed as the first victim in the incident report followed by any additional victims.
- If a vehicle is taken as a result of a robbery, the vehicle information will be placed in the *Property* tab of the incident report.

- Record the times of the notifications and the name of the supervisor acknowledging the notification in the *Narrative* tab of the incident report.
NOTE: If the Robbery Unit is not working and assistance is needed, the 9-1-1 Police Liaison will contact a Robbery Unit supervisor to evaluate the need for assistance.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REFERENCE

- Evidence/Property Packaging Manual.

1-5.6.1 VERIFIED BANK ROBBERIES

OFFICER-IN-CHARGE INSIDE

- Clarifies information received with the 9-1-1 Communications Center.
- Surveys the overall situation.
- Secures the crime scene.
- Places a guard on the entrance to prevent entry of unauthorized persons.
- Notifies the Robbery Unit.
- Assigns personnel to interview witnesses.

OFFICER-IN-CHARGE OUTSIDE

- Detains witnesses outside of the establishment.
- Surveys the area and determines any needs.
- Makes outside assignments.
- Has surrounding area searched.

ROBBERY UNIT

- Searches the scene after processing by Forensic Services personnel.
- Determines whether or not the Federal Deposit Insurance Corporation has jurisdiction and if so, contacts the local Federal Bureau of Investigation Office.

1-5.6.2 FORM 208, INVESTIGATIVE GUIDE

GENERAL

- The Form 208, Investigative Guide, may be completed for all crimes.
- The Form is to be used at the supervisor's discretion as a training tool or investigative aid.
- Completed forms are submitted to the Information & Records Management Section for scanning into the Records Management System (RMS).

1-6.0 NARCOTICS ENFORCEMENT

DEFINITION

- Drug - any substance, natural, or artificial, other than food, that by its chemical nature alters structure or function in the living organism.

DEPARTMENT MEMBERS

- Having knowledge of a narcotics or dangerous drug violation will conduct an investigation or notify their supervisor as appropriate.
- Coming into possession, custody, or control of any suspected illegal drugs will secure and handle such items in accordance with established procedures in the Evidence/Property Packaging Manual.

- Submit suspected controlled dangerous substances (CDS) to the Chemistry Unit for analysis.
EXCEPTION: Noxious inhalants, civil marijuana, and non-evidentiary CDS residue and syringes.
- Will not dispose of suspected drugs except as authorized by the Evidence Management Unit (EMU) upon the receipt of a Form 128D, Disposal/Destruction of Property/Evidence, or as authorized for analysis by the chemist.
- May continue investigation of narcotics complaints at the precinct level when arrests are not made immediately. However, the team supervisor of the involved members will forward a Form 257, Vice/Narcotics/Intelligence Information Form, (continued on additional Forms 257, if necessary) to the Vice/Narcotics Section (VNS) analyst within 48 hours if the investigation or complaint is related to CDS distribution.
- Must notify the VNS as soon as possible when any of the following are involved:
 1. Home invasions that are drug related.
 2. Significant seizures of CDS as determined by the shift commander.
 3. Currency seizures in excess of \$10,000.
 4. Any hidden compartments in vehicles.
 5. Major conspiracy cases.
 6. Significant seizures of paperwork relating to identity theft indicating prescription fraud.
 7. Liquid PCP seizures.
 8. Clandestine laboratories.
 9. Interstate drug trafficking.
 10. Theft of narcotics.

NOTE: VNS shall be notified when outside jurisdictions request assistance with CDS investigations inside Baltimore County.
- Will not:
 1. Apply for, receive, or serve any search and seizure warrant pertaining to illegal narcotics without first contacting a supervisor in the VNS.
 2. Go undercover or surreptitiously join groups of persons for the purpose of acquiring evidence of narcotics violations without the expressed permission of their commander. Prior to such permission, their commander must notify the Vice/Narcotics Section Commander.

1-6.1 NON-EVIDENTIARY CDS/PARAPHERNALIA

GENERAL

- Suspected CDS and paraphernalia of a non-evidentiary nature will be packaged and disposed of according to the Evidence/Property Packaging Manual.
- In the above instance, the appropriate incident report will be completed.

REFERENCE

- Evidence/Property Packaging Manual.

1-6.1.1 CLANDESTINE LABORATORIES

INVESTIGATING OFFICERS

- Leave the immediate vicinity and secure the area.
- Advise the 9-1-1 Communications Center to notify the Vice/Narcotics Section (VNS).

VICE/NARCOTICS SECTION (VNS)

- Requests the Hazardous Devices Team to respond.

- Requests the Federal Drug Enforcement Administration's Clandestine Lab Team to respond to the scene.
- Contacts the Fire Department to dispatch the Hazardous Materials Unit, Satellite Unit, and a Medic Unit.
- Requests the presence of the chemists from the Chemistry Unit at the scene regarding the laboratory contents.

HAZARDOUS DEVICES TEAM

- Coordinates the various agencies responsible for dismantling and cleanup operations.
- Notifies the Department of Environmental Protection and Sustainability (DEPS) for cleanup and disposal of any clandestine laboratory, if necessary.

REFERENCE

- [Emergency Response Guidebook.](#)

1-6.2 ADULT NARCOTICS VIOLATIONS

INVESTIGATING OFFICERS

- Encountering subjects possessing a small quantity of suspected controlled dangerous substances (CDS) may affect an immediate arrest.
- Not making an immediate arrest of subjects for possessing a small quantity of suspected CDS will:
 1. Obtain positive identification of the subject.
 2. Complete the appropriate incident report.
 3. Submit the suspected CDS for chemical analysis per the Evidence/Property Packaging Manual.
 4. Complete a Form DC/CR1, Application for Statement of Charges, in accordance with the Field Manual, Article 4 (Arrest, Custody and Court), in cases when the chemical analysis is positive.
- Encountering subjects possessing CDS in quantities indicating an intent to distribute/manufacture may immediately arrest and charge the subject with a violation of the CDS laws.

ADULT STUDENTS

- If the student involved in the alleged offense is 18 years of age or older, he/she will not be removed from the school but may be interviewed in school in order to make proper identification.
EXCEPTION: When an amount of suspected CDS in quantities to indicate an intent to distribute/manufacture is present:
 1. The offender will be placed under arrest, transported to the precinct for processing, and charged with the appropriate violation of the CDS laws.
 2. School personnel who witnessed the alleged incident will be interviewed.

REFERENCE

- Evidence/Property Packaging Manual.

1-6.3 DRUGS IN THE WORKPLACE

GENERAL

- Officers called to investigate narcotics activity in a workplace will handle it as they would for other calls for service.
- Supervisors will evaluate the need for Vice/Narcotics Section expertise.

VICE/NARCOTICS SECTION (VNS)

- Evaluates all calls for narcotics investigation within a workplace to determine the proper level of investigation.
- Coordinates cases requiring extended internal investigations.
- Advises the requesting organization's personnel on proper response to their situations.
- Coordinates all information and collection of evidence for future prosecution.
- Provides support when deemed necessary by the VNS Commander.

VNS COMMANDER

- Maintains files on all "Drugs in the Workplace" incidents and reports the extent and results of such investigations periodically to the Bureau Chief of the Criminal Investigations Bureau.

REFERENCES

- The Federal Omnibus Drug Initiative Act of 1988.
- Governor of Maryland's Statewide Substance Abuse Executive Order of 1989.

1-6.5 SEIZED ASSETS IN CONTROLLED DANGEROUS SUBSTANCE (CDS) CASES

GENERAL

- Forfeiture of seized property in controlled dangerous substance (CDS) cases may result from investigations:
 1. Initiated by the Department.
 2. Involving cooperation/participation with a federal and/or state agency.
- Federal asset seizure fund:
 1. Needs are identified during the annual budget preparation process.
 2. Are appropriated annually into a gifts and grants account.

NOTE: There is no special request process for these funds.
- All paper currency in the amount of \$500 or greater, firearms, and other weapons are subject to forfeiture if the circumstances of the case establish, by a preponderance of the evidence, that the currency, firearms, or other weapons were used or intended for use in connection with the illegal manufacture, distribution, or dispensing of CDS or controlled paraphernalia.

NOTE: Members may not combine currency found in different locations, or in the possession of separate defendants, to reach the \$500 threshold.
- Members will consider currency amounts of less than \$500 per defendant as personal property, and will leave it at the scene or hold it in accordance with prisoner property procedures.

EXCEPTION: A Vice/Narcotics Section (VNS) supervisor may authorize the seizure of currency amounts below \$500 per defendant.
- Rare or collectable coins may be seized in some circumstances. Contact the Asset Seizure & Forfeiture Coordinator if assistance is needed.
- The Department expressly prohibits bias-based profiling in all asset seizure and forfeiture efforts.
- The Form 337, Notification of Seized Property, and Form 337A, Notification of Seized Property - Inventory, serve as the Department's official record of seizure notification in CDS cases, as required by Maryland law.

INVESTIGATING OFFICERS

- Notify their supervisor and have him/her respond to the scene, prior to seizing any assets.
- Contact the Asset Seizure & Forfeiture Coordinator prior to seizing assets if the seizure results from an ongoing investigation.

- Complete a Form 337 and a Form 337A, as outlined in this section, at the time the seizure is made, and additional:
 1. Forms 337, if there are additional persons requiring notification that do not fit on the first Form 337 used.
 2. Forms 337A, if there are additional seized items of property that do not fit on the first Form 337A used.
- Ensure the Form 337 is signed by the seizing officer, the approving supervisor, and all persons receiving notification, at the time the seizure is made.
- Provide a copy of the Form 337 and Form 337A to all persons from whom an item(s) is seized, at the time the seizure is made.
- Review and sign affidavits forwarded from the Legal Section.
- Forward signed affidavits to their commander.
- Complete the appropriate incident report prior to the end of their tour of duty, for all cases in which assets are seized and include:
 1. The appropriate offense code(s) including the selection of a relevant drug related offense, in the *Offense* tab.

NOTES:

1. There must be a drug entry listed in the *Property* tab to support the drug related offense.
 2. If drugs are confiscated, “Seized in Drug, Forgery/Counterfeiting, or Gambling Offenses” will be entered in the *Status* field on the *Property* tab.
 3. Any other property confiscated will be entered as “Evidence” in the *Status* field on the *Property* tab.
 2. Selection of “Yes” from the *Assets Seized* dropdown on the *Elements of the Incident (EOI)* tab.
 3. Distribution to the Asset Seizure & Forfeiture Coordinator.
 4. A detailed description of the connection of the seized item(s) to CDS, in the *Narrative* tab.
 5. Whether or not the owner of the seized property was at the scene at the time of the seizure, in the *Narrative* tab.
 6. The name of the vehicle owner, when a vehicle is seized, or when a vehicle is otherwise involved in the seizure (e.g., seizure resulting from a vehicle stop, etc.).
- Forward a copy of all Forms 337, Forms 337A, and any related warrants to the Asset Seizure & Forfeiture Coordinator as a PDF via e-mail prior to the end of their tour of duty.

NOTE: Due to strict notification timelines established by Maryland law, failure to forward documentation within the required timeframe may jeopardize forfeiture proceedings.
 - Forward the original Forms 337 and Forms 337A to the Information & Records Management Section prior to the end of their tour of duty.
 - Ensure that the Form 98, Request for CDS Analysis, delineates which items were seized from which suspect, and forward a copy of the form to the Asset Seizure & Forfeiture Coordinator as a PDF via e-mail prior to the end of their tour of duty.
 - Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
 - Are required to appear in court when summonsed for forfeiture proceedings. Failure to appear in court may jeopardize forfeiture proceedings, even if a Form 3, Request for Excused Absence from Court, is submitted.

NOTE: Members must contact the Legal Section for further instructions upon receipt of a summons, if they are unable to attend forfeiture proceedings. Forfeiture proceedings are not handled by the Court Liaison Officer, and the Form 3 will not be used to excuse a member or place them on call for court in these cases.

PACKAGING PROCEDURES FOR SEIZED ASSETS

- All property will be packaged according to evidence procedures outlined in the Evidence/Property Packaging Manual.
- KAPAKs remain sealed upon arrival at the Evidence Management Unit (EMU). Currency improperly packaged will not be accepted by EMU personnel.

SUPERVISORS

- Respond to the scene when notified by an investigating officer, and:
 1. Approve the seizure, when asset seizure criteria are met.
 2. Sign the Form 337 at the time the items are seized.
- Ensure that asset seizure notification procedures (i.e., distribution of Forms 337 and Forms 337A to person from whom items are seized) are completed at the time of the seizure and distributed as required.
- Ensure that all reports involving seized assets are completed and approved prior to the end of the officer's tour of duty.

SHIFT/UNIT COMMANDERS

- Ensure affidavits are logged into the Court Summons Log Book, indicating the date of receipt and initials of the member receiving the affidavit.
- After review and signature, forward the affidavit to the Legal Section.
- Immediately notify the Legal Section, via a Form 12L, Intra-Department Correspondence, if an affidavit cannot be completed and returned within 15 days.
- Ensure that all reports involving seized assets are completed and signed prior to the end of the officer's tour of duty.

ASSET SEIZURE & FORFEITURE COORDINATOR

- Assists with the drafting of the Search and Seizure Warrant and Affidavit.
- Conducts financial investigations, including all pre-seizure financial investigations.
- Determines if the criterion for a seizure exists.
- Obtains appraisals of seized property.
- Assists with physical seizure when needed.
- Forwards supporting paperwork related to the seizure to the Legal Section, as needed.
- Forwards incident reports, Forms 337, Forms 337A, and other related paperwork to the Legal Section.
- Maintains files and documentation relating to seized assets.
- Completes asset sharing forms for assets seized in federal task force cases and joint investigations with federal agency involvement.
- Reviews the asset sharing form and ensures that it is approved by the Chief of Police.
- Distributes copies of the asset sharing form to the Budget Management Section, the State's Attorney's Office, and other sections or agencies as appropriate.
- Completes an annual asset forfeiture analysis, including data regarding bias-based policing.

LEGAL SECTION

- Responsible for forfeiture proceedings concerning seized currency, firearms, vehicles, and other personal property seized by Department members that are traceable to illegal manufacture, distribution, or dispensing of CDS or controlled paraphernalia.
- Notifies owners and/or potential claimants of assets seized via first-class mail within 15 days of the seizure, if the person(s) receiving notification at the time of the seizure is not the property owner, in accordance with Maryland law.
- Prepares affidavits when necessary.
- Forwards affidavits to the seizing officer's commander.

BUDGET MANAGEMENT SECTION

- Deposits funds into a designated account.
- Performs related record keeping.
- Monitors and reconciles all expenditures related to asset seizure funds.
NOTE: Grant expenditures will be separated for accounting purposes.

EVIDENCE MANAGEMENT UNIT

- Determines whether seized assets/currency is to be held as evidence, appraised, or deposited.

MATERIALS & FACILITIES MANAGEMENT UNIT

- Separately identifies all equipment purchased with federal asset forfeiture funds, or placed into inventory as the result of federal forfeiture, and ensures that all federal inventory control requirements are followed.
- Ensures the proceeds from the sale of any fixed assets purchased with asset forfeiture funds are properly disposed in a designated revenue account.

REFERENCES

- [Annotated Code of Maryland, Criminal Procedure Article.](#)
- Evidence/Property Packaging Manual.

1-6.5.1 SEIZED VEHICLES

STATE VEHICLE SEIZURE LAW

- Allows for a vehicle used to transport or conceal any quantity of controlled dangerous substance (CDS) to be seized, with the following exceptions:
 1. Common carriers or vehicles for hire.
 2. Vehicles unlawfully in the possession of a person other than the owner.
 3. Vehicles whose owners have no knowledge that the vehicle was used in the aforementioned crime(s).
- Allows for a vehicle to be seized as an asset obtained with proceeds from a CDS case.

INVESTIGATING MEMBERS

- Will obtain a warrant, prior to seizing a vehicle.
EXCEPTION: When a warrantless seizure is permitted under the law, and the process of obtaining a warrant would jeopardize the investigating member's ability to seize the vehicle.
- May seize a vehicle at the time of the incident if the:
 1. Vehicle is for sale.
 2. Vehicle owner indicates awareness of the fact that the vehicle is subject to seizure.
 3. Member has knowledge that the owner is aware that the vehicle is subject to seizure.
 4. Vehicle is registered to a location outside of Baltimore City, Baltimore, Howard, Harford, Anne Arundel, or Carroll Counties.
- Have their supervisor review the case prior to application for the warrant.
- Draft the seizure warrant and affidavit with the assistance of the Asset Seizure & Forfeiture Coordinator.

SEIZING OFFICERS

- Provide a copy of the seizure warrant and affidavit to the owner at the time of the seizure or as soon after as possible.
- Complete a Form 337, Notification of Seized Property, and Form 337A, Notification of Seized Property - Inventory, and provide copies to the vehicle owner, if he or she is present at the time the vehicle is seized.

- Take photographs of the vehicle, making sure damaged areas are photographed.
 - Conduct an inventory search and return personal property to the owner, including the tags.
 - Leave inside the vehicle any vehicle manuals, emission certificates, keys, and accessories attached to the vehicle.
 - Contact the Regional Auto Theft Task Force to determine the identity of the vehicle.
 - Contact the K-9 Unit to have the vehicle searched by the drug detection team prior to storing in the impound lot.
 - Submit the registration card as evidence in accordance with the “Documents” section of the Evidence/Property Packaging Manual.
 - Ensure that the appropriate incident report is completed by the end of their tour of duty, and contains:
 1. Probable cause for the seizure.
 2. Make and model of the seized vehicle.
 3. Owner of the seized vehicle.
 4. Special features of the vehicle, including after-market items.
 5. Vehicle condition (i.e., excellent, good, fair, or poor).
 6. Damage to the vehicle.
 7. Vehicle mileage.
 8. Whether or not the vehicle owner was present at the scene and notified of the seizure.
 9. A detailed description of the connection of the seized vehicle to CDS.
 10. Distribution to the Asset Seizure & Forfeiture Coordinator and the Vice/Narcotics Section.
 - Forward the following to the Asset Seizure & Forfeiture Coordinator within 72 hours:
 1. A copy of all reports, photographs, records, and attachments relative to the seizure and the subjects involved.
 2. Photographs of the seized vehicle.
 3. A copy of the statement of charges of all involved subjects.
 4. Copies of any warrants obtained, if applicable.
 5. Certified copies of the vehicle title.
 6. Copies of the Form 98, Request for CDS Analysis.
- NOTE:** When a vehicle is seized without a warrant, the Asset Seizure & Forfeiture Coordinator will obtain items 5 and 6 above. The Asset Seizure & Forfeiture Coordinator will provide any needed assistance.

LEGAL SECTION

- Notifies the vehicle owner of assets seized via first-class mail within 15 days of the seizure, if he/she is not at the scene to be notified at the time the seizure is made, in accordance with Maryland law.

ASSET SEIZURE & FORFEITURE COORDINATOR

- Forwards a copy of the seizure warrant and all notification forms to the Legal Section, once notification to the vehicle owner is made.

REFERENCE

- Evidence/Property Packaging Manual.

1-6.5.2 OTHER SEIZED PROPERTY

SEIZURE CRITERIA

- Property must have been acquired by the defendant during the time period when the controlled dangerous substance (CDS) violations were committed.
- Property was furnished or intended to be furnished in exchange for CDS or is traceable proceeds of drug transactions.

- Probable cause exists and is in the scope of a search and seizure warrant. All documents relating to the purchase of the property and other financial documents must be in the scope of the warrant.
EXCEPTION: When there is no probable cause, the Asset Seizure & Forfeiture Coordinator will conduct a background check to determine if the property is subject to seizure.

1-7.0 VICE LAW INVESTIGATIONS

GENERAL

- Assets may be subject to seizure as part of gambling cases (e.g., unlawful bookmaking, unlawful betting, illegal gambling devices, etc.) and human trafficking cases.
NOTE: The Vice/Narcotics Section (VNS) will be contacted prior to asset seizure in these cases.

VICE/NARCOTICS SECTION (VNS)

- Monitors areas in which vice problems occur (e.g., pool halls, bars, etc.) for the purpose of enforcement and coordination with other law enforcement agencies.
- Conducts investigations that involve electronic surveillance.
- Follows up information on Forms 257, Vice/Narcotics/Intelligence Information Form.
- Determines whether assets are subject to seizure.
NOTE: The Department expressly prohibits bias-based profiling in all asset seizure and forfeiture efforts.

LEGAL SECTION

- Responsible for forfeiture proceedings concerning gambling violations and human trafficking violations.
- Completes an annual asset forfeiture analysis, including data regarding bias-based policing.

EVIDENCE MANAGEMENT UNIT

- Determines whether seized assets/currency is to be held as evidence, appraised, or deposited.

INVESTIGATING OFFICERS

- Learning of vice law violations, but unable to arrest, will complete a Form 257 (continued on additional Forms 257, if necessary) and forward it to VNS through their commander.
- Follow procedures as directed by the VNS, when assets are seized.

REQUIRED REPORT INFORMATION

- For all offenses, include a description of the persons involved.
- For all cases where assets are seized, select "Yes" from the *Assets Seized* dropdown on the *Elements of the Incident (EOI)* tab.
- For gambling include the:
 1. Time bets are taken.
 2. Location of gambling (e.g., business, residence, motel, etc.).
 3. Telephone number where bets are received and/or called in.
 4. Code words used to place bets.
- For prostitution include the:
 1. Location being worked (e.g., street, motel, club, etc.) and times.
 2. Description of persons involved.
 3. Price.
 4. Code word or name used.

- For loan-sharking include the:
 1. Amount of interest being paid.
 2. Basis for the loan (e.g., gambling, debt, narcotics deal, etc.).
- For adult pornography include the:
 1. Type of violation (e.g., films, shows, magazines, etc.).
 2. Location of activity and times.

REPORT DISTRIBUTION

- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

1-8.0 MISCELLANEOUS CRIME/INCIDENT INVESTIGATIONS

1-8.1 SOLICITING RIDES OR BUSINESS IN ROADWAYS - PEDESTRIANS

INVESTIGATING OFFICERS

- Approach the subject and verbally warn that the practice is illegal.
- Obtain the subject's identification.
- May arrest a subject who refuses to provide identification. An appropriate citation will then be issued.
- Request a wanted check.
- Complete a Field Interview Report.

1-8.2 ILLEGAL SELLING OR FURNISHING OF ALCOHOL

GENERAL

- For this offense, a civil citation will be completed.

NOTE: When a citation is issued, the appropriate incident report must be completed.
- The licensee and/or his employee will not be taken into custody on this violation.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- Refer to the Civil Citation List for charging information including charging language.

REFERENCES

- Civil Citation List.
- Field Manual, Article 4 (Arrest, Custody, and Court).

1-8.3 TAMPERING WITH FOOD OR DRUGS

GENERAL

- Federal agencies normally have investigative authority for such incidents.

INVESTIGATING OFFICERS

- Complete the appropriate incident report.
- Have the 9-1-1 Communications Center contact the Baltimore County Health Department.
- Contact the Federal Bureau of Investigation (FBI) when tampering occurs away from the point of manufacture and is:
 1. Widespread and has resulted in serious injury.
 2. Life-threatening or has caused deaths.
 3. Extortion related.
 4. Perpetrated to cause injury to a company's reputation.
- Contact the Food and Drug Administration (FDA) when tampering occurs at the point of manufacture and the contaminated product has moved into interstate commerce.

- Take into evidence any package, wrapper, or container as well as any remaining food or drug.

REQUIRED REPORT INFORMATION

- Type of product and brand name.
- Date and time purchased or received.
- Location purchased or received.
- Name of person from whom the item was obtained.
- Lot number of the item.
- Name of the Health Department personnel notified and time notified.
- Name, agency, and telephone number of any other agency contacted.
- Action taken by the store as to remaining products.
- Summary of interviews with all parties.

REPORT DISTRIBUTION

- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REFERENCE

- Field Manual, Article 7 (Evidence).

1-8.4 BRIBERY ATTEMPTS

INVESTIGATING OFFICERS

- Offered a bribe that is unlikely to be repeated will make an immediate arrest.
- May feign interest in the bribe and attempt to arrange a second meeting.
- As soon as possible after the bribery attempt, contact their supervisor who in turn will contact the State's Attorney's Office for assistance.
- Will not discuss the operation with any person not involved.

CRIMINAL INTELLIGENCE TEAM

- Provides technical equipment and instructions, including body wires.
- Offers assistance but will not be in charge of the investigation.

1-8.5 POLITICAL CAMPAIGN SIGN VIOLATIONS

INVESTIGATING OFFICERS

- Initiate the appropriate incident report including the location and type of sign, candidate's name or issue involved, and the date and time the candidate/campaign official was notified to remove the sign.
- Issue a criminal citation charging the candidate/campaign official if the sign is not removed after the notification and the 24-hour grace period.
- If the citation is refused, file an application for a summons with a District Court Commissioner.
- If the candidate/campaign official cannot be located after the 24-hour grace period, follow the summons process.

SHIFT/UNIT COMMANDERS

- Verbally notify the candidate/campaign official of the violation and give them a 24-hour grace period to remove the sign.

1-8.6 WATER RESTRICTION VIOLATIONS

INVESTIGATING OFFICERS

- Respond to all calls of water restriction violations when restrictions are in effect.
- Attempt to interview the alleged violators and advise of the restriction.
- Witnessing a first offense, will verbally warn the violator.
- Complete the appropriate incident report using the offense code "Water Violation." The suspect is the person actually violating the restriction and not the property owner or employer.
- Issue a criminal citation if all other elements for use are present.
- May make application for a summons or warrant if they did not witness the violation.

1-8.7 DOMESTIC NOISE COMPLAINTS

INVESTIGATING OFFICERS

- Determine if noise is being created in such a manner to unreasonably disturb the peace, quiet, and comfort of neighboring inhabitants.
- Attempt to locate a complainant or neighbor affected by the noise.
- Consider the time of day, noise level, source of noise, and who is affected by the noise.

REPORTING

- The appropriate incident report must be completed even if the complainant is unknown.

REQUIRED REPORT INFORMATION

- Name, address, telephone number, and date of birth of the following persons:
 1. Property owner.
 2. Tenant or leaseholder for property.
 3. Persons primarily responsible for the violation (or person in charge of a group of individuals).
 4. Neighbors adjacent to the location where the offense is occurring and who have been affected by the noise, if possible.
- Complainant information, if known.
- CC numbers and dates from previous incidents.

ENFORCEMENT

- Individuals may be charged on a civil or criminal citation at the officer's discretion. An individual charged with a subsequent offense will be charged on a criminal citation.
- When three or more reports have been filed at one address within a 60 day period, a citation charging the owner/landlord may be issued for each subsequent offense regardless of whether they are present when the violation occurs.
- Notification must be made to the owner/landlord, prior to enforcement action, by certified mail or a hand delivered written notice. Notices will be sent by authority of the precinct commander and include:
 1. Address of the violation.
 2. Dates and times of violations.
 3. Section number of the domestic noise ordinance from the Baltimore County Code.
- When persistent violations occur, a court injunction may be sought to prohibit a person from creating or permitting the creation of noise. The County Office of Law will be contacted in these situations.

1-8.8 IMPROPER OR MISSING ADDRESSES

MEMBERS

- Contact the Baltimore County Fire Department Office of the Fire Marshal and report the discovery of missing or improperly marked residential/commercial street addresses.
NOTE: Members receiving information of a missing or improperly marked residential/commercial street address from a citizen will confirm a violation exists prior to contacting the Fire Department.

REFERENCE

- [Baltimore County Code.](#)

1-8.10 HAZARDOUS MATERIALS (HAZMAT)

GENERAL

- The Department will be guided by the decisions of the Fire Department's HAZMAT Unit and will assist the Fire Department at HAZMAT incidents.
- The Fire Department will assess and classify HAZMAT incidents into one of two categories:
 1. Non-credible - no criminal merit and no clinical hazard present.
 2. Credible - potential crime present and/or potential clinical hazard.**NOTE:** The Police Department will assist the Fire Department with its assessment and classification of these incidents.
- The Fire Department's HAZMAT Unit will be responsible for notifications.

INVESTIGATING OFFICERS

- Take precautions against self-contamination by staying away from the immediate HAZMAT site.
- Protect nearby persons, property, and the environment from contamination.
- Avoid contact with hazardous materials and remain upwind.
- Notify the 9-1-1 Communications Center and shift/unit supervisor.
- Request the Fire Department HAZMAT Unit to respond.
- Try to identify the hazardous material without jeopardizing personal safety.
- Isolate and restrict entry into the area by establishing a perimeter recommended in the "Emergency Response Guidebook" if the HAZMAT is known or 1,500 feet if unknown.
- Will not use flares and/or transport any hazardous material.
- Advise if any hazardous material is in any tidal waters or reservoir.
- Evacuate as necessary (See Field Manual, Article 11, Section 4.0, Evacuation Procedures).
- Will not move vehicles, containers, or wreckage except when necessary to rescue people or assure public safety.
- Will not approach the immediate scene, crash, and/or fire.
- Block traffic and pedestrians.
- Keep the 9-1-1 Communications Center apprised of traffic conditions and the need for traffic management assistance.
- Have residents "shelter in place" (i.e., remain in an enclosed area).
- Initiate and complete the appropriate incident report by the end of the officer's tour of duty for all credible and non-credible incidents.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REQUIRED REPORT INFORMATION

- Names, addresses, telephone numbers, and dispositions of individuals that are or could be affected by the substance/material.

REFERENCE

- [Emergency Response Guidebook.](#)

1-8.10.1 CALLS FOR SERVICE INVOLVING SUSPICIOUS POWDERS AND SUBSTANCES/POTENTIALLY HAZARDOUS MATERIALS (HAZMAT)

GENERAL

- The Baltimore County Department of Health (BCDH) will be the lead agency for all bio-hazard incidents.
- The 9-1-1 Communications Center will conduct an initial assessment with the complainant prior to dispatching the Police Department and Fire Department to an incident scene involving hazardous substances and bio-hazards.
- The Fire Department will assess and classify hazardous materials (HAZMAT) incidents into one of two categories:
 1. Non-credible - no criminal merit and no clinical hazard present.
 2. Credible - potential crime present and/or potential clinical hazard present.**NOTE:** The Hazardous Devices Team and the BCDH will assist the Fire Department with its assessment and classification of these incidents.
- If the Fire Department is not at the scene, members of the Police Department will consider scene safety and shall request a HAZMAT response, if needed.**NOTE:** The Fire Department HAZMAT Unit will normally be requested by the Fire Department Supervisor after he/she makes an assessment of the scene and feels the response is justified.

INVESTIGATING OFFICER

- Ensures scene safety and security.
- Ensures notification is made by the 9-1-1 Communications Center to the Hazardous Devices Team.

NON-CREDIBLE INCIDENT PROTOCOLS

- The Police Department, and Fire Department HAZMAT Unit, if present, will conduct interviews.
- The Fire Department will make the determination for classification of the event.
- The Fire Department will determine the appropriate method of disposal.**NOTE:** Members of the Police Department may assist, if needed.
- If the HAZMAT Unit is called to the scene, they will issue discharge information to the complainant/victim. The complainant/victim will sign the discharge sheet and the Fire Department's HAZMAT Unit will forward it to the BCDH.

CREDIBLE INCIDENT PROTOCOLS

- The Police Department and Fire Department HAZMAT Unit will conduct interviews.
- Once a credible incident has been determined, the primary investigating officer must:
 1. Consider the possibility of a crime scene should there be a criminal act.
 2. Ensure all evidence is properly collected and submitted to the Evidence Management Unit.
- The primary investigating officer will:
 1. Initiate the appropriate incident report:
 - a. Using the appropriate offense code(s).
 - b. Containing the names, addresses, phone numbers, and dispositions of individuals that could be affected by the substance/material.
 - c. Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

2. Ensure the incident report is submitted and approved prior to the end of his/her tour of duty.

SUPERVISORS

- Ensure the Hazardous Devices Team is notified.
- Coordinate scene security and investigation with the Hazardous Device Team and representatives from the Fire Department.
- Consult with the Hazardous Devices Team to arrange for transport of the substance to the Maryland Department of Health and Mental Hygiene (DHMH) laboratory for testing, if the threat is deemed credible.
- Review incident reports regarding suspicious powder/HAZMAT for accuracy, completeness, and required report distribution.

HAZARDOUS DEVICES TEAM

- Consults with the on-scene Police Department supervisor to gather information about the incident.
- Contacts the BCDH in coordination with the Fire Department HAZMAT Unit.
- Makes notifications as needed after consulting with the Fire Department and the BCDH to determine if the threat is credible or non-credible.
- Coordinates with on-scene personnel for the transportation of the powder/substance to the DHMH laboratory.
- Receives examination results (i.e., preliminary within 24 hours and final within 72 hours).
- Contacts the Safety Officer if there is positive confirmation by the DHMH lab of a clinical hazard.
- Responds to incident scenes, if appropriate based on the initial assessment.

INVESTIGATIVE RESPONSIBILITIES

- The precinct where the incident occurred will be responsible for the investigation of non-credible incidents where no clinical hazard is present (e.g., letter, threat, hoax, etc.).
- The Criminal Investigations Bureau (CIB) will be responsible for the investigation of:
 1. Credible incidents involving a clinical hazard or threat to a public official.
 2. Any other incident deemed appropriate by the Bureau Chief of the CIB.

NOTE: Members responsible for these investigations will contact the Fire Department HAZMAT Unit to ensure that all investigative information has been obtained, if applicable.

- The Federal Bureau of Investigation (FBI) will investigate all terrorist threats.

1-8.11 MEDICAL WASTE

MEDICAL WASTE

- May contain infectious diseases and should be treated with caution.
- Includes the following:
 1. Anatomical material.
 2. Blood.
 3. Soiled articles.
 4. Contaminated material (e.g., laboratory waste, feces, etc.).
 5. Sharps, syringes, needles, and surgical instruments.

INVESTIGATING OFFICERS

- Notify their immediate supervisors.
- Notify the 9-1-1 Communications Center and advise of the:
 1. Exact location and potential danger of the material.
 2. Nature and amount of waste material.

- 3. Type of immediate assistance required.
- Initiate the appropriate incident report using the offense code “Other Criminal Incident” to compile information on the hazardous medical waste and include signs of intentional dumping and identification of persons or business responsible.
EXCEPTION: When a small number of sharps are encountered, where there are no signs of intentional dumping and the responsible party cannot be determined, the material may be disposed of in the precinct bio-hazard container and no report is necessary.

9-1-1 POLICE LIAISON

- Contacts the County Department of Environmental Protection and Sustainability (DEPS).

DEPS

- Responds to coordinate the recovery efforts.
- Is responsible for evidence collection, determination of origin, prosecution, and disposition of the material.

1-8.12 RADIOACTIVE MATERIALS

INVESTIGATING OFFICERS

- Treat incidents involving spillage or release of radioactive materials or injuries as HAZMAT incidents.
- Notify the Maryland State Department of Health and Mental Hygiene through the 9-1-1 Communications Center.
- Notify the First United States Army Headquarters at Fort George Meade if the incident involves atomic weapons.
- Make every possible effort to rescue injured or trapped persons and remove them from the incident area.
- Limit first aid to that necessary to save life or minimize injury.
- When transporting persons exposed to radioactive materials to a hospital or medical facility:
 1. Inform transporting personnel of the possibility of radioactive contamination.
 2. Have the 9-1-1 Police Liaison contact the medical facility and advise them of possible contamination.
- Detain individuals not removed to a medical facility until they can be appropriately monitored for contamination.
- Obtain the names and addresses of all persons involved, including those who cannot be detained and those removed from the scene.
- Restrict access to the incident area by:
 1. Establishing safety lines at a 1,500 foot radius.
 2. Denying access until the radiation monitoring team advises it is safe.
- Fight fires as though toxic chemicals were involved.
- Keep upwind, avoid smoke, fumes, and dust.
- Segregate clothing and tools until they can be checked for radioactivity.
- Will not eat, drink, or smoke in the incident area or use food or beverage that may have been in contact with radioactive material.
- Only move wreckage the shortest distance possible to rescue people or if a right-of-way must be cleared.
- Detour pedestrian and vehicular traffic.
- Wash spillage on the cleared pathway with minimum dispersal of wash water.
- Will not handle, use, or remove from the area any material, equipment, or items suspected of contamination unless released by monitoring personnel.
- Identify officers that have been contaminated and take appropriate action.

- Minimize personal contact when radioactive material is outside containers, assuming that the immediate area and anyone or anything may be contaminated.
- Encountering containers which may contain radioactive materials will:
 1. Treat the container and surrounding area as if contaminated.
 2. Isolate the container and maintain a 25 foot perimeter.
 3. Detain anyone coming in contact with the container until they can be appropriately monitored.
 4. Notify the 9-1-1 Police Liaison of the location and request the Fire Department's Hazardous Material Unit.
 5. Render assistance to the Fire Department and other agencies.

1-8.13 SIDEWALK SNOW REMOVAL

GENERAL

- The Baltimore County Code requires that sidewalks be cleared within 24 hours after the end of a snowfall.
- Callers to the 9-1-1 Communications Center in reference to snow removal complaints will be directed to Baltimore County Code Enforcement.

MEMBERS

- Advise snow removal complainants to contact Baltimore County Code Enforcement.
- Offer referral telephone numbers (i.e., Department of Aging or Social Services) to elderly or disabled individuals who are unable to clear their sidewalks.

REFERENCE

- Baltimore County Code, 18-3-107, The Removal of Snow and Ice.

1-8.14 SQUATTER SITUATIONS

DEFINITION

- Squatter - a subject with no legal right to reside in a location who has illegally taken residence without the permission of the property owner.

MEMBERS

- Will not take action unless the complainant is the true property owner (i.e., person or entity named on the current deed).

NOTE: Ownership can be determined by searching the Maryland Department of Assessments & Taxation real property search website.

- Inquire whether the squatter possesses any documentation (i.e., lease, deed, or other property record) or proof of a verbal agreement from the property owner.
- Presented with documentation or proof a verbal agreement will:
 1. Allow the squatter to remain on the property.
 2. Refer the property owner to the District Court to file a wrongful detainer lawsuit and initiate the eviction process.

NOTE: Department members do not have the ability to determine whether presented documentation constitutes a binding legal document even if they suspect the documentation has been falsified.

- Who are not presented with documentation or proof of a verbal agreement will:
 1. Have the property owner tell the squatter, in the officer's presence, to vacate the property immediately.

2. Notify the property owner that if he or she gives the squatter additional time to remove personal items from the location, he or she is entering into a verbal agreement with the squatter.
NOTE: Upon entering into a verbal agreement, the property owner must initiate eviction proceedings to have the squatter evicted if he or she refuses to leave.
 3. Determine if burglary and/or trespassing charges should be placed, or warrant/summons procedures explained, when appropriate.
- Conduct additional investigations in reference to potential rental scams and fraud.

LEGAL SECTION

- Assists in determining the true property owner, as needed.

1-8.15 CRIMINAL INVESTIGATIONS INVOLVING ANIMALS

DEFINITIONS

- Animal cruelty - to intentionally mutilate, torture, cruelly beat, cruelly kill, or engage in sexual contact with an animal.
- Animal neglect/abuse - the failure to provide proper sustenance, which means an animal:
 1. Lacks adequate food and water.
 2. Lacks an appropriate shelter.
 3. Lacks clean air to breathe.
 4. Lives in unsanitary conditions.
 5. Needs veterinary care.
 6. Displays an emaciated appearance (e.g., ribs showing, hips protruding, etc.).

GENERAL

- Baltimore County Animal Services (BCAS) has primary responsibility for the removal of animals.
- Animal cruelty, animal abuse, and animal neglect follow-up investigations are the responsibility of the precinct Investigative Services Teams (IST).
- Animal fighting investigations are the responsibility of the Vice/Narcotics Section (VNS).

OFFICERS

- Complete the appropriate incident report on all calls of animal cruelty, animal abuse, and animal neglect before the end of their tour of duty. The incident report will include the:
 1. Offense code "Animal Cruelty"; and
 2. All appropriate selections (i.e., "simple/gross neglect", "organized abuse", "intentional abuse or torture," and/or "animal sexual abuse") from the *Criminal Activity* field.**NOTE:** A report must be completed even if the incident is determined to be unfounded.
- Include detailed information on living conditions (e.g., excessive filth, excrement, trash, dangerous materials/substances, etc.) and injuries (e.g., size, color, location on the animal, etc.) in the *Narrative* tab of the incident report.
- Contact the appropriate precinct IST for assistance, as necessary.
- Collect evidence, as needed, if the precinct IST cannot respond to assist.
NOTE: The on-call BCAS officer, or the precinct IST will collect deceased animals. The BCAS has the capacity to store deceased animals for investigation.
- Ensure the Forensic Services Section collects evidence and/or color photographs of the animal's injuries and the scene.
NOTE: If the Forensic Services Section is unavailable, contact the precinct IST for further instructions.

- Assist the BCAS in the removal of animals.
NOTE: A Form 15, Property/Inventory, will be completed and will be signed by the BCAS officer taking custody of any animal.
- Will not remove animals from unattended vehicles, buildings, etc. unless directed by their supervisor or the precinct IST, and/or exigent circumstances exist (e.g., struggling, non-responsive, etc.).
NOTE: When making a determination on whether or not to remove an animal from a vehicle, if the current temperature is 70 degrees or higher, the inside of the vehicle can reach 90 degrees and higher very quickly. This is not to be considered an automatic removal from a vehicle, however a supervisor should be consulted in these instances.
- Complete a Form 341, Notification of Animal Welfare Investigation, and leave it with the animal's owner/custodian, or at the location:
 1. When removing an animal; or
 2. When the officer cannot determine that the incident is unfounded.
NOTE: In these incidents, the officer will:
 1. Place the precinct IST detective's name, identification number, and telephone number on the form; and
 2. Check the box on the form directing the owner to contact the IST detective.
- Contact BCAS to collect an animal (alive or deceased) for an investigation, if necessary.
NOTE: Members will advise BCAS to place an administrative hold on the animal, and to contact the precinct IST supervisor on the next business day in reference.
- Immediately contact the precinct IST prior to continuing an investigation and/or filing charges, when animal cruelty, abuse, or neglect is observed, suspected, or confirmed.
NOTE: The Animal Abuse Coordinator may be contacted for additional expertise and guidance in completing these investigations.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

PRECINCT INVESTIGATIVE SERVICES TEAM

- Assists officers with questions in reference to animal cruelty, abuse, and neglect.
- Conducts follow-up investigations of animal cruelty, animal abuse, and animal neglect.
- Prepares and presents cases to the State's Attorney's Office for prosecution.

ANIMAL ABUSE COORDINATOR

- Acts as a liaison with the State's Attorney's Office, BCAS, precinct ISTs, and precinct personnel.
- Provides support and guidance in investigations of animal cruelty, abuse, and neglect to precinct ISTs.

VICE/NARCOTICS SECTION

- Conducts animal fighting investigations.
- Prepares and presents cases to the State's Attorney's Office for prosecution.

REFERENCES

- Baltimore County Code, Article 12 – Animals.
- Animal Cruelty Investigation Reference Guide.
- Reports Requiring Distribution List.

1-8.16 SWATTING

DEFINITION

- Swatting - the action or practice of making a hoax call for emergency services in an attempt to bring about the dispatch of a large number of armed police officers to a particular address.

MEMBERS

- Will not delay their response to a call for service due to the fact that swatting:
 1. Is suspected; or
 2. Has occurred at the location previously.
- Contact the precinct Investigative Services Team (IST) to assume investigative responsibility, when swatting is suspected or confirmed.

SHIFT/UNIT COMMANDER

- Ensures the Tactical Unit is notified of all suspected and confirmed swatting incidents.

INVESTIGATING OFFICER

- Notifies responding entities (e.g., Tactical Unit, K9 Unit, etc.) when swatting is suspected.
- Notifies the 9-1-1 Communications Center to have a hazard alert placed on an address targeted for swatting, when appropriate.
- Completes the appropriate incident report, including:
 1. A complete description of the initial call (e.g., initial call type, information provided by the caller, etc.).
 2. The means of communicating the false call (e.g., caller ID spoofing, TTY relay technology, etc.).

TACTICAL UNIT

- Maintains a record of swatting calls that have occurred within Baltimore County.

REPORTING

- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

1-9.0 NON-CRIMINAL INCIDENTS

1-9.1 ANIMAL PROCEDURES

1-9.1.1 DANGEROUS/HAZARDOUS ANIMALS

INVESTIGATING OFFICERS

- Only respond to animal complaints if public safety is endangered.
NOTE: Includes domestic and farm animals involved in a motor vehicle crash.
- Make every effort to confine or capture the animal.
- May use pepper aerosol restraint spray to subdue a dangerous animal.
- Advise dispatch of the type of animal and any other information available.
- Contact Baltimore County Animal Services (BCAS) for assistance.
- Assist BCAS with non-criminal removals of animals.
- Use their service weapon as a last resort and in accordance with the Field Manual, Article 12 (Use of Force/Weapon Systems).
- Avoid shooting the animal in the head as the brain is used to test for rabies.

- If unable to shoot an animal safely, in extreme circumstances, may request dispatch to contact the Tactical Unit Commander to determine if the tactical resources could assist in resolving the situation.
NOTE: K-9 officers will not be utilized for animal complaints.
- Avoid handling suspected infected animals. A person need not be bitten by an animal to contract rabies.
- Contact the Designated Health Care Provider (DHCP) if they have touched a diagnosed rabid animal.
- Complete an incident report, when appropriate.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

ANIMAL BITE REPORTING

- Issue Baltimore County Department of Health, Rabies Control Program Form to both victim and animal owner (if located).
- Complete the appropriate incident report containing the following required report information:
 1. Owner of the animal.
 2. The address and telephone of the animal owner.
 3. If the Baltimore County Department of Health, Rabies Control Program Form was issued to the animal owner, indicate the date and time of issuance. If not issued, indicate that it wasn't issued and why it could not be issued.
 4. Indicate whether or not the animal is licensed.
 5. Indicate whether or not the animal is being confined.
 6. Indicate whether or not the animal was on a leash at the time of the bite.
- **NOTE:** The *Animal Bite* supplemental tab will be used for all animal bite related incident reports. The *Animal Bite* supplemental tab can be triggered by selecting "Yes" from the dropdown for the question "Does this incident contain an animal bite?" on the *Administrative* tab.
- The incident report must be completed and approved by a shift/unit commander prior to the end of the officer's tour of duty.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REFERENCES

- [Baltimore County Code](#).
 - Field Manual, Article 12 (Use of Force/Weapons Systems).
- 1-9.1.2 DEER KILLED ON ROADWAYS**

GENERAL

- The disposition of deer killed on roadways is governed by laws and directives issued by the Maryland Department of Natural Resources (DNR).
- If the deer dies as a result of being struck by a vehicle, the operator may take possession or donate the deer.
NOTE: On-duty members will not take possession or accept the donation of any deer struck on the roadway or humanely destroyed.

FORM WL-12, DEER TAG

- Completed with the following disposition:
 1. Top portion - Affixed to the deer by wire or string.
 2. Bottom portion - Sent to the Information & Records Management Section, which will forward it to the DNR Police.
- **EXCEPTION:** No tag is required if the vehicle operator is unknown.

- When the motorist wishes to donate the deer, include the:
 1. Recipient's name in the donation section of the tag.
 2. Motorist's signature and date of donation on the lines provided.

NOTE: The motorist is responsible for notifying the recipient of the deer for removal of the carcass.
- Supplied by the DNR Police.

INVESTIGATING OFFICERS

- Complete a Form WL-12, Deer Tag.
- Contact either the State or County Roads office for carcass removal as soon as possible.
- Need not remain at the scene if no traffic hazard exists.
- If a deer is injured by the collision and may not survive, follow the shooting policy in the Field Manual, Article 12 (Use of Force/Weapon Systems).
- Conduct a crash investigation, if needed.

REFERENCES

- Field Manual, Article 2 (Traffic Procedures).
- Field Manual, Article 12 (Use of Force/Weapon Systems).

1-9.2 SUSPICIOUS SUBJECTS, VEHICLES, NOISES, AND CONDITIONS

INVESTIGATING OFFICERS

- Interview the complainant to verify the type of suspicious activity.
- If a suspicious vehicle is involved, obtain a stolen vehicle check.
- If a suspicious subject is involved, initiate a Field Interview Report and obtain a wanted person check.
- May complete the appropriate incident report using the offense code "Suspicious Incident Condition/Person/Vehicle" to document suspicious activity, when no known crime can be articulated.

EXCEPTION: The offense code of "Suspicious Incident Condition/Person/Vehicle" may not be used in lieu of "Child Abuse Sexual Assault Pending Classification" or "Sexual Assault Pending Classification," when an suspicious incident may be sexual assault related and an investigation has not yet been completed.

1-9.3 ALARMS

9-1-1 COMMUNICATIONS CENTER

- Acquires as much information as possible in reference to alarm calls (e.g., audible, silent, recorded, received from alarm company, etc.).
- Forwards available information to the responding officer.
- Cancels police response if the original alarm is received from an alarm monitor/company and dispatch verifies that the alarm is false.

INVESTIGATING OFFICERS

- Dispatched to or coming upon the scene where an alarm has been activated attempt to ascertain the cause of the alarm (e.g., criminal intent, faulty system, accidental, etc.).
- Complete the appropriate incident report if activated due to criminal intent.
- Respond and verify a false alarm if so advised by the owner or employee of an alarmed premises.

- May cancel response when an alarm is verified as false by an alarm company or monitoring service through the 9-1-1 Communications Center.
NOTE: The determination to cancel the response en route will be made by the dispatched officer or a team supervisor.
- If the owner or representative cannot be notified or refuses to respond, advise the dispatcher of such fact. If the business or home is secure, the call disposition will be a "Code 8."
- Whether the owner or representative responds to the scene or not, verify that the alarm is faulty and that the building has been checked and found to be secure before advising of the call disposition. In this instance the call disposition will be "Code 8." If the alarm reactivates repeatedly, the response may be canceled by a squad/team supervisor.
NOTE: The fact that an alarm is not working will not be stated over the police radio.

DESK OFFICERS

- Contact the property owner and request response to the scene to verify the security of the building when an alarm is verified as faulty by the responding officer.
- If the alarm company has previously notified the owner of the alarm, call the owner back after verification of the faulty alarm and so inform the owner.

1-9.4 SICK OR INJURED PERSONS

DEPARTMENT MEMBERS

- Discovering an unconscious, seriously injured, or ill person will request an ambulance.
NOTE: Includes people suffering from the effects of alcohol or drugs.
- Discovering a person not as seriously ill as above will determine the person's willingness for treatment and render reasonable assistance as appropriate, including transportation.
- Who have been trained, will immediately render first aid when safe and practical to do so.
NOTE: Includes people injured as a result of a law enforcement action.
- Request an ambulance when:
 1. A small child is involved without a parent/guardian present.
 2. The person is unable to make a reasonable decision.
- Suspecting a person to have amnesia or a mental disability will:
 1. Attempt to identify the person.
 2. Take the person to the precinct or a medical facility as appropriate.
- If unable to identify a person having amnesia or a mental disability will:
 1. Send a telex message.
 2. Notify the Department of Social Services.
 3. Send a photograph to the Public Affairs Section for airing through the media.
NOTE: During off-hours the 9-1-1 Police Liaison will be contacted for media assistance.
- May request the desk officer to advise the hospital when en route with a sick/injured person.
- Inform the medical facility staff that the Department is not responsible for the bill.
- Inform medical facility staff of the CC number, if applicable.
- Complete a Form 15, Property Inventory, marked "Safekeeping" for any property taken from a person.
- Prepare a Form 273, Sick or Injured Person Medical Report, and forward to the shift commander.

REPORTING

- The appropriate incident report will be completed for any sick or injured person when the cause of the sickness/injury is unknown, suspicious, or sudden and the sickness or injury is life threatening. Life threatening means any condition that could result in death (e.g., severe bleeding, traumatic injury, shock, conditions requiring resuscitation, etc.).

REFERENCE

- Field Manual, Article 6 (Miscellaneous Property Issues).

1-9.4.1 THREATENED SUICIDE

RESPONDING OFFICERS

- Take immediate steps to protect the public if necessary.
- Advise dispatch of the type of assistance needed.
- Delay the suicide attempt, if possible.
- Take the person into custody for an emergency evaluation.
- Report the attempted suicide of a person in police custody using the offense code "Suicide in Police Custody" and selecting "No" from the *Completed* dropdown on the incident report.
NOTE: This procedure will be followed regardless of where the incident occurs, (e.g., precinct station, police vehicle, etc.).
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REFERENCE

- Field Manual, Article 4 (Arrest, Custody, and Court).

1-9.4.2 AMBULANCE SERVICE

DEPARTMENT MEMBERS

- Assist ambulance personnel as needed and accompany an ill or injured person in the ambulance when the person is:
 1. Violent, as determined by ambulance personnel.
 2. Involved in or has prior knowledge of a criminal matter that requires further police action.
 3. A prisoner.
- May place their service weapon in a locked compartment in the ambulance for safety.
- Will not request an ambulance to transport intoxicated persons unless they are ill or injured.
- Notify the Office of the Chief Medical Examiner if the death of a victim occurs prior to transport, at which time the:
 1. Ambulance crew may be dismissed.
 2. Police will stand by until the Medical Examiner arrives.

EMERGENCY SQUAD DOCTOR

- Notified by the Fire Department when a doctor is needed at the scene of an emergency.
- Transported to the scene by Department members and returned to the hospital via ambulance.

1-9.4.3 AUTOMATED EXTERNAL DEFIBRILLATORS (AEDs)

AED USE

- Only members certified to operate an AED will use the devices.
- AEDs will only be used when the patient is in cardiac arrest (i.e., not breathing/no pulse) and according to training.

MEMBERS

- Return the AED to their precinct/assignment and contact the Safety Officer directly, or through the 9-1-1 Center Liaison, for further instructions, after each use.
- Document all uses of an AED in the appropriate incident report, using the appropriate offense code(s) (e.g., cardiac arrest, sudden death, etc.).

NOTE: The following information will be included in the report:

1. Patient's information.
 2. Person using the AED.
 3. AED serial number.
 4. Patient response (if none, write none).
 5. Information outlining the use of the AED.
- Refer to Field Manual, Article 8, for required report distribution.

SUPERVISORS

- Review all reports regarding AED use for accuracy.

COMMANDERS

- May request AED deployment for a specific event or detail where an ambulance would not be available.

REFERENCE

- Administrative Manual, Article 8 (Departmental Property).

1-9.5 SUSPICIOUS/SUDDEN DEATH, OVERDOSE, AND ATTEMPTED SUICIDE

SUSPICIOUS, VIOLENT, OR UNUSUAL CIRCUMSTANCES

- The crime scene will be preserved until all examinations have been conducted in an effort to determine the circumstances of death.
- A supervisor will respond to the scene and be responsible for direct supervision of the investigation unless relieved by the Homicide/Missing Persons Unit (HMPU).
- The precinct shift commander will respond to the scene and determine if the HMPU needs to respond.
- Final determination of the category of death will be made by the Office of the Chief Medical Examiner or attending physician.
- The HMPU, when requested, will be:
 1. Notified through the 9-1-1 Communications Center.
 2. Responsible for notification of the Office of the Chief Medical Examiner.
- The HMPU will be called to respond to all juvenile deaths resulting from violence, suicide, casualty, or occurring suddenly and not as a result of a traffic crash. This includes all sudden deaths of infants.

SUDDEN DEATH

- Supervisors will:
 1. Respond to the scene and supervise the investigation.
 2. Contact the attending or family physician.
 3. Determine if the physician will sign the death certificate within 24 hours as prescribed by law. The Office of the Chief Medical Examiner must be contacted if the attending physician will not sign the certificate or is not available within a reasonable time.

NOTE: Out-of-state doctors cannot sign the death certificate even if they are the deceased's regular doctors. The death certificate must be signed by a doctor or the Office of the Chief Medical Examiner from Maryland.

- If the attending physician agrees to sign the certificate, the family may then contact a funeral director of their choosing to remove the body.
- An ambulance may be used to remove the body to a funeral establishment if the funeral director's vehicle is unavailable or delayed.

DROWNING

- In addition to the appropriate procedures above, responding officers will:
 1. Assist Fire Department personnel in obtaining information about the deceased, circumstances surrounding the incident, and approximate location of the body.
 2. Establish a perimeter for crowd control and an on-site command post.
 3. Upon recovery of the body, have the precinct desk officer contact the Office of the Chief Medical Examiner.

SUICIDES

- Involving suicide notes will be handling using the following procedures:
 1. Suicide notes will be seized as evidence, handled with gloves, and placed in a paper bag to avoid contamination.
 2. A copy of the note may be provided to the Office of the Chief Medical Examiner.
NOTE: Gloves should be worn during copying to preserve any evidence, if needed for examination.
 3. Suicide notes should be described in the narrative of the incident report but not copied verbatim.
- Occurring while a person is in police custody will be reported using the offense code "Suicide in Police Custody," and by selecting "Yes" from the *Completed* dropdown on the *Offenses* tab of the incident report.
NOTE: This procedure will be followed regardless of where the incident occurs, (e.g., precinct station, police vehicle, etc.).

OVERDOSE

- Members arriving at the scene of a suspected fatal overdose (e.g., evidence at the scene, prior history of substance abuse, etc.) will immediately contact a Vice/Narcotics Section supervisor.
- Members completing reports in reference to overdose incidents will ensure the identifying information of all children present at the scene, residing at the location, or subject to the custody of the overdose victim are included in the *Others* tab of the incident report.
NOTE: If specific information is not available in reference to a child or children, all available information (e.g., approximate age, sex, etc.) will be placed in the *Narrative* tab of the incident report.

REPORTING

- The following will be recorded on the appropriate incident report:
 1. Sudden, accidental, or suspicious death.
 2. Suicide or attempted suicide.
 3. Overdose.
- "Sudden Death" will be selected from the *Report Type* dropdown on the *Administrative* tab, when applicable.
NOTE: This will activate the *Sudden Death* supplemental tab, which contains required report information.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

REQUIRED REPORT INFORMATION

- Who pronounced the victim dead and when.
- Who will sign the death certificate.

- Name, address, and phone number of the next-of-kin.
- Whether the next of kin was notified.
- Name, address, and phone number of any attending physician and/or the doctor signing the death certificate.
- A brief medical history of the victim.
- Who last saw the victim alive and when.
- Description of the events leading to the discovery of the deceased.
- Any information that would be of value in reconstructing the event. This includes suicide notes, statements made by the victim, signs of drugs or drug usage (e.g., track marks, sores around the nose, fresh needle marks, etc.).
- Disposition of the body (i.e., name of the funeral home).
- A list of any medications that the victim was taking, if applicable.
- Who removed the body.
- When the body is not removed to the Office of the Chief Medical Examiner, indicate the cause and manner of death (e.g., Cause - congestive heart failure, Manner – natural, etc.) as directed by the physician.

NOTIFICATION OF NEXT-OF-KIN

- Supervisors investigating cases of sudden death will notify the next-of-kin personally.
- If this is not possible, the supervisor will ensure that personal notification is made by another member or by contacting the agency where the next-of-kin resides.
- Next-of-kin notification will be attempted and documented at least once every shift until the notification is made or until it can be reasonably concluded that the next-of-kin no longer resides at the last known address and upon investigation that no known address can be found.
- The report shall remain open until next-of-kin notification is verified or all reasonable attempts to notify have been made.
- Squad supervisors shall ensure the date, time, person notified, and method of contact are noted in the report.
- The supervisor, when contacting other agencies for notification, will request notification to be made in person.

REFERENCE

- Field Manual, Article 11 (Major Incidents).

1-9.5.1 IDENTIFYING DECEASED PERSONS

INVESTIGATING OFFICERS

- Are responsible for identifying deceased persons when the Homicide/Missing Persons Unit (HMPU) is not handling the investigation.
- May obtain tentative identification through a relative or friend.
- **NOTE:** Visual identification is the least reliable form of identification.
- Base positive identification on personal papers, fingerprints, dental records, etc.
- Unable to identify the deceased:
 1. Check available police reports for a description matching the deceased.
 2. Send a telex message to surrounding jurisdictions with a description of the deceased requesting missing persons reports.
 3. Have fingerprints taken of the deceased.
 4. Assist the Medical Examiner in collecting dental, health, and laboratory records that will assist in identification.
 5. Supply the news media with a detailed description of the deceased via the Public Affairs Section.

1-9.5.2 RECOVERY AND REMOVAL OF DECEASED PERSONS

ASSIGNED OFFICERS

- Should be involved in the investigation.
- Will be assigned by the ranking officer on the scene.
- Maintain the chain of custody on the body until it is removed from the scene.
- Complete the appropriate incident report documenting the chain of custody (e.g., name of the person notified, name of the person who removed the body, location where the body was transported, and the date and time the body was removed, etc.).

MEDICAL EXAMINER

- The Office of the Chief Medical Examiner must be contacted immediately by the family if they object to an autopsy on religious grounds.
- If unable to respond in a reasonable time, may authorize the removal of the body if it is creating a public nuisance. In this case, the Medical Examiner will be informed of where the body is to be taken. If the officers believe that the investigation may be hindered by moving the body, it will not be moved and the on-duty Medical Examiner at the Office of the Chief Medical Examiner will be contacted for instructions.
- For drownings, the Medical Examiner will:
 1. Authorize removal of the body by a funeral director when appropriate.
NOTE: The family of the deceased may select the funeral home to be notified.
 2. Provide instructions if the funeral director cannot respond in a timely manner.

MARINE TEAM

- Responds to every incident on the tidal water areas of Baltimore County.
- Assists the Fire Department with body recovery when requested.

1-9.6 MISSING PERSONS

DEFINITIONS

- Runaway - a person under 18 years of age who leaves home without the permission of their parent/legal guardian.
- Missing person - a person of any age whose present location is unknown and when the reason for and/or cause of the absence is also unknown.

INVESTIGATING OFFICERS

- Immediately initiate a preliminary investigation.
- Notify their supervisor and shift commander of the incident immediately.
- Ensure that an immediate and maximum effort is made to locate the person, particularly:
 1. Young persons.
 2. Elderly persons.
 3. Persons with diminished mental capacity.
 4. Suicidal or homicidal persons.
 5. Cases of suspected foul play or suspicious circumstances.
 6. Exigent circumstances (e.g., time, weather, etc.).**EXCEPTION:** If an adult of sound mind leaves a note or advises someone they are leaving and they do not meet the above criteria, an incident report using the offense code "Suspicious Incident Condition/Person/Vehicle" may be completed at the investigating member's discretion.
- Disseminate a description and other relevant information to appropriate parties (e.g., 9-1-1 Communications Center, other officers, Department of Social Services (DSS), etc.).

- Assist the complainant in trying to initially locate the person in frequented locations (e.g., friends' homes, victim's own home, social clubs/hall, etc.) and other locations the person may be (e.g., hospitals, morgue, jails, etc.).
- Document a detailed description of search efforts, or the reason why no search was conducted.
- Gather all available investigative information (e.g., name and address of missing person; aliases; phone, e-mail; bank/credit card information, and social media accounts; physical descriptors; clothing; scars, marks and tattoos; last seen date, time, and with whom; friends and associates; possible destinations; etc. as described on the *Missing Person* tab and *Others* tab of the incident report).
- Complete a Form 344, NCIC Authorization Form, and forward it to their supervisor to verify that the complainant's signature has been obtained.
NOTE: The complainant's signature is required by the National Crime Information Center (NCIC) before a missing person (i.e., a missing adult or a missing juvenile) may be entered into NCIC.
- Complete the appropriate incident report, using the *Report Type* of "Missing Person," prior to the end of their tour of duty.
NOTE: The selection of "Missing Person" will activate the *Missing Person* supplemental tab, which contains required report information.
- Ensure the incident report is submitted to workflow, and approved by the member's supervisor and shift commander, as soon as possible to ensure the required telex can be sent within the required time frame.
- Ensure a telex message is sent prior to completion of their tour of duty.
EXCEPTION: When no report is taken (i.e., because the missing person is located before an incident report is written), a telex need not be sent.
- Ensure a telex is sent to the Information & Records Management Section (IRMS) within 90 minutes of receiving the call for service for missing persons:
 1. Under the age of 21.
 2. For whom a Silver Alert will be activated.
- Attempt to obtain a photograph of the missing person that will be attached to a printed copy of the report by the desk officer. The original photograph will be immediately returned to the complainant when the investigation is suspended, or forwarded to the CIB.
- Consider in conjunction with the squad supervisor and shift commander, if an Amber Alert, Silver Alert, or activation of "A Child is Missing" Alert Program would be beneficial to the investigation.

SUPERVISORS

- Review missing person incident reports as soon as possible to ensure the required telex can be sent within the required timeframe.
NOTE: Case status may not be suspended unless the missing person returns.
- Verify the investigating member obtained a signature on the Form 344.
- Sign the Form 344 and submit it to the IRMS via departmental mail for scanning into the Records Management System (RMS).
- Approve missing person incident reports and notify the shift commander that the report is pending their approval.

SHIFT COMMANDERS

- Initiate a search for the missing person.
NOTE: The Homicide/Missing Persons Unit (HMPU) or Crimes Against Children Unit (CACU) may be contacted for assistance.
- Review submitted incident reports as soon as possible to ensure the required telex can be sent within the required time frame.

- Approve missing person incident reports and notify the desk officer of completion.
- Ensure the desk officer sends the telex within the required timeframe.
- Check the Missing Persons SSRS report for the current missing person list prior to roll call.
NOTE: The shift commander should verify that paper copies of the reports for each active missing person are available for dissemination.
- Disseminate all missing person incident reports for follow-up to the appropriate post car.
NOTE: Shift commanders will encourage follow-up interviews be conducted in lieu of telephoning the complainant.
- Monitor the precinct Missing Persons SSRS report to ensure:
 1. Missing juvenile reports are reassigned to the CACU after 48 hours.
 2. Missing adult reports are reassigned to the HMPU after 96 hours.
 3. Paper copies of reports that have been reassigned to the CACU or the HMPU are destroyed.
- Notify the appropriate precinct's shift commander when a report is taken in his/her precinct and the location of the incident (i.e., the victim's home address) is within another Baltimore County precinct.
NOTE: Notifications will be made by way of a telephone call or radio transmission followed by an e-mail message with a copy of the report attached.

DESK OFFICERS

- Enter the missing person into NCIC via telex to the IRMS within the required timeframe.
- Print out an approved copy of the incident report when notified by the shift commander, and attach any photographs obtained.
NOTE: The printed copy will be placed in the designated area for missing person reports within the precinct.

SEARCHES

- Normally begin in the immediate area of the person's home unless information dictates otherwise.
- The CACU will be contacted immediately if the initial search fails to locate the victim and:
 1. The missing child is under 14 years of age, or;
 2. The missing child is under the age of 17 and at least one of the following applies:
 - a. The child has not been the subject of a prior missing child report.
 - b. The missing child suffers from a mental/physical handicap or illness.
 - c. The disappearance is of a suspicious or dangerous nature.
 - d. The missing child is believed to have been abducted.
 - e. The missing child has been the subject of a previous child abuse report.
- Will not be suspended until the shift commander has ensured that all reasonable means of locating the person have been exhausted and further searching is not likely to locate the person. Although it is more difficult to search in darkness or inclement weather, these by themselves will not be the determining factor in ending the search.

FOLLOW-UP RESPONSIBILITY

- The Robbery Unit is responsible for the follow-up of all kidnapping cases.
- The precincts are responsible for conducting follow-up investigations, including contact with the complainant, on shift two and on shift three during the first:
 1. Ninety-six hours, for all missing persons 18 years of age or older.
 2. Forty-eight hours, for persons under 18 years of age.**EXCEPTION:** When a Criminal Investigations Bureau entity takes investigative responsibility prior to the 96 or 48 hour time frame.

- Responsibility for the initial follow-up investigation (i.e., the first 48 or 96 hours) will be based upon the victim's home address and will be conducted by the precinct in which the victim resides.
EXCEPTION: When the victim resides outside of Baltimore County, the initial follow-up investigation will be conducted by the precinct that completed the initial Case Report.
- The HMPU is responsible for conducting follow-up investigations on all cases that remain open beyond 96 hours on persons 18 years of age or older.
- The CACU is responsible for conducting follow-up investigations on all cases that remain open beyond 48 hours on persons under 18 years of age.
- Upon finding or return of the missing person, the responding officer will:
 1. Interview the subject to determine if they were a victim of a crime, sick/injured, or in need of medical attention.
 2. Notify the complainant that the missing person has been located and is no longer considered a missing person.
- Members responsible for follow-up investigations will ensure their Officer Reports documenting the follow-up investigation are completed prior to the end of their tour of duty.

REPORTING

- If more than one person is missing from the same location at the same time, a separate incident report will be completed for each missing person and a separate CC number will be generated for each.
NOTE: Related CC numbers will be listed in the *Related Cases* field on the *Administrative* tab.
- "Missing Person" will be selected from the *Report Type* dropdown on the *Administrative* tab of the incident report. This will activate the *Missing Person* supplemental tab, which contains required report information.
EXCEPTION: If the missing person is the victim of a crime (e.g., kidnapping, child abductions, carjacking, etc.) the "Incident" *Report Type* will be used.
- The home address of the missing person will be entered in the *Location Information* section of the *Administrative* tab of the incident report.
- "Yes" will be selected from the *Confidential* dropdown on the *Elements of the Incident (EOI)* tab.
- The offense code "Missing Person" will be entered on the *Offenses* tab. If the missing person is a runaway (as defined in this section), the offense code "Runaway" will also be used.
- The missing subject will be entered on the *Others* tab, with "Missing Person" selected from the *Entity Type* field.
- If the person goes missing from a care facility, document the name and license number of the facility on the *Administrative* tab.
- If the missing person is a foster child, document the current case worker's name and telephone number, the custodial agency responsible for the child, the name of the group home, and the administrator of the group home in the Foster Child Information section of the *Missing Person* tab.
- The complainant and interviewees will be listed on the *Others* tab, with the appropriate selection made from the *Entity Type* field.
NOTE: Additional persons (e.g., relatives, friends, associates, etc.) who were not interviewed will be placed on the *Missing Person* tab.
- The missing person's vehicle information will be entered on the *Property* tab, if applicable.
NOTE: "None/Information Only" will be selected from the *Status* dropdown.
- Credit card/bank information, social security numbers, health insurance member numbers, and other Personal Identifying Information (PII) will only be entered in reports using designated fields.

- The telex number will be entered on the *Missing Person* tab.
NOTE: The investigating officer will contact the desk officer to obtain the telex number for the incident report, prior to submitting it for approval.
- Follow-up investigations and additional information will be documented on an Officer Report.
EXCEPTION: Information previously reported on a Case Report and requiring updates will be documented on a subsequent version of the initial Case Report.
- Complete an Officer Report if an adult person's whereabouts remain unknown for 96 hours after the original report was taken. State in the narrative that the report will be followed up by the HMPU.
- Complete an Officer Report if a juvenile person's whereabouts remain unknown for 48 hours after the original report was taken. State in the narrative that the report will be followed up by the CACU.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

ENTRY INTO MILES/METERS/NCIC

- Information needed to make such entries will be obtained from missing person telex messages and the report.
- If the complainant believes that the person may be with someone endangering his/her safety, the desk officer will include this fact in the telex.
- All missing persons under the age of 21, and those for whom a Silver Alert will be activated, must have their telex entered into NCIC within two hours.

MISSING PERSONS FILE

- When a member requests a wanted check on a particular name and date of birth, the computer will automatically search the missing person file as well as the wanted/warrant file.
- If a match is found, it will indicate whether the person is missing or wanted. For a missing person, it will also indicate whether custody or notification only is requested.

1-9.6.1 A CHILD IS MISSING ALERT PROGRAM (ACIM)

ACIM ALERT PROGRAM

- Canvases listed neighborhood residents and businesses and delivers a recorded message to help find missing children, elderly, or disabled individuals.
- May also be used to provide notifications to the community.
- Requests the public to call a designated phone number with any information.
- Leaves a message on answering machines, and will call back if a line is busy.
- May be used prior to, or in addition to, an Amber Alert or a Silver Alert.
- Requires only a description of the missing individual, the person's last known whereabouts, and the time last seen.
- May be used for investigations not meeting the activation criteria for an Amber Alert or a Silver Alert.
- Has no jurisdictional boundaries.
- Activated only by law enforcement.

CRITERIA FOR USE

- The missing person is a child.
- Runaway children meeting the definition of a Critical Missing Child as detailed in Field Manual, Article 3, Section 9.0, Missing Children and Runaways.
- Missing persons 65 years of age or older if the incident is out-of-character for the individual.

- Disabled subjects of any age, who have a physical or mental impairment that severely limits self-care, who are disoriented or unable to respond to simple questions, or who are dependent upon life sustaining medication.
- Other individuals in cases where extenuating circumstances exist.
- Found children or individuals whose identity or residence cannot be determined.
- Broadcasting a “Be On the Look Out” (BOLO) warning of a suspected abductor, child sexual predator, etc.

INVESTIGATING OFFICERS

- Contact their supervisor when it is believed that ACIM may be able to assist the investigation.
 - Contact ACIM to provide the necessary information (i.e., missing person’s descriptors and any special circumstances) to the representative.
 - Document usage of ACIM in the incident report
 - Contact ACIM in the event that the missing person is found, and complete the ACIM Case Follow Up Report as required by ACIM.
- NOTE:** The follow up report is provided to the investigating officer by the ACIM representative.
- Fax a copy of the completed report to the Youth & Community Services Unit’s Children in Need of Supervision Team.

SUPERVISORS

- Contact the shift commander for permission to utilize ACIM.
- Notify the 9-1-1 Police Liaison that ACIM is being used.
- Consider using ACIM for a second call to the public if the subject is confirmed as being sighted, but not found.

REFERENCE

- Field Manual, Article 3 (Juvenile Procedures).

1-9.6.2 FOUND MISSING PERSONS

INVESTIGATING OFFICERS

- Taking a missing person into custody will immediately notify the telex originator by phone or computer message so arrangements can be made to return the individual to the originating jurisdiction.
- In circumstances where a person believed to be missing is not able to provide identification, the investigating officer will make every effort to determine their identity and ensure their return.
- Shall immediately ascertain if the subject is a victim of a crime, is sick/injured, or in need of medical assistance.
- Locating a missing person when the request is for notification only:
 1. Will not detain the individual unless other valid reasons exist.
 2. Send a message to the Information & Records Management Section (IRMS) requesting that the responsible jurisdiction be notified of the circumstances surrounding the contact. It will be the originating agency’s responsibility to notify the complainant.
- From one precinct locating a person reported missing in another precinct will advise the desk officer of the locating precinct to send a cancellation telex and document same on the appropriate incident report.

DESK OFFICERS

- At the locating precinct will:
 1. Send a cancellation telex message, including the locating officer's name, assignment, and the missing person's status.
 2. Key in the IRMS, who will remove the information from METERS/NCIC, and the originating precinct.
 3. Retain the cancellation telex at the precinct.
- At the originating precinct will place a copy of the cancellation telex message in the precinct files.

REFERENCES

- Field Manual, Article 3 (Juvenile Procedures).
- Field Manual, Article 15 (Outreach Programs).

1-9.7 BAIL BONDSMEN/BOUNTY HUNTERS

INVESTIGATING OFFICERS

- Will notify their supervisor to respond when requested to assist a bail bondsman/bounty hunter.
- Will assist a bail bondsman/bounty hunter by:
 1. Attempting service of known arrest warrants in accordance with the Field Manual, Article 4 (Arrest, Custody, and Court).
 2. Standing outside of a premise to preserve the peace and enforce observed violations of criminal law in the absence of a warrant.
 3. Transporting a prisoner only after the following conditions are met:
 - a. Verify the identification of the bail bondsman/bounty hunter.
 - b. Verify the existence of a valid arrest warrant or Court Order of Forfeiture for the prisoner.
 - c. Obtain known criminal history/background information on the suspect from the bail bondsman/bounty hunter.
- Will limit their duties to protecting life and property and not involve themselves in the forced entry of a premises without supervisor approval.
NOTE: Ensure premises are secured if forcible entry is made.
- Will not assist a bail bondsman/bounty hunter with an arrest or prisoner transportation without a Court Order of Forfeiture or an arrest warrant.
- Will report all encounters with bail bondsmen/bounty hunters requiring assistance and document the action taken on the appropriate incident report.
- Will not enlist the aid of a bail bondsman/bounty hunter as an agent of the Department or as an extension of police powers.

SUPERVISORS

- Will respond to calls for assistance from a bail bondsman/bounty hunter.
- Will recommend to the bail bondsman/bounty hunter that they obtain a Court Order of Forfeiture or arrest warrant in appropriate cases.

1-9.8 GAS AND ELECTRIC INCIDENTS

INVESTIGATING OFFICERS

- Contact Baltimore Gas and Electric Company (BGE) for gas and electric problems.
- Ensure BGE will have access to the incident scene.
- Establish a joint Police and Fire Command Post. A Fire Department Command Post will always be identified by a green flashing light.

BGE

- Incident Coordinator will advise police and fire commanders of the scope of the incident and recommended plans of action.
- Personnel and vehicles are identified by the following:
 1. Red vest with black lettering "BGE Incident Coordinator" on the person in charge.
 2. BGE logo board on the sun visor.
 3. Magnetic BGE logo board on driver's door.
 4. Revolving white light on the vehicle of the person in charge.

1-9.9 RELINQUISHED FIREARMS, AMMUNITION, AND ACCESSORIES

DEFINITIONS

- Relinquished Property - property that is voluntarily surrendered to the Department (e.g., firearms, ammunition, accessories, etc.) and will not be returned.
- Safekeeping Property - property that the Department has taken into temporary custody (e.g., seized firearms, court ordered surrender of firearms, etc.), with the possibility that the property may be returned to the owner at a later time.

MEMBERS

- Must be cognizant of the difference between relinquished property and safekeeping property, and handle items accordingly.
NOTE: Safekeeping property will be handled in accordance with Field Manual, Article 6 (Miscellaneous Property Issues).
- Determine whether the person relinquishing the firearm(s), ammunition, and/or accessories has the sole, legal right to authorize its disposal, prior to accepting relinquished property.
- Conduct a METERS/NLETS/NCIC check to determine:
 1. Whether the firearm(s) and/or accessories are stolen.
 2. The registered owner of the firearm(s) and/or accessories.
- Complete the appropriate incident report, including:
 1. The offense code "Relinquished Property."
 2. A complete list of relinquished items in the *Property* tab.
NOTE: "Relinquished" will be selected in the *Status* field.
 3. Information used to determine that the person relinquishing the firearm(s), ammunition, and/or accessories has the sole, legal right to do so (e.g., is the registered owner, is the executor of a deceased owner's estate, etc.) in the *Narrative* tab.
- Package the relinquished property for submission to the Evidence Management Unit (EMU), per the Evidence/Property Packaging Manual.
- Complete a Form 329, Relinquished Firearms, Ammunition, and Accessories, with the following distribution:
 1. Original - To the Information & Records Management Section for inclusion in the Records Management System (RMS).
 2. First Copy - To the EMU.

 3. Second Copy - Filed in the precinct/division files.
NOTE: A Form 329 will not be completed for safekeeping property, unless the owner later decides to voluntarily relinquish the items to the Department for destruction.

REFERENCES

- Field Manual, Article 6 (Miscellaneous Property Issues).
- Evidence/Property Packaging Manual.

1-9.10 ASSISTING THE BALTIMORE COUNTY DEPARTMENT OF PERMITS, APPROVALS, AND INSPECTIONS (DPAI)

DPAI CODE ENFORCEMENT INSPECTORS

- Are authorized by the Baltimore County Code to inspect properties for violations.
- Have the authority to enter open land during the performance of their duties.
- May obtain administrative warrants for search and seizure to enter structures and areas.
- May request assistance from Department members to complete their duties (e.g., request a police escort due to threats made by a property owner, etc.).
- May take photographs of any area or structure they are entitled to enter, and any area they can see.

MEMBERS

- Are considered representatives of the DPAI when assisting DPAI inspectors.
- Provide escort duties to DPAI inspectors to ensure the peace is maintained.
- May accompany DPAI inspectors onto private property.
NOTE: Members will continue to provide escort duties to DPAI inspectors even if an inspector uses force to gain access to an area or structure to conduct an inspection or serve an administrative warrant.
- Notify their supervisor and shift commander upon receiving a request for assistance with a planned DPAI inspection.
- Notify their supervisor upon receiving a call for service in reference to a DPAI inspector from a property owner or resident.
- Will not use force, or threaten to use force, to gain access to any structure or area to allow a DPAI inspection to be conducted or the service of an administrative warrant.
- Will not actively participate in any inspection or service of an administrative warrant.
- May take action under the “Plain View” doctrine, if they observe evidence of criminal activity while assisting a DPAI inspector.

SUPERVISORS

- Notify the shift commander when a:
 1. Call for service is received in reference to a DPAI inspector; or
 2. DPAI inspector requests police assistance with a planned inspection visit.
- Respond to the scene, if available, when a:
 1. Subordinate is requested to assist a DPAI inspector; or
 2. Call for service is received in reference to a DPAI inspector.

SHIFT COMMANDERS

- Review requests to assist DPAI inspectors with planned inspection visits to ensure adequate Department personnel are assigned.

REFERENCE

- [Baltimore County Code.](#)

TRAFFIC PROCEDURES

Article 2

- 2-1.0 Traffic Crashes [n/a]**
 - 2-1.1 *Investigation and Dispatch Policies* [rev. 04/2005]
 - 2-1.2 *Crash Investigation* [rev. 12/2022]
 - 2-1.2.1 *Crash Data Retrieval System (CDRS)* [rev. 12/2015]
 - 2-1.2.2 *Vehicle Towing* [rev. 05/2011]
 - 2-1.3 *Traffic Crash Investigators* [rev. 11/2010]
 - 2-1.4 *Reporting* [rev. 10/2020]
 - 2-1.4.1 *ACRS Contingency Plan* [rev. 12/2015]

- 2-2.0 Traffic Law Enforcement [rev. 08/2020]**
 - 2-2.1 *Enforcement Guidelines* [rev. 04/2019]
 - 2-2.2 *Speed Measuring Device (SMD) Use by Personnel* [rev. 12/2015]
 - 2-2.3 *Juvenile Traffic Offenses* [rev. 08/2020]
 - 2-2.4 *Serious Offenses* [rev. 08/2020]
 - 2-2.5 *Reciprocity and Immunity* [rev. 08/2020]

- 2-3.0 Citation Use [rev. 11/2010]**
 - 2-3.1 *Maryland Uniform Complaint and Citation* [rev. 11/2010]
 - 2-3.2 *Parking Citations* [rev. 12/2015]
 - 2-3.3 *Safety Equipment Repair Order (SERO)* [rev. 11/2010]
 - 2-3.4 *Written Warnings* [rev. 10/2003]
 - 2-3.5 *Request for Re-Examination of Driver* [rev. 11/2010]
 - 2-3.6 *Electronic Citations (ETix)* [rev. 10/2014]
 - 2-3.7 *Traffic Stop Data Collection (TSDC)* [rev. 12/2015]

- 2-4.0 Alcohol/Drug-Related Offenses [rev. 08/2020]**
 - 2-4.1 *Alcohol/Drug Testing* [rev. 10/2011]
 - 2-4.1.1 *Preliminary Breath Test (PBT) Devices* [rev. 03/2008]
 - 2-4.1.2 *Evidentiary Breath Tests* [rev. 04/2004]
 - 2-4.1.3 *Blood Tests* [rev. 10/2011]
 - 2-4.1.4 *Drug Recognition Expert (DRE) Program* [rev. 09/2019]
 - 2-4.2 *Confiscation of Maryland Driver's License* [rev. 10/2011]
 - 2-4.3 *Offenses Involving Commercial Motor Vehicles* [rev. 04/2004]
 - 2-4.4 *Violation of Alcohol Restrictions* [rev. 04/2004]

- 2-5.0 Off-Road Vehicle Violations on Private Property [rev. 08/2020]**

- 2-6.0 Scofflaw Violations [rev. 08/2020]**

- 2-7.0 Abandoned Vehicles and Motorized Equipment [n/a]**
 - 2-7.1 *Abandoned Vehicles* [rev. 08/2020]
 - 2-7.1.1 *Vehicles Abandoned on Public Property* [rev. 08/2020]
 - 2-7.1.2 *Vehicles Abandoned on Private Property* [rev. prior to 1994]
 - 2-7.2 *Stored Unusual Vehicles and Motorized Equipment (Towing)* [rev. 08/2020]

- 2-8.0 Inoperative Vehicles [rev. 08/2020]**

- 2-9.0 Major Traffic Incidents [rev. 04/2006]**

2-10.0 Traffic Control and Safety Devices [rev. 12/2022]

2-10.1 *Speed Trailers* [rev. 10/2020]

2-11.0 Parades and Special Events [rev. 12/2008]

2-12.0 Road Closure Program [rev. 10/2020]

TRAFFIC PROCEDURES

2-1.0 TRAFFIC CRASHES

2-1.1 INVESTIGATION AND DISPATCH POLICIES

CRASH INVESTIGATION POLICY

- The Department will investigate personal injury and property damage crashes occurring on:
 1. Public thoroughfares (e.g., state or County roadways, alleys, etc.).
 2. Private property that is open to the public (e.g., shopping centers, schools, institutions, garages, parking lots, etc.).
 3. Private roads or driveways.

DISPATCH POLICY

- Property damage only crashes will be dispatched to patrol units.
- Precinct Traffic personnel will be initially dispatched to crashes involving:
 1. Any injury or death.
 2. Police Department vehicles.
 3. Fire Department vehicles.
 4. Other Baltimore County owned vehicles.
- Crash Team members will be initially dispatched to crashes involving:
 1. Fatalities.
 2. Police Department vehicles with injuries or in emergency status (lights and siren).
 3. Fire Department vehicles in emergency status (lights and siren).
- If a traffic unit is unavailable, a patrol unit will be assigned to respond. When possible, both traffic and precinct units will be dispatched for the above instances.
- Precinct Traffic personnel will not be assigned to non-emergency calls outside of their assigned precinct.

2-1.2 CRASH INVESTIGATION

ALL CRASHES

- Members will complete and issue a Form 140, Information to Assist Motorist Involved in a Collision, to each party involved.
NOTE: Members may use the crash exchange of information function if using the ETix system.
- Members will verify through the METERS/NLETS/NCIC computer:
 1. The license status of each driver involved.
 2. The vehicle registration and insurance status for each vehicle involved.
 3. An NCIC wanted check of the operator and vehicle.

CRASH INVESTIGATION POLICY (CIP) CRITERIA

- Members will investigate, prepare, and/or issue the proper reports/forms for crashes, if any of the following criteria is met:
 1. The crash results in personal injury or a fatality.
 2. Damage occurs to a vehicle or property and any of the following conditions exist:
 - a. The vehicle is rendered inoperable.
 - b. The owner or operator of the vehicle/property is not available or is unable to respond to the scene within a reasonable time.

- c. Any government vehicle or property is involved.
EXCEPTION: Departmental vehicle crashes meeting the criteria provided in Section 9-3.1.
NOTE: Refer to Field Manual, Article 2, Section 10.0, Traffic Control and Safety Devices, for procedures to be followed when a traffic control or safety device is damaged as the result of a motor vehicle crash.
- d. Any public or privately owned school bus is involved and is transporting children, students, or teachers for educational purposes or authorized school activity.
- e. The damage was the result of a hit-and-run crash, regardless of when reported.
- f. The operator's license and/or vehicle registration is improper or unavailable.
EXCEPTION: If vehicle registration is unavailable, but its status may be confirmed by METERS/NLETS/NCIC, a report need not be written.
- g. Evidence of a serious violation exists.
- h. A vehicle involved was transporting hazardous materials.
- i. An arrest is made or traffic citations were issued for serious traffic offenses (i.e., "Must Appear").
NOTE: A Case Report is required for reporting arrest data to the National Incident-Based Reporting System (NIBRS), in these situations.

NO REPORT (N/R) PROCEDURE

- If the CIP criteria is not met based on facts known at the time of response, members will:
 1. Advise that the Department will not make a crash report.
 2. Refrain from making any comments or offering any advice concerning the crash.
 3. Attempt to obtain necessary information from any independent witnesses to the crash.
- When a utility pole is struck and the CIP criteria for a report are not met, members will ensure that the proper utility company is notified of the location, pole number, and other relevant information.

CRASH SCENE TASKS

- Identification and care of injured persons.
- Determination of who is in charge of the scene.
- Protection of the crash scene for evidence collection purposes.
- Addressing all disturbances occurring between the involved persons.
- Identification and handling of fire hazards and hazardous conditions.
- Identification of witnesses and recording of crash information.
- Direction of traffic and administering of first aid.
- Remaining at the scene until the vehicles have been removed from the roadway.
- Providing other assistance as requested by a crash investigator.
- Determination if the Crash Data Retrieval System (CDRS) should be used to image the available information from the Event Data Recorder (EDR).

INTERSTATE HIGHWAY CRASHES

- Maryland State Police (MSP), per Memorandum of Understanding, will handle crashes occurring on interstate highways in Baltimore County.
EXCEPTION: Crashes involving vehicles owned or leased by:
 1. The Baltimore County Police Department (BCOPD).
 2. Baltimore County where the operator or County representative requests the investigation be conducted by the BCOPD, unless there would be an unreasonable delay.
- Members who come upon the scene of an interstate highway crash will:
 1. Stop and render appropriate aid.

2. Advise the 9-1-1 Communications Center to notify the MSP to respond if the crash cannot be handled by using the Form 140.
 3. Remain on the scene until an MSP unit arrives.
 4. Handle the crash if MSP is unavailable.
- For related procedures refer to the Field Manual, Article 13 (Jurisdictional Assistance and Authority).

LATE REPORTED CRASHES

- All late reported hit-and-run crashes will be investigated.
- When a crash is late reported or when the vehicles involved have been moved from the vicinity of the scene and the CIP criteria are met, an investigation and report will be completed. If the CIP criteria are not met a Form 140 will be issued regardless of whether the member was dispatched or a complainant appears in person at a police facility.

REFERENCES

- Field Manual, Article 9 (Vehicle Operation).
- Field Manual, Article 13 (Jurisdictional Assistance and Authority).

2-1.2.1 CRASH DATA RETRIEVAL SYSTEM (CDRS)

GENERAL

- The Crash Data Retrieval System (CDRS) is used to image the available information from the Event Data Recorder (EDR) that is located within the airbag module and/or power train control module of the vehicle.
- Members trained in the operation of the CDRS are available to assist officers investigating qualifying crashes as determined within this policy.
- Nothing in this policy precludes the retrieval of information as evidence in a criminal investigation.

APPROVED USES OF CDRS

- All fatal crashes.
- Any crash handled by the Crash Team, when the investigating officer believes the information recorded in the EDR may assist in the investigation.
- Any personal injury crash investigated by precinct personnel where the primary investigator believes the information would be crucial to the investigation and the Crash Team supervisor concurs.
- Departmental personal injury crashes handled by the Crash Team.
EXCEPTION: When the departmental vehicle is not in motion at the time of the crash or the crash does not result in any vehicle damage.
- Any other departmental crash, if requested by a shift commander or higher.

FIRST OFFICERS AT THE SCENE

- Ensure that no vehicle involved in the crash is moved in any manner other than what is absolutely necessary to administer first aid or extricate the occupant(s).
- Ensure that the ignition switch is not tampered with other than to turn off the vehicle.
NOTE: The key will remain in the ignition.

INVESTIGATING OFFICERS

- Determine if the type of crash qualifies for use of the CDRS.
- Determine if the use of the CDRS may enhance the crash investigation.
- Notify the Crash Team supervisor while the vehicle is still at the crash site, and obtain authorization to recover the data from the EDR.

- Ensure the involved vehicle is not moved from its position of final rest or disturb its contents if the data in the EDR is to be recovered, other than what is necessary to treat injured persons or ensure the safety of the responders.
- Apply for, and obtain, a search and seizure warrant to conduct an EDR image for vehicles removed from the scene.
EXCEPTION: Search warrants are not required for departmental vehicles.
- Request and assist the CDRS operator in the image process, if not properly trained.

CRASH TEAM SUPERVISOR

- Determines if the vehicle is equipped with an EDR.
- Authorizes EDR images for eligible crashes.
- Provides a trained CDRS operator to conduct the EDR image.

CDRS OPERATORS

- Respond at the direction of the Crash Team supervisor.
- Download the EDR and prepare a report of the recorded information.
- Remove the EDR module from the vehicle in the event the EDR cannot be imaged at the crash scene and image the data as soon as practical.
- Interpret the data and prepare the appropriate incident report to supplement the initial crash report.
- Save the recorded information to a disc. Package the disc as evidence in accordance with existing procedures.
- Assist with the application for a search and seizure warrant when a vehicle involved in the crash has been removed from the scene.

2-1.2.2 VEHICLE TOWING

VEHICLE TOWING

- If a vehicle becomes inoperable as a result of a collision, it must be towed from the scene.
EXCEPTION: Vehicles may remain on the scene if the collision occurred on private property and the vehicle owner has the property owner's permission.
- The vehicle owner/operator may request a specific tow company, provided:
 1. The requested tow company is licensed with Baltimore County and contracted with the automated dispatch system vendor.
EXCEPTION: When the vehicle owner/operator owns the tow vehicle, it need not be licensed provided no fee is charged.
 2. The tow service can respond within 20 minutes for regular/medium tows or 40 minutes for heavy duty tows.
- Vehicles causing a traffic hazard can be towed as a stored auto.
- Abandoned vehicles will only be towed by or under the authority of a member of the Traffic Management Team.
- Refer to the Field Manual, Article 6 (Miscellaneous Property Issues), for procedures regarding towing documentation and property inventories.

INVESTIGATING OFFICERS

- Authorize the request for a tow truck and approve the removal of vehicles from a crash scene.
- Request a tow truck by contacting the desk officer and advising the following:
 1. Location of the vehicle (e.g., street address or street name and cross street, etc.).
 2. Number of vehicles to be towed.
 3. Type of vehicle(s) to be towed (i.e., make and model).

4. Any special equipment necessary.

NOTE: Before requesting a tow truck from the desk officer, ensure that the vehicle owner/operator has not already contacted a tow company. If so, the tow company responding must be licensed and contracted with the Automated Dispatch System vendor and able to respond within the designated time with all necessary equipment.

- Contact the desk officer again if the tow truck fails to respond within 20 minutes of a request for regular/medium tows or 40 minutes for heavy duty tows, giving consideration to the weather and traffic conditions.
- Remain at the scene until the tow truck removes all vehicles from the scene and traffic flow is restored.
- Furnish the tow truck operator with the report number and all vehicle information regarding towed vehicles.

DESK OFFICERS

- Will initiate the tow request via the Automated Dispatch System (ADS) by completing the various fields, including any special circumstances.
- If an owner/operator requests a specific tow company, ensure that the tow company is licensed and contracted with the automated dispatch system vendor and can respond within 20 minutes for regular/medium tows or 40 minutes for heavy duty tows.
- Advise the investigating officer of the:
 1. Time the tow company was contacted.
 2. Name of the tow company responding.
- Monitor the status of active tow requests.
- Notify the ADS vendor when tow requests fail to arrive within the allotted time by calling them directly.

REFERENCES

- Automated Dispatch System (ADS) BCOPD Desk Officer Guide.
- Field Manual, Article 1 (Investigations).
- Field Manual, Article 6 (Miscellaneous Property Issues).

2-1.3 TRAFFIC CRASH INVESTIGATORS

CRASH TEAM

- Will be responsible for:
 1. At-scene investigation and follow-up of crashes involving injuries classified by on-scene EMS personnel as:
 - a. Priority 1 - life threatening.
 - b. Priority 2 - potentially life threatening when transported to a trauma center.
 - c. Priority 4 - fatality.
 2. Police Department vehicle crashes involving injury or in emergency status (lights and siren).
 3. Fire Department vehicle crashes in emergency status (lights and siren).
 4. Follow-up investigation of any crash resulting in a fatality which was not initially handled by a Crash Team member.
 5. Providing technical assistance to other Department personnel when requested.
- Supervisor will have the final authority to determine if a Crash Team member will be the primary investigator for all priority level crashes.

PRECINCT TRAFFIC PERSONNEL

- Will be responsible for:
 1. At-scene investigation and follow-up of crashes involving injuries classified by on-scene EMS personnel as:
 - a. Priority 2 - potentially life threatening when a Crash Team member is not available or the person is not transported to a trauma center.
 - b. Priority 3 - non-life threatening.
 2. Police Department vehicle crashes (when not investigated by a Crash Team member).
 3. Fire Department vehicle crashes (when not investigated by a Crash Team member).
 4. Other Baltimore County owned vehicle crashes.
 5. Assisting Crash Team members as needed during investigations.
- Trained as evidentiary breath test instrument operators will conduct tests for Department members and for other jurisdictions when no other operator is available.

PRECINCT TRAFFIC SUPERVISORS

- When a crash investigator is requested for a crash while involved in a special task/detail, ensure another police officer is dispatched to complete the tasks.
NOTE: If a traffic supervisor is not available, the precinct shift commander responsible for the location of the crash will provide an officer to complete the tasks.
- Make the determination regarding whether a crash meets the criteria for precinct traffic personnel to investigate.

2-1.4 REPORTING

GENERAL

- Crashes requiring an incident report will be completed using the state-mandated Automated Crash Reporting System (ACRS).
- Continuations of ACRS reports will be completed on an Officer Report.
- Crashes resulting in an arrest, or the issuance of traffic citations for serious traffic offenses (i.e., "Must Appear"), require the completion of a Case Report.
NOTE: The Case Report will be completed in addition to the ACRS Report, when both are required. The same central complaint (CC) number will be used for each.
- Follow-up reports to all ACRS reports will be documented on an Officer Report.
EXCEPTION: Arrest information must be documented in a Case Report.
- The case status (i.e., Pending Narrative, Open, Exceptionally Cleared, Closed, or Suspended) must be documented by the supervisor in the Case Folder.
- An updated version of an ACRS report is required, when criteria to re-open the report are met.
- Persons requesting copies of reports of traffic crashes will follow the procedures listed in the Administrative Manual, Article 4 (Written Communication).

MEMBERS

- Thoroughly and accurately report crashes via ACRS, entering as much data as possible.
- Validate and submit all completed ACRS reports for supervisory approval.
NOTE: Passing validation does not mean a report is complete or necessarily thorough.
- Make required corrections to reports rejected by a supervisor and resubmit for approval.
- Document follow-up investigations on the appropriate incident report, if applicable.
- Re-open ACRS reports that they have previously submitted, when required.
NOTE: Reports can only be re-opened by the original report writer, who must place an Office of Information Technology (OIT) service ticket to initiate the request.

- Ensure that the source of additional/revised information is documented in the Records Management System (RMS) (e.g., via the appropriate incident report documenting the continued investigation, a scanned copy of the laboratory report detailing blood test results, etc.), when re-opening an ACRS report.
- Who obtain information that requires the re-opening of an ACRS report, but are not the original ACRS report writer, will:
 1. Document the information on the appropriate incident report; and
 2. Provide the information to the original report writer, for entry into the ACRS report.
- Who are acting in a supervisory capacity, must have their role level temporarily upgraded by the Technology Section (TS) in order to review and approve reports.
- Refer to Field Manual, Article 2, Section 10.0 (Traffic Control and Safety Devices) for reporting procedures when a traffic control or safety device is damaged as the result of a motor vehicle crash.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

SUPERVISORS

- Receive reports for review and approval.

NOTE: Acting supervisors should not log into ACRS until they have been notified that their role has been temporarily upgraded.
- Reject reports needing corrections back to the initiating member.
- Approve completed reports.

NOTE: Approval of an ACRS report at the supervisory level will electronically submit the report to the Maryland State Police.
- Ensure reports are completed within 72 hours.

EXCEPTION: Completion and submission of ACRS reports by members of the Crash Team may be extended beyond 72 hours, upon approval of their supervisor, when information necessary for completion of the report is not yet available due to the nature of the investigation.
- Ensure reports involving damage to Baltimore County property are forwarded to the Traffic Management Team.

SHIFT/UNIT COMMANDERS

- Submit temporary role upgrade requests to the TS on a daily basis, when needed.

NOTE: This will be done at the start of the acting member's shift, when possible.

INFORMATION & RECORDS MANAGEMENT SECTION

- Queries the ACRS system on a daily basis to collect approved ACRS reports.
- Uploads completed ACRS reports into the RMS.

TECHNOLOGY SECTION

- Provides user support for the ACRS program.
- Manages temporary role upgrades.
- Manages the re-opening of reports, upon assignment of a request by the OIT service desk.

FATAL CRASHES

- Fatal crash investigation reports will include the:
 1. Person who pronounced the victim deceased.
 2. Name of the forensic investigator, if applicable.
 3. Date and time the victim was pronounced.
 4. Cause and manner of death.
 5. Name, address, phone number, and relationship to the deceased of the next-of-kin and the date and time notified.

6. Manner of identification of the deceased.
7. Disposition of the deceased's personal property.

CRITERIA FOR RE-OPENING A SUBMITTED ACRS REPORT

- Updating breath and/or blood test results, safety equipment information, unknown vehicle information, crash participant information (i.e., known or unknown), or witness information;
- Upgrading or downgrading the status of a report and type/severity of the report;
- Adding or updating contributing causes/factors; or
- Correcting incorrect report information.

REFERENCE

- Reports Requiring Distribution List.

2-1.4.1 ACRS CONTINGENCY PLAN

GENERAL

- A manual (non-electronic) contingency plan has been established to facilitate a thorough, coordinated, and consistent police reporting process in the event that the Automated Crash Reporting System (ACRS) becomes unavailable.
- A member experiencing connectivity and/or technical problems with ACRS should contact the Office of Information Technology (OIT) Help Desk, who will initiate a response by the Mobile Support Team.

CONTINGENCY REPORT FORMS

- Form ACRS - A, ACRS Contingency Report.
- Form ACRS - B, Vehicle and Driver Supplement.
- Form ACRS - C, Additional Vehicle Supplement.
- Form ACRS - D, Occupant Supplement.
- Form ACRS - E, Towed Vehicle Supplement.
- Form ACRS - F, Non-Motorist Supplement.
- Form ACRS - G, Witness Supplement.

TECHNOLOGY SECTION COMMANDER

- Notified by the OIT of all multiple computer malfunctions, system-wide malfunctions, and system-wide maintenance related to ACRS.
- Or designee, will authorize and implement the ACRS Contingency Plan after evaluating the outage/malfunction with the OIT.
- Notifies affected members when the ACRS Contingency Plan is no longer in effect and that the recovery process may begin.

DEPARTMENT MEMBERS

- Use contingency report forms that are approved by the Department (e.g., Forms ACRS - A, ACRS - B, ACRS - C, etc.) only when authorized to do so by the Technology Section (TS) Commander, or designee.
- Complete, at a minimum, a Form ACRS - A, for each incident requiring an ACRS report.
- Complete all applicable ACRS contingency report forms as needed (e.g., Forms ACRS - B, ACRS - C, ACRS - D, ACRS - E, etc.).
- Complete all applicable fields on the contingency report forms to allow correct data entry into ACRS once the system is restored.
- Submit all contingency report forms, regardless of if they have been completed, to their supervisor prior to the end of their tour of duty.
- Enter all information into ACRS upon being notified to do so, after the system is restored.

SUPERVISORS

- Collect all contingency report forms, and submit them to the shift commander prior to the end of their tour of duty.

SHIFT COMMANDERS

- Retain the ACRS contingency reports written by their shift/unit and store them in a location where they are accessible to other supervisors.

MALFUNCTION RECOVERY

- Upon notification from the TS Commander that the system has been restored, shift/unit commanders will ensure members who completed contingency report forms enter the information into the system as soon as possible.
- Members will enter the data from the contingency reports into ACRS when instructed to do so by their shift/unit commander.
- If the reporting officer will be absent from duty for a prolonged period of time (e.g., injury, illness, etc.), the shift/unit commander will identify a member to enter the report data. The identified member will include in the report narrative:
 1. Investigation completed by (name and identification number of the reporting officer) - e.g., "Investigation completed by Officer J. Doe #1234."
 2. Report data entered by (name and identification number of the member inputting the data into ACRS) - e.g., "Report data entered by Officer B. Jones #1001."
- Members will retain the contingency forms as investigative notes once all information is entered into ACRS from the forms.

REFERENCE

- Field Manual, Article 1 (Investigations).

2-2.0 TRAFFIC LAW ENFORCEMENT

GENERAL

- Sworn members have the responsibility and obligation to make traffic stops, to assist stopped motor vehicles, and to investigate vehicles on or beside the highway, except when en route to an emergency or transporting a prisoner, in the safest manner possible.
- When traffic charges are placed against a suspect as a result of a crash, all necessary witness and victim information will be identified and processed in order for the courts to notify those involved of the proper trial dates.
- Incident reports generated regarding a traffic or parking complaint will be documented using the most appropriate offense code (e.g., "Other Non-Criminal Incident," "Suspicious Incident Condition/Person/Vehicle" etc.).
- For procedures regarding violations committed by legislators, refer to the Annotated Code of Maryland for prohibitions and restrictions.
- For violations involving cyclists and pedestrians, refer to the Maryland Transportation Article.

MILITARY PERSONNEL

- For non-arrestable traffic violations, military personnel will be handled in accordance with the Maryland Transportation Article.
- For arrestable traffic violations, refer to the Field Manual, Article 4 (Arrest, Custody, and Court).
EXCEPTION: See the Annotated Code of Maryland.

REFERENCES

- [Annotated Code of Maryland.](#)
- [Maryland Transportation Article.](#)
- Field Manual, Article 4 (Arrest, Custody, and Court).

2-2.1 ENFORCEMENT GUIDELINES

ENFORCEMENT ACTIONS

- Verbal or written warnings.
- Request for re-examination.
- Issuance of traffic citations.
- Issuance of Safety Equipment Repair Orders (SEROs).
- Physical arrest.

ENFORCEMENT FACTORS

- Weather conditions.
- Geographic location.
- Seriousness of the violation.
- Crash history of location.
- Traffic related community complaints.
- Number of violations known/observed.

SWORN MEMBERS

- Take appropriate enforcement action in a firm, fair, impartial, and courteous manner for violations of the law witnessed or reported.
- On all traffic stops will verify through the MILES/NCIC computer:
 1. The license status of the driver.
 2. The vehicle registration and insurance status of the vehicle.
 3. An NCIC wanted check of the operator and vehicle.

NOTE: Refer to Article 1, Section 3.10, METERS/NLETS/NCIC Record Checks, and related subsections (i.e., 10.1, NCIC Terrorism Responses; 10.2, NCIC Immigration Violation Related Responses; and 10.3, Maryland Motor Vehicle Administration (MVA) Emergency Contact Information (ECI) Registry) regarding positive NCIC responses.
- May place charges against any driver involved in a traffic crash when probable cause exists that a violation occurred.
- May issue citations, without witnessing a violation, based on a complaint by a person, if prosecution is desired and the driver can be described. In such cases, members will:
 1. Determine the identity of the other driver and issue a citation.
 2. Summons the complainant to court.
- Will not issue warnings to drivers suspected of driving while under the influence of drugs or alcohol. When probable cause exists, the suspect will be appropriately charged.
- Issue warnings for violations of newly enacted traffic laws or newly erected signs/signals/traffic control devices for the first 14 days of enactment/installation, unless public safety is in danger of being compromised.
- Should issue written warnings, citations, or SEROs, at their discretion, for violations committed by operators of commercial vehicles or public carriers.

REFERENCE

- Field Manual, Article 9 (Vehicle Operation).

2-2.2 SPEED MEASURING DEVICE (SMD) USE BY PERSONNEL

DEFINITIONS

- Light Detection And Ranging (LIDAR) - a speed measuring device which uses a laser beam and internal computer to calculate the speed of a vehicle. LIDAR can also determine the distance between the unit and the targeted vehicle.

- Radio Detection and Ranging (RADAR) - a speed measuring device which uses a radio signal and internal computer to calculate the speed of a vehicle.
- Speed Chronograph - a hand-held speed measuring device that calculates the average speed of a vehicle by measuring the time it takes the vehicle to travel a measured distance.
- Visual Average Speed Computer and Recorder (VASCAR-PLUS) - a vehicle mounted speed measuring device which calculates average speed of a vehicle by measuring the time it takes the vehicle to travel a measured distance.

GENERAL

- Copies of specifications, certifications, and all other necessary documentation for the Department's SMDs will be obtained from Baltimore County Electronic Services and retained at the location where the SMD is assigned.
- Preplanned speed enforcement locations and hours of operation will be determined by the precinct commander or by the Traffic Management Team (TMT).

MEMBERS

- Use SMDs in a fair manner that is consistent with the Department's mission to save lives and protect property.
- Successfully complete a Baltimore County sponsored SMD training course prior to being permitted to utilize a particular type of SMD for enforcement purposes.
- Test SMDs at the beginning and end of their tour of duty and periodically during use.

USES OF SPEED MEASURING DEVICES

- Traffic enforcement in high crash areas where speed violations are a causative factor.
 - Evaluation of speeding vehicle complaints (i.e., statistical surveys).
 - Enforcement in suspected speed/crime violation areas.
- NOTE:** A unit commander or higher may request enforcement action to facilitate other criminal or traffic enforcement activity.
- Increase the efficiency of officers on routine patrol.
 - Response to community and citizen complaints.

SUPERVISORS

- Must verify that an operator is certified to use a particular type of SMD.

COMMANDERS

- Ensure documentation is maintained by the SMD Coordinator recording the use of SMDs.

REFERENCE

- Administrative Manual, Article 8 (Departmental Property).

2-2.3 JUVENILE TRAFFIC OFFENSES

JUVENILES UNDER 16 YEARS OF AGE

- No traffic citations will be issued.
- All traffic offenses require the completion of a Case Report, and a Form 117, Juvenile Referral and/or Custody Report. An Automated Crash Reporting System (ACRS) report using the same CC number, will also be required, when applicable.
- The probable cause for the offense will be listed in the *Narrative* tab of the Case Report.

JUVENILES AGED 16 AND 17

- Jailable traffic offenses, with or without any delinquency charge(s), the investigating officer will:
 1. Take the child into custody.
 2. Not issue citations.
 3. Charge the traffic offense(s), and any applicable delinquency charge(s), on a Form 117.
 4. Complete Case Report. The probable cause for the offense will be listed in the *Narrative* tab of the Case Report. An Automated Crash Reporting System (ACRS) report using the same CC number, will also be required, when applicable.
- Non-jailable but arrestable traffic offenses (e.g., failure to sign a citation, etc.), without any delinquency charge(s), the investigating officer will:
 1. Take the child into custody.
 2. Issue citations, with normal distribution procedures.
 3. Document on a Form 117 that citations were issued.
 4. Complete a Case Report.
 5. Release the child to a parent or guardian.
- Non-jailable but arrestable traffic offenses (e.g., failure to sign a citation, etc.), with delinquency charge(s), the investigating officer will:
 1. Take the child into custody.
 2. Issue citations, with normal distribution procedures.
 3. Document on a Form 117 that citations were issued.
 4. Charge the delinquency offense(s) on a Form 117 (Refer to Field Manual, Article 3 (Juvenile Procedures) for release consideration).
 5. Complete a Case Report.
- Non-jailable, non-arrestable traffic offenses, without any delinquency charge(s), the investigating officer will issue citations, with normal distribution procedures.
- Non-jailable, non-arrestable traffic offenses, with delinquency charge(s), the investigating officer will:
 1. Take the child into custody.
 2. Issue citations, with normal distribution procedures.
 3. Document on a Form 117 that citations were issued.
 4. Charge the delinquency offense(s) on a Form 117 (Refer to Field Manual, Article 3 (Juvenile Procedures) for release consideration).

REFERENCE

- Field Manual, Article 3 (Juvenile Procedures).

2-2.4 SERIOUS OFFENSES

SERIOUS TRAFFIC OFFENSES

- When a violator is arrested or cited for a serious traffic offense (i.e., “Must Appear”) traffic offense, a Case Report must be completed.
NOTE: The violator will be entered as an arrestee on the *Offenders* tab, regardless of whether a physical arrest was made.
- Violators cited with a serious traffic offense and not taken before a commissioner will be:
 1. Issued a District Court of Maryland Form DC/CR147, Notice to Appear for Preliminary Inquiry, in addition to their citation copies, regardless of whether a handwritten traffic citation or an electronic citation (ETix) is issued.
 2. Notified by the charging officer that the citation is for a “Must Appear” violation and that the violator must appear before a Baltimore County District Court Commissioner within five days.

- When a violator is cited with a serious traffic offense and not taken before a commissioner, a Form DC/CR4, Statement of Probable Cause, will be completed and distributed as follows:
 1. Original and first copy - to the squad supervisor for forwarding to Citation Control.
 2. Second copy - to the defendant.
 3. Third copy - to the Information & Records Management Section (IRMS).
 4. Fourth copy - placed in the precinct/division files.

NOTE: The charging officer must indicate on the Form DC/CR4 that the District Court of Maryland DC/CR147, Notice to Appear for Preliminary Inquiry, was issued, if applicable.
- When a violator is cited with a serious traffic offense and taken before a commissioner, the completed Form DC/CR4 and four copies will be given to the court commissioner at the bail hearing. The commissioner will return three copies. The Form DC/CR4 distribution will then be as follows:
 1. First copy - to the squad supervisor for forwarding to Citation Control.
 2. Second copy - to the IRMS.
 3. Third Copy - placed in the precinct/division files.

2-2.5 RECIPROCITY AND IMMUNITY

OUT-OF-STATE MOTORISTS

- May be issued a citation for violations of the Maryland Transportation Article.
- From states which do not have reciprocity, will be taken before a commissioner to post bond or collateral if the officer has articulable grounds to believe that the violator will not comply with the citation guidelines.
- There is no reciprocity for the following:
 1. Parking violations.
 2. Highway weight limit restrictions violations.
 3. Transportation of explosives.
 4. A resident who has outstanding traffic or parking citations, warrants, or has been avoiding service of a notice of suspension or revocation.
- For those violators taken before a commissioner to post bond or collateral, the officer will:
 1. Complete a Form DC/CR4, Statement of Probable Cause.
 2. Give the court copy of the Form DC/CR4 and traffic citations to the commissioner.

NOTE: No arrest report is necessary for an out-of-state violator taken before a commissioner.
 3. Forward the State's Attorney's copy of the Form DC/CR4 and traffic citations to the supervisor for review and forwarding to Citation Control.

DEFINITIONS

- Foreign Officials include:
 1. Diplomatic Agents.
 2. Consular Officers.
 3. Staff of the Missions of International Organizations.

FOREIGN OFFICIALS

- Members stopping a foreign official or his/her family or staff members for a moving traffic violation will notify the on-duty supervisor and exercise discretion. The member, based on the nature of the violation, will issue a warning or citation. The issuance of a traffic citation does not constitute arrest or detention in regard to immunity.
- Members issuing a citation to a foreign official or his/her family or staff members will:
 1. Contact the U.S. Department of State, as soon as practical:
 - a. To verify the driver's status and immunity.

- b. To verify all relevant information from any driver's license or identification card issued by the U.S. Department of State.

NOTE: Immunity does not extend to the issuance of traffic citations. However, traffic violators may not be compelled to sign the citation.

2. Forward the following to the Motor Vehicle Administration within five workdays after the date of the stop:
 - a. A vehicle crash report, if the driver was involved in a vehicle crash.
 - b. A copy of any citation or other charging document issued.
- Members issuing a warning or traffic citation to a foreign official or his/her family or staff will complete the appropriate incident report which includes an explanation of the incident and probable cause.

NOTE: A copy of the citation or charging document (if applicable) will have the CC number written on the top right corner and placed in the precinct/division files.
- Members will complete the appropriate incident report before the end of their tour of duty.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- Members stopping a foreign official for a possible DUI violation must take into primary consideration whether the violator is a danger to him/herself or the public. Based upon this and other considerations, the following options are available to the member:
 1. Transport the foreign official:
 - a. To a precinct or other location, permitting sufficient recovery time to enable the individual to drive safely.
 - b. To a telephone so a relative or friend may be called to come and pick him/her up.
 - c. Home, if reasonable.
 2. Call for a taxi.

NOTE: Foreign officials will not be handcuffed, subjected to any sobriety tests or physically handled in any fashion unless no other option presents itself, nor is their vehicle subject to a search. This is a sensitive situation.

REFERENCES

- [Annotated Code of Maryland, Transportation Article.](#)
- [Diplomatic and Consular Immunity, Guidance for Law Enforcement Officers and Judicial Authorities \(U.S. Department of State\).](#)
- Field Manual, Article 1 (Investigations).
- Field Manual, Article 4 (Arrest, Custody, and Court).
- [U.S. Department of State Consular Notification and Access Booklet.](#)

2-3.0 CITATION USE

ACCOUNTABILITY

- Citation books are issued to a member for that member's use only.
- Citation books are not to be exchanged, borrowed, loaned, or used by anyone other than the assigned member.
- When a citation is needed and a member has none in possession, another member may be requested to issue the citation. The issuing member will issue a witness summons to the requesting member.
- Copies of completed citations, except the member's copy and the defendant's copy, will be forwarded to Citation Control within 10 days of issuance in a sealed envelope after supervisory review.
- Citations will be issued in sequence as numbered in the book.
- Members' citation books which are not being used because of reassignment, change of job duties, etc., will be forwarded to Citation Control.

2-3.1 MARYLAND UNIFORM COMPLAINT AND CITATION

GENERAL

- Maryland Uniform Complaint and Citations:
 1. Are used for traffic violations and related witness summons.
 2. Will not be used for Baltimore County parking violations.
 3. Will reflect the directions and fines established in the current District Court Fine Schedule.
- Citation copy distribution:
 1. Copies 1 and 2 - to Citation Control within 10 days of issuance.
EXCEPTION: Alcohol/Drug related offenses and all related citations written at the same time for the same case will be sent to the Chemical Test for Alcohol Team as outlined in Section 4.0.
 2. Copy 3 - retained by issuing officer for a minimum of three years.
 3. Copy 4 - to defendant for payable citations.
EXCEPTION: This copy will not be given to a defendant for Must Appear Citations.
 4. Copy 5 - to defendant.
NOTE: The court copy (#1) will be furnished to the commissioner when an individual is arrested for a traffic offense or when an out-of-state motorist is required to post bond for minor violations.
- If a police report is written for an incident where citations are issued, the central complaint (CC) number will be entered on the citation in the area to the right of "Notice to Appear."

ISSUANCE

- In addition to those blocks which are explained in the current fine schedule or are self-explanatory, the following blocks will be completed as indicated (numbers do not apply to blocks on citation):
 1. Seatbelts - check if seatbelt was not worn.
 2. Area - enter "03."
 3. SPCP - leave blank.
 4. District - enter "8."
 5. No. - court number.
 6. Agency - enter "AE."
 7. Sub-agency - officer's assignment.
- When charging a DUI suspect, the citation will reflect Section 21-902 (Generally) and charge #33 will be circled. Sections 21-902(a) and 21-902(b) will not be circled.
- When charging a suspect for driving on a suspended/revoked license, the citation must reflect the section, subsection, and alphabetical letter of the charge (e.g., 16-303{e} Licenses Canceled by Other States, etc.).

VOIDING

- Once a defendant has been given a copy of the citation and the citation has been forwarded to Citation Control, it cannot be voided administratively.
- Members who wish to void a traffic citation will:
 1. Submit a Form 12L, Intra-Department Correspondence, in an original and three copies, to their shift commander explaining the error. The Form 12L will include the citation number, date issued, and defendant's name.
 2. Attach all copies available of the citation to the Form 12L.
- Shift commanders, if they agree that a citation should be voided, will:
 1. Write "VOID" across the front of the citation, signing, and dating the citation directly underneath.
 2. Sign the Form 12L and distribute as follows:
 - a. Original and first copy - to Citation Control within 10 days of issuance.

- b. Second copy - to requesting officer.
 - c. Third copy - to Court Liaison Officer.
- If the shift commander disagrees with the request to void the citation, the citation will be returned to the member with an explanation or further instructions.

ABANDONING PROSECUTION (NOLLE PROSEQUI)

- Members requesting that citation prosecution be abandoned (nolle prosequi) will:
 1. Submit a Form 12L (original and two copies) addressed to the Legal Section with endorsement by their shift commander.
 2. Include in the Form 12L the citation number, date issued, defendant's name, violations cited, and reason for the request.

NOTE: The Legal Section shall review the Form 12L and accept or reject the request prior to contacting the States' Attorney's Office to request that prosecution on the case be abandoned.
 3. Appear on the court date assigned by the District Court unless the Legal Section advises the member that prosecution has been abandoned and they do not need to attend.

MISSING/DAMAGED CITATIONS

- Any citation lost, stolen, damaged, or destroyed by any means must be documented on a Form 12L.
- Any available copies of the citation, except the member's copy, will accompany the Form 12L to the member's shift commander.
- If the member's copy is the only remaining copy, a photocopy will be made to accompany the Form 12L.
- After endorsement/comments, the shift commander will forward all documents directly to Citation Control within 10 days of issuance.

CERTIFIED RECORDS

- Are only required in court for vehicle violations (e.g., uninsured, etc.) and for violations involving suspended/revoked licenses. For all other violations where driver's information (e.g., driving record, etc.) is required, a telex printout will be sufficient for court.
- Requests must be sent via telex.

2-3.2 PARKING CITATIONS

GENERAL

- Parking citations are used for violations of parking regulations as specified in the Baltimore County Code and Maryland Transportation Article.
- Officers discovering or responding to a parking violation shall evaluate each incident prior to taking enforcement actions.
- Removing the vehicle(s) in violation is of primary importance when it is creating an unsafe environment (e.g., blocked fire lane inhibiting emergency response equipment, etc.).
- Towing of vehicles is not allowed under normal circumstances.

MARYLAND TRANSPORTATION ARTICLE

- For violations under Transportation Article Title 21, Section 1004, subsections A through C members will:
 1. Issue a Baltimore County Citation.
 2. Circle the category indicating "ALL OTHER PARKING VIOLATIONS."
 3. Draw a line through "Baltimore County Code, Title 18."

4. Indicate "MARYLAND TRANSPORTATION ARTICLE," and the appropriate violation in the "Remarks" section.
- For violations under Transportation Article Title 21, Section 1004, subsection E (only used when officers are requested by owners or their agents to cite a violation) members will:
 1. Follow procedures set forth above.
 2. Complete a DC/CR 92, Request for Witness Summons.
- NOTE:** This does not apply to disability or fire lane violations.

OFFICERS RESPONDING TO MULTIPLE VIOLATIONS IN AN AREA

- Identify the type of violations (e.g., fire lane, handicapped, no stopping/standing, etc.).
- Determine if the parking violations are due to an unusual crowd (e.g., public meeting, school event, etc.).
- Determine whether the parking violations could present a safety hazard for traffic in the area or those attending any events.
- Contact event organizers in an attempt to remove the hazard, if applicable.
- Request a warning announcement to those attending any events before taking enforcement action.
- Determine the best enforcement strategy to eliminate the unsafe condition and prevent a recurrence of the violations.

MEMBERS VOIDING PARKING CITATIONS

- May do so regardless of whether or not the defendant's copy has been issued or is still available.
- Complete the pre-printed Inter-Office Correspondence (IOC) entitled "Cancellation of Violation Notice" (original and two copies).
- Submit the IOC and all available copies of the citation to their shift commander for approval.
- If disapproved, the citation will be distributed as stated below.
- Ensure the defendant is aware the citation is being voided, if the defendant's copy is not available, and the shift commander approves the request.

SHIFT COMMANDERS APPROVING VOIDING REQUESTS

- Write "VOID" across the front of each copy, sign, and date the citation directly underneath.
- Sign the IOC and distribute the original, first copy, and all available copies of the citation to Citation Control within 10 days of issuance.
- Ensure the second copy of the IOC is retained in the precinct/division files.

PARKING CITATION DISTRIBUTION

- Original and first copy - to Citation Control within 10 days of issuance.
- Second copy - retained by issuing officer for a minimum of one year.
- Third copy - placed on vehicle or given to the defendant.

2-3.3 SAFETY EQUIPMENT REPAIR ORDER (SERO)

GENERAL

- SEROs are used to ensure that needed vehicle repairs are made.
- SEROs may not be issued for vehicles displaying the following registration plates:
 1. Out-of-state.
 2. Historic.
 3. Dealer.
 4. Recycler.
 5. Transporter.
 6. Finance.

- 7. Special Mobile Equipment.
- 8. Temporary.
- SEROs may be destroyed if an error is made when completing the form.

ISSUANCE

- In addition to those blocks which are self-explanatory, the following blocks will be completed as indicated (numbers do not apply to blocks on order):
 1. Current Address in Full: Recipient/Owner/Other - circle "owner" and enter owner's address.
 2. Vehicle Identification Number (VIN) and Title Number - as verified from the vehicle registration card.
 3. Recipient Signature - if recipient refuses to sign, write "refused to sign" and process as usual.
 4. Defective Vehicle codes - more than one block may be checked; however, only the defect codes indicated may be used. Do not enter any other defects.
 5. County/City - enter "Baltimore County."
 6. County/City Code - enter "03."
 7. Agency - enter "BCOPD."
 8. Agency Code - enter "AE."
 9. Station - enter appropriate assignment code.
- Copy distribution (other than those that are self-explanatory):
 1. White (#1) - Citation Control within 10 days of issuance.
 2. Canary/goldenrod/manila (#3/4/5) - owner or agent of the vehicle.

INSPECTION CERTIFICATION

- The Inspection Certification portion is to be completed only after a defect has been repaired/replaced as indicated on the SERO.
- Only those defects marked with an asterisk (*) may be inspected by a sworn police officer. All others must be inspected by an authorized Maryland Inspection Station.
- In addition to those blocks which are self-explanatory, complete the following blocks as indicated (numbers do not apply to blocks on order):
 1. Name Insp. Sta./Police Department - enter "Baltimore County."
 2. Sta. No./Police Dept. Agency Code - enter "AE."
 3. Address - address of facility where member is assigned.
- Copy distribution (after vehicle has been inspected):
 1. Canary (#3) - to Citation Control.
 2. Goldenrod (#4) - to owner or agent of vehicle.
 3. Manila (#5) - to owner or agent of vehicle (to be forwarded to the Maryland State Police).

2-3.4 WRITTEN WARNINGS

GENERAL

- Written warnings are used for minor traffic violations.
- When an error is made completing the form, it may be destroyed.
- Copy distribution (other than those that are self-explanatory):
 1. White - violator's copy.
 2. Goldenrod - retained in precinct/division files for 90 days.
 3. Pink - retained by issuing officer for a minimum of 90 days.

2-3.5 REQUEST FOR RE-EXAMINATION OF DRIVER

REQUEST FOR RE-EXAM

- Members will complete an MVA Form AJ-39 when they believe that the driver of a motor vehicle needs to be re-examined by the Motor Vehicle Administration (MVA) for competency.
- Copy distribution:
 1. White/yellow - to Citation Control within 10 days of issuance.
 2. Pink - to issuing member's commander.
 3. Goldenrod - retained by issuing member.

REFERENCE

- [Annotated Code of Maryland, Transportation Article.](#)

2-3.6 ELECTRONIC CITATIONS (ETix)

DEPARTMENT MEMBERS

- May log onto and use the DeltaPlus system only after they have been properly trained.
- Are not required to obtain the signature of the violator when issuing a citation, warning, safety equipment repair order (SERO), or Requests for Re-examination of Drivers (eReferrals) via ETix.
- Issue traffic citations/warnings/SEROs/eReferrals for traffic violations via ETix or handwritten traffic enforcement documents.
- Properly upload issued ETix citations/warnings/SEROs/eReferrals to the Maryland State Police (MSP) server by logging out of the system successfully.
- Initiate a service call through the Baltimore County Office of Information Technology (OIT) Help Desk, upon experiencing any problems with ETix software and/or hardware.
- Will not issue a handwritten document when an ETix enforcement is completed and submitted through the Delta Plus system and the document fails to print.
NOTE: The issuing officer must take the necessary steps to ensure that the violator receives a copy of the citation/warning/SERO as soon as practical.

VOIDING OF CITATIONS

- The issuing member will submit a Form 12L, Intra-Department Correspondence, to their shift/unit commander explaining the error. The Form 12L will include the citation number(s) and charge(s) to be voided, date issued, defendant's name, and reason for the citation/charge to be voided.
- A copy of the electronic citation will be made and attached to the Form 12L.
- The shift commander will initial and date next to each charge that is to be voided upon approving the request to void.
- The shift commander will then sign the Form 12L and distribute as follows:
 1. Original and first copy to Citation Control.
 2. Second copy to requesting officer.
 3. Third copy to Court Liaison Officer.

VOIDING OF ETIX ISSUED WARNINGS

- The issuing member will submit a Form 12L to their shift/unit commander explaining the error. The Form 12L will include the date issued, driver's name, and reason for the warning to be voided.
- A copy of the warning will be made and attached to the Form 12L.
- The shift commander, upon approval, will sign the Form 12L and distribute the original to the Technology Section (TS).

- A member of the Mobile Support Team will create a service ticket to the Maryland State Police (MSP) and attach the documentation, upon receipt of an approved Form 12L.
- The MPT will receive notice from the MSP when the warning is no longer on the driver's record.

VOIDING OF ETIX ISSUED REQUEST FOR RE-EXAMINATION OF DRIVERS (EREFERRALS)

- The issuing officer will contact the Motor Vehicle Administration, Driver Wellness and Safety Division, and provide the reason that the eReferral needs to be voided.

VOIDING OF ETIX ISSUED SAFETY EQUIPMENT REPAIR ORDERS (SEROs)

- If the SERO was issued for a violation the officer can inspect, the officer will sign the SERO.
- If the SERO was issued for a violation the officer cannot inspect, the officer will contact the Maryland State Police, Automotive Safety Enforcement Division (ASED), and provide the SERO number and the reason that it needs to be voided.

CITATION CONTROL

- Receives and files approved Forms 12L requesting permission to void a citation/charge.
- Provides expungement notifications to the Technology Section.

TECHNOLOGY SECTION

- Receives expungement notifications from Citation Control.
- Receives Forms 12L voiding warnings from shift/unit commanders.
- Completes and submits expungement/voiding documentation to the Maryland State Police Delta Plus Coordinator.

SHIFT/UNIT COMMANDER

- Signs the Form 12L when he/she agrees with a member's request to void the citation/charge/warning.
NOTE: A copy of the approved Form 12L will be provided to the issuing officer for his/her records.
- Returns the Form 12L to the submitting member with an explanation or further instructions if he/she disagrees with the request to void the citation/charge/warning.

2-3.7 TRAFFIC STOP DATA COLLECTION (TSDC)

DEFINITIONS

- Automatic License Plate Reader "L" Stop - any traffic stop of a motor vehicle for a suspected license/registration violation of a Maryland vehicle law that was detected through the use of automatic license plate reader technology.
- Bias-based Profiling - the selection of an individual, for any police-initiated action, based upon assumptions regarding a person's race, ethnicity, age, sexual orientation, religion, cultural group, or economic status, rather than the behavior of an individual, that leads the police to believe that a particular individual is engaged in, was engaged in, or is about to engage in criminal activity.
- Investigative "I" Stop - any traffic stop of a motor vehicle resulting from suspected criminal activity, or in support of a crime prevention program, absent a traffic violation.
- Motor Vehicle Law Traffic "M" Stop - any traffic stop of a motor vehicle for a suspected violation of a Maryland vehicle law.
EXCEPTION: "L" and "R" traffic stops.

- Radar “R” Stop - any traffic stop of a motor vehicle for a suspected speed violation of a Maryland vehicle law that was detected through the use of RADAR, LIDAR, or VASCAR technology.
- Traffic Stop - any instance where a law enforcement officer stops the operator of a motor vehicle and detains them for any period of time for a suspected violation of the Maryland vehicle laws. A traffic stop does not include a checkpoint, roadblock, stop of multiple vehicles due to a crash, or an emergency situation requiring the stopping of vehicles for public purposes.

GENERAL

- The Maryland General Assembly enacted legislation on July 1, 2001, which requires all police agencies in Maryland to establish a policy against race-based traffic stops and to report annual traffic stop data to the Maryland Statistical Analysis Center (MSAC).
- The Department collects this required traffic stop data via the Form 9, Traffic Stop Data Collection (TSDC), and the DeltaPlus system.
- Traffic stop data collection is only required for “M” stops.

MEMBERS

- Will not engage in bias-based profiling.
- Will not detain a motor vehicle operator following a traffic stop unless there is a reasonable suspicion of further criminal activity.
- Will not search any person or vehicle in the absence of legally justified reasons or consent.
- Conduct themselves in a professional manner during the course of all traffic stops.
- Request a central complaint (CC) number for each traffic stop (i.e., “I,” “L,” “M,” or “R”) and advise the dispatcher of the type of stop being made.

MEMBERS UTILIZING HANDWRITTEN TRAFFIC ENFORCEMENT DOCUMENTS

- Complete a Form 9 for all “M” stops.
- Submit the Form 9, along with the appropriate enforcement, to the squad supervisor for approval prior to the end of their tour of duty.

MEMBERS UTILIZING AN ELECTRONIC TICKETING SYSTEM

- Ensure all required traffic stop data is captured using the DeltaPlus system for all “M” stops.
- Enter information for searches and arrests, when applicable.

SUPERVISORS

- Monitor and examine all actions and activities of subordinates to ensure that bias-based profiling or discriminatory practices do not occur.
- Monitor subordinates’ traffic enforcement activities to ensure that data is properly captured.
- Ensure that a Form 9 is completed for all “M” stops conducted using handwritten traffic enforcement documents.
- Approve all Forms 9 and forward them to the Information & Records Management Section.

INFORMATION & RECORDS MANAGEMENT SECTION

- Enters data from Forms 9 into the DeltaPlus system.

2-4.0 ALCOHOL/DRUG-RELATED OFFENSES

OFFICERS

- Charging any person with any violation of the Annotated Code of Maryland, Transportation Article, Section 21-902, driving while impaired or under the influence of drugs or alcohol, will complete the following:
 1. Form DR-15, Advice of Rights.
 2. Traffic citations.
NOTE: Issued at the hospital if a blood test is taken.
 3. Form DC/CR4, Statement of Probable Cause.
 4. Form 166, Arrest Report.
NOTE: If the subject is not taken into custody (e.g., transported to a hospital, etc.), an arrest report will still be completed with "Released on Citation" noted in the *Final Custody Status* block.
 5. Form 143, Alcohol Influence Report.
 6. A completed and signed State's Attorney's copy of the Form 33, Maryland State Police (MSP) Result of Test for Alcohol Concentration, if applicable.
 7. Case Report documenting the arrest.
 8. Any other paperwork related to the DUI arrest, such as an Automated Crash Reporting System (ACRS) report.
- Place the above completed documents (originals), in a specially prepared Driving Under the Influence envelope to be forwarded to the reviewing supervisor for approval. Do not staple documents. Envelopes are provided by the Chemical Test for Alcohol Team (CTAT).
EXCEPTION: The CTAT will accept copies of the DR-15 and DR-15A because the originals are forwarded to the Motor Vehicle Administration (MVA).
- Retain a copy of all documents for trial preparation.

SUPERVISORS

- Review and approve all documents and ensure their completeness prior to forwarding the packet to the CTAT.
- Complete the label on the outside of the envelope by:
 1. Checking off each item.
 2. Entering the central complaint (CC) number.
 3. Signing and dating the label.
- Clasp the envelope closed. Do not seal the envelope. Forward the packet to the CTAT through intra-departmental mail.
- Ensure that the completed packet arrives at the CTAT no later than 72 hours after the arrest.
- Receiving a Form 119 CTAT for missing/delinquent documents will ensure that the information is forwarded to the CTAT within five days.

CHEMICAL TEST FOR ALCOHOL TEAM (CTAT)

- Ensures that all documents are present.
- Stamps all the paperwork "Received by the CTAT" prior to distribution.
- Forwards copies to the appropriate locations (e.g., Information & Records Management Section, Citation Control, State's Attorney, etc.).
- Maintains all DUI files for five years.
- Identifies habitual offenders.
- Sends a Form 119 CTAT to officers for the correction of documentation that is missing, delinquent, etc.

ARRESTEE'S VEHICLE

- May be released to:
 1. The person who has an ownership interest in the vehicle and who can respond within a reasonable time after notification.
 2. A sober passenger in the vehicle with permission from the operator.
- Will be processed according to current departmental procedures if it must be towed.

REFERENCES

- Field Manual, Article 4 (Arrest, Custody, and Court).
- Field Manual, Article 6 (Miscellaneous Property Issues).

2-4.1 ALCOHOL/DRUG TESTING

FORM DR-15

- Members charging any subject with alcohol/drug related traffic offenses will:
 1. Read the Form DR-15, Advice of Rights, requesting the subject to take an evidentiary breath test.
 2. Request the subject's signature on the DR-15 if the test is to be administered.
NOTE: Evidentiary breath specimens should be obtained within two hours of the subject's apprehension.
 3. Complete and retain the Form DR-15 for court.
EXCEPTION: When Form DR-15A, Officer's Certification and Order of Suspension Form is used, the original must be forwarded to the Motor Vehicle Administration (MVA).

FORM DR-15A

- When any subject charged as specified above refuses to submit to an evidentiary breath test, or the test results in an alcohol concentration of .08 or more, the arresting member will:
 1. Circle the appropriate box on the Form DR-15 and complete the form.
 2. Complete Form DR-15A, Officer's Certification and Order of Suspension Form.
NOTE: The section for "Reasonable Grounds" must be completed, including the reason for initially stopping or approaching the vehicle and the performance on any field sobriety tests conducted.
 3. Immediately forward the original Form DR-15A to the MVA.
 4. Follow the procedures regarding confiscation of a driver's license.
- Cannot be discarded but must be voided, using the procedures established for Maryland State Citations.

REQUIRED TESTING

- As prescribed in the Annotated Code of Maryland, Transportation Article, Section 16-205.1:
 1. When a motor vehicle crash results in the death of, or life threatening injury to, another person; and,
 2. A subject is detained by a member who has reasonable grounds to believe the subject was driving or attempting to drive while under the influence of or impaired by alcohol and/or drugs.

PRESUMPTIONS

- If the subject's alcohol concentration is:
 1. .05 or less, the subject is presumed not under the influence of alcohol or driving while impaired by alcohol.
NOTE: Charges for driving while impaired by alcohol may not be placed against a subject in this circumstance.

2. .05 but less than .07, it will not be presumed that the subject was or was not driving while impaired by alcohol, but this fact may be considered with other competent evidence in making any determination.
3. At least .07 but less than .08, it will be prima facie evidence that the subject was driving while impaired by alcohol.
4. .08 or more, the subject will be considered under the influence of alcohol per se as defined by the Annotated Code of Maryland, Transportation Article.
NOTE: A Drug Recognition Expert (DRE) should be contacted in all cases where the alcohol concentration is below a .08, and the level of impairment is not consistent with the breath test results.

JUVENILE TESTING

- Juveniles aged 16 and 17, having received an operator's license, will be treated as adults for the purposes of intoxication testing.
- A juvenile 15 years of age or younger, who is suspected of operating a motor vehicle while under the influence of an alcoholic beverage or drug, may be given a chemical test for intoxication if:
 1. The parent/guardian and the juvenile give consent.
 2. The juvenile agrees to submit to a test and the parent/guardian cannot be contacted within two hours from the time of arrest.
 3. The parent/guardian refuses to allow the test but the juvenile agrees to the test.
- If a juvenile 15 years of age or younger refuses to take the test, a chemical test for intoxication will not be given, regardless of the parent/guardian's wishes. The results of the contact and the request refusal will be documented in the report narrative.

REFERENCE

- [Annotated Code of Maryland, Transportation Article.](#)

2-4.1.1 PRELIMINARY BREATH TEST (PBT) DEVICES

PBT USE

- Members stopping a motorist suspected of driving under the influence of alcohol will have the driver complete the accepted performance tests to establish probable cause.
- The PBT may be used as an additional screening device, but the results of the test cannot be used as evidence in any DUI prosecution.
- A PBT will be available in various commands throughout the County to provide for 24-hour access.
- A PBT will be administered only by certified operators.
- Only those PBTs approved by the State Toxicologist will be used.

PBT OPERATORS

- May conduct simulation tests, using approved simulator solutions, on the PBT units to ensure their accuracy.
- Conducting a simulator test with a result outside of the acceptable calibration range will remove the PBT unit from service until it is repaired/recalibrated.
- Complete the Maryland State Police (MSP) Form 102, Advisement of Rights, and distribute as follows:
 1. Original - retained by requesting members.
 2. First copy - to subject tested.
 3. Second copy - placed in the DUI Packet and forwarded to the Chemical Test for Alcohol Team where the MSP 104 log will be maintained.

- Will not furnish the results of the PBT to any person arrested for DUI until after completion of the evidentiary chemical test.
- Ensure the arresting member has all of the required information for completion of the PBT section of the Form 143, Alcohol Influence Report.

PBT ADMINISTRATOR

- Checks each PBT unit using an appropriate simulated alcohol solution.
- Conducts inspections of all PBT units on a monthly basis.
- Maintains and calibrates all PBT units.
- Maintains all PBT supplies, mouthpieces, MSP Forms 102, etc.
- May be consulted for:
 1. Maintenance, calibration, or repair of PBT units.
 2. Questions on use of and training for the PBT.
- Maintains all PBT logs.

2-4.1.2 EVIDENTIARY BREATH TESTS

ARRESTING OFFICERS

- Notify 9-1-1 Police Liaison of the need for a breath test operator and meet the operator at the precinct where the breath test will be conducted.
- Transport the arrestee to the precinct where the test will be administered.
- Will not administer the evidentiary breath test.

EVIDENTIARY BREATH TEST INSTRUMENTS

- Are available to members 24 hours a day.
- Are operated only by members certified by the State Toxicologist, using a properly certified instrument.
- Are maintained and/or repaired only by a certified evidentiary breath test instrument maintenance technician.

EVIDENTIARY BREATH TEST INSTRUMENT OPERATORS

- Will conduct preliminary breath tests on DUI suspects upon request when within a reasonable distance.
- Will be alert for malfunctions of the breath test equipment.
- Discovering malfunctions of the breath test equipment will:
 1. Place the instrument out of service.
 2. Contact a service technician from the Maryland State Police Chemical Test for Alcohol Unit.
- Upon completion of each test, will:
 1. Ensure all entries are properly posted in each log and report.
 2. Store and/or return all equipment/supplies properly.
- Will complete the Form 33, Result of Test for Alcohol Concentration, and distribute as follows:
 1. Original - retained by arresting member.
 2. First copy - to the CTAT for forwarding to the State's Attorney's Office.
 3. Second copy - to the subject.
 4. Third copy - to the MVA with DR-15A if breath test result is .08 or higher.

NOTE: Failure to furnish the subject with a copy of this form will mandate the appearance of the evidentiary breath test instrument operator at the subject's trial.
- Will appear in court only when summonsed, and must have the State Toxicologist's certification in possession for each court appearance.

2-4.1.3 BLOOD TESTS

BLOOD TESTS

- Require probable cause and DUI charges against the suspect.
- Are requested when:
 1. A DUI suspect is hospitalized, or
 2. The evidentiary breath test instrument is not available, or
 3. When ordered by a Drug Recognition Expert (DRE) after an evaluation.
- Are required when a DUI suspect is involved in a crash resulting in the death of, or a life threatening injury, to another person and refuses to take an evidentiary breath test.
- Must be given within two hours of arrest for suspected alcohol impairment and within four hours for suspected drug impairment. Samples may still be obtained if not within the allotted time span.
- For crashes, the time limit for breath/blood samples begins at the time of arrest or detention, not at the time of the crash.
- Are performed by qualified/certified state medical personnel per State Toxicologist procedures.
- For DRE investigations, blood specimens may be withdrawn at a location designated by the DRE Coordinator.

BLOOD TEST KITS

- Must be approved by the State Toxicologist.
- Are distributed by the CTAT.
- Are carried by traffic units, DUI Enforcement Team, and Crash Team supervisors.
- Are requested through 9-1-1 Police Liaison.
- Must have their expiration date checked prior to use.
- Include instructions that must be followed.

PROCESS FOR REQUESTED BLOOD TESTS

- The blood test request should be made at the hospital to allow time for the blood test kit to be delivered.
- The Form DR-15 will be completed.
- The suspect will be read the Form DR-15, Advice of Rights, and be advised that a blood test is being offered.
- If the test is taken, the:
 1. DR-15A control number space of the MVA Form DR-15 will remain blank.
 2. The MVA copy of the Form DR-15 will be retained by the arresting officer until the results are received.
- If the test is refused:
 1. Confiscate the suspect's Maryland driver's license.
 2. Complete Form DR-15A, Officer's Certification and Order of Suspension.
 3. Forward the completed Form DR-23 to the MVA, when a DRE is utilized.

PROCESS FOR REQUIRED BLOOD TESTS

- The arresting officer will direct the medical practitioner to withdraw the blood sample as outlined in the Annotated Code of Maryland, Transportation Article.
- If the medical practitioner refuses to withdraw the blood sample, the on-call State's Attorney will be contacted through 9-1-1 Police Liaison.

BLOOD TEST RESULTS

- When the results of the blood test indicate a blood alcohol content of .08 or above, the arresting officer will:
 1. Notify the subject.
 2. Complete the MVA Form DR-15A.
NOTE: The issue date is filled in when the Order of Suspension is served on the subject.
 3. Complete the DR-15A control number space on the MVA Form DR-15.
 4. Insert "Blood Test - See MSP Form 33" in the block titled, "Certification of Test Technician or Analyst."
 5. Refer to this Article for form distribution and procedures regarding the confiscation of driver's licenses.

REFERENCE

- [Annotated Code of Maryland, Transportation Article.](#)

2-4.1.4 DRUG RECOGNITION EXPERT (DRE) PROGRAM

DRUG RECOGNITION EXPERTS (DRE)

- Provide an evaluation of suspects arrested for driving while under the influence of drugs and can determine, with a high degree of accuracy, the category of drugs causing the impairment.
- Are requested through the 9-1-1 Police Liaison.
- Notify the DRE Coordinator of serious injury or fatal crashes, if drug impairment is suspected.
- Conduct drug evaluations in accordance with the procedures established by the National Highway Traffic Safety Administration (NHTSA).
- Have the authority to terminate an evaluation at any time for safety reasons. Drug evaluations will not be performed if a subject is combative or violent.
- May be called to assist neighboring law enforcement agencies with drug evaluations.
- Maintain personal test logs and all other records required by NHTSA and the DRE Coordinator.
- Prepare a Drug Influence Evaluation Report (original and two copies) using the proper forms per procedure established by NHTSA, and distribute as follows:
 1. Original - to the DRE Coordinator.
 2. First copy - to the arresting member.
 3. Second copy - retained by the DRE
- Advise suspects of their obligation to submit to a blood test as explained on the Form DR-15, Advice of Rights.
- If the suspect consents to the test, provide the arresting officer with a blood kit, DRE blood sample form, and assistance on blood withdrawal procedures.
- If the suspect refuses the test, provide the arresting officer with a completed Form DR-23, Drug Recognition Expert's Certification.

DRUG EVALUATIONS

- Drug evaluations will be conducted at Precincts 2, 3, 4, 6, 8, 9, and 12.
- After a chemical test for alcohol has been completed and evidence suggests possible drug impairment, a DRE should be called to assist if the subject:
 1. Refuses the breath test and available evidence suggests impairment by drugs, not alcohol.
 2. Has a breath test result below a .08.

- 3. Was driving a vehicle involved in a serious personal injury or fatal crash and evidence suggests drug use.
- May be conducted in cases other than driving while impaired, after consulting with the DRE Coordinator.

ARRESTING OFFICERS

- Notify the DRE Coordinator of serious injury or fatal crashes, if drug impairment is suspected.
- If the suspect:
 1. Consents to the blood test:
 - a. Transport the suspect to a designated medical facility.
 - b. Provide medical personnel with the blood test kit.
 - c. Witness the DRE's evaluation.
 - d. Ensure medical attention is given to the defendant, if necessary, as indicated by the DRE during the evaluation.
 - e. Package and mail the sample according to the instructions in the blood kit.
 2. Refuses the test:
 - a. Confiscate the suspect's Maryland driver's license in accordance with this Article.
 - b. Complete Form DR-15A, Officer's Certification and Order of Suspension.
 - c. Forward the completed Form DR-23 to the MVA when a DRE is utilized.
- Are not required to complete a Form 273, Sick or Injured Person Medical Report, unless the suspect requires medical treatment for other reasons.

DRE COORDINATOR

- Arranges training for personnel, including: prospective DREs, instructors, recertification, and in service.
- Supervises the DRE Program.
- Acts as liaison with the NHTSA, State Coordinator, and other agencies related to the program.
- Provides public information and education about the program.
- Forwards reports to the CTAT for inclusion in the DUI packet.

2-4.2 CONFISCATION OF MARYLAND DRIVER'S LICENSE

CHEMICAL TESTS FOR ALCOHOL

- If the driver refuses the requested chemical test (blood or breath), or the test results in an alcohol concentration of .08 or higher, the officer will:
 1. Provide #3 and #4 copies of the Form DR-15A, Officer's Certification and Order of Suspension, to the driver.
 2. Attach the confiscated license to the adhesive strip located on the bottom of the #1 copy of the Form DR-15A.
 3. Place the following into the postage paid, pre-addressed envelope, and seal:
 - a. The #1 copy of the Form DR-15A.
 - b. The #2 (MVA) copy of the Form DR-15, Advice of Rights.
 - c. A copy of the results of Form 33, Test for Alcohol Concentration MSP.
 4. Check off items on the back of envelope and mail within 72 hours of issuance of the form.

BLOOD TESTS

- If the driver's test results in an alcohol concentration of .08 or higher and:
 1. The driver lives or works within a reasonable distance of the officer's assignment, the officer will:
 - a. Contact the driver and complete the DR-15A.
 - b. Confiscate the driver's license (Maryland license only).
 - c. Note the date the Form DR-15A is completed in the "issue date" block.
 - d. Write the words "Blood Test - See Attached MSP Form 33" in the block titled "Certification of Test Technician or Analyst."
 - e. Forward the #5 copy of the Form DR-15A to the Information & Records Management Section upon completion.
 - f. Forward the confiscated license, completed Form DR-15A, and a copy of the MSP Form 33 to the MVA in the envelope provided, noting the contents on the back of the envelope.
 2. The driver resides or works at an unreasonable distance from the officer's work assignment, the officer will:
 - a. Complete the Form DR-15A except for the order of suspension issue date, surrender of license and driver's certified statement blocks, and the temporary license block.
 - b. Forward the partially completed Form DR-15A and a copy of the MSP Form 33 to the appropriate agency for service and completion.
 - c. Retain a copy of the Form DR-15A.
 - d. The law enforcement agency within the jurisdiction where the driver resides will have an officer contact the driver and complete the DR-15A.

OTHER JURISDICTION REQUESTS

- Members requested to serve a Form DR-15A for another agency will:
 1. Personally serve the Form DR-15A on the subject, completing the issue date on the Order of Suspension.
 2. Confiscate the driver's license (Maryland licenses only).
 3. Complete and sign the temporary license section.
 4. Furnish the subject with the #3 and #4 copies of the completed Form DR-15A.
 5. Return the #2 copy of the Form DR-15A to the initiating member/agency.
 6. Forward the #5 copy of the DR-15A to the Information & Records Management Section.
 7. Place the #1 copy of the Form DR-15A with the confiscated license attached, along with a copy of the MSP Form 33, in the envelope provided, noting the contents on the back of the envelope.
 8. Mail the envelope to the MVA within 72 hours.

2-4.3 OFFENSES INVOLVING COMMERCIAL MOTOR VEHICLES

GENERAL

- Members having reasonable grounds to believe that a person has been driving or attempting to drive a commercial motor vehicle on a highway or on any private property that is used by the public in general in Maryland in violation of Maryland law, which resulted in an alcohol test of .04 or more but less than .08, will complete, in addition to other required forms, a Form DR-102, Certification of Police Officer - Test Result of .04 or More - Commercial Motor Vehicle.
- If the test results are .08 or more, a Form DR-15A will be completed.
- In all cases, a copy of the Form MSP 33, Official Test Results, will be attached to the MVA copy of the DR-102 or DR-15A and forwarded to the MVA in the envelope provided.
- A copy of the Form DR-102 will be furnished to the subject.

REFERENCE

- [Annotated Code of Maryland, Transportation Article.](#)

2-4.4 VIOLATION OF ALCOHOL RESTRICTIONS

ALCOHOL RESTRICTION TYPES

- Age-based restrictions (under 21 years of age).
- Court-ordered restrictions.

ALCOHOL-RESTRICTED LICENSE

- If a suspect appears not to be intoxicated or impaired but has the odor of an alcoholic beverage on their breath:
 1. A chemical test for alcohol must be requested.
 2. The Form DR-15, Advice of Rights, must be completed.
- If the driver refuses to take a test or takes a test resulting in a blood alcohol content (BAC) of .08 or more, the license will be confiscated.
- A driver may be charged with an alcohol restriction violation if the BAC test results for:
 1. A court-ordered restriction is .01 or higher.
 2. An age-based restriction is .02 or higher.
- In situations where the driver is charged with a violation of the Annotated Code of Maryland, Transportation Article, Section 21-902, and there is a test result of .02 or higher, an alcohol restriction violation will also be charged as required by Section 16-113(b).
- If DUI charges are added due to the test results, field sobriety tests must be administered and documented.

ADDITIONAL REQUIRED FORMS

- Form DR-15A, Officer's Certification and Order of Suspension, is completed when the test is refused or results in a BAC are .08 or higher.
- Form 33, Result of Test for Alcohol Concentration MSP, is completed whenever the chemical test is taken.
- Form DR-103, Violation of Alcohol Restriction, is issued for all alcohol restriction violations where the BAC test result for:
 1. A court-ordered restriction is from .01 to .07.
 2. An age-based restriction is from .02 to .07.
- Form 143, Alcohol Influence Report, and arrest report, must be completed for all arrests. In the remarks section of the Form 143, include the name of the medical personnel drawing the blood, if applicable.
- Form DC/CR4, Statement of Probable Cause, is completed for all violations, except when the BAC test result for:
 1. A court-ordered restriction is .00.
 2. An aged-based restriction is less than .02.
- Maryland Uniform Complaint and Citation will be issued for all alcohol restriction violations, except when the BAC test result for:
 1. A court-ordered restriction is .00.
 2. An aged-based restriction is less than .02.

REFERENCES

- Administrative Per Se Manual (MSP/MVA).
- Field Manual, Article 4 (Arrest, Custody, and Court).

2-5.0 OFF-ROAD VEHICLE VIOLATIONS ON PRIVATE PROPERTY

GENERAL

- An off-road vehicle, as defined below, may be forfeited after three confirmed violations of the Baltimore County Code off-road vehicle laws, when the violations occurred on private property not used by the public as a matter of right.
- This policy applies to off-road vehicles on private property only. For off-road vehicles on public property, refer to the Transportation Article of the Annotated Code of Maryland.

OFF-ROAD VEHICLES

- Are mini-bikes, which means a motor vehicle that:
 1. Has a saddle or seat for use of the rider.
 2. Is designed to travel on two, three, or four wheels in contact with the ground.
 3. Is not subject to registration under Title 13 of the Transportation Article of the Annotated Code of Maryland.
- Include off-the-road-motorcycles and all-terrain vehicles (ATVs).
- Exclude farm tractors or other vehicles commonly used in farming operations.
- Are required to be registered with the County under the Baltimore County Code.

INVESTIGATING OFFICERS

- Verify the owner and/or operator's identification.
- Will not confiscate the vehicle.
- Attempt to verify if the violation is the individual's third violation, utilizing the Records Management System (RMS).
- If the operator is an adult:
 1. Issue a criminal citation in accordance with the Field Manual, Article 4 (Arrest, Custody, and Court).
 2. Initiate the appropriate incident report and note in the *Narrative* tab if the violation is confirmed as the third violation.
- If the operator is a juvenile:
 1. Complete a Form 117 in accordance with the Field Manual, Article 4 (Arrest, Custody, and Court).
 2. Initiate the appropriate incident report and note in the *Narrative* tab if the violation is confirmed as the third violation.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution for cases involving asset seizure/forfeiture.

OFFICERS SERVING FORFEITURE ORDERS

- Make service attempts between 0730 and 2330 hours, from Monday through Friday.
- Initiate an the appropriate incident report, indicating that the court-ordered forfeiture was accomplished.

REFERENCES

- [Annotated Code of Maryland, Transportation Article.](#)
- [Baltimore County Code.](#)
- Field Manual, Article 4 (Arrest, Custody, and Court).
- Field Manual, Article 6 (Miscellaneous Property Issues).

2-6.0 SCOFFLAW VIOLATIONS

GENERAL

- Scofflaw vehicles are those having three or more outstanding parking violations, when 30 or more days have elapsed since the third unsatisfied violation.
- Refer to Baltimore County Code, Impoundment of Vehicles.

NON-SWORN PARKING ENFORCEMENT OFFICERS

- Who verify a scofflaw violation will request, through their supervisor, a Department member to be dispatched to the scene.
- Provide the required information to the responding officer for the incident report.

INVESTIGATING OFFICERS

- Verify the existence of outstanding citations on the vehicle in question by contacting the Office of Budget & Finance, Parking & Automated Enforcement.
EXCEPTION: Verification may be presumed when called to the scene by a non-sworn parking enforcement supervisor.
- May impound a vehicle for a scofflaw violation even if new tags are issued to the violator's vehicle, as long as the owner and vehicle are the same as those on the outstanding citations.
- After verification of a violation, will request a tow truck that is licensed with Baltimore County and contracted with the Automated Dispatch System vendor to impound the vehicle.
- Notify the Office of Budget and Finance that the vehicle has been stored for a scofflaw violation and provide the name of the responding tow company.
- Notify the vehicle owner and provide the location of the vehicle, the reason for storage, and the amount of fines due for payment at the Office of Budget & Finance.
- If unable to notify the vehicle owner before the end of their tour of duty, will notify their supervisor, send a telex, and notify the 9-1-1 Police Liaison to place on the tow board.
- Initiate an Impound/Tow Record with the information provided by the Office of Budget & Finance, to include the:
 1. Vehicle information and reason for storage.
 2. Number of outstanding tickets and dollar amount of fines due.
 3. Owner notification information.

SUPERVISORS

- Ensure that steps are taken to have the vehicle owner notified and if unable to contact the owner, that the 9-1-1 Police Liaison was notified and a telex was sent.
- Ensure that the report is forwarded as required.
- Will mark the case status as "Closed" once the above procedures have been completed.

VEHICLE RELEASE PROCESS

- When the fines are paid, the owner will take the Office of Budget & Finance receipt (Form NCR3) authorizing release of the vehicle to the tow company location and reclaim the vehicle.

REFERENCES

- Automated Dispatch System (ADS) BCOPD Desk Officer Guide.
- [Baltimore County Code](#).
- Field Manual, Article 6 (Miscellaneous Property Issues).

2-7.0 ABANDONED VEHICLES AND MOTORIZED EQUIPMENT

2-7.1 ABANDONED VEHICLES

ABANDONED VEHICLES

- Investigated in accordance with the delayed response policy.
- Found during routine patrol will be investigated by the observing member.
- That are normally titled (e.g., cars, motorcycles, etc.), will be handled as titled vehicles for purposes of abandonment.

INVESTIGATING OFFICERS

- Determine if the vehicle is wanted/stolen and if it meets abandonment criteria.
- Should charge the owner/driver responsible for abandoning the vehicle in accordance with the provisions of the Annotated Code of Maryland, Transportation Article.
- Refer to the Field Manual, Article 6 (Miscellaneous Property Issues), for procedures regarding towing documentation for abandoned vehicles and vehicle inventories.

REPORTING

- An incident report using the offense code "Abandoned Auto" will be completed if the vehicle meets abandonment criteria.
- The victim will be the owner of the property where the vehicle is located. If it is an apartment complex, use the name of the complex.
- The vehicle owner's information will be documented in the *Others* tab of the incident report.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

2-7.1.1 VEHICLES ABANDONED ON PUBLIC PROPERTY

INVESTIGATING OFFICERS

- Should attempt to have the vehicle removed by the owner or person responsible for abandoning the vehicle.
- Complete the Form 217, Abandoned Auto Notice, and attach it to the windshield on the driver's side or where it would be most visible to the operator.
- Refer follow-up to the Traffic Management Team.

DESIGNATED TRAFFIC OFFICERS

- Submit an Officer Report, documenting the vehicle removal status and attempts to contact the vehicle owner.
- Dispatch the closest licensed scrap processor to remove the vehicle, if the vehicle is not removed within the 48-hour time limit, and complete an Impound/Tow Record documenting the removal.

ABANDONED AUTO TEAM

- Authorizes towing of abandoned vehicles.
- Attempts to notify the last known vehicle owner/lienholder, per the requirements of the Annotated Code of Maryland, Transportation Article, once the vehicle is in possession of the licensed scrap processor.
- Issues Form CS-78, Certificate of Authority, to the dismantler as a form of release if the vehicle is not claimed within three weeks of owner/lienholder notification.
- Writes the central complaint (CC) number on the receipt for the certified letter and on the upper right corner of the Form CS-78, before filing in the team's files.
- Forwards a photocopy of the receipt and the Form CS-78 to the Information & Records Management Section.

2-7.1.2 VEHICLES ABANDONED ON PRIVATE PROPERTY

INVESTIGATING OFFICERS

- Verify that the complainant is the property owner or is acting as an agent for the property owner.
- Complete the Form 217A, Private Property Abandoned Auto Notice, and attach it to the windshield on the driver's side or where it would be most visible to the operator.
- Advise the complainant that they can have the vehicle removed by a licensed scrap processor if the vehicle is not removed within the 48-hour time limit.
- Obtain a listing on the vehicle and furnish the name and address of the vehicle owner to the complainant.

2-7.2 STORED UNUSUAL VEHICLES AND MOTORIZED EQUIPMENT (TOWING)

UNUSUAL VEHICLE TYPES

- Dune buggies, golf carts, go-carts, etc.
- All-terrain vehicles, mini-bikes, mopeds, etc.
- Tractors, backhoes, loaders, etc.

INVESTIGATING OFFICERS

- Will complete an Impound/Tow Record.
- Request a tow truck from the Vehicle Operations & Maintenance Shop (VOM) only when a vehicle is to be processed as evidence and transported to the Crime Lab at the Public Safety Building.
- Request the closest licensed tow company in all other circumstances.
- Will make an attempt to identify the vehicle/equipment owner, notify the tow company, and record the attempt in the report.

REFERENCES

- [Annotated Code of Maryland, Transportation Article.](#)
- Field Manual, Article 6 (Miscellaneous Property Issues).

2-8.0 INOPERATIVE VEHICLES

INOPERATIVE VEHICLES

- Are vehicles that have suffered a mechanical failure not resulting from a collision.

INVESTIGATING OFFICERS

- Assist motorists of inoperable vehicles provided the officer is not en route to a call or transporting a prisoner.
- Request fire or emergency medical assistance through the 9-1-1 Police Liaison if required by the motorist.
- Advise the vehicle operator that there may be a charge once the tow truck is requested, even if the vehicle becomes operable before the service vehicle arrives.
- Obtain the vehicle operator's information should the vehicle become operable and leave prior to arrival of the service vehicle.
- Check to see if the vehicle is wanted or stolen.
- Ensure that the operator is transported to a location of safety, should assistance not arrive.
- Complete an Impound/Tow Record should an inoperable vehicle be removed for causing a traffic hazard when the owner/operator is not present.

VEHICLE TOWING

- If an inoperative vehicle causing a traffic hazard needs to be towed, the:
 1. Officer will request the closest licensed tow company if the owner/operator is not present or does not specify a particular tow company.
 2. Owner/operator may request a non-licensed tow company provided response will be within a reasonable time.
- If the inoperative vehicle is not causing a traffic hazard, a non-licensed tow company may be requested by the vehicle owner/operator. If the owner/operator does not request a specific tow company, the closest licensed tow company will be called.

REFERENCE

- Field Manual, Article 6 (Miscellaneous Property Issues).

2-9.0 MAJOR TRAFFIC INCIDENTS

MAJOR TRAFFIC INCIDENT PLANS

- Coordinated Highway Action Response Team (CHART).
- Light Rail Incident Management Plan.

DEPARTMENT MEMBERS

- Will be vigilant and alert for traffic incidents that may create congestion on major thoroughfares in the County.
- Notify the traffic and patrol supervisors for the precinct involved in a verified major traffic incident.

SUPERVISORS

- Traffic supervisor of the precinct involved will have the primary responsibility for directing operations for the incident.
- Patrol supervisors will assist and, upon request or in absence of the traffic supervisor, assume responsibility for the operation.
- Will consider the following factors, among others, before instituting any plans:
 1. Severity of the incident (i.e., minor or hazardous).
 2. Anticipated duration of the event (short or long-term).
 3. Potential areas affected by the incident.
 4. Estimate of personnel and equipment needed.
- Once the evaluation is complete, the supervisor in charge may do any of the following to facilitate traffic flow:
 1. Advise the 9-1-1 Police Liaison to:
 - a. Provide all known information on the nature of the incident, detours, duration, etc., and periodic updates to the media.
 - b. Request notification of appropriate County/state agencies for assistance, personnel, equipment, etc.
 2. Design, if necessary, detour routes, keeping in mind the type of traffic to be detoured, weight, height, and restricted roadways.
 3. Assign personnel required to initiate the detours, requesting additional personnel as necessary, including initiating a Phase, if necessary.
NOTE: Evacuations from other jurisdictions could lead to a large number of motorists being directed through Baltimore County.
 4. Notify other police agencies for information and/or assistance.
 5. Request a Traffic Management Team supervisor to assist with coordination of equipment and assistance from other agencies (e.g., Maryland State Police, State Highway Administration, etc.).

- The supervisor in charge will continuously monitor all aspects of the incident to ensure the successful conclusion of the incident.
- For interstate highway incidents, the supervisor in charge will also:
 1. Implement the Freeway Incident Management Plan.
 2. Notify the 9-1-1 Police Liaison to request assistance of state agencies through the CHART Program.
 3. Notify the appropriate traffic commander when implemented.
- For light rail incidents the supervisor in charge will also:
 1. Immediately notify the Maryland Transit Administration Police.
 2. Implement the Light Rail Incident Management Plan if a crash involving a light rail train occurs at a rail crossing.
 3. Notify the appropriate traffic commander if the plan is implemented.

REFERENCES

- [Coordinated Highway Action Response Team \(CHART\)](#).
- Light Rail Incident Management Plan.

2-10.0 TRAFFIC CONTROL AND SAFETY DEVICES

GENERAL

- When a member of the Department must turn a traffic signal to “off” or “flash,” the 9-1-1 Communications Center will be notified, giving the location and the reason for such action. The 9-1-1 Communications Center in turn will notify the Baltimore County Department of Public Works & Transportation/State Highway Administration as soon as possible of the traffic signal condition.
- When highway safety devices, traffic control devices, or lighting in Baltimore County are damaged, missing, or defective, members will:
 1. Advise the 9-1-1 Communications Center to notify the appropriate agency (e.g., for signal light truck response, etc.) if the situation involves an immediate hazard (e.g. missing stop sign, damaged one way sign, or missing do not enter sign, etc.).
NOTE: Members will remain at the location until the immediate hazard has been resolved.
 2. Complete a Form 264, Traffic Control Replacement, for Baltimore County property and forwarded to the Baltimore County Department of Public Works & Transportation via e-mail (i.e., trafficeng@baltimorecountymd.gov) for follow-up prior to the end of the member’s shift.
NOTES:
 1. Members will ensure a related central complaint (CC) number is included on the form, if applicable.
 2. The Form 264 will reflect the date and time the 9-1-1 Communications Center was notified, if applicable.
- Reflective safety vests will be worn by any member who must work in or around roads accessible to the public (e.g., radar enforcement, traffic direction, etc.).

2-10.1 SPEED TRAILERS

SPEED TRAILERS

- Will be used as an educational tool, in addition to or in lieu of, enforcement activities.
- Are not speed camera systems.
- Are assigned to the Operations Support Section (OSS).
- May be used on any roadway, regardless of the speed limit.
- Can be used to notify motorists of upcoming traffic/event detours.

- Will not remain at a location for more than four days.
EXCEPTION: Extended placements approved by the OSS Commander prior to the placement.

MEMBERS

- Who are trained are permitted to transport and/or set up speed trailers.
- Request usage of a speed trailer by contacting the OSS Commander's office.
- May use the data recorded by the trailers for analysis purposes only.

SPEED TRAILER PLACEMENT

- Must be located safely off of the travel portion of the roadway, not blocking the free flow of traffic or the view of drivers.
- Is allowed on private property with the owner's permission and the approval of the Precinct Commander.

SPEED TRAILER SET-UP AND MAINTENANCE

- The equipment check sheet will be completed whenever the speed trailer is placed into service.
- Any damage will be indicated on the check sheet and a Form 12L, Intra-Department Correspondence, will be completed and forwarded to the OSS Commander.
- Officers conducting the set-up are to complete the log book located in the storage area of the speed trailer and forward a project sheet (located in the log book) to the Traffic Management Team (TMT), if assistance with the download of the data is needed.

PRECINCT TRAFFIC TEAM SUPERVISOR

- Analyzes the speed trailer data to determine or recommend appropriate responses to any identified traffic safety concerns.
- Provides the results of the data analysis and recommendations, if any, to the precinct commander.
- Maintains a file of the printed data for a period of three years.
- Determines if the trailer can remain in service or will need repairs prior to continued use, when damage is reported.

SHIFT COMMANDER

- Ensures that the post car makes periodic checks for signs of damage or tampering, whenever a speed trailer is set-up within the precinct.

PRECINCT COMMANDER

- Ensures there are an adequate number of trained officers within their command.
- Approves the placement of speed trailers on private property.

OPERATIONS SUPPORT SECTION COMMANDER

- Acts as coordinator for the speed trailer program.
- Ensures an adequate number of properly equipped vehicles are available to transport the speed trailers.
- Coordinates repairs and maintenance, when necessary.
- Provides training, when necessary.

TRAFFIC MANAGEMENT TEAM (TMT)

- Maintains a log book for speed trailer use.
- Conducts downloads of data from the speed trailers, when assistance is required.

- Provides a copy of the data to the traffic team supervisor in the corresponding precinct, when assistance is required.
NOTE: The data will include speed, number of vehicles, time of day, day of week, and traffic volume.

2-11.0 PARADES AND SPECIAL EVENTS

GENERAL

- Persons/organizations wishing to sponsor a parade or special event must file an application with the Baltimore County Department of Permits, Approvals, & Inspections at least 45 days prior to the event.
- Permits, Approvals, & Inspections will forward a copy of the application to the Traffic Management Team.

TRAFFIC MANAGEMENT TEAM

- Maintains a log of all events.
- Forwards event applications on a Traffic Management Special Events Referral form to the precinct commander involved.
- Returns the reviewed/approved application to Permits, Approvals, & Inspections.
- Upon receipt of the issued permit, retains a copy of the permit, approved application, and original Traffic Management Special Events Referral.
- Will forward a copy of the permit to the precinct commander.

PRECINCT COMMANDERS

- Review and indicate approval or disapproval on the Traffic Management Special Events Referral form.
- Are responsible for planning and coordinating police response for the event.
- If disapproved, submit a Form 12L, Intra-Department Correspondence, attached to the Traffic Management Special Events Referral form.
- Return the original Traffic Management Special Events Referral form and application to the Traffic Management Team.
- Report on the event on a Form 12L to the Operations Bureau.
EXCEPTION: Events with assigned Operations Order numbers and incidents resulting in a substantial police response require the completion of a Form 21, After Action Report.

2-12.0 ROAD CLOSURE PROGRAM

GENERAL

- A program used to inform members of the public, media, and government of road closures in Baltimore County using a website interface.
NOTE: All public roads in Baltimore County are included in this program, regardless of federal, state, or local government ownership/responsibility.
- Allows the Department to provide real-time information regarding road closures within Baltimore County.
NOTE: Roads on which traffic is passable by alternating the traffic pattern (e.g., one lane of a two-lane road is closed but traffic control/direction allows for vehicles to pass, etc.) are not considered “closures.”
- Every member of the Department, Fire Department, and employees of Baltimore County Highways and Equipment Maintenance, have access to the program and the ability to enter and remove any and all road closure listings.

ROAD CLOSURES

- Which are or expected to be closed for more than two hours will be entered into the system.
- Will be entered in the system when the Emergency Operations Center (EOC) is operational, regardless of the expected duration of the closure.
- Which are scheduled/pre-planned may be entered in the system within three months in advance of the closure (e.g., parade, street fair, foot race, etc.).
- May be entered in the system, regardless of the expected duration of the closure, if its entry will assist members in managing an event.

DEPARTMENT MEMBERS

- Access the system via their Active Directory log-in credentials.
- Verifying the road closure will add it to the system.
- Verifying that a road closure is no longer closed will remove it from the system.
NOTE: Department members have the ability to remove road closures from the system that were originally entered by other Police Department members or members from other County departments.
- Entering the road closure information may add comments regarding the closure.
NOTE: This program does not make notifications. If a member needs assistance (e.g., removing a tree or wires in the road, having salt placed on the roadway, etc.), the current protocol for requesting services and utilities will be utilized.
- Entering a closure which covers more than one precinct will use the program option that allows for the selection of multiple precincts.

9-1-1 POLICE LIAISON

- Checks the status of road closures in the system twice per shift when the EOC is not operational.
- Contacts all precincts in which a road closure is listed to have the status of the closure verified.

SUPPORT OPERATIONS DIVISION COMMANDER

- May amend the use of the Road Closure Program when the EOC is operational.

REFERENCE

- [Road Closure Program.](#)

JUVENILE PROCEDURES

Article 3

- 3-1.0 General** [rev. 08/2021]
- 3-2.0 Intake Procedures** [rev. 08/2020]
- 3-3.0 Juvenile Waivers** [rev. 04/2018]
 - 3-3.1 *Detainable Offenses for DJS* [rev. 04/2018]
- 3-4.0 Court Ordered Juvenile Custody** [n/a]
 - 3-4.1 *Juvenile Writ of Attachment* [rev. 08/2020]
 - 3-4.2 *Community Detention Orders* [rev. 08/2020]
 - 3-4.2.1 *Juvenile Community Detention Violation* [rev. 08/2020]
 - 3-4.3 *Juvenile Arrest Warrants* [rev. 08/2020]
- 3-5.0 Delinquent Juvenile Cases** [rev. 10/2020]
 - 3-5.1 *Temporary Custody* [rev. 08/2020]
 - 3-5.2 *Investigative Procedures* [rev. 11/2010]
 - 3-5.3 *Juvenile Narcotics Violations (Non-School)* [rev. 08/2020]
 - 3-5.4 *Juvenile Detention Entry* [rev. 04/2019]
- 3-6.0 Children In Need Of Assistance/Supervision (CINA/CINS)** [rev. 10/2014]
 - 3-6.1 *Child in Need of Assistance (CINA)* [rev. 08/2020]
 - 3-6.1.1 *Safe Haven Law* [rev. 08/2020]
 - 3-6.2 *Child in Need of Supervision (CINS)* [rev. 08/2020]
- 3-7.0 Child Abuse and Neglect** [rev. 08/2021]
 - 3-7.1 *Physical Child Abuse* [rev. 08/2020]
 - 3-7.2 *Child Neglect* [rev. 08/2020]
 - 3-7.3 *Sexual Child Abuse* [rev. 08/2020]
 - 3-7.4 *Child Pornography and Computer-Related Exploitation* [rev. 08/2020]
 - 3-7.5 *Removing a Child from the Home* [rev. 01/2014]
 - 3-7.6 *Suspected Child Abuse/Neglect Cases in Schools* [rev. 01/2014]
 - 3-7.7 *Unattended Children* [rev. 08/2020]
- 3-8.0 Emergency Medical Admissions and Psychiatric Commitments** [rev. 08/1998]
- 3-9.0 Missing Children and Runaways** [rev. 08/2020]
 - 3-9.1 *Missing Children and Runaway Investigations* [rev. 08/2020]
 - 3-9.2 *Runaways* [rev. 01/2014]
 - 3-9.3 *Child Abduction* [rev. 08/2020]
- 3-10.0 School Incidents** [rev. 10/2014]
 - 3-10.1 *Search and Seizure* [rev. prior to 1994]
 - 3-10.2 *Interviewing Juvenile Pupils* [rev. 10/2011]
 - 3-10.3 *Taking a Juvenile Pupil into Custody* [rev. 10/2011]
 - 3-10.4 *Weapons on Public School Property* [rev. 08/2020]
 - 3-10.4.1 *Interviews/Juvenile Students* [rev. 10/2014]
 - 3-10.4.2 *Interviews/Adult Students* [rev. prior to 1994]
 - 3-10.5 *CDS/Alcohol Investigations* [n/a]
 - 3-10.5.1 *Suspected CDS on School Property during School Hours* [rev. 10/2014]

3-10.5.2 Suspected CDS on School Property during Non-School Hours [rev. 10/2007]

3-10.5.3 Alcohol Violations on School Property during School Hours [rev. prior to 1994]

3-11.0 Records and Reports [rev. 09/2019]

3-11.1 *Reports involving Juveniles* [rev. 08/2020]

3-12.0 Form 117, Juvenile Referral/Custody Report [rev. 08/2020]

3-12.1 *Form 117 Preparation Instructions* [rev. 09/2019]

3-13.0 Form 117R, Notification of Juvenile in Police Custody and Release Agreement Form [rev. 08/2020]

JUVENILE PROCEDURES

3-1.0 GENERAL

DEPARTMENT MEMBERS

- Are responsible for understanding and adhering to Department procedures and applicable laws regarding juveniles.

ABBREVIATIONS

- CACU – Crimes Against Children Unit.
- CINA – Child In Need of Assistance.
- CINS – Child In Need of Supervision.
- DJS – Department of Juvenile Services.
- DSS – Department of Social Services.
- JCL – Juvenile Court Liaison.
- JID – Juvenile Identification.
- JOINS – Juvenile Offenders In Need Of Supervision.
- YCSU – Youth & Community Services Unit.

DEFINITIONS

- Automatic Waiver - any crime for which a juvenile suspect shall be charged as an adult; see Section 3.0, Juvenile Waivers.
- Delinquent Act - any act which would be considered a crime if committed by an adult and is not considered an automatic waiver charge.
- Status Offense - an act or conduct which is declared by statute to be an offense, but only when committed or engaged in by a juvenile, and which can be adjudicated only by a juvenile court (e.g., runaway, incorrigible, etc.).

FORMS

- Form 117 - Juvenile Referral and/or Custody Report.
- Form 117R - Notification of Juvenile in Police Custody and Release Agreement Form.
- Form 117W - Application and Affidavit for Juvenile Arrest Warrant.

3-2.0 INTAKE PROCEDURES

GENERAL

- Intake procedures must be initiated by the arresting officer for all cases where detention is requested.
- Detention should be granted by the DJS when youth are in custody for detainable offenses.
- The threat to public safety must be detailed in the appropriate incident report, if the arresting officer or supervisor desires detention on any other offense.
- Only the Juvenile Court, DSS, or an intake officer may authorize emergency detention or shelter care.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

ARRESTING OFFICER

- Completes the appropriate incident report, including:
 1. All required fields.
 2. All information pertaining to the juvenile for whom the detention request is being made.

3. "Juvenile Detention Request" in the *Distribution List* field on the *Narrative* tab.

NOTE: The report must be approved by a supervisor and shift commander in order for it to be electronically distributed to the DJS.

- Completes a Form 117, Juvenile Referral/Custody Report, including all applicable charges.
- Sends a copy of the Form 117 to the DJS as a PDF via e-mail using the e-mail address DJS.DetentionRequests-BCPD@maryland.gov.

NOTE: The subject line of the e-mail must contain the incident number of the report, followed by the name of the subject for whom detention is being requested.

- Begins the intake process by notifying the on-duty DJS intake worker via telephone and providing the incident number and the subject's name, after the incident report and Form 117 are sent.

NOTE: Report distribution is not a substitution for notification requirements.

- Upon receiving a final intake decision from the DJS:
 1. Documents the outcome of the request in an updated version of the Case Report.
 2. Updates the appropriate fields of the EBooking record to indicate if/where the juvenile was placed.
- Completes a Form 117R.

SUPERVISOR

- Reviews and approves the incident report.
- Appeals the intake worker's decision to the DJS supervisor, if necessary.

SHIFT COMMANDER

- Reviews and approves the incident report, in order to distribute the report to the DJS.
- Notifies the YCSU Commander via the 9-1-1 Police Liaison, if a dispute over an intake decision cannot be resolved in a timely manner.

SAFE SCHOOLS FACILITATOR

- Serves as a liaison between the Department and the DJS for all unresolved disputes regarding intake decisions.

DJS INTAKE WORKER

- Reviews intake request, and advises the arresting officer via telephone if a detention authorization will be granted.
- Sends a follow up notification via an e-mail to the precinct/section Faxcom account.

REFERENCE

- [Annotated Code of Maryland, Maryland Courts and Judicial Proceedings.](#)

3-3.0 JUVENILE WAIVERS

AUTOMATIC WAIVER CHARGES

- Juveniles will be charged as adults in the following circumstances:
 1. Juveniles 14 years or older alleged to have committed any act(s) that, if committed by an adult, would be punishable by life imprisonment, as well as all other charges arising out of the same incident.
 2. Juveniles 16 years or older alleged to have committed:
 - a. Abduction.
 - b. Kidnapping.
 - c. Second degree murder.
 - d. Manslaughter, except involuntary manslaughter.
 - e. Second degree rape.

- f. Robbery under § 3-403 of the Criminal Law Article.
 - g. Third degree sexual offense under § 3-307 (a)(1) of the Criminal Law Article.
 - h. A firearms violation under § 5-133, § 5-134, § 5-138 or § 5-203 of the Public Safety Article.
 - i. Using, wearing, carrying, or transporting a firearm during and in relation to a drug trafficking crime under § 5-621 of the Criminal Law Article.
 - j. Use of a firearm under § 5-622 of the Criminal Law Article.
 - k. Carjacking or armed carjacking under § 3-405 of the Criminal Law Article.
 - l. Assault in the first degree under § 3-202 of the Criminal Law Article.
 - m. Attempted murder in the second degree under § 2-206 of the Criminal Law Article.
 - n. Attempted rape in the second degree under § 3-310 of the Criminal Law Article.
 - o. Attempted robbery under § 3-403 of the Criminal Law Article.
 - p. A weapons violation under § 4-203, § 4-204, § 4-404 or § 4-405 of the Criminal Law Article.
 - q. Some violations of traffic laws or ordinances or State Boat Act. See Juvenile Traffic Offenses, Article 2-2.3, Field Manual for related procedures.
- Any child previously convicted as an adult of a felony and who is subsequently alleged to have committed an act that would be a felony if committed by an adult will be charged as an adult.
 - A Form 117R will be completed for all juveniles waived to adult status.
 - Juveniles automatically waived to adult status will be reported by selecting “Referred to Criminal or Adult Court” from the *Juvenile Dispo.* field in the *Arrestees* section of the *Offenders* tab of the Case Report.

WAIVER PETITIONS

- The State’s Attorney’s Office will determine whether to prepare and file a petition for a waiver.
- The Juvenile Court Liaison (JCL) coordinates all waivers of juveniles to the adult court system for precinct uniformed patrol officers as described below.

WAIVER PROCESS

- Upon notification of a petition for waiver, the JCL will notify the arresting officer to prepare a Form DC/CR2, Statement of Charges, naming the juvenile as the defendant.
- The Form DC/CR2 will be completed by the arresting officer and remain in the precinct where the incident originated.
- If the officer involved in the case is unable to prepare the Form DC/CR2, it will become the responsibility of the arresting officer’s immediate supervisor to have it prepared.
- The officer’s supervisor is to review the Form DC/CR2 for completeness.
- If the juvenile is waived, the on-duty shift commander from the affected precinct will be notified by the JCL to have a unit respond to the Sheriff’s Office to take the waived juvenile into custody by 1600 hours. Forms DC/CR2 are transferred with the juvenile.
- The waived juvenile will be transported to the precinct where the arresting officer is/was assigned for processing and bail hearing.
- Juveniles waived to adult status will be reported by creating an updated version of the Case Report.

NOTE: “Referred to Criminal or Adult Court” will be selected from the *Juvenile Dispo.* field in the *Arrestees* section of the *Offenders* tab. The *Disposition* field on the *Administrative* tab and the *Arrest Type* field in the *Arrestees* section of the *Offenders* tab must also be updated, when applicable.

- When non-uniformed specialized unit/team personnel make the arrest, that unit/team will be responsible for handling the juvenile waiver process and transportation to a police facility for processing and bail hearing. This includes waived juveniles who are incarcerated outside of Baltimore County.
- The Fugitive Unit or closest precinct will be responsible for processing and transportation of waived juveniles, who are incarcerated outside of Baltimore County, when the charges are placed by precinct uniformed patrol officers. The petition will be sent to the arresting officer for Form DC/CR2 completion.
- Forms DC/CR2 completed and reviewed by a supervisor will be stored in a central location at the precinct until the juvenile is waived.
- Any juvenile waived by the Juvenile Court to adult status must be processed and taken before the Court Commissioner within 24 hours.
- If a case is waived to the District or Circuit Court, the charging officer will attend the trial.

REVERSE WAIVERS

- When a juvenile is remanded back to the Juvenile Court (i.e., the automatic waiver charge was dismissed or a waiver hearing was conducted), the State's Attorney's Office will notify the arresting officer that a juvenile EBooking record is now needed.
NOTE: The State's Attorney's Office will send copies of this notification to the arresting officer's precinct/section commander and the Information & Records Management Section (IRMS).
- The officer will create a new juvenile record in the EBooking system using the original arrest photograph within 72 hours of his/her notification.
NOTE: The juvenile does not need to be taken into custody for this processing.
- If the officer involved in the case is unable to prepare the new juvenile record, it will become the responsibility of the arresting officer's immediate supervisor to have it prepared.
- The supervisor approving the newly created juvenile record will send a notification to the State's Attorney's Office and the IRMS when the record is approved in the EBooking system.
- Upon confirming that a new juvenile record has been created by the arresting officer, the IRMS will:
 1. Delete the adult EBooking record.
 2. Ensure fingerprints taken at the time of arrest are transferred to the juvenile system, if applicable.
- The officer must create an updated version of the Case Report to modify the *Arrestee* section of the *Offenders* tab.
NOTE: "Taken into Custody" will be selected from the *Arrest Type* field and "Referred to Juvenile Court/Probation" will be selected from the *Juvenile Dispo.* field.

REFERENCES

- [Annotated Code of Maryland, Courts and Judicial Proceedings.](#)
- [Annotated Code of Maryland, Transportation Article.](#)
- Field Manual, Article 2 (Traffic Procedures).

3-3.1 DETAINABLE OFFENSES FOR DJS

GENERAL

- DJS may detain a juvenile for the following offenses:
 1. Abduction.
 2. Kidnapping.
 3. First and second degree murder.
 4. Manslaughter, except involuntary manslaughter.

5. First and second degree rape.
6. Robbery under § 3-403 of the Criminal Law Article.
7. Third degree sexual offense under § 3-307 (a)(1) of the Criminal Law Article.
8. Using, wearing, carrying, or transporting a firearm during and in relation to a drug trafficking crime under § 5-621 of the Criminal Law Article.
9. Carjacking or armed carjacking under § 3-405 of the Criminal Law Article.
10. Assault in the first degree under § 3-202 of the Criminal Law Article.
11. Attempted murder in the second degree under § 2-206 of the Criminal Law Article.
12. Attempted rape in the second degree under § 3-310 of the Criminal Law Article.
13. Attempted robbery under § 3-403 of the Criminal Law Article.
14. Auto theft where the youth has an auto theft history of multiple auto thefts or when an injury occurred as a result of the incident.
15. Possession of a handgun.
16. Violation of community detention.
17. Violation of a peace order when the alleged act is one of the following:
 - a. An act that causes serious bodily harm.
 - b. An act that places requestor in fear of imminent bodily harm.
 - c. Assault in any degree.
 - d. Rape or sexual offense or attempted rape or sexual offense in any degree.
 - e. False imprisonment.
 - f. Stalking.
18. Service of a Writ of Attachment.
19. Youth whose documented history clearly indicates that they are a threat to public safety.
20. Youth who are flight risks.

3-4.0 COURT ORDERED JUVENILE CUSTODY

3-4.1 JUVENILE WRIT OF ATTACHMENT

DEFINITIONS

- Affidavit of Notification - a summons-like document issued by the Juvenile Court to notify both the parents and the juvenile, who has missed court once, that a required court appearance is upcoming. The affidavit is served like a summons, but does not require the physical detention of the juvenile.
- Writ with Authorization to Release - a conditional document issued by the Juvenile Court to notify both the parents and the juvenile, who has missed multiple court appearances, that a required court appearance is upcoming. If the conditions are met, this writ is treated like an Affidavit of Notification. If the conditions are not met, this writ is treated like a Writ of Attachment.
- Writ of Attachment - a warrant-like document issued by the Juvenile Court requiring the physical detention of a juvenile.

WRIT VERIFICATION

- Officers who come in contact with a juvenile, who they believe may be wanted on a Writ of Attachment, will verify the writ by contacting the Sheriff's Office. The name of the contact person will be included in any subsequent reports.
EXCEPTION: Between 2300 and 0830 hours on weekdays and on weekends contact the Information & Records Management Section for writ verification.

WRIT SERVICE

- Upon verification, the juvenile will be taken into custody and transported to a police facility.

- If a Writ of Attachment is being served on a juvenile or is in the process of being served under the provisions of the Interstate Compact on Juveniles, the officer has the authority to transport that juvenile to or from any detention/shelter facility directed by the DJS.
- A Form 117 and a Form 117R will be completed. No other report is required.

NOTES:

1. "Writ of Attachment" will be selected in the *Booking Type* field of the EBooking record.
 2. Additional information regarding the service of the Writ of Attachment may be documented in the *Narrative* tab of an Officer Report or updated version of the Case Report, using the original central complaint (CC number), as needed.
- If an Affidavit of Notification is being served, officers who are able to locate the child will serve the child with this notification form. Officers will also contact a parent or guardian and inform them of the new trial date. Parental notification or signature will be documented on the notification form. If an officer is unable to reach the parent or guardian after their best efforts, this fact will be noted on the Affidavit of Notification.
 - Procedures for notification of the existence of Writs with Authorization to Release are the same as regular writs. They are in the local "wanted" system.
 - If a Writ with Authorization to Release has been issued for a child in custody, officers will:
 1. Detain the child and call the Baltimore County Sheriff's Office to have a copy of the Writ with Authorization to Release faxed to them.
 2. Complete a Form 117 and a Form 117R. A contact number will be obtained for the service of the writ.
 3. Attempt to contact the parents to inform them that their child is in custody. If the parents respond in a reasonable time, the child may be released to the parents upon their promise to take their child to the court on the next day that the court is in session.
 4. Treat the Writ with Authorization to Release as a standard Writ of Attachment, if the parent or guardian cannot be located, or will not cooperate with the requirements of release. The officers will contact the Baltimore County Sheriff's Office who will take the child into custody.
 5. Follow standard detention procedures if the youth is charged with detainable offenses in addition to the writ, as detention takes precedence.

NOTE: The service of the Writ with Authorization to Release will be noted in the narrative of the Form 117.

CUSTODIAL WRITS

- Writs obtained by the parent/guardian giving an officer the authority to enter other jurisdictions, and when accompanied by a representative of the other jurisdiction's law enforcement agency, apprehend a juvenile.

JUVENILE DETENTION

- The arresting officer will contact the Sheriff's Office to ascertain if the Juvenile Court is in session. When the court is in session, the juvenile will be immediately transported to a location directed by the Sheriff's Office. The juvenile will be turned over to the custody of a deputy at that location. The sheriff's deputy will sign the Form 117R, for acceptance of the named juvenile.
- When court is not in session, the 9-1-1 Police Liaison will be contacted and instructed to notify a DJS intake officer for detention. The intake officer will contact the arresting officer and give instructions on placement of the individual.

3-4.2 COMMUNITY DETENTION ORDERS

DEFINITIONS

- Community Detention Case Manager (CDCM) - a DJS employee in possession of a CDO.

- Community Detention Order (CDO) - a court order to detain a juvenile in a community environment instead of a secure detention facility.

SWORN MEMBERS

- Will assist a CDCM by arresting juveniles who violate Community Detention Orders.
- Will transport juveniles taken into custody to a DJS Facility as directed by the CDCM.

PROCEDURES

- The CDCM will notify this Department when a juvenile is in violation of a CDO and requires transportation to a DJS Facility.
- The CDCM will provide the responding officer(s) with a copy of the CDO.
- The CDCM will direct the responding officer(s) to take the juvenile into custody and transport him/her to a DJS Facility.
- Officer(s) will complete Forms 117 and 117R only, using the original CC number and original charge.
EXCEPTION: New crime(s) committed while taking the juvenile into custody or during transportation to the facility.
- No additional report/paperwork is necessary.
NOTE: Additional information regarding the CDO/intake may be documented in the *Narrative* tab of an Officer Report or updated version of the Case Report, using the original CC number, as needed.
- The CDO will be sent to the Information & Records Management Section and a copy will be placed in the precinct/division files.
NOTE: The CC number of the incident will be written in the upper right corner of the CDO prior to distribution.

3-4.2.1 JUVENILE COMMUNITY DETENTION VIOLATION

GENERAL

- An officer may take a juvenile residing in Baltimore County, who is in violation of the court's detention order, into custody prior to a Writ of Attachment being issued for the protection of the community.

COMMUNITY DETENTION OFFICER

- Identifies and verifies the violation and determines whether to request detention of the juvenile.
- Will call the appropriate precinct to advise the desk officer that a Community Detention Program (CDP) violation notice is being faxed to the precinct.
- Will request a Writ of Attachment from the courts during regular business hours.

SHIFT COMMANDER

- Will log the paperwork into the precinct/summons log and attach a warrant/summons cover sheet.
- Will determine the necessary investigative procedures (e.g., additional record checks, messages to adjoining posts/precincts, etc.).
- Will assign the violation order to the appropriate post officer or support unit (e.g., warrant officer, etc.) to attempt to locate and detain the youth. Service attempts will continue until the juvenile is detained or until all investigative leads are exhausted.
- After 72 hours of service attempts, the daylight shift commander will contact the CDP officer noted on the cover sheet to determine whether the violation paperwork is still active.

- If investigative leads have been exhausted or the Department has been notified by the CDP officer or Sheriff's Office that the writ was recalled or served, the daylight shift commander will note same on the cover sheet and forward the paperwork to the YCSU's Juvenile Offenders In Need of Supervision (JOINS) Team.

PROCEDURES

- When the youth is located and detained:
 1. No incident report need be written.
 2. A Central Complaint (CC) number will be drawn.
 3. Complete Forms 117 and 117R, and place the CC number on the upper right corner of the violation paperwork. Forward the original violation paperwork to the Information & Records Management Section, and place a copy in the precinct/division files.
 4. The detaining officer will contact the designated CDP officer to determine the placement facility.
 5. The youth will be transferred to the designated facility.
 6. A copy of all paperwork will be forwarded to the YCSU's Juvenile Offenders In Need of Supervision (JOINS) Team.

3-4.3 JUVENILE ARREST WARRANTS

GENERAL

- Automatic waiver charges and status offense charges will not be applied for using a juvenile arrest warrant.
- Only sworn members of the Department may apply for juvenile arrest warrants.
NOTE: Members will not refer complainants/victims to a District Court Commissioner for the purposes of obtaining a juvenile arrest warrant.
- Juvenile arrest warrants will be processed as directed on the warrant and in accordance with the juvenile intake process, to include referral to the DJS for intake processing with release to the parent or guardian, or authorization for detention or shelter by the DJS, as appropriate.

CRITERIA FOR A JUVENILE ARREST WARRANT (ALL MUST BE MET)

- Probable cause to believe the juvenile has committed a delinquent act.
- Reasonable efforts to locate the juvenile suspect have been unsuccessful.
- Unless the juvenile is taken into custody, it is likely that he/she will not be apprehended, leave the jurisdiction of Baltimore County, cause physical injury to another person, cause property damage, or may tamper with, dispose of, or destroy evidence.

WARRANT APPLICATION AND PROCESSING

- All of the criteria for issuance of a juvenile arrest warrant must be documented on the Form 117W, Application and Affidavit for Juvenile Arrest Warrant.
- The Form 117W will be reviewed and initialed by a member of the DJS.
- After approval by the DJS, members will immediately present the original Form 117W, and three copies, to the Juvenile Court Clerk's office for review by the Lead Juvenile Judge, or designee.
NOTE: The member must be physically present to wait for the judge's decision, and receive the signed application, if approved.
- Upon approval by the Lead Juvenile Judge, or designee, the member will present the signed application to the Juvenile Court Clerk, who will:
 1. Issue the warrant.
NOTE: The member must wait in the Juvenile Court Clerk's office to receive the warrant.

2. Forward a copy of the warrant to the Baltimore County Sheriff's Office and the DJS Court and Assignment Supervisor.
- The warrant will be delivered to the Information & Records Management Section if not served immediately.
 - An updated version of the Case Report must be completed to update the juvenile from a suspect to an arrestee on the *Offenders* tab when a juvenile arrest warrant is issued.
NOTE: The *Disposition* field on the *Administrative* tab, and the *Arrest Type* field and *Juvenile Dispo.* field on the *Offenders* tab will also be updated, as applicable.

INFORMATION & RECORDS MANAGEMENT SECTION

- Processes juvenile warrants using the same procedures as adult arrest warrants.
- Forwards a copy of all Returns of Service to the Juvenile Court Clerk's office, the DJS Court and Assignment Supervisor, and the Sheriff's Office by e-mail to the addresses identified on the Court Liaison Contacts directory.

RETURN OF SERVICE

- Signed by the member serving the warrant.
- Forwarded to the Information & Records Management Section.

FORM 117W DISTRIBUTION

- Original - Maintained by the Court.
- First Copy - Information & Records Management Section.
- Second Copy - Respondent.
- Third Copy - Member's case file.

REFERENCES

- Court Liaison Contacts.
- Field Manual, Article 4 (Arrest, Custody, and Court).

3-5.0 DELINQUENT JUVENILE CASES

DEFINITION

- Delinquent child - a child who has committed a delinquent act and requires guidance, treatment, or rehabilitation.

DEPARTMENT MEMBERS

- When dealing with alleged juvenile offenders, will:
 1. Consider the:
 - a. Nature of the offense.
 - b. Age and record, if any, of the offender.
 - c. Circumstances surrounding the alleged offender.
 - d. Availability of programs for referral.
 2. Use the least coercive among reasonable alternatives, consistent with preserving public safety, order, and individual liberty.

REPORTING

- A juvenile involved in an offense may be referred directly to the Juvenile Court if so directed by the responding officer or complainant. This information should be included in the appropriate incident report.

- If a juvenile is charged with any crime, a Form 117, a Form 117R, and a Case Report must be completed.
EXCEPTION: A Form 166, Arrest Report, will be completed in lieu of a Form 117 when a juvenile is charged as an adult.
- If the juvenile is alleged to have committed an offense for which the Juvenile Court automatically waives its jurisdiction, the officer will complete a Form 166, a Form 117R, and an incident report.
NOTE: When a juvenile is charged as an adult, a member of the Information & Records Management Section will place the juvenile's:
 1. Unique Identifier (UID) number in the corresponding field of the arrest record for charging purposes.
 2. JID number in the *Arrest Narrative* field of the arrest record for informational purposes.
- All offenses will be entered in the EBooking record, on the Form 117R, and on the *Offenses* tab of the Case Report.
- A juvenile alleged to be delinquent may not be cited on a criminal citation.
- Within 72 hours after a juvenile has been charged, reports and related paperwork involving juvenile suspects will be approved.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

SCHOOL NOTIFICATION

- Notification to the school superintendent/administrator of the appropriate public or private school system is required within 24 hours, or as soon as practicable, when a student currently enrolled (includes during non-school hours) in any school system is arrested and/or charged with any one of the following criminal offenses as found in the Annotated Code of Maryland under:
 1. Courts and Judicial Proceedings Article - Jurisdiction of Court - §3-8A-03.
 2. Criminal Law Article - Crimes of Violence - §14-101.
 3. Criminal Law Article - Various sections as listed below.**NOTE:** Several laws are repeated in the articles above so only one section is delineated.
 - a. Crimes Against Persons:
 1. Child abduction, §3-503.
 2. Arson in the first degree, §6-102.
 3. Kidnapping, §3-502.
 4. Manslaughter §2-207, except involuntary manslaughter.
 5. Mayhem, as previously proscribed under Article 27, §384.
 6. Maiming, as previously proscribed under Article 27, §385 and 386.
 7. Murder, §2-201.
 8. Murder in the second degree, §2-204.
 9. Rape, §3-303,304.
 10. Robbery under §3-402 and §3-403.
 11. Home invasion, §6-202(B).
 12. Human trafficking under §3-1102(b)(1), §3-1102(b)(2), §3-1103(a)(1), §3-1103(a)(2), 3-1103(a)(3), 3-1102(e)(1) if the victim is a minor and/or the suspect used or intended to use force/threat/coercion/fraud, and §3-1102(e)(2) if the victim is a minor and/or the suspect used or intended to use force/threat/coercion/fraud.
 13. Carjacking, §3-405.
 14. Armed carjacking, §3-405.
 15. Sexual offense in the first degree, §3-305.
 16. Sexual offense in the second degree, §3-306.
 17. Sexual offense in the third degree, §3-307.
 18. Child abuse in the first degree, §3-601(b)(1).
 19. Sexual abuse of a minor, §3-602.

20. Continuing course of conduct with a child, §3-315.
 21. Assault in the first degree, §3-202.
 22. Assault in the second degree, §3-203.
 23. Assault with the intent to murder, §3-202.
 24. Assault with the intent to rape, §3-202.
 25. Assault with the intent to rob, §3-202.
 26. Assault with the intent to commit a sexual offense in the first degree, §3-202.
 27. Assault with the intent to commit a sexual offense in the second degree, §3-202.
 28. Inducing false testimony or avoidance of a subpoena, §9-302.
 29. Retaliation for testimony, §9-303.
 30. Intimidating or corrupting juror, §9-305.
 31. Criminal gang activity, §9-802.
 32. Criminal gang activity (school), §9-803.
- b. Weapons Violations:
1. Use of a firearm in the commission of a felony or other crime of violence, §4-204.
EXCEPTION: Possession with intent to distribute a controlled dangerous substance under §5-602(2).
 2. Using, wearing, carrying, or transporting a firearm during and in relation to a drug trafficking crime under §5-621.
 3. Use of a firearm under §5-622.
 4. Wearing, carrying, or transporting a handgun, §4-203.
 5. Use of a machine gun for crime, §4-404.
 6. Use of a machine gun for aggressive purpose, §4-405.
 7. Unlawful possession, ownership, transportation, etc. of a firearm, Public Safety Article, §5-133.
 8. Restriction on sale, transfer, and possession of regulated firearms, Public Safety Article, §5-134.
 9. Sale, transfer, etc. of stolen regulated firearms, Public Safety Article, §5-138.
 10. Short-barreled rifles and short-barreled shotguns, Public Safety Article, §5-203.
 11. Carrying a concealed weapon, §4-101.
 12. Carrying or possessing a deadly weapon upon school property, §4-102.
 13. Manufacture or possession of destructive device, §4-503.
 14. False statement or rumor as to a bomb, §9-504.
 15. False representation of explosives (look-a-likes), §9-505.
- c. Property Crimes:
1. Arson in the first degree, §6-102.
 2. Arson in the second degree, §6-103.
 3. Burglary in the first degree, §6-202.
 4. Malicious burning of personal property in the first degree, §6-104.
 5. Malicious burning of personal property in the second degree, 6-105.
 6. Malicious destruction, §6-301.
 7. Motor vehicle theft, §7-105.
- d. Drug Offenses:
1. Unlawful manufacture, distribution, equipment, counterfeit, false prescription, penalties, etc., §5-602 through §5-609.
 2. Volume dealer, kingpin, importation into the State of certain amounts, §5-612 through §5-614.
 3. Distribution of look-a-like drugs, §5-617.
 4. Possession or purchase of non-controlled substance, §5-618.

5. Manufacture, distribution, use, etc. of CDS near schools or in school vehicles, §5-627 & §5-628.
 - e. Aggravated cruelty to animals, §10-606.
 - f. All attempts of the above offenses.
- The charging officer will:
 1. Obtain the name of the school that the juvenile attends and the jurisdiction. Information will be verified with the parent or guardian, when possible.
 2. Verify enrollment, through the Safe Schools Facilitator, when a juvenile arrestee denies being enrolled in a public school and the officer has reason to believe otherwise.
 3. Place the information in the appropriate fields of the EBooking record, as applicable.
 4. Place "School Notification Case" in the *Arrest Narrative* field of the EBooking record.
 5. Inform the Information & Records Management Section that this is a school notification case.

SAFE SCHOOLS FACILITATOR

- May be contacted during normal business hours to verify whether or not the juvenile in question is enrolled in a Baltimore County public school.
NOTE: During non-business hours, the Safe Schools Facilitator may be contacted via the 9-1-1 Communications Center.

INFORMATION & RECORDS MANAGEMENT SECTION

- Forwards a form letter containing the student's name and the reportable offense to the appropriate school superintendent/administrator's office or designated school personnel.
NOTE: Baltimore County Public School notifications will be forwarded to the Safe Schools Facilitator.
- Retains a copy and fax confirmation acknowledgment of the notification.

3-5.1 TEMPORARY CUSTODY

TEMPORARY CUSTODY

- A juvenile alleged to be delinquent may be taken into temporary police custody and placed in secure detention separated by sight and sound from adult prisoners for up to six hours only, under the following circumstances:
 1. Writ of Attachment.
 2. Bench Warrant.
 3. Pursuant to the laws of arrest.

OFFICERS TAKING CUSTODY

- Transport the juvenile to the precinct.
- Complete a Form 117 and a Form 117R.
- Make every reasonable attempt to notify the juvenile's parent/guardian that the juvenile is in police custody, entering the time of the attempts, and notification on the incident report.
NOTE: If no incident report is required, documentation will be placed in the *Actions* tab of the EBooking record.
- Depending on the nature and seriousness of the offense, will do one of the following:
 1. Release the juvenile into the custody of the parent/guardian.
 2. Refer the juvenile to the DJS intake officer for temporary detention.

PARENT/GUARDIAN REFUSAL

- If the parent/guardian refuses to respond solely because of inconvenience to themselves due to lateness of the hour, etc., they are to be advised that they may be charged with child abandonment. If after so being advised, they still do not respond, the DSS will be notified for placement of the child, and the parents will be charged with abandonment.

MEMBERS REQUESTING DETENTION/SHELTER CARE

- Ensure the parent/guardian is notified of the placement.
- Contact an intake officer from DJS. During non-business hours, have the 9-1-1 Police Liaison contact the DJS.
- Prepare the appropriate report prior to the arrival of the DJS intake officer, to ensure the efficient preliminary disposition of the case.
- Complete the appropriate incident report and distribute to the CACU upon placement of the juvenile.

SECURED DETENTION

- Status and non-offenders will never be held in secured detention.
- Within six hours, offenders placed in secured detention must be:
 1. Released to a parent, guardian, or other custodial agency (e.g., DSS, DJS, etc.) or;
 2. Moved to a non-secured area of the facility until they are released to a parent, guardian, or other custodial agency (e.g., DSS, DJS, etc.).

NOTE: The six hour period begins when the juvenile is physically placed in a cell, secured to a cuffing rail or stationary object, or detained in a secured area of the facility (e.g., prisoner processing area, locked room, etc.). The six hour time limit runs continuously regardless of where the juvenile is being detained. Once the six hour time limit has been reached, the juvenile cannot be returned to a secured detention, but may continue to be held in non-secured detention.

- Detention orders issued by intake officer do not negate the six hour time limit.
- Juveniles not waived as adults must be separated by sight and sound from adult criminal offenders.
- Juveniles waived as adults will be handled in accordance with Field Manual, Article 5 (Prisoners).

NOTE: A Form 117R will still be required in these cases.

- When a juvenile is placed in secured detention, Department members will check the juvenile at a frequency consistent with behavior and at no more than 30-minute intervals. These required checks must be recorded in accordance with Department procedures. (Refer to Field Manual, Article 5).
- If the DSS is contacted and cannot find immediate placement for the juvenile, the DSS must send a worker to the precinct to take custody of the youth. They will do so if the following conditions are met:
 1. Time is approaching the six hour limit; and
 2. A suitable parent or guardian has not been identified; and
 3. The DJS is not authorizing the youth's detention; and
 4. An area in the precinct is provided for the DSS worker to sit with the youth; and
 5. The precinct agrees to transport the youth at the time a location for placement is determined.

REFERENCE

- Field Manual, Article 5 (Prisoners).

3-5.2 INVESTIGATIVE PROCEDURES

TRANSPORTATION

- The arresting officer has the responsibility for the transportation of any juvenile charged with a delinquent act to any location designated by the DJS.

SEARCHES

- All juveniles alleged to be delinquent and taken into custody will be searched by Department members of the same gender.

INTERVIEWS

- Juveniles have the same rights regarding statements and confessions as adults.
- Miranda warnings shall be read to juveniles prior to a custodial interview. A special effort shall be made to ensure the juvenile understands these rights.
- Only the juvenile can waive or invoke their Miranda rights.
- Interviews of juveniles alleged to have committed a delinquent act may occur in the presence of at least one parent/guardian or a neutral party and may be conducted in custody while an effort is made to notify the parent/guardian of the arrest.
- Document within the statement if the parent/guardian attends or refuses to attend the interview.
- If the juvenile expresses the desire for counsel but cannot (or parents/guardian cannot) afford this, the Legal Section will be contacted, but only if the officer wishes to continue the interview.
- When a juvenile is being interviewed by an officer of the opposite sex, in the absence of the juvenile's parents/guardian, a second officer will be present.
- If an officer wishes to interview a juvenile presently committed to a detention facility, the permission of the DJS regional supervisor must be secured first.

3-5.3 JUVENILE NARCOTICS VIOLATIONS (NON-SCHOOL)

INVESTIGATING OFFICERS

- Encountering juveniles in possession of small quantities of controlled dangerous substances (CDS), or large quantities with intent to distribute or manufacture, will immediately charge the juvenile on a Form 117 and document the incident in a Case Report.
- Discovering drugs during the search of a juvenile in custody for a non-CDS offense, will add the additional CDS offenses on the *Offenses* tab of the Case Report, and on the Form 117, if utilized. A new Case Report is only necessary if an Automated Crash Reporting System (ACRS) report was the only report completed.
- Completing a Form 117 will:
 1. Not specify a charge against the juvenile, pending chemical analysis.
 2. Enter in the Form 117 narrative the phrase "Drug Related Case Analysis Pending".
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- Refer to Section 10.5.1 of this Article for juvenile narcotics incidents at school.

3-5.4 JUVENILE DETENTION ENTRY

GENERAL

- The Department works with the Juvenile Justice Compliance Monitor from the Governor's Office of Crime Control & Prevention to ensure the monitoring of its detention facilities.

- The Department is required to enter information regarding every juvenile arrested and transported to one of its detention facilities into the State of Maryland Juvenile Holding Log database (i.e., juveniles arrested and detained at a precinct; juveniles arrested, detained at a precinct, and subsequently released without charge; and juveniles waived to adult status). **NOTE:** Juveniles transported to a facility as victims, witnesses, a Child in Need of Assistance (CINA), or juveniles charged but not transported to a detention facility are exempt.
- Information needed to complete the State of Maryland Juvenile Holding Log database is obtained from the juveniles' EBooking records.
- Information is transferred from the juveniles' EBooking records to the State of Maryland Juvenile Holding Log database by designated personnel at each police facility that detains arrestees.

DESIGNATED PERSONNEL

- Selected by the facility commander.
- Check the EBooking system to determine juveniles brought to their facility who must be entered into the State of Maryland Juvenile Holding Log database.
- Access the State's website weekly and enter the required information into the database.

DEPARTMENT LIAISON OFFICER

- A member of the Youth & Community Services Unit (YCSU).
- Acts as the Department's liaison between the commands and the State Juvenile Justice Compliance Monitor.
- Assists Department members with login credentials to the database.
- Monitors site inspections of each detention facility with the State Juvenile Justice Compliance Monitor and designated command personnel.
- Monitors the entering of juveniles brought into facilities and logged into the State of Maryland Juvenile Holding Log database.
- Develops and assists the State Juveniles Justice Compliance Monitor with yearly training for Department personnel.
- Distributes new correspondence from the State to all Department members involved with juvenile detention.
- Reviews and monitors the log to ensure that all personnel are in compliance with the six-hour time limit for juveniles in secure detention.
- Notifies the appropriate facility commanders of violations.
NOTE: The arresting officer will be directed to submit a Form 12L, Intra-Department Correspondence, through the chain-of-command, explaining the circumstances surrounding the violation. A copy of the submitted Form 12L will be retained by the YCCS for three years.

REFERENCE

- Field Manual, Article 5 (Prisoners).

3-6.0 CHILDREN IN NEED OF ASSISTANCE/SUPERVISION (CINA/CINS)

DEFINITIONS

- **CINA:** A juvenile who requires court intervention because:
 1. The juvenile has been abused, has been neglected, has a developmental disability, or has a mental disorder; and
 2. The juvenile's parents, guardians, or custodians are unable or unwilling to give proper care and attention to the child and the child's needs.

- **CINS:** A juvenile who requires guidance, treatment, or rehabilitation, and is any of the following:
 1. Required by law to attend school and is habitually truant.
 2. Habitually disobedient, ungovernable, and beyond the control of the person having custody of the juvenile (i.e., incorrigible or runaway).
 3. Behaving so as to injure or endanger themselves or others.
 4. A status offender.

GENERAL

- Children found to be a CINA/CINS may be fingerprinted, photographed, and searched for the purposes of identification only.
- Children found to be a CINA/CINS will not be placed in secure detention.
- The appropriate report must be prepared prior to the arrival of the DJS intake officer or a DSS representative.
- The parent/guardian of a juvenile alleged to be a CINA/CINS, who has been taken into custody, will be notified of that fact as soon as possible.
EXCEPTION: Cases of alleged child abuse where the child's safety may be compromised.
- In the course of responding to domestic or neighborhood dispute/disturbance calls, officers will take note of the presence of children and whether their involvement is such that a CINA/CINS report is appropriate.
- In an instance where the officer must take a child from the home, refer to Section 7.1 of this Article for proper procedures.
- When a person's arrest results in a juvenile left without proper supervision, the officer will notify the DSS who will arrange for the juvenile's care.

3-6.1 CHILD IN NEED OF ASSISTANCE (CINA)

GENERAL

- Juveniles are not a CINA only because they are being furnished non-medical remedial care and treatment recognized by state law (e.g., being furnished care and medical treatment by parents who are of the Christian Science or Jehovah's Witness religions, etc.).
NOTE: Cases requiring emergency medical treatment will be processed pursuant to the Maryland Courts Article and not as CINA cases.
- CINA cases are reported on the appropriate incident report using the offense code "Child in Need of Assistance."
NOTE: The child will be listed on the *Victims* tab of the report.

3-6.1.1 SAFE HAVEN LAW

GENERAL

- The Safe Haven Law permits a person to leave an unharmed newborn child with a responsible adult, who has the authority to deliver the newborn child (0 to 10 days old) to a designated facility. The law is designed to prevent newborns from being harmed and/or abandoned.
- Local police departments and hospitals have been identified as "designated facilities."

INVESTIGATING OFFICERS

- If an unharmed newborn child is brought to a precinct or other police facility, a police officer shall:
 1. Receive the infant.
 2. Notify the supervisor and the CACU.
 3. Attempt to identify the adult dropping off the infant.

4. If the adult is not the mother, ask whether this adult has the permission of the mother to drop off the newborn.
5. Attempt to ascertain the identity of the mother.
6. Have Emergency Medical Services (EMS) respond to determine the health status of the infant and for transportation to the proper medical facility.
7. Write the appropriate incident report using the offense code "Child in Need of Assistance." Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
8. Contact the DSS immediately.
9. Do not make an arrest for child abandonment.
NOTE: If an initial investigation reveals that the infant shows signs of injury or neglect, or if the infant is obviously not a newborn (0 to 10 days old), an arrest may be made.
10. The hospital assumes responsibility for the infant as soon as the infant arrives at the hospital.

REFERENCE

- [Annotated Code of Maryland, Courts and Judicial Proceedings.](#)

3-6.2 CHILD IN NEED OF SUPERVISION (CINS)

INCORRIGIBLE JUVENILES

- An officer may not, under any circumstances, take incorrigible juveniles into custody or remove them from their home or school.
- The officer will file a Form 117, including reasons for supporting or denying the alleged incorrigibility.
- Incorrigible cases are reported on the appropriate incident report using the offense code "Child Incorrigible Juvenile."
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

TRUANTS

- Cannot be taken into custody merely for being truant.
- Are the responsibility of the Baltimore County Board of Education and therefore no report is necessary. The officer may attempt to identify the juvenile, the juvenile's age, and school. If the information is obtained, the officer will contact the school's principal.

ALCOHOL VIOLATIONS

- Are documented on a State of Maryland Uniform Civil Citation.
- Require the completion of the appropriate incident report.

REFERENCE

- [Annotated Code of Maryland, Courts and Judicial Proceedings.](#)

3-7.0 CHILD ABUSE AND NEGLECT

DEFINITIONS

- Child Abuse - the:
 1. Physical or mental injury of a child under circumstances that indicate that the child's health or welfare is harmed or at substantial risk of being harmed by a:
 - a. Parent;
 - b. Household member or family member;
 - c. Person who has permanent or temporary care or custody of the child;
 - d. Person who has responsibility for supervision of the child; or

- e. Person who, because of the person's position or occupation, exercises authority over the child.
2. Sexual abuse of a child, whether physical injuries are sustained or not.
- NOTE:** Abuse does not include the physical injury of a child by accidental means.
- Child Neglect - the leaving of a child unattended or other failure to give proper care and attention to a child by any parent or other person who has permanent or temporary care or custody or responsibility for supervision of the child under circumstances that indicate:
 1. That the child's health or welfare is harmed or placed at a substantial risk of harm; or
 2. Mental injury to the child or a substantial risk of mental injury.
 - Child Pornography - this includes possessing, producing, distributing, or soliciting child pornography.
 - Deplorable Living Conditions - living conditions that create substantial risk or harm to the child.
 - Medical Neglect - the failure to provide appropriate health care for a child, thus placing the child at risk of being seriously disabled, disfigured, or of dying. Concern is warranted not only when a parent refuses medical care for a child in an emergency or for an acute illness, but also when a parent ignores medical recommendations for a child with a treatable chronic disease or disability, resulting in frequent hospitalizations or significant deterioration. Neglect does not include the failure to provide necessary assistance and resources for the physical needs or medical health of a minor when the failure is due solely to a lack of financial resources or homelessness.
 - Mental Injury - the observable, identifiable, and substantial impairment of a child's mental or psychological ability to function caused by an intentional act or series of acts, regardless of whether there was an intent to harm the child.

NOTE: Only the CACU may file charges for mental injury incidents.
 - Sex Trafficking - the recruitment, harboring, transportation, provision, obtaining, patronizing, or soliciting of a child for the purpose of a commercial sex act.
 - Sexual Abuse - any act that involves:
 1. Sexual molestation or exploitation of a child by:
 - a. A parent;
 - b. A household member or family member;
 - c. A person who has permanent or temporary care or custody of the child;
 - d. A person who has responsibility for supervision of the child;
 - e. A person who, because of the person's position or occupation, exercises authority over the child; or
 2. Sex trafficking of a child by any individual.
 - Sexual Molestation or Exploitation - includes:
 1. Allowing or encouraging a child to engage in:
 - a. Obscene photography, films, poses, or similar activity;
 - b. Pornographic photography, films, poses, or similar activity; or
 - c. Prostitution.
 2. Incest.
 3. Rape.
 4. Sexual offense in any degree.
 5. Unnatural or perverted sexual practices.

REFERENCES

- [Annotated Code of Maryland, Criminal Law Article.](#)
- [Annotated Code of Maryland, Family Law Article.](#)

3-7.1 PHYSICAL CHILD ABUSE

INVESTIGATING OFFICERS

- Immediately notify their squad supervisors of the incident.
- Collect any physical evidence available which, if not immediately collected, may be destroyed, lost, or contaminated.
- Assess the scene and arrange for photographs to be taken of visible injuries by the Forensic Services Section (FSS).
NOTE: If the FSS is unavailable to respond at the time of the initial investigation, ensure photographs are taken within a 24 hour time period by the FSS.
- Notify the CACU immediately for physical abuse involving serious physical injury.
NOTE: If after business hours, contact the 9-1-1 Police Liaison for the notification.
- Ensure the DSS is contacted immediately if the safety and welfare of the child is jeopardized.
- Determine if there is a need to interview the victim of child abuse, prior to notification of the CACU, without the presence of the parents/guardians, unless requested by the child. No parental permission is required for the interview.
- Complete the appropriate incident report prior to the end of the shift using:
 1. The most appropriate offense codes (e.g., "Child Abuse Assault 1st Degree," "Child Abuse Assault 2nd Degree," etc.).
 2. All victim and suspect information in the appropriate fields.
- Select "Unfounded" in the *Disposition* field, when circumstances indicate that:
 1. No physical contact occurred; or
 2. Physical contact occurred but does not amount to assault/abuse under Maryland law (e.g., parent/guardian spanked child and no marks are visible, etc.).
NOTE: An explanation stating the reason the report was unfounded will be documented in the *Narrative* tab.
- Forward all written statements and related documentation to the CACU prior to the end of the shift.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- Assist in assuring the safety of the DSS worker and the child(ren) when executing shelter authorizations or other court orders.

SUPERVISORS

- Ensure that photographs are taken by the FSS of visible injuries of the child being abused.
- Ensure DSS is notified when the safety and welfare of the child is jeopardized.
- Review the completed reports that are being forwarded to the CACU.

3-7.2 CHILD NEGLECT

GENERAL

- The DSS has the primary responsibility for the investigation of all types of child neglect cases.
- The Baltimore County Police Department and the State's Attorney's Office will assist DSS with the required investigations.
- The CACU will have the primary responsibility for charging and prosecuting all types of child neglect cases.

INVESTIGATING OFFICERS

- Will assess the scene and arrange for the FSS to photograph any deplorable living conditions or evidence of the child being neglected. If the FSS is unavailable, the investigating officer is responsible for taking these photographs.

- Will determine if there is a need to interview the victim of child neglect without the presence of the parents/guardians, unless requested by the child. No parental permission is required for the interview.
- Will notify the CACU immediately for serious child neglect cases.
- Will not make an on-view arrest for child neglect without the approval of the CACU.
- Will complete the appropriate incident report using the most appropriate offense code(s) (e.g., “Child Neglect,” etc.) for all child neglect cases, prior to the end of the shift.
- If the incident is unfounded, select “Unfounded” from the *Disposition* field.
- Forward all written statements and related documentation to the CACU prior to the end of the shift.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- Will ensure the DSS is contacted immediately if the safety and welfare of the child is jeopardized.
- Will assist in assuring the safety of the DSS worker and the child(ren) when executing shelter authorizations or other court orders.

SUPERVISORS

- Will ensure that photographs are taken of deplorable living conditions, or evidence of the child being neglected.
- Will ensure DSS is notified when the safety and welfare of the child is jeopardized.
- Will review completed reports that are forwarded to the CACU.

3-7.3 SEXUAL CHILD ABUSE

INVESTIGATING OFFICERS

- Notify their squad supervisors of the incident immediately.
- Will not interview a victim of sexual child abuse without permission from a CACU Sexual Abuse supervisor.
NOTE: See Field Manual, Article 3-7.0, Child Abuse and Neglect, for the definition of sexual abuse.
- Will not ask sexual child abuse victims to complete a written statement.
- Collect any physical evidence available which, if not immediately collected, may be destroyed, lost, or contaminated.
- Consult with a CACU Sexual Abuse supervisor to determine if a Sexual Assault Forensic Examination (SAFE) should be administered and which hospital (i.e., GBMC) will conduct the exam, if immediate treatment for an injury is not required.
- Notify a Forensic Services Section Crime Scene Technician to recover evidence from the hospital.
NOTE: See Field Manual, Article 1-5.4, Rape and Sex Offenses, for further investigative responsibilities.
- Notify the CACU for all incidents of sexual child abuse, or suspected sexual child abuse. If after business hours, contact the 9-1-1 Police Liaison for the notification.
EXCEPTION: After business hours notification is not required for incidents involving an adult survivor who is reporting abuse that occurred when he/she was a child. These reports will be completed and forwarded to the CACU.
- Will ensure the DSS is contacted immediately if the safety and welfare of the child is jeopardized.
NOTE: If other children reside with and/or may otherwise have regular contact with the offender, they may also be at risk.

- Complete the appropriate incident report using the:
 1. Most specific offense code(s) applicable to circumstances of the case (e.g., “Child Abuse Rape Sex Act 1st Degree,” “Child Abuse Rape Sex Act w/ Object 2nd Degree,” “Child Abuse Rape Vaginal Intercourse 1st Degree,” “Child Abuse Rape Sex Act w/ Object 1st Degree,” etc.), as determined by the circumstances of the investigation, and as advised by the entity having investigative responsibility; or
 2. Offense code “Child Abuse Sexual Assault Pending Classification,” if the circumstances of the investigation have not yet yielded a determination of the circumstances of a potential sexual child abuse related case.

NOTE: The offense code of “Suspicious Incident Condition/Person/Vehicle” will not be used in lieu of “Child Abuse Sexual Assault Pending Classification,” when an investigation into a possible sexual child abuse has not yet been completed.
- Will not use the offense code “Child Abuse Sexual Assault No Final Classification” until an investigation has been completed by a specialized entity having investigative responsibility and it cannot be determined that a crime occurred.
- Select “Unfounded” from the *Disposition* field, if the incident is unfounded.
- Forward all written statements and related documentation to the CACU prior to the end of the shift.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- Assist in assuring the safety of the DSS worker and the child(ren) when executing shelter authorizations or other court orders.

SUPERVISORS

- Ensure that the victim is accompanied to the hospital and that the crime scene is protected.
- Ensure the DSS is notified when the safety and welfare of the child is jeopardized.
- Review completed reports that are forwarded to the CACU.

3-7.4 CHILD PORNOGRAPHY AND COMPUTER-RELATED EXPLOITATION

INVESTIGATING OFFICERS

- Receiving a complaint of child pornography or computer-related exploitation, where the suspect is unaware a complaint has been made, will not make contact with the suspect. Officers will immediately contact a CACU detective. If after business hours, contact a CACU detective through the 9-1-1 Police Liaison.
- Will advise the complainant not to discuss the complaint with anyone else.
- Will attempt to obtain any user names, passwords, login, account records, IP addresses, etc., and document them in the report. Officers should document the description/type of electronic device and its current location (e.g., EMU, precinct, residence, etc.).
- Receiving a complaint of child pornography or computer-related exploitation, where the suspect is aware a complaint has been made, will attempt to secure and/or seize all relevant evidence. Officers will immediately contact a CACU detective. If after business hours, contact a CACU detective through the 9-1-1 Police Liaison.
- Will not alter, search for, browse, or save any digital information or evidence to or from a target computer or other electronic device.
- Will not seize any electronic device without consultation with a CACU detective unless exigent circumstances exist.
- Will complete the appropriate incident report using the most appropriate offense code(s) (e.g., “Child Pornography,” etc.) for all child pornography and computer-related exploitation cases, prior to the end of the shift.
- If the incident is unfounded, select “Unfounded” from the *Disposition* field.
- Forward all written statements and related documentation to the CACU prior to the end of the shift.

- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

SUPERVISORS

- Will ensure all related evidence is properly secured and/or seized.
- Will review completed reports that are forwarded to the CACU.

3-7.5 REMOVING A CHILD FROM THE HOME

AUTHORITY

- An officer may take a juvenile into custody having reasonable grounds to believe that the child is in imminent danger from his surroundings and the removal is necessary for the child's protection.
- Unless there exists an obvious injury which requires immediate medical attention and the parents refuse to have it treated or unless the child is in extreme danger from his/her surroundings, the decision to remove the child will be made by a DSS Protective Services worker.

CONSIDERATIONS

- Age of victim - this is the primary consideration. If the child has sustained an injury (e.g., including excessive bruising, evidence of being burned, struck about the head, or having received an uncontrolled spanking or strapping, etc.) and is under the age of three, it is in the child's best interest to be removed from the home.
- Extent of injuries - with a small child, any injury inflicted to the head or abdominal region by the fist or other weapon may be viewed as requiring immediate protection extended to the child. With older children, the injury will be viewed in light of its severity and the circumstances under which it was administered. In any case, evidence of non-accidental burns should be considered as suggesting removal.
- Hostile home environment - unreasonable disciplinary action, resulting in extreme bruising or indiscriminate striking of various parts of the child's body, may indicate a danger to the child remaining in that home during the period of pending action.

REMOVAL OF AN ABUSED CHILD

- Officers will immediately contact their squad supervisor when considering the removal of a child from the home or school and will immediately notify the CACU and deliver the child to the person specified by the CACU Supervisor.
- At the time of the child's removal, the parent/guardian of the child must be immediately notified of the removal.
EXCEPTION: Cases where the child's safety may be compromised.
- Following placement of the child in emergency shelter care and in cases in which criminal prosecution is anticipated, the officer will notify the State's Attorney's Office of any shelter care order hearing date.
- If the DSS worker does not place the child in emergency shelter care, the officer will return the child to the home. When the DSS worker has removed the child and then decides to return the child, the officer may only provide transportation as a courtesy.

FORCIBLE ENTRY

- An officer may use reasonable force, if necessary, to assure a DSS representative's entry into a household when the DSS representative has probable cause to believe that a child or children are in serious physical danger and that an emergency situation exists.

3-7.6 SUSPECTED CHILD ABUSE/NEGLECT CASES IN SCHOOLS

INTERVIEWS

- In cases of suspected abuse, the victim may be questioned by the police at the school prior to notification of the parent/guardian.
- When the need arises to secure information from juvenile pupils who are possible victims of child abuse or who are knowledgeable about abuse or neglect cases:
 1. The school principal will permit an interview to take place on school grounds, provided that the interview is not contrary to the pupil's best interest and the pupil is willing.
 2. Notification of parent/guardian concerning the interview is the responsibility of the school. However, parental consent for the interview is not required for the interview to take place.
- School personnel knowledgeable about child abuse cases may be interviewed on school property during school hours after notification to the school principal.

3-7.7 UNATTENDED CHILDREN

INVESTIGATING OFFICERS

- Will attempt to locate and notify the parent/guardian of the violation.
- If unable to locate the parent/guardian or responsible relative will:
 1. Take the child into custody and transport to the precinct.
 2. Notify the DSS and request that a DSS worker respond immediately.
 3. Release the child to the DSS worker or a person designated by DSS.
- Using discretion, determine if charges should be filed against the person who left the child unattended.
- Complete the appropriate incident report using the offense code "Child Neglect," prior to the end of the officer's shift.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- Complete a Form 117 if the child is taken into custody.

CRIMES AGAINST CHILDREN UNIT

- Upon receipt of paperwork, reviews and conducts a follow-up investigation if necessary.
- Notifies the DSS.

REFERENCE

- [Annotated Code of Maryland, Family Law Article.](#)

3-8.0 EMERGENCY MEDICAL ADMISSIONS AND PSYCHIATRIC COMMITMENTS

GENERAL

- The emergency admission/commitment of a juvenile for medical or emotional disorders will occur only as a last resort.
- The DSS will always be notified of the emergency admission/commitment, preferably before the fact, but always as soon as possible thereafter.

EMERGENCY MEDICAL ADMISSIONS

- Child abuse - pursuant to Family Law and the Courts and Judicial Proceedings Article, an officer may take a juvenile to a medical facility if the officer feels the child is in need of medical treatment.
- Child neglect - pursuant to Family Law, only a DSS worker may take a juvenile to a medical facility if the child is in need of medical treatment.

- Other situations - pursuant to a court order obtained under the Courts Article, an officer may seek emergency medical treatment for a child if it is required to protect the child and the parent/guardian are unavailable or refuse consent:
 1. If a juvenile has sustained injuries requiring medical treatment, the officer will provide transportation to the hospital.
 2. The hospital will notify the juvenile's parent/guardian.
 3. If the officer releases the juvenile into the custody of parents/guardian, the officer is no longer required to remain at the hospital.
 4. If the officer wishes to place the juvenile in shelter care, he or she must remain at the hospital until a DSS representative determines preliminary disposition (i.e., detention, shelter care, or release).

EMERGENCY PSYCHIATRIC COMMITMENT

- An officer may take a juvenile to a designated emergency facility if:
 1. The officer believes the juvenile to have a mental disorder.
 2. For the protection of the juvenile or others, the juvenile needs in-patient care or treatment, or both.
 3. The juvenile is unwilling or unable to be admitted voluntarily.
- Refer to Field Manual, Article 12 (Use of Force/Weapons Systems), regarding use of handcuffs/restraints.

REFERENCES

- Annotated Code of Maryland, [Family Law Article](#), [Courts and Judicial Proceedings](#) and the [Health General Article](#).
- Field Manual, Article 12 (Use of Force/Weapons Systems).

3-9.0 MISSING CHILDREN AND RUNAWAYS

DEFINITIONS

- Missing Child - a person who is under the age of 18 years and is the subject of a missing child report filed with a law enforcement agency in this State and whose whereabouts are unknown.
- Critical Missing Child - a missing child who is any of the following:
 1. Not been the subject of a prior missing persons report.
 2. Suffers from a mental or physical handicap or illness.
 3. Disappearance is of a suspicious or dangerous nature.
 4. Is believed to have been abducted.
 5. Has previously been the subject of a child abuse report filed with the state or local law enforcement agency.
 6. Is under 17 years of age.
- Runaway - a juvenile who has, or who has been adjudicated to have, committed the status offense of leaving the custody and home of his/her parents, guardians, or custodians without permission and failing to return within a reasonable amount of time.

MISSING CHILD CATEGORIES

- Voluntary Missing - children who run away from home on their own volition.
- Parental Abductions - when one parent or relative wrongfully or illegally takes a child from the other parent or legal custodian.
- Non-Family Abduction - when a child is taken by a person other than a parent or legal guardian, without parental/guardian permission.
- Unknown Missing - when the facts are insufficient to place the case in one of the other categories.

GENERAL REPORTING

- An incident report will be completed for all reports of anyone under the age of 18 missing from home under the provisions of Family Law §9-401 or 402 so that the necessary provisions of the law may be met.
- All children are considered missing upon receipt of a complaint.

3-9.1 MISSING CHILDREN AND RUNAWAY INVESTIGATIONS

INVESTIGATIVE RESPONSIBILITY

- Missing children and runaways will be investigated at the patrol level and followed-up by the CACU after 48 hours.

INVESTIGATIVE CONSIDERATIONS

- Child's Age - children under 17 years old may not have the survival skills necessary to protect themselves from exploitation or other street crime.
- Drug Dependence/Addiction - the lack of prescribed medication may lead to serious health problems or a fatality. Drug addicted children may turn to crime to satisfy dependence.
- Mental or Physical Handicaps - these children may have trouble communicating their needs to others. Emotionally upset or suicidal children are at high risk.
- Time Elements - the child has been missing for more than 24 hours before being reported to the police.
- Zone of Safety - this differs from child to child. An infant's zone of safety may be the crib or stroller, whereas a school age child's zone may be the surrounding neighborhood.
- Nature of Environment - a dangerous environment would depend on the child's age, for example, a toddler missing near a busy highway or a teenager at an all-night truck stop.
- Inappropriate Relationships - juveniles involved with adults who will exploit them or cause them to become involved in criminal activity.
- Past History - there are no prior missing child reports and there is a history of abuse. Children who have never run away from home before and have a history of physical/sexual abuse are in an "At-Risk Category" and an appropriate search for children in this category cannot be overemphasized.
- Family Unit - drastic changes in the child's family unit (e.g., divorce, etc.).

RESPONDING OFFICERS

- Immediately initiate a preliminary investigation and notify their supervisor and shift commander.
- Obtain a photograph of the missing child.
- Broadcast a description over the police radio.
- Gather all available investigative information (e.g., name and address of missing child; aliases; phone, e-mail; bank/credit card information, and social media accounts; physical descriptors; clothing; scars, marks and tattoos; last seen date, time, and with whom; friends and associates; possible destinations; etc. as described on the *Missing Person* tab and *Others* tab of the incident report).
- Complete a Form 344, NCIC Authorization Form, and forward it to their supervisor to verify that the complainant's signature has been obtained.
NOTE: The complainant's signature is required by the National Crime Information Center (NCIC) before a missing person (i.e., a missing adult or a missing juvenile) may be entered into NCIC.
- Complete the initial report before finishing their tour of duty.
- If the child is defined as a "Critical Missing Child," determine, in conjunction with the squad supervisor and shift commander, appropriate intensive search procedures and/or verify if incident meets activation requirements for the Amber Alert Plan.

- Determine, in conjunction with the squad supervisor and shift commander, if an activation of the A Child is Missing Alert (ACIM) telephone notification system should be requested.
- Document a detailed description of search efforts, or the reason why no search was conducted.

SQUAD SUPERVISORS

- Respond to the scene of all critical missing children.
- Determine, if appropriate, intensive search procedures to be instituted.
- Contact the CACU immediately if:
 1. The missing child is under 14 years of age, or;
 2. The missing child is under 17 years of age and at least one of the following applies:
 - a. The child has not been the subject of a prior missing child report.
 - b. The missing child suffers from a mental/physical handicap or illness.
 - c. The disappearance is of a suspicious or dangerous nature.
 - d. The missing child is believed to have been abducted.
 - e. The missing child has been the subject of a previous child abuse report.
- Ensure that all missing child reports are followed up during the 48 hours after the child is reported missing.
- Review missing child reports as soon as possible to ensure the required telex can be sent within the required timeframe.

NOTE: Cases status may not be suspended unless the missing child returns.
- Verify the investigating member obtained a signature on the Form 344.
- Sign the Form 344 and submit it to the IRMS via departmental mail for scanning into the Records Management System (RMS).
- Approve missing child reports and notify the shift commander that the report is pending their approval.
- Contact the DSS to determine if they possess information which can be used to locate the juvenile.

SHIFT COMMANDERS

- Responsible for instituting appropriate search procedures.
- Either coordinate with volunteer search groups who offer their assistance, or provide justification explaining why a coordinated search was not conducted. The CACU may be contacted for assistance.
- Notify the 9-1-1 Communications Center, the Public Affairs Section, and the Maryland State Police Headquarters Duty Officer if the incident meets the Amber Alert Plan criteria.
- Review submitted incident reports as soon as possible to ensure the required telex can be sent within the required time frame.
- Approve missing child reports and notify the desk officer of completion.
- Ensure the desk officer sends the telex within the required timeframe.
- Check the Missing Person SSRS report for the current list of missing children prior to roll call.

NOTE: The shift commander should verify that paper copies of the reports for each active missing child is available for dissemination.
- Disseminate all missing child reports for follow-up to the appropriate post car.

NOTE: Shift commanders will encourage follow-up interviews be conducted in lieu of telephoning the complainant.

PHOTOGRAPHS

- Whenever a photograph is obtained, it will be attached to a printed copy of the report by the desk officer.

- The photograph will be immediately returned to the complainant when the investigation is suspended, or forwarded to the CIB.

TEMPORARY CUSTODY

- A juvenile apprehended by an officer may be taken into temporary custody following current Department procedures.

REPORTING

- A Case Report, using the *Report Type* of "Missing Person," will be completed.
NOTE: The selection of "Missing Person" will activate the *Missing Person* supplemental tab, which contains required report information.
- If more than one child is missing or runs away from the same location at the same time, one Case Report will be completed for each missing child using separate CC numbers.
- A separate telex message will be sent for each individual within 90 minutes of the initial report.
- If the child has not returned and their whereabouts remain unknown 48 hours after the original report was taken, an Officer Report will be completed stating such facts and the case will be forwarded to the CACU.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution for follow-up investigations.

REFERENCES

- Field Manual, Article 1 (Investigations).
- Field Manual, Article 13 (Jurisdictional Assistance and Authority).

3-9.2 RUNAWAYS

GENERAL

- Runaways may not be placed in secure detention.
- The parent/guardian will be contacted immediately when a runaway has been taken into custody.

REPORTING

- If a runaway is apprehended, it will be reported on a Form 117 and forwarded to the Youth & Community Services Unit.
- Runaway and cancellation telex messages will be sent to the CACU for all reports of runaways and apprehended runaways.
- The officer will obtain a contact number from the Information & Records Management Section.

3-9.3 CHILD ABDUCTION

RESPONDING OFFICERS

- Request to see the official court documents awarding lawful custody of the child to the complainant when arrangements have been made by the courts.
- Child stealing and child abduction by a non-custodial family member are closely related and are investigated by the CACU.
- Notify CACU when an incident of non-custodial child abduction is reported. The complainant should be advised that the CACU will follow-up with the case.
- Non-family related or stranger abduction investigations are the responsibility of the Robbery Unit. The Robbery Unit will be immediately notified.

REPORTING

- Complete the appropriate incident report using the offense code “Child Abduction,” prior to the end of the shift. Record information regarding court documents awarding lawful custody or lack thereof in the *Narrative* tab.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.
- Forward relevant court documents and supporting paperwork to the CACU.

REFERENCE

- [Annotated Code of Maryland, Family Law Article.](#)

3-10.0 SCHOOL INCIDENTS

RESPONDING OFFICERS

- Report to the office of the school’s principal upon arrival, except for emergency situations.
- Complete a Form 117R for all juveniles charged in relationship to school incidents.
NOTE: For cases where a juvenile is charged and not transported from the school, the responding officer will notify the juvenile’s parent or legal guardian, and request the signature of a school administrator on the Form 117R.

3-10.1 SEARCH AND SEIZURE

INVESTIGATING OFFICERS

- Upon the authority of a search warrant, may only search that part of the school premises described in the search warrant and school officials should cooperate in performing the search. The search may not include a pupil’s assigned locker unless specified in the search warrant.
- May search the premises of a school in any case where the search is essential to prevent imminent danger to the safety or welfare of the pupil, other persons, or school property.
- May search a pupil not under arrest only when the officer has a reasonable suspicion that the pupil is concealing a weapon that poses a danger to others.
- May not request a school official to perform a search of a pupil.
- Will make every effort to conduct searches in a manner minimizing the disruption of the normal school routine and embarrassment to pupils affected.

3-10.2 INTERVIEWING JUVENILE PUPILS

GENERAL

- Interviewing juveniles in police custody is not permitted on school premises.

NON-DELINQUENT CASES

- When the need arises to secure information from juvenile pupils not involved in delinquent activity, but having knowledge about CINS/CINA pupils, school personnel will secure consent for the interview from the pupil’s parent/guardian.

DELINQUENT CASES

- An interview of a suspected delinquent juvenile, or a juvenile witness, on school property during school hours will occur only in the following situations:
 1. When the delinquent act was committed on school premises, or
 2. In connection with an investigation, the success of which could be compromised by delay, or,

3. When the delay of the investigation would endanger the safety or welfare of other pupils.

EXCEPTION: Officers may accept information that is provided voluntarily by pupils.

- When a condition described above exists, an interview of a suspected delinquent juvenile or a juvenile witness must be conducted in the presence of a school official.
- If an officer is refused the right to interview a suspect/witness on school property in connection with any of the above, the Safe Schools Facilitator will be contacted and will act as liaison with the school officials.

REFERENCE

- [Code of Maryland Regulations \(COMAR\).](#)

3-10.3 TAKING A JUVENILE PUPIL INTO CUSTODY

GENERAL

- Whenever possible and appropriate, a juvenile pupil will be taken into custody during non-school hours and away from the school premises. When this occurs, the officer will be responsible for notifying the juvenile's parent/guardian.
- An officer may not take a juvenile pupil into custody for the purposes of investigative questioning.

CUSTODY AUTHORIZED ON SCHOOL PROPERTY

- When the juvenile is being charged with the commission of a delinquent act and his apprehension in school is absolutely necessary and could not be facilitated at another place and time.
- When it is determined that a child abuse victim should not go back home.
NOTE: This is as drastic a step as removing the child from his home and should be done only upon the advice of the CACU or DSS worker.
- When the pupil is a missing child and the circumstances surrounding the case dictate that it would be within the child's best interest and especially if the child is refusing to go home.
- When a Writ of Attachment has been issued for the juvenile and all other attempts to serve it have failed.

OFFICERS TAKING CUSTODY OF A JUVENILE

- When a juvenile pupil must be taken into custody during school hours and on school property, the officer will:
 1. Provide pertinent facts of the case to the responsible school official, including:
 - a. The reason for taking the juvenile into custody (i.e., runaway, delinquent act, or abuse victim).
 - b. The officer's name and office telephone number.
 - c. Where the juvenile is to be taken.
 2. Not provide information that would not serve the juvenile's best interest or that would jeopardize potential witnesses (juvenile or adult).
 3. Remove the juvenile as soon as practical from school premises after taking the juvenile into custody.
 4. Notify the parents/guardian of the child taken into custody.

REFERENCE

- [Code of Maryland Regulations \(COMAR\).](#)

3-10.4 WEAPONS ON PUBLIC SCHOOL PROPERTY

GENERAL

- This subsection applies only when the following conditions exist:
 1. The apprehension is made by a school official.
 2. The apprehension is made on Baltimore County public school property.
 3. The apprehension is made during school hours or after school hours at a school-sponsored event.
 4. The student is a Baltimore County public school student.
 5. A weapon is found on school property and the owner is unknown.
- Whenever a school official apprehends a juvenile student or an adult student on school property with a weapon, the official will confiscate the weapon, complete a Police Information Report (BEBCO #189), and notify the Baltimore County Police Department.

RESPONDING OFFICERS

- Report to the principal's office in order to be provided with the completed Police Information Report and the confiscated or found weapon.
- Complete four copies of Form 15, Property Inventory, for the weapon and leave one copy with the school official.
- Transport the weapon to the precinct and package it as evidence per procedures
- Complete the appropriate incident report using the appropriate offense code(s).
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution for all cases involving a gun on school property.

3-10.4.1 INTERVIEWS/JUVENILE STUDENTS

INTERVIEWS

- Because of the serious nature of this type of incident and the possible safety risk to other students, officers will be allowed to interview the juvenile student to ascertain the circumstances surrounding possession of the deadly weapon. When interviewing a juvenile student on school property during school hours:
 1. The interview will be conducted in the presence of a school official.
 2. The parent/guardian of the juvenile will be notified before the interview except when the seriousness of the complaint requires an immediate interview of the suspected delinquent pupil. The notification will normally be done by school officials.
- Police investigations involving the questioning of pupils will not be permitted on school premises unless in connection with a crime or delinquent act committed on the premises or in connection with an investigation which, if not immediately permitted, would compromise the success of that investigation or endanger the lives or safety of the pupils or other persons present. In these cases a school official should be present throughout that questioning.

CHARGES

- The officer will complete a Form 117 and a Form 117R. Juveniles 16 or 17 years old, committing a handgun violation, will be charged as an adult.
- For juveniles charged and not transported from the school, a parent/guardian must be notified and a school administrator will be requested to sign the Form 117R.

3-10.4.2 INTERVIEWS/ADULT STUDENTS

INTERVIEWS

- The officer will be permitted to interview the adult student in order to make proper identification in the event of a court trial and to ascertain the circumstances surrounding possession of the deadly weapon.

CHARGES

- The school official should be advised of the procedure for obtaining a warrant or summons and directed to the District Court Commissioner.

REFERENCES

- Field Manual, Article 1 (Investigations).
- Field Manual, Article 7 (Evidence).

3-10.5 CDS/ALCOHOL INVESTIGATIONS

3-10.5.1 SUSPECTED CDS ON SCHOOL PROPERTY DURING SCHOOL HOURS

JUVENILE STUDENTS

- If the student is under the age of 18, school personnel will interview the suspected delinquent pupil and furnish the officer with necessary information for the report.
NOTE: For adult students refer to Field Manual, Article 1 (Investigations).
- The student will not be removed from the school premises by the police. In cases where a juvenile is charged with a felony, arrangements should be made to have the parent/guardian bring the juvenile to the precinct after school for processing.
- School personnel and juvenile pupils who witnessed the alleged offense may be interviewed on the school premises.

REFERENCE

- Field Manual, Article 1 (Investigations).

3-10.5.2 SUSPECTED CDS ON SCHOOL PROPERTY DURING NON-SCHOOL HOURS

INVESTIGATING OFFICERS

- May take a juvenile into custody or arrest if probable cause exists to believe a CDS violation has been committed.
- Are responsible for notifying the parents/guardian of a juvenile.

3-10.5.3 ALCOHOL VIOLATIONS ON SCHOOL PROPERTY DURING SCHOOL HOURS

ALCOHOL VIOLATIONS

- School personnel will furnish the investigating officer with a completed Police Information Report (BEBCO #189). This report will be used to complete the State of Maryland Uniform Civil Citation. For pupils under 18 years of age, the alcohol citation will be completed at the juvenile's residence after school hours. If the student is 18 or over, the adult civil citation will be filled out and given to the student at the school.

REFERENCES

- Field Manual, Article 1 (Investigations).
- Field Manual, Article 7 (Evidence).

3-11.0 RECORDS AND REPORTS

GENERAL

- Records pertaining to juveniles will be maintained separately from adult records and confidentially at all times.
- No records will be released unless by court order.
EXCEPTION: Representatives of this Department, DJS, and other agencies investigating and prosecuting juveniles.
- When making a juvenile report on delinquents, CINS and CINA children, members will contact the Information & Records Management Section to request a JID number and a Contact number be added to any arrest records completed.
- Narrative statements should include the following data when pertinent:
 1. Conduct and behavior of the juvenile.
 2. Whether the juvenile appeared ill, or appeared to have been drinking or under the influence of drugs.
 3. How the juvenile is specifically related to the offense.
 4. Any other circumstances surrounding the offense that would aid the DJS intake officer in determining appropriate case disposition.
- In any investigation in which police officers require photographs, copies of the Form 117, or fingerprints from the JID Jacket, a Form 12L, Intra-Department Correspondence, must be submitted by the members, approved by their supervisors, and forwarded to the Information & Records Management Section before any information will be released from the files. The Form 12L should set forth the reason for requiring the information.
NOTE: The information from these jackets will only be used to further investigations or for prosecution of an individual for a criminal act.

3-11.1 REPORTS INVOLVING JUVENILES

GENERAL

- If a juvenile is listed as the victim of a crime or incident, indicate the juvenile's parent or guardian information, including both natural and step-parents, in the *Others* tab of the Incident Report.
- If the juvenile is a CINS/CINA, list the juvenile as the victim.
- If a statement is obtained from a juvenile, either verbal or written, indicate in the *Narrative* tab of the report who was present when the statement was given or obtained.
- The narrative of the incident report must substantiate the charges listed on the Form 117 and must reflect the means by which it was learned that the juvenile is responsible for the criminal act.
- Whenever a juvenile is released to a parent/guardian or member of another agency, full information for the person taking custody will be entered in the *Others* tab of the incident report.
- When it is found that a juvenile is responsible for a crime, but the victim does not wish to prosecute and only wants the juvenile warned in the presence of their parents or legal guardian, the Form 117 need not be completed. The officer will then reflect this fact in the narrative of the incident report. The juvenile will be listed in the *Offenders* tab. The *Disposition* will be marked "1-NIBRS Exception."
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

INVESTIGATING OFFICERS

- Forward all completed reports and related paperwork involving juvenile suspects to their supervisor for approval.

- Assigned to specialized units, will forward reports involving juvenile suspects to the JOINS officer assigned to the precinct where the incident occurred.

SUPERVISORS

- Ensure reports involving juvenile suspects are logged into the JOINS precinct log book and forwarded to the JOINS officer within 72 hour of the juvenile being charged.

3-12.0 FORM 117, JUVENILE REFERRAL/CUSTODY REPORT

PURPOSE

- The Form 117, Juvenile Referral/Custody Report, is designed to provide the Department with a permanent record of all data pertaining to offenses in which a juvenile is involved.

USES

- Upon the completion of a criminal investigation when it has been determined that a juvenile is responsible for a criminal act and prosecution will follow.
- Whenever a CINS is physically apprehended or is referred to court or other agencies for further action.
- Incidents involving a CINA.
- Whenever a case involving a juvenile is referred to another agency.
- Whenever a juvenile is held at a Department facility for another agency or is placed in an incarceration room by a member of this Department.
- Whenever a juvenile is being pursued into Baltimore County by another police agency and is apprehended by a member of this Department.
- Whenever a juvenile is held for another agency or whenever a juvenile is arrested on a bench warrant. In these cases only Forms 117 and 117R need be made. In addition, a Central Complaint (CC) number and contact number must be obtained. This report may be marked closed and no incident report is necessary.

3-12.1 FORM 117 PREPARATION INSTRUCTIONS

GENERAL

- Electronic processing will be utilized as the primary method of data entry.
NOTE: No printed station copy is needed.
- In the event of a Countywide system failure, officers will follow the EBooking system contingency plan.
- Officers will refer to Field Manual, Article 4, for adult EBooking arrest procedures.

EBOOKING TABS (Tabs not listed below are considered self-explanatory):

QUICK BOOK

- *Booking Type* field: Select the appropriate booking type from the dropdown menu. This will determine the mandatory fields throughout the booking record that are required to be completed. The following are the Booking Types:
 1. Child In Need of Supervision (CINS) - a juvenile who requires guidance, treatment or rehabilitation, and is either habitually truant, incorrigible, a constant runaway, or behaving recklessly.
 2. Child In Need of Assistance (CINA) - a juvenile who requires court intervention because of abuse, neglect, a developmental disability or has a mental disorder, or the juvenile's parents or guardians are unwilling to give proper care.
 3. Delinquent Misdemeanor - a misdemeanor that would be a crime if committed by an adult.

4. Delinquent Felony - a felony that would be a crime if committed by an adult.
 5. Writ of Attachment - a warrant-like document issued by the Juvenile Court requiring the physical detention of a juvenile.
 6. Detention Order - an order of detention produced by the DJS.
 7. Released Without Charge - a juvenile was arrested for an offense, but subsequently released with no charges pending.
 8. Legacy - a record that has been imported into EBooking. No modifications can be made to this type of record.
- *JID*, *SID*, and *Confirmed by* fields:
 1. The *JID*, *SID*, and *Confirmed by* fields will be entered into the arrest record by the Information & Records Management Section (IRMS) upon receipt of a confirmation e-mail from the Department of Public Safety and Correctional Services (DPSCS), if the juvenile was LiveScan fingerprinted.
NOTE: Members will contact the IRMS if the aforementioned fields have not been completed and thirty minutes has passed since submission of the LiveScan fingerprints to the DPSCS.
 2. Members completing arrest records will contact the IRMS to request completion of the *JID* and *Confirmed by* fields, if a juvenile is not being LiveScan fingerprinted.
 - *Maiden Name* field: For a female juvenile only. When the marital status is married, widowed, or divorced, the *Maiden Name* field becomes mandatory.
 - Social Security (i.e., *SSN* field) and Driver's License Numbers (i.e., *Driver's License* field): When the information is available, complete the appropriate fields. When a driver's license number is entered, the licensed state becomes mandatory.

JUV/COMP

- If Secured Detention is marked "yes," the officer will complete the required checks on the juvenile throughout the entire time the juvenile is in secured detention. The officer will make special notation of the location held within the precinct by entering it into the *Comments* field of each action within the *Action Log* tab.
- If Secured Detention is marked "no," but the juvenile is still held within the precinct, the officer will make a notation of where the juvenile was held within the precinct in the *Action Log* tab.
NOTE: If the juvenile is moved to additional locations within the precinct, the locations will be added to the *Action Log* tab.
- If Secured Detention is marked "no," and the juvenile was never taken into custody by the officer, the officer will make a notation within the *Action Log* tab stating that the juvenile was never transported to a precinct.

NOTE: A system of place names, where juveniles will be held in secure and non-secure detention, will be developed by each precinct so that the names are referred to consistently.

PHYSICAL

- Scars, Marks, Tattoos (SMTs): When the arrestee has SMTs, the arresting officer will ensure that each SMT is described and photographed.

ARREST

- Arrest Narrative: Additional information that is not captured elsewhere in the booking record can be entered in the *Arrest Narrative* field.

CHARGE/DNA

- Enter all appropriate charges.

- The Reason Charged/Fingerprinted should correspond with the booking type. For Criminal Justice Information System (CJIS) charges, select the appropriate charge from the CJIS code or from the dropdown menu. For local charges, enter the appropriate charge in the *Non-CJIS/Local Charge* field.
- Arresting officers are responsible for entering charging information.

VEHICLE

- If the subject is not the registered owner of the vehicle, the owner's name and address may be entered in the *Vehicle Comment* field.

ACTION LOG

- All juvenile prisoner action records will be captured on the *Action Log* tab (Refer to Field Manual, Article 5).
NOTE: The Incarceration Log Book cannot be used to document information regarding arrestees charged as juveniles, due to the requirement that juvenile records and adult records be stored separately.
- For each *Action Log* entry, the comments field will be used to:
 1. Document the specific location within the precinct where the juvenile is being held in secure or non-secure detention.
 2. Document the hospital or other facility name, if transported outside of the precinct.

CUSTODY

- *Final Custody Status* fields are to be completed by the releasing officer or the desk officer.
- The date of birth and address of the person the juvenile is released to will be placed in the *Comments* field.

RECORDS MANAGEMENT

- When all mandatory fields are completed in this section, the arresting officer is responsible for changing the Record Status from “Open” to “Pending Approval.” This signifies that the booking record is ready for supervisory approval.
- Supervisors will review booking records for accuracy, and will change the Record Status from “Pending Approval” to “Approved.” Supervisors will notify arresting officers of records that need correction.

REFERENCE

- Field Manual, Article 4 (Arrest, Custody, and Court).

3-13.0 FORM 117R, NOTIFICATION OF JUVENILE IN POLICE CUSTODY AND RELEASE AGREEMENT FORM

FORM 117R

- Completed anytime a juvenile is taken into police custody or charged with a crime.
NOTE: This includes juveniles waived to adult status as well as those charged with status offenses.
- Used to notify the juvenile’s parent or legal guardian that the juvenile has been taken into police custody or charged with a crime.
- Provides the Department with a permanent record of the notification and the release of the juvenile.

INVESTIGATING OFFICERS

- Notify the parent or legal guardian within 48 hours for all juveniles taken into custody or charged with a crime.

- Send a certified letter to the parent or legal guardian, if notification is unsuccessful after 48 hours.
NOTE: A copy of the certified letter receipt will be forwarded to the Information & Records Management Section (IRMS) and the original will be placed in the precinct/section files.
- Notify the parent or legal guardian that, by signing the Form 117R or authorizing the release of the juvenile to a third party, they are responsible for ensuring the presence of the juvenile at court proceedings, should it become necessary.
- Verify the identity of the individual to whom notification is being made and to whom the juvenile is being released.
- Release the juvenile:
 1. To the custody of a parent or legal guardian; or
 2. To the custody of a third-party adult at the request of the parent or legal guardian; or
 3. To a member of an authorized state agency (i.e., DJS or DSS) in accordance with Maryland law; or
 4. To the custody of the Baltimore County Public School in which they are enrolled; or
 5. When the juvenile's release is otherwise ordered by the DJS.
- **NOTE:** A juvenile will not be released from the Department's custody until the *JID* and *Confirmed by* fields have been completed in his/her arrest record by the IRMS.
- Provide a copy of the Form 117R to the individual assuming custody of the juvenile.
NOTE: A supervisor's signature is not required on the copy of the Form 117R at the time of release.
- Document the notification and release in the *Narrative* tab of the incident report, or in the *Actions* tab of the EBooking record, if no incident report is required.
NOTE: If notification is unsuccessful, a full explanation of all notification attempts (e.g., phone calls, home visit, certified letter sent, etc.) must also be included and a copy of the incident report or EBooking record forwarded to the Youth & Community Services Unit within five days of initiating charges and/or taking the juvenile into custody.
- Contact the DSS if the parent or legal guardian does not consent to the release agreement.
- Submit the original Form 117R for supervisor's approval, upon completion.

SUPERVISORS

- Review and approve Forms 117R and related documentation.
- Forward original Forms 117R to the Information & Records Management Section.
- Forward an electronic copy of the signed/approved Form 117R to JOINS as a PDF via e-mail and/or fax within 72 hours of initiating charges and/or taking the juvenile into custody, and place a copy in the precinct/division files.

ARREST, CUSTODY, AND COURT

Article 4

- 4-1.0 Arrest, Custody, and Court Procedures** [rev. 08/2020]
 - 4-1.1 *Arrest Identity Verification* [rev. 08/2020]

- 4-2.0 Probable Cause and Statement of Charges** [rev. 04/2019]
 - 4-2.1 *Narcotics Cases* [rev. prior to 1994]

- 4-3.0 Arrest Warrants** [rev. prior to 2000]
 - 4-3.1 *Issuing/Receiving Arrest Warrants, Summonses, and Civil Orders* [rev. 08/2020]
 - 4-3.2 *Serving Arrest Warrants in Baltimore County* [rev. 10/2011]
 - 4-3.2.1 *Outside Jurisdiction Warrants served in Baltimore County* [rev. 08/2020]
 - 4-3.2.2 *Prisoners Housed in the Baltimore County Detention Center* [rev. prior to 1994]
 - 4-3.2.3 *Bench Warrants* [rev. 08/2020]
 - 4-3.3 *Baltimore County Warrants Served in Other Jurisdictions* [rev. 02/2010]
 - 4-3.3.1 *Fugitive Procedures* [rev. 08/2021]
 - 4-3.3.2 *Fugitive Apprehensions* [rev. 10/2003]
 - 4-3.3.3 *Extradition of Fugitives* [rev. 10/2003]

- 4-4.0 Special Arrest Procedures** [n/a]
 - 4-4.1 *Foreign Nationals, Diplomatic Agents, Consular Officers, and Staff of Missions of International Organizations* [rev. 08/2020]
 - 4-4.2 *School Notification for Adult Students* [rev. 09/2019]
 - 4-4.3 *Arrest of Aliens/Non-Citizens* [rev. 04/2019]
 - 4-4.4 *Arrest of Foreign Nationals* [rev. 10/2011]
 - 4-4.5 *Arrest of a Subject with a Mental Illness* [rev. 07/2013]
 - 4-4.6 *Arrest of Handicapped Persons* [rev. 10/2011]
 - 4-4.7 *Arrest of Military Personnel* [rev. 08/2020]
 - 4-4.8 *Arrest of Members of Other Law Enforcement Agencies* [rev. prior to 1994]
 - 4-4.9 *Arrest of Baltimore County Government Employees* [rev. 07/2013]
 - 4-4.10 *Arrest of On-Duty Baltimore Gas and Electric (BGE) Employees* [rev. 10/2011]
 - 4-4.11 *Arrests for Series of Crimes* [rev. 08/2020]
 - 4-4.12 *Assisting Other Jurisdictions* [rev. 04/2019]

- 4-5.0 Arrest Processing Procedures** [rev. 08/2020]
 - 4-5.1 *Felony Arrests* [rev. 10/2011]
 - 4-5.2 *Traffic-Related Arrests* [rev. 08/2020]
 - 4-5.2.1 *DUI Arrests* [rev. 09/2017]

- 4-6.0 Criminal/Civil Citations** [rev. 08/2020]
 - 4-6.1 *Criminal Citations* [rev.12/2022]
 - 4-6.2 *Adult and Juvenile Civil Citations* [rev. 08/2021]
 - 4-6.2.1 *Adult Civil Citations* [rev. 08/2021]
 - 4-6.2.2 *Juvenile Civil Citations* [rev. 08/2021]

- 4-7.0 Repeat Offenders** [rev. 08/2020]

- 4-8.0 Detention and Removal Orders [n/a]**
 - 4-8.1 *Emergency Evaluations* [rev. 12/2015]
 - 4-8.1.1 Service of Petitions for Emergency Evaluation [rev. 08/2020]
 - 4-8.1.2 Transportation of Evaluatees [rev. 10/2011]
 - 4-8.1.3 Hospital Procedures [rev. 08/2021]
 - 4-8.2 *Civil Protective Orders* [rev. 08/1998]
 - 4-8.2.1 Interim and Temporary Protective Orders [rev. 08/2021]
 - 4-8.2.2 Circuit Court Temporary Protective Orders [rev. 08/2020]
 - 4-8.2.3 Final Protective Orders [rev. 08/2021]
 - 4-8.2.4 Violations of Interim, Temporary, or Final Protective Orders [rev. 08/2020]
 - 4-8.2.5 Peace Orders [rev. 12/2022]
 - 4-8.3 *Body Attachments* [rev. 09/2019]
 - 4-8.4 *Detainers* [rev. 10/2011]
 - 4-8.4.1 Habeas Corpus Writs [rev. 10/2011]
 - 4-8.5 *Petition For Custody, Interrogation, and Arrest of a Juvenile* [rev. 10/2011]
- 4-9.0 Arrest Reporting [n/a]**
 - 4-9.1 *General Reporting* [rev. 08/2020]
 - 4-9.1.1 Narrative Substitution [rev. 08/2020]
 - 4-9.2 *Form 19, Criminal Debriefing Guide* [rev. 08/2020]
 - 4-9.3 *Electronic Booking (EBooking) Arrest Records* [rev. 08/2020]
 - 4-9.3.1 Form 166 Preparation Instructions [rev. 09/2019]
 - 4-9.4 *EBooking Contingency Plan* [rev 05/2015]
- 4-10.0 Summons Procedures [rev. 04/2018]**
- 4-11.0 Court [n/a]**
 - 4-11.1 *District Court Scheduling* [rev. 05/2015]
 - 4-11.2 *Court Liaison Program* [rev. 10/2020]
 - 4-11.3 *Court Witnesses* [rev. 04/2005]
 - 4-11.4 *Court Summonses for Department Members* [rev. 08/2021]
 - 4-11.4.1 Juvenile, Civil, and Circuit Court Summonses [rev. 08/2021]
 - 4-11.4.2 District Court Summonses [rev. 08/2021]
 - 4-11.5 *Court and Hearing Attendance* [rev. 04/2018]
 - 4-11.6 *Discovery* [rev. 10/2020]
- 4-12.0 Court-Ordered Fingerprinting [rev. 08/2020]**
- 4-13.0 Criminal Record Inquiries [rev. 10/2011]**
 - 4-13.1 *Dissemination of Criminal History* [rev. 08/2020]
 - 4-13.2 *Expungement of Arrest and Criminal Records* [rev. 10/2011]

ARREST, CUSTODY, AND COURT

4-1.0 ARREST, CUSTODY, AND COURT PROCEDURES

ABBREVIATIONS

- CC - Central Complaint.
- CIB - Criminal Investigations Bureau.
- JID - Juvenile Identification.
- UID - Unique Identifier.

DEPARTMENT FORMS

- Form 12L - Intra-Department Correspondence.
- Form 19 - Criminal Debriefing Guide.
- Form 117 - Juvenile Referral/Custody Report.
- Form 166 - Arrest Report.
- Form 179 - Warrant Control.

4-1.1 ARREST IDENTITY VERIFICATION

ADEQUATE IDENTITY VERIFICATION

- Will be made on all arrested individuals before they are formally charged or served with a warrant.
- Should include some type of identification that corroborates information gathered from the person. Identification may include:
 1. Photo identification (e.g., MVA system photograph, criminal processing photograph, employment/student/military identification, etc.).
 2. Law enforcement records (e.g., fingerprints, criminal history, etc.).
 3. Identification by a law enforcement officer based on experience with the suspect.
 4. Other documentation (e.g., birth/marriage certificate, military discharge papers, school records, passport, etc.).
 5. Contact with relatives for verification of information (e.g., date of birth, address, etc.).
- Should include more than one form of identification. A second form is not required when the arresting/processing officer is satisfied with the verification.

WHEN IDENTIFICATION IS NOT AVAILABLE

- An arrest can still be made if the officer has probable cause to believe the individual is the person named in the warrant.
- And the person's identity cannot be confirmed, the officer will:
 1. Notify the shift commander.
 2. Have a set of fingerprints classified by the Fingerprint Identification Unit, through LiveScan, the Maryland State Police Fingerprint Identification Section, or other jurisdiction.
 3. Notify the court commissioner before the bail hearing regarding the lack of identification.
 4. Document all information and attempts to verify identification in the narrative of the Form 166 or incident report, as appropriate.
- The arresting officer should not sign the warrant until identification of the person has been confirmed.

INCORRECT WARRANT OR SERVICE

- Arresting officers will investigate any claim of an incorrect warrant due to wrong identity, procedural mistakes, prior service, etc.

- Officers will attempt to:
 1. Verify the suspect's identification through photos or fingerprints.
 2. Contact the issuing jurisdiction and/or court clerk's office to verify the warrant status.
 3. Contact the State's Attorney's Office.
 4. Obtain a copy of all police reports related to the warrant, if possible.
- If the arrestee's claim is substantiated, the investigating officer will:
 1. Notify the shift/unit commander and the on-call Legal Section representative via the 9-1-1 Police Liaison.
 2. After advice and consultation with the Legal Section representative and the State's Attorney's Office, take appropriate action for the release of the individual.
 3. Submit an updated version of the Case Report if the incident relates to a Baltimore County CC number.

NOTE: The *Disposition* field on the *Administrative* tab, and the arrestee information on the *Offenders* tab must be updated with corrected information. The *Narrative* tab will be used to document an explanation for the change.
 4. Document the incident via Form12L and distribute to the:
 - a. Arresting and charging officer's precinct/unit commander.
 - b. Legal Section.
 - c. State's Attorney's Office, and the other jurisdiction, if applicable.
 - d. Charging officer if different from the arresting officer.
 - e. Commander of the Information & Records Management Section with a request that all computer databases be corrected, and that documents be forwarded to any other jurisdiction and the State of Maryland for corrections to their records.

4-2.0 PROBABLE CAUSE AND STATEMENT OF CHARGES

GENERAL

- Members choosing to use computer-generated charging documents will use only those found on the Department's Intranet site.
- When submitting computer-generated charging documents, members will:
 1. Place an original signature on all copies of all generated forms, or

NOTE: The member will designate and stamp "Original" on one copy and "Copy" on all remaining copies.
 2. Place an original signature on one copy of the generated form and make the appropriate number of copies

NOTE: The member will stamp "Original" on the copy containing the original signatures and "Copy" on all remaining copies.

FORM DC/CR1, APPLICATION FOR STATEMENT OF CHARGES

- Used to charge a suspect, not in custody.

NOTE: After defendants have had a bail hearing and have been released, they may not be charged via a Statement of Charges unless a warrantless arrest is legal.
- Requires approval of the member's supervisor, prior to submission to the courts.
- Must be signed by the member whose name is on the application.
- Requires submission of an original and four copies to one of the District Court Commissioner's Offices.
- Must be accompanied by a Form CC/DC/CR1S, Confidential Supplement, if shielding is requested.

NOTE: The Form DC/CR1 must also indicate the shielding request.
- May be presented to a District Court Commissioner:
 1. In person; or

2. Via drop-off procedures.
- EXCEPTION:** Drop-off procedures may not be used for any application regarding:
1. Any felony charge.
 2. Any domestic-related or domestic violence charge.
 3. Any crime that involves a firearm or the potential for access to firearms.
 4. Violations of Civil Protective Orders (e.g., Protection Order, Peace Order, etc.).
 5. Charges that result in multiple case clearances.
 6. Crimes that are related to a crime trend.
- Applications presented in person will be processed on a first come, first served basis.
NOTE: Members required or choosing to use in-person procedures are required to remain at the courthouse until the application is reviewed.
 - Applications submitted using drop-off procedures will be:
 1. Placed in the applications drop-off bin located at the District Court.
 2. Logged into the applications drop-off log book.
NOTE: The log book will include the:
 - a. Name and identification number of officer dropping off the application.
 - b. Name and identification number of officer who completed and signed the application.
 - c. Agency name (i.e., Baltimore County Police Department).
 - d. Date and time of drop off.
 - e. CC number.
 - f. Whether or not shielding is requested.
 3. Processed as time permits, and within 48 hours of submission.
NOTE: The officer's copy of the application, including the case number assigned, the trial date (if applicable), and/or the reason for denial, will be returned via departmental mail to the officer's assigned precinct/section within seven days.
 - To charge a suspect held on bail with a misdemeanor (other than those specified in the Annotated Code of Maryland, Criminal Procedures Article), a Form DC/CR1 must be completed and approved by a supervisor prior to presentation to a court commissioner.

FORM DC/CR1 DISPOSITION

- A copy - kept in precinct/division files.
- A copy - retained by the officer.

FORM DC/CR2, STATEMENT OF CHARGES

- To charge a suspect in custody, prior to a bail hearing, a Form DC/CR2, Statement of Charges, will be completed and presented to the court commissioner.
- If a mistake is made, the Form DC/CR2 may be destroyed.
- Additional charges will be recorded on a Form DC/CR2A.
- The Form DC/CR2 must be approved by a supervisor prior to presentation to a court commissioner.
- The Form DC/CR4, Statement of Probable Cause, will be used to record the probable cause supporting the charges on the DC/CR2.
- If additional space is needed for probable cause, the Form DC/CR4A, Statement of Probable Cause (Continued), will be used.

FORM DC/CR2 COMPLETION

- Blocks not listed below are self-explanatory.
- Related Cases - enter the tracking numbers of all related cases and/or the citation numbers of all traffic citations involved.
- Dist./Loc. - leave blank.

- Complainant Information:
 1. Title - enter the officer's rank.
 2. Agency - enter "AE."
 3. Sub - Agency - enter the officer's assignment (e.g., CIB, PC2, etc.).
- Defendant Information:
 1. I.D. Number - enter the UID number.
 2. OCA - enter the CC number.
 3. Other Description - enter the booking number.
- If the Defendant is formally charged:
 1. CJIS Code - enter the charge code from the court commissioner's booklet.
 2. AR - enter the booking number.
 3. COMAR or Agency Code No. - enter "MD 0030100."

NOTE: When a special police officer makes an arrest and turns the individual over to the Department, the Department officer will ensure that the correct COMAR number is inserted and that the CC number has been entered in the OCA block. If the numbers are entered but incorrect, enter the words "CORRECTED NUMBER" followed by the correct number.

FORMS DC/CR2 AND DC/CR3A DISPOSITION CHARGING LABELS

- A copy - kept in precinct/division files.
- A copy - retained by the arresting officer.

DISPOSITION CHARGING LABELS

- The court commissioner will attach a page of labels to all charging documents. This label page is to stay with the documents. Return unused labels with documents going to District Court.

4-2.1 NARCOTICS CASES

GENERAL

- For marijuana offenses, enter "Marijuana - THC (non-narcotic) a Schedule I Controlled Dangerous Substance" on the Statement of Charges.
- For CDS cases, enter on the bottom of the Statement of Charges "Drug Related Case - Analysis is Pending":
 1. When a CDS charge accompanies other criminal charges.
 2. For large quantities of CDS.

REFERENCES

- [Annotated Code of Maryland, Criminal Procedures Article.](#)
- Field Manual, Article 1 (Investigations).

4-3.0 ARREST WARRANTS

WARRANT VERIFICATION

- Officers approached by a civilian requesting information about a warrant for themselves will obtain a wanted check and proceed accordingly.
- Members contacted by civilians requesting information about a warrant will advise them to respond in person to the nearest precinct.
- If a citizen desires to divulge the whereabouts of a possible wanted person, the officer will note the information, obtain a wanted check confirming an open warrant, and request a unit to respond to the location, if appropriate.

4-3.1 ISSUING/RECEIVING ARREST WARRANTS, SUMMONSES, AND CIVIL ORDERS

OFFICERS

- Obtaining an arrest warrant for an individual residing or working in Baltimore County will personally make every effort to serve the warrant. This includes persons who may already be incarcerated in state or local detention facilities.
- Obtaining a warrant or summons for an individual, will complete an updated version of the associated Case Report, updating the individual from a suspect to an arrestee on the *Offenders* tab.
- Obtaining a warrant for a subject in custody, or a subject who will be arrested within 24 hours, do not have to send the warrant to Warrant Control. The warrant need only be logged in by the desk officer prior to service.
- Obtaining a warrant which is not served within 24 hours, must prepare a Form 118A, Warrant Notification (original only), and immediately send it along with the warrant to Warrant Control.

DEPARTMENTAL MAIL COURIER

- Will pick up warrants, summonses, and other necessary court documents, as required, from the District Court commissioner's office in the course of their daily mail route.
- Will place the warrants, summonses, and other court documents in an envelope and seal it in the presence of the on-duty District Court commissioner. The departmental Mail Courier will place the name of the on-duty District Court commissioner witnessing the transaction on the outside of the envelope.
- Will transport the sealed envelope to Warrant Control.

SHIFT COMMANDERS

- Having a District Court within their command, will have the officer transporting mail respond to the District Court and follow the above procedures when the departmental Mail Courier is on leave.

WARRANT CONTROL TEAM

- Completes the top portion of the Form 179, Warrant Control Form (original only) for all warrants not immediately served by the obtaining officer.
- Stamps a control number on the Form 179 and the warrant.
- Forwards the Form 179 and warrant to the precinct where the defendant lives.
- Enters the warrant into the computer system and METERS/NCIC, if applicable.
- Returns the Form 118A to the officer who obtained the warrant, when appropriate.

PRECINCT DESK OFFICERS

- Receiving a warrant/summons from Warrant Control, or after being advised by an officer that a warrant/summons has been obtained, will log all pertinent warrant/summons information into the Warrant/Summons Tracking System. The database will, at a minimum, include the following information:
 1. Date warrant/summons received at precinct.
 2. Type of document (e.g., criminal warrant/summons, etc.).
 3. Agency/court issuing the warrant/summons.
 4. Defendant's name and address.
 5. Assignment for service (e.g., precinct, officer, unit/squad, etc.).
 6. Warrant/summons control/case number.
 7. Remarks (e.g., reason for returning warrant/summons: unserved, recalled, etc.).
 8. Date warrant/summons was returned/served.

- Perform record and firearm checks on all wanted subjects, defendants, respondents, and petitioners to discover any outstanding warrants and/or summonses, firearms, handgun permits, etc.
NOTE: Copies of these record checks will be attached to the existing document.
- Forward warrants to the appropriate supervisor for assignment.
- Will return unserved warrants to Warrant Control, with proper notation on the Form 179, when they need to be sent to new locations for service. Warrant Control will forward the warrants to the appropriate locations.
- Will advise Warrant Control of the new location in cases where a warrant must be sent to another jurisdiction for immediate service. The Form 179 will be returned to Warrant Control with the proper notation.
NOTE: It is not necessary to notify Warrant Control when sending a warrant to another precinct for immediate service.
- Receiving interim/temporary and civil orders from the District Court and/or other agencies, will log all pertinent information into the Civil Order Record Book. The book will, at a minimum, include the following headings:
 1. Date and Time Received at the Precinct.
 2. Nature of the Document (e.g., interim/peace order, etc.).
 3. Issuing Court.
 4. Respondent/Defendant Name.
 5. Respondent/Defendant Address.
 6. Post Car(s) Assigned for Service.
 7. Case Number.
 8. Court Return Due Date.
 9. Final Disposition Date.
 10. Surrendered Firearms Ordered.**NOTE:** The Civil Order Record Book is required to be a ledger.

SQUAD SUPERVISORS

- Receiving arrest warrants for service will prioritize them. Priorities will be based on factors including but not limited to the:
 1. Seriousness of the warrant.
 2. Time limit placed on serving the warrant.
 3. Origination from a special program (e.g., Repeat Offender Team, etc.).
 4. Need to support the Department goals and objectives.

4-3.2 SERVING ARREST WARRANTS IN BALTIMORE COUNTY

GENERAL

- The same procedures for affixing labels to the Statement of Charges apply to arrest warrants.
- If the original warrant is not available and a copy of the warrant is being served, the tracking numbers will be entered by hand on the necessary forms.
- After service attempts, arrest warrants must be logged out of the Warrant/Summons Tracking System. The warrants will then be forwarded to Warrant Control.

OFFICERS

- Serving a warrant they applied for, will contact the court commissioner prior to the bail hearing to obtain a trial date, time, and location. The information, along with the court commissioner's initials, will be written on Form DC/CR6 to the left of the officer's signature.
- Serving a warrant in a case where another officer investigated, will:
 1. Obtain the investigating officer's next several trial dates.

2. Place the tentatively assigned trial date, time, location, and two optional trial dates on the Form 166.
- Will record all attempts to serve the warrant.
 - Will use the original CC number associated with the warrant. If no original CC number exists, a new CC number will be generated.
 - Complete the “Information Checked” and “Results” sections of the Form 179 if initial attempts are unsuccessful.
 - If unable to serve a warrant, complete the Form 179 and return it, along with the warrant, to the desk officer prior to forwarding to Warrant Control.
 - Ensure that a cancellation telex is sent when a warrant has been withdrawn before a judge, and note this in the offense report.

SQUAD SUPERVISORS

- Return all assigned warrants remaining unserved for a period of 45 days to Warrant Control, unless authorized by Warrant Control to remain for a longer period.
- Ensure that the officers have exhausted all leads before returning any unserved warrants.

DISPOSITION OF SERVED WARRANT

- The completed Form 179 will be given to the desk officer for forwarding to Warrant Control.
- The gold copies of the DC/CR3 and DC/CR6 will be retained by the arresting officer.

4-3.2.1 OUTSIDE JURISDICTION WARRANTS SERVED IN BALTIMORE COUNTY

GENERAL

- A CC number will be generated for the other jurisdiction warrants served in Baltimore County for completion of the Form 166.
NOTE: An incident report is not required to report arrests for charges placed outside of Baltimore County.

NO BALTIMORE COUNTY CHARGES PLACED

- Officers possessing a warrant indicating that the bail hearing is to be held in the issuing jurisdiction will contact the appropriate agency to verify the status of the warrant and release the prisoner to their custody after the completion of a Form 166.
- If the warrant indicates that the bail hearing is to be held where the subject is arrested, the Department will take the prisoner to the court commissioner.

CHARGES ALSO PLACED IN BALTIMORE COUNTY

- If the bail hearing for the warrant from the other jurisdiction can be held in Baltimore County, obtain a copy of the warrant and proceed with the hearing.
- If the bail hearing must be held in the originating jurisdiction, that jurisdiction will be advised to send a detainer.
- No prisoner will be released from custody until release conditions are met on all Baltimore County charges (e.g., bail, etc.). Should conditions on Baltimore County charges be met, but other jurisdiction charges remain, that agency will be contacted to take custody of the prisoner.

REFERENCE

- Field Manual, Article 5 (Prisoners).

4-3.2.2 PRISONERS HOUSED IN THE BALTIMORE COUNTY DETENTION CENTER

GENERAL

- Police officers from other jurisdictions, who possess warrants for a subject housed in the Detention Center, will serve their warrants on the subject personally. The Fugitive Team Supervisor will be consulted for permission to deviate from this procedure.

4-3.2.3 BENCH WARRANTS

GENERAL

- Every person arrested on a Baltimore County District Court bench warrant must be taken before a court commissioner.
- Persons arrested on pre-set Circuit Court bench warrants must be transported to the Baltimore County Detention Center without seeing a court commissioner.
- When serving a bench warrant with pre-set bail from another jurisdiction, the subject will be taken to a Baltimore County court commissioner if bail can be posted. If bail cannot be posted, personnel from the other jurisdiction may pick up the subject without seeing a court commissioner.
- Arrest information does not require documentation/updating in an incident report when a bench warrant is issued or served.

NOTE: Additional information regarding the issuance or service of a bench warrant may be documented in the *Narrative* tab of an Officer Report or updated version of the Case Report, using the original central complaint (CC number), as needed.

4-3.3 BALTIMORE COUNTY WARRANTS SERVED IN OTHER JURISDICTIONS

GENERAL

- Officers who want to serve an arrest warrant in another jurisdiction will first contact that jurisdiction's law enforcement agency.
- Officers notified by another jurisdiction that an arrest was made on a Baltimore County warrant will verify the existence of the warrant and the location where the bail hearing is to be held.
- If the warrant indicates that the bail hearing can be held in the jurisdiction of the arrest and the agency holding the prisoner is: Anne Arundel, Harford, Howard, Montgomery, Prince George's counties, or the Maryland State Police, notify that agency and advise them to take the prisoner for the bail hearing. If the agency is not one of the aforementioned agencies, make an effort to get them to take the prisoner for a bail hearing.
- If the warrant indicates that the prisoner must be returned to Baltimore County, or if the other agency refuses to take the prisoner for the bail hearing, arrangements will be made for transportation.
- The Operations Bureau will be notified when an agency refuses to take the prisoner for a bail hearing so that problems can be resolved.

4-3.3.1 FUGITIVE PROCEDURES

FUGITIVE TEAM

- Arrests and transports all suspects taken into custody outside this jurisdiction on Baltimore County warrants.
EXCEPTION: When precincts have or assume responsibility, as outlined below.
- Serves all out-of-state warrants and handles extraditions.
- Coordinates all Division of Correction's writs and mandatory releases.
- Serves prioritized warrants when not engaged in transportation activities.

- Forwards notification of the arrest to the case officer on each arrest.

PROTOCOL FOR APPREHENSION RUNS

- The Information & Records Management Section (IRMS) personnel will:
 1. Verify the status of the warrant.
 2. Notify the Fugitive Team of an apprehension run, when the Fugitive Team has responsibility for the pickup.
 3. Notify the appropriate precinct of an apprehension run when the precinct:
 - a. Has responsibility for the pickup.
 - b. Assumes responsibility for the pickup because the Fugitive Team is unavailable, and the other jurisdiction will not hold the individual until the Fugitive Team becomes available.
- The 9-1-1 Communications Center will be notified of the start and end times of any apprehension run.
- Prior to making any apprehension run to another jurisdiction, a determination will be made as to whether the warrant to be served can be processed by a court commissioner in the arresting jurisdiction.

NOTE: If the jurisdiction has an original warrant marked "Initial Appearance to be Held in Jurisdiction of Arrest," the arrestee should not be returned to Baltimore County unless extenuating circumstances exist.

PRECINCTS

- Responsible for the arrest, transport, and housing of all suspects held outside this jurisdiction on Baltimore County warrants as follows:
 1. Baltimore City:
 - a. Central Booking and Intake Center (CBIF) - All precincts on a weekly rotating basis, as assigned by the IRMS.
 - b. Central District - Precinct 6.
 - c. Eastern District - Precinct 11.
 - d. Northeastern District - Precinct 8.
 - e. Northern District - Precinct 6.
 - f. Northwestern District - Precinct 4.
 - g. Southeastern District - Precinct 12.
 - h. Southern District - Precinct 1.
 - i. Southwestern District - Precinct 1.
 - j. Western District - Precinct 2.
 - k. Sheriff's Office - Precinct 1.
 2. Anne Arundel County:
 - a. Jennifer Road Detention Center - Precinct 1.
 - b. Northern District - Precinct 1.
 - c. Western District - Precinct 1.
 - d. Sheriff's Office - Precinct 1.
 - e. Southern District - Precinct 12.
 - f. Eastern District - Precinct 12.
 - g. Ordnance Road Correctional Center - Precinct 12.
 4. Howard County:
 - a. All locations - Precinct 2.
 5. Carroll County:
 - a. All locations - Precinct 3.
 6. Harford County:
 - a. All locations - Precinct 9.
 7. Maryland Transportation Authority:
 - a. BWI/Marshall Airport - Precinct 1.

- b. Ft. McHenry Tunnel, Harbor Tunnel, and Key Bridge - Precinct 11.
 - c. Bay Bridge - Precinct 1.
- 8. Maryland State Police:
 - a. Annapolis - Precinct 1.
 - b. Bel Air - Precinct 8.
 - c. Glen Burnie - Precinct 1.
 - d. Golden Ring - Precinct 11.
 - e. Pikesville Headquarters - Precinct 4.
 - f. Waterloo - Precinct 2.
 - g. Westminster - Precinct 3.
- Will assume responsibility for the arrest, transport, and housing of all suspects held outside this jurisdiction on Baltimore County warrants, as follows, when the Fugitive Team is not available and the other jurisdiction will not hold the individual until the Fugitive Team becomes available:
 1. Allegany County - Precinct 2.
 2. Calvert County - Precinct 1.
 3. Caroline County - Precinct 12.
 4. Cecil County - Precinct 9.
 5. Charles County - Precinct 1.
 6. Dorchester County - Precinct 12.
 7. Frederick County - Precinct 2.
 8. Garrett County - Precinct 2.
 9. Kent County - Precinct 12.
 10. Montgomery County - Precinct 1.
 11. Prince George's County - Precinct 1.
 12. Queen Anne's County - Precinct 12.
 13. Somerset County - Precinct 12.
 14. St. Mary's County - Precinct 1.
 15. Talbot County - Precinct 12.
 16. Washington County - Precinct 2.
 17. Wicomico County - Precinct 12.
 18. Worcester County - Precinct 12.
- Will handle all bail hearings, bail reviews, and prisoner processing for persons arrested by the Fugitive Team including those with a pre-set bail.
- Desk personnel receiving arrestees will notify:
 1. Case officers, if on duty.
 2. The Fugitive Team for extradition proceedings, if the individual was arrested on an out-of-state warrant.

4-3.3.2 FUGITIVE APPREHENSIONS

FUGITIVE TEAM

- Verifies through the Information & Records Management Section that the person is wanted in Baltimore County.

UNIT SUPERVISORS

- Obtain the warrant (original or copy) and contact the jurisdiction holding the wanted person to verify the arrestee's status.
- Dispatch Fugitive Team personnel to pick up the person in custody.
- Will make the final determination in deciding transport responsibility.

FUGITIVE TEAM MEMBERS

- Generally transport the person in custody to the closest precinct with the lowest number of housed prisoners. Other factors may influence the choice of precinct; however, the final decision rests with the Fugitive Team officer.
- Complete all required paperwork for the arrest (e.g., Form 166, supplemental report information, etc.) and obtain a copy of the person's criminal record. The desk officer will complete any information not available to the Fugitive Team officer during the booking process (e.g., bail hearing information, etc.) when it becomes known. The desk officer's supervisor will be responsible for the review and approval of all related paperwork for arrests of this type.
- Turn over the prisoner and completed paperwork to the desk officer's custody.
- Maintain an apprehension log that includes:
 1. Date call received.
 2. Agency calling.
 3. Wanted person's name.
 4. Warrant number and charge.
 5. Location of wanted person.
 6. Unit notified.
 7. Time notified.
 8. Officer's name and identification number.

4-3.3.3 EXTRADITION OF FUGITIVES

GENERAL

- All extradition proceedings will be handled by the CIB.
- Any officer delivering an accused person to the agent of a demanding jurisdiction without first taking such person before a judge of a court of record for a hearing is guilty of a misdemeanor.

EXTRADITION PROCESS

- Extradition authorizations must be obtained from the State's Attorney's Office.
- Telex messages, etc., will be forwarded to the Information & Records Management Section indicating whether Baltimore County will extradite a wanted person and, if so, from what state/jurisdiction.
- The warrant will be sent for service to the agency having jurisdiction in the area where a suspect is located.
- After arrest, suspects waiving extradition will be returned immediately.
- Suspects refusing to return will be placed on bond and an appeal to the Governor will be made.

4-4.0 SPECIAL ARREST PROCEDURES

4-4.1 FOREIGN NATIONALS, DIPLOMATIC AGENTS, CONSULAR OFFICERS, AND STAFF OF MISSIONS OF INTERNATIONAL ORGANIZATIONS

GENERAL

- Law enforcement contacts with Diplomatic Agents, Consular Officers, and Staff of Missions to International Organizations are sensitive situations.
- In all cases, including those in which an individual provides a U.S. Department of State issued identification card; immunity status will be verified with the U.S. Department of State.

FOREIGN NATIONALS

- Are defined as any person who is not a U.S. citizen, including legal aliens.
- Must be advised of their right to notification of their consulate if arrested or detained.
- In some instances, consulate notification is mandatory and is the responsibility of the detaining or arresting officer.

DIPLOMATIC MISSION PERSONNEL

- Are defined as:
 1. Diplomatic Agents and Family Members - are protected by immunity from arrest, detention, search, or prosecution with respect to any criminal offense.
 2. Members of Administrative and Technical Staff and Family Members - are protected by immunity from arrest, detention, search, or prosecution with respect to any criminal offense.
NOTE: Administrative and technical staff members and family of diplomatic agents have no privileges and/or immunities if they are U.S. citizens, legal permanent residents, or foreign nationals permanently residing in the United States.
 3. Members of Service Staff - have official acts immunity only.
NOTE: Family members of Service Staff have no privileges or immunities.
- For the purposes of this section only, family members are defined as:
 1. Spouses.
 2. Children under 21 years of age.
 3. Children under 24 years of age who are full-time students.

CONSULAR POST PERSONNEL

- Consular Post personnel are defined as follows:
 1. Consular Officers - are official representatives of foreign governments, have official acts immunity only, and are not liable to arrest or detention pending trial, except in cases of a felony and pursuant to a warrant issued by a competent judicial authority.
 2. Consular Employees - perform administrative and technical support for the consular post and have official acts immunity only.
 3. Consular Service Staff - do not have any immunity of any kind.
 4. Honorary Consuls - American citizens or permanent resident aliens who perform consular services on a part-time basis have official acts immunity only.
- Family members of Consular Officers, Consular Employees, and Consular Service Staff do not have any immunity of any kind.
- Consular employees and staff who are foreign nationals or permanent residents of the United States do not have immunity of any kind.

STAFF OF MISSIONS TO INTERNATIONAL ORGANIZATIONS

- Only diplomatic-level staff of missions to international organizations have full diplomatic immunity from criminal prosecution.
- Other staff and family members do not have any immunity of any kind.

INVESTIGATING OFFICERS

- When called to the scene of a criminal incident involving a person claiming immunity, must verify the status with the U.S. Department of State or the U.N. Mission to the United States.
- May detain persons unable to produce satisfactory identification until identity is confirmed.
- Notify a supervisor to respond to the scene.
- Prepare the appropriate incident report using the appropriate offense codes, including detailed circumstances in the *Narrative* tab.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

SUPERVISORS

- Must respond to the scene of any criminal incident involving a person claiming immunity.
- Ensure that satisfactory identification and verification is obtained.
- Approve reports of criminal incidents.
- Make appropriate departmental notifications.
- Ensure that approved reports are distributed to appropriate authorities before ending their tour of duty.

REFERENCES

- [Annotated Code of Maryland.](#)
- [Diplomatic and Consular Immunity, Guidance for Law Enforcement, and Judicial Authorities, U.S. Department of State.](#)
- Field Manual, Article 2 (Traffic Procedures).
- [U.S. Department of State Consular Notification and Access Booklet.](#)

4-4.2 SCHOOL NOTIFICATION FOR ADULT STUDENTS

SCHOOL NOTIFICATION

- Notification to the school superintendent/administrator of the appropriate public or private school system is required within 24 hours, or as soon as practicable, when an adult student (age 18 to 21) currently enrolled (includes students on summer vacation) in any school system is arrested and/or charged with any one of the following criminal offenses as found in the Annotated Code of Maryland under:
 1. Courts and Judicial Proceedings Article - Jurisdiction of Court - §3-8A-03.
 2. Criminal Law Article - Crimes of Violence - §14-101.

NOTE: Refer to the Field Manual, Article 3 (Juvenile Procedures) for a complete list of offenses.
- The charging officer will:
 1. Obtain the name of the school and the jurisdiction that the adult student attends.
 2. Verify enrollment, through the Safe Schools Facilitator, when a young adult arrestee denies being enrolled in a public school and the officer has reason to believe otherwise.
 3. Place the information in the appropriate blocks on the Form 166, as applicable.
 4. Place "School Notification Case" in the *Arrest Narrative* field of the arrest record.
 5. Inform the Information & Records Management Section that this is a school notification case.

SAFE SCHOOLS FACILITATOR

- Will check with the public school system during normal business hours to verify whether or not the young adult in question is enrolled in a Baltimore County public school.

INFORMATION & RECORDS MANAGEMENT SECTION

- Forwards a form letter containing the student's name and the reportable offense to the appropriate school superintendent/administrator's office or designated school personnel. Baltimore County school notifications will be forwarded to the Safe Schools Facilitator.
- Retains a copy of the letter and fax confirmation of the notification.

4-4.3 ARREST OF ALIENS/NONCITIZENS

ARRESTING OFFICERS

- Will only notify the U.S. Immigration and Customs Enforcement (ICE) of arrests of aliens/noncitizens when an immigration violation related response is received from the National Crime Information Center (NCIC) in reference to the subject.
NOTE: Notification will be made to the ICE Law Enforcement Support Center (LESC) as soon as possible, when required.
- When notification of ICE is required:
 1. Provide the LESL with the:
 - a. Name of the subject arrested.
 - b. Date and place of birth.
 - c. Charge, UID number, and date of arrest.
 - d. Registered Alien File Number (on the alien's green identification card).
 2. State in the *Arrest Narrative* block of the EBooking record the fact that the person arrested is an alien/noncitizen and the name of the LESL staff member contacted, date and time contacted, and Registered Alien File Number, if available.

NOTE: See Field Manual, Article 1, Section 3.10.2, for procedures in reference to immigration violation related responses from NCIC.

4-4.4 ARREST OF FOREIGN NATIONALS

ARRESTING OFFICERS

- Properly inform the detainee of their right to have their government notified.
- Notify the appropriate consulate/embassy and document the notification on the Form 166, if the:
 1. Detainee requests notification to be made.
 2. Country in question requires mandatory notification.
- Allow consular officers to visit, converse, correspond with, or arrange legal representation for detained/confined foreign nationals.

4-4.5 ARREST OF A SUBJECT WITH A MENTAL ILLNESS

ARRESTING OFFICERS

- Determine whether there is probable cause to believe that the subject has the symptoms of a mental illness.
- Notify their immediate supervisor of the circumstance and the mental condition of the subject immediately after the arrest.
- Ensure the subject is processed as in any other arrest situation. However, if the subject would be upset by processing, photographs and fingerprints will not be taken.
- Transport the subject for a bail hearing. If the subject can:
 1. Make bail at the time of the hearing, the officer will immediately determine if the subject meets the criteria for an emergency evaluation.
 2. Not make bail, the court commissioner will write a "Notice to the Warden."
- With permission of a supervisor, transport subjects unable to make bail to the proper medical facility for an emergency evaluation.
- Post-examination, transport the subject and the "Notice to Warden" to the Detention Center.

- If the subject is certified as having a mental illness and needs in-patient care or treatment, the doctors' certificates will also be turned over to the Detention Center, where personnel will record the subject's information in the jail docket and issue a detainer for the subject. The subject, detainer, and doctors' certificates will then be transported and turned over to the proper institution. The officer will request a receipt for the subject, which will be forwarded to the Information & Records Management Section and a copy retaining in the precinct files.

NOTE: Place the CC number on the upper right corner of the receipt.

4-4.6 ARREST OF HANDICAPPED PERSONS

GENERAL

- All arrested handicapped individuals, who are confined to a wheelchair or who require special handicapped accessible facilities, will be taken to Precincts 2, 3, 4, 6, 8, 9, or 12 for processing. Arresting officers will notify their shift supervisors and the receiving precinct.
- All medical equipment required by the arrested individual will be transported with the subject to the precinct (e.g., wheelchairs, crutches, etc.).
NOTE: The use of a Prisoner Transport Vehicle should be considered.
- Handicapped individuals detained before or after the bail hearing/review will be housed at the precinct where processed.
NOTE: The use of restraining devices on handicapped prisoners will be determined on an individual basis.
- Immediately after the bail hearing, the Baltimore County Detention Center will be notified of the handicapped individual's: name, charges, bail amount, physical condition, and the need to be given priority placement in the jail.

4-4.7 ARREST OF MILITARY PERSONNEL

GENERAL

- In cases in which a military or civilian member of the United States Army, Navy, Air Force, Marine Corps, Coast Guard, or Department of Defense (DOD) is arrested, the desk officer of the precinct in which the arrest is made will notify the military police at Fort George Meade.
- In order to obtain custody of military personnel from a military installation, the commander of the precinct/division wanting the subject will have the following prepared and forwarded to the CIB:
 1. Form DC/CR3, Arrest Warrant, Form DC/CR6, Arrest Warrant on Charging Document, and a copy of the original incident report.
 2. A report showing the maximum penalty for the crime committed and all available information regarding the wanted person and their whereabouts.

CRIMINAL INVESTIGATIONS BUREAU (CIB)

- Obtains a certified copy of the warrant forms.
- Delivers the reports and forms to the military installation where the subject will be placed under military arrest.
- Takes the prisoners into custody and delivers them to the precinct/division requesting the arrest.

4-4.8 ARREST OF MEMBERS OF OTHER LAW ENFORCEMENT AGENCIES

DEPARTMENT MEMBERS

- Notify their shift commander immediately when arresting a member of another criminal justice agency (e.g., correctional institution, police department, etc.).

SHIFT COMMANDERS

- Notify the other agency if the arrested individual is:
 1. Sworn, in all instances.
 2. Non-sworn, if they are employed in a sensitive position.

4-4.9 ARREST OF BALTIMORE COUNTY GOVERNMENT EMPLOYEES

GENERAL

- Officers arresting Baltimore County government employees will notify their shift commanders and the 9-1-1 Communications Center.
- The 9-1-1 Communications Center will check the County government notification list to determine if the employee's agency desires notification. If so, the agency contact will be advised of the name and telephone number of the shift commander.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution for cases involving Baltimore County Public School Employees arrested or charged with any crime.

VEHICLE STATUS

- If the arrestee was driving a Baltimore County vehicle and the vehicle:
 1. Is legally parked, the arrestee may decide to secure and leave the vehicle.
 2. Must be removed:
 - a. Other employees available within a reasonable time may remove the vehicle.
 - b. The vehicle may be towed and stored by the County tow truck, if available, within a reasonable time.
 - c. If the Baltimore County tow truck is not available or if the vehicle is too large to be towed by a County tow truck, the closest licensed tow truck will be used.

4-4.10 ARREST OF ON-DUTY BALTIMORE GAS AND ELECTRIC (BGE) EMPLOYEES

GENERAL

- Officers arresting on-duty Baltimore Gas and Electric (BGE) employees, will notify the BGE Supervisor of Security prior to the arrest, when possible. Arrangements will be made by BGE security personnel to bring the subject into the BGE office where the arrest can be made.
- Officers making an "on-view" arrest of a BGE employee will have the precinct desk officer notify the BGE Supervisor of Security.
- Should an arrest be made at a work site when there are no other BGE employees present, the supervisor of the arresting officer will have another officer report to the scene to wait for responding BGE employees.
- Unless an emergency condition exists, an arrestee's BGE vehicle will not be left on the street unmanned or towed by a tow service within Baltimore County. The vehicle should be released to BGE personnel.
- Should BGE employees be present, the Form 166 narrative will:
 1. Not reflect the vehicle information, unless pertinent to the incident.
 2. Reflect the name of any employee present at the scene.

4-4.11 ARREST FOR SERIES OF CRIMES

GENERAL

- When a defendant is arrested for a series of crimes committed in more than one precinct, charges will be processed in one of the precincts in which any one of the crimes was committed, so that one judge may dispose of all offenses charged against the prisoner.
- If the arrest is made in a precinct having no complaint against a defendant, the prisoner will be charged in the precinct having the greatest number of complaints, or by the CIB.
- Arresting members will ensure the *Disposition* field of the *Administrative* tab, and arrestee information on the *Offenders* tab, is updated in the Case Report for each CC number being cleared by the arrest.
NOTE: “Count Arrestee” will be selected from the *Multi-Clearance* field for the case in which the suspect is arrested. Additional related cases being cleared by the arrest will be documented by selecting “Multiple Cases Cleared” from the *Multi-Clearance* field.

4-4.12 ASSISTING OTHER JURISDICTIONS

GENERAL

- If assistance is given to other Maryland police authorities in arresting subjects within Baltimore County and the subject is:
 1. Not wanted in Baltimore County, the Form 166 may be completed at the scene and the subject turned over to the other authority.
 2. Wanted in Baltimore County, the subject will be transported to the station where arrest processing and subsequent bail hearing/review will be conducted, if required.**NOTE:** Upon surrender of a prisoner to another police agency, the name and identification number of the officer receiving custody of the prisoner, the date, and the time the prisoner was received will be noted in the *Custody* tab of the Form 166.
- If assistance is given to a police authority from outside of Maryland, the arrestee will be transported to the appropriate Baltimore County precinct and extradition procedures initiated.
- A properly identified federal, state, or local law enforcement officer of another jurisdiction, with custody of a prisoner in Baltimore County, may request prisoner processing and/or housing prisoners, when necessary. Members will assist with these requests whenever possible. In this instance, the:
 1. Requesting officer must provide positive identification indicating he/she is a federal, state, or local law enforcement officer and show satisfactory written evidence (e.g., charging document, warrant, executive authority, etc.) of lawful detention.
 2. Prisoner(s) will be incarcerated in Department facilities, in accordance with Maryland law and Department procedures.
 3. Desk officer will be responsible for fingerprinting and photographing, and will record the prisoner’s name on a Form 166 as “Detention O.J.” for the authority concerned. The requesting law enforcement officer’s name, title, identification number, assignment, and contact number will be recorded in the *Arrest Narrative* field of the Form 166.
 4. Prisoner(s) will be transported to bail hearings, medical facilities, etc., by the requesting agency.
EXCEPTION: When circumstances arise beyond their control, a Department member will transport the prisoner at the discretion of the shift/unit commander.
- If the subject was arrested in the State of Maryland for a qualifying crime and requires collection of a DNA sample, the Maryland agency where the prisoner is processed will complete the requirements.

REFERENCES

- [Annotated Code of Maryland](#).
- Field Manual, Article 3 (Juvenile Procedures).

4-5.0 ARREST PROCESSING PROCEDURES

GENERAL

- When an arrestee is returned to a precinct for processing, the precinct desk officer will make a wanted check through the District Court of Maryland on-line criminal system, Maryland Interagency Law Enforcement System (MILES), Maryland Electronic Telecommunications Enforcement Resource System (METERS), the Department's Records Management System (RMS), etc., for existing warrants prior to the defendant's bail hearing.
- The desk officer will query the Maryland Automated Firearms Services System (FS00) to determine if the arrestee has a valid handgun permit.
NOTE: If it is determined that the arrestee has a valid handgun permit, the desk officer will provide this information to the arresting officer, and the arresting officer will contact the Maryland State Police Licensing Division.
- When a suspect is detained for an extended period of time during an investigation, the arrest record will be retained at the precinct/division level until the suspect is charged or released without charge.
- Persons arrested will be taken for a bail hearing without unnecessary delay and within 24 hours of the time of arrest. All related paperwork (e.g., detainers, commitment papers, medical records, etc.) will be held in a folder at the precinct for distribution upon disposition of the prisoner (e.g., emergency facility, detention center, etc.).
- The arresting officer does not have to be present at the bail hearing but will have prepared a complete, and signed charging document, and contacted the court commissioner for a trial date.
- When an arrest is made and the case sent to court, all witnesses in the case will be listed on the last page of the statement of probable cause under the heading "Witnesses to Be Summoned".
- The squad supervisor will review and sign the last page of the statement of probable cause to ensure only essential officers are listed as "Witnesses To Be Summoned" and sufficient court dates are supplied.
- When arrest reporting is required for the National-Incident Based Reporting System (NIBRS), the arresting officer will ensure the arrest information is appropriately documented by updating the *Disposition* field on *Administrative* tab and the arrestee information on the *Offenders* tab of the Case Report (i.e., in the initial Case Report or via a subsequent version of the Case Report).
- When a suspect charged as an adult is later identified as a juvenile, the shift commander will ensure that:
 1. A Form 12L, Intra-Department Correspondence, detailing the incident is sent to the Legal Section for notification of the State's Attorney's Office.
 2. The appropriate charging documents and custody forms are completed.
 3. Juvenile incarceration procedures are initiated immediately.
 4. An arrest record is initiated in the juvenile EBooking system.
 5. The appropriate information is updated in a subsequent version of the Case Report.
- Officers releasing subjects without charge, arrested on probable cause will:
 1. Complete an EBooking arrest record.
NOTE: The officer will contact the Information & Records Management Section to request completion of the *UID/JID* and *Confirmed by* fields.
 2. Not fingerprint/photograph the subject unless needed for immediate investigative purposes (e.g., elimination, etc.).

- When charging an adult for a crime the subject committed as a juvenile, the officer will contact the Information & Records Management Section for proper EBooking procedures.

REFERENCES

- Field Manual, Article 3 (Juvenile Procedures).
- Field Manual, Article 8 (Report Writing).

4-5.1 FELONY ARRESTS

STATE'S ATTORNEY'S OFFICE

- Will contact officers and schedule appointments, as needed, to review cases.

SHIFT COMMANDERS

- Review and place the fax into a three ring binder to be held for 30 days.
- Check the list daily and schedule an appointment for the listed officers, preferably while the officer is working. If absolutely necessary, a telephone interview may be used when an officer is off duty.
- Place their initials and the appointment date/time on the fax.
- Notify the officers of their appointment date/time.

PRIMARY INVESTIGATORS

- Respond to the Felony Complaint Review Unit at the State's Attorney's Office at the designated time.
- Comply with an Assistant State's Attorney's requests for additional investigation or evidence collection.
- Document additional investigation to ensure complete case preparation for trial.
- Submit a Form 12L, along with a copy of the Felony Complaint Notice Form, to the Legal Section, if disagreeing with the comments or decisions of the Assistant State's Attorney.

4-5.2 TRAFFIC-RELATED ARRESTS

ARRESTING OFFICERS

- Refer to Article 2 (Traffic Procedures) for related procedures.
- Complete a Form 166.
NOTE: The *UID*, *SID*, and *Confirmed by* fields will be entered into the arrest record by the Information & Records Management Section (IRMS) upon receipt of a confirmation e-mail from the Department of Public Safety and Correctional Services (DPSCS).
- Complete a Form DC/CR4, Statement of Probable Cause. The original and five copies will accompany the arrestee to his/her bail hearing.
- Complete any related ETix Citation(s) or traffic citation(s).
NOTE: Officers using the ETix system will print and submit one copy of the ETix Citation for the arrestee's bail hearing. Officers completing handwritten traffic citations will submit all copies of the issued citations for the arrestee's bail hearing.
EXCEPTION: Officer's copies of handwritten citations.
- Complete a Case Report using the appropriate offense codes (e.g., "Traffic Arrest Non-DUI," "Traffic Driving While Intoxicated," etc.).
NOTE: All appropriate arrestee information must be documented on the *Offenders* tab.
- When criminal charges also exist, complete a Statement of Charges Form DC/CR2. In this instance:
 1. Probable cause for the traffic and criminal violation(s) will be included on the Form DC/CR4.

2. The court commissioner will retain the court copies of the traffic citations, which will be given to the court commissioner at the bail hearing.

SUPERVISORS

- Upon return of an arrestee's paperwork from a bail hearing will:
 1. Forward a copy of the Form DC/CR2, a copy of the Form DC/CR4, and all remaining handwritten citation copies to the IRMS, if applicable.
 2. File a copy of the Form DC/CR2, and a copy of the Form DC/CR4, in the precinct/section files, if applicable.

4-5.2.1 DUI ARRESTS

RELEASE OF ARRESTEE

- When a DUI arrestee is a Maryland resident, they may be released:
 1. If it is believed they will appear in court.
 2. To a responsible, sober adult willing to take responsibility for the arrestee.
- A person may not be released if any of the following conditions exist:
 1. A complete record check of the arrestee via the Motor Vehicle Administration (MVA), local records, and/or MILES/NCIC, indicates a prior DUI, failure to appear offenses, or outstanding warrants.
 2. Means of checking the defendant's record are not immediately available.
 3. There are associated charges which require an appearance in court.
- The release of an arrestee to a responsible adult will be at the discretion of the arresting officers and requires the approval of their supervisor and shift commander. If the responsible adult cannot respond within two hours of notification, the defendant will be transported for a bail hearing.
- Supervisory personnel will exercise discretion, considering the best interest of the accused and public safety in general, prior to authorizing release of the arrestee.
- In cases where the accused is to be released to a sober adult the:
 1. Arresting officer will:
 - a. Read the accused the information contained on the Form 142, Notice to DUI Defendant.
 - b. Afford the accused the opportunity to read the information contained in the notice.
 - c. Provide the arrestee with copies of all of the required paperwork for the arrestee's initial appearance in front of a court commissioner upon release from custody (e.g., traffic citations, Notice to Appear form, etc.).
 2. Arrestee will be advised that signing the Form 142 is only an indication that the information was read to them and in no way constitutes an admission of guilt on their part.
 3. Arresting officer and accused will sign the Form 142.
- Supervisors will ensure arrestees are not released until:
 1. All required paperwork has been completed by the arresting officer.
 2. The arrestee has been provided copies of all documents needed for his/her initial appearance in front of a court commissioner.
- A supervisor must sign the Form 142 verifying that the defendant is eligible for release.
- Copies of the Form 166 and Form 142 will be included in the DUI Arrest packet and forwarded to the Chemical Test for Alcohol Team.
- The shift/unit commander may deviate from the DUI release policy in cases where compelling circumstances exist (e.g., hospitalization of arrestee, etc.) provided that the arrestee's:
 1. Identity has been established via photo identification.
 2. Permanent Maryland address has been verified.
- The shift/unit commander will document the reason for deviation from the policy in the Arrest tab of the EBooking record and will sign the Form 142 in lieu of the supervisor.

REFERENCE

- Field Manual, Article 2 (Traffic Procedures).

4-6.0 CRIMINAL/CIVIL CITATIONS

GENERAL

- Citations will be issued based on probable cause that the cited violation has occurred and in accordance with existing law, and the race/ethnicity or gender of an alleged violator shall play no role in an officer's decision on whether to issue or not issue a citation or make an arrest.
- Nothing in this policy shall be construed to alter the authority of an officer to make an arrest, conduct a search or seizure, or fulfill his/her law enforcement obligations.
- Officers may not conduct a search incident to arrest of a subject charged by a citation and released from the scene.
- Officers may seize any evidence needed to substantiate the charge if the evidence is discovered in plain view, during a search conducted incident to arrest, or with a valid consent. Evidence seized relating to a citation will be properly packaged and sent to the Evidence Management Unit.
- Only one CC number is needed per incident, regardless of the number of defendants.
- An incident report will be written when a citation is issued.
NOTE: "Citation" will be selected from the *Disposition* field on the *Administrative* tab. The subject who is cited will be listed as an arrestee on the *Offenders* tab and "Summoned/Cited" will be selected from the *Arrest Type* field.
- A Form DC/CR4, Statement of Probable Cause, must be completed for each citation issued and attached to the citation.
- One Form DC/CR4 will suffice for incidents involving both criminal and civil charges.
- Officers do not schedule trial dates, but must mark blocks stating a court date will be set.

VOIDING

- If an error is made in the completion of the citation, it may be destroyed.
EXCEPTION: If the defendants have received their copies, they may be nolle-prosequi by an Assistant State's Attorney. The nolle-prosequi request will be made via a Form 12L, forwarded through the chain-of-command, to the Legal Section.

4-6.1 CRIMINAL CITATIONS

GENERAL

- If the defendant is being charged with a qualifying offense and all of the criteria for charging a defendant via a criminal citation are met, then a criminal citation:
 1. Is required to be issued for certain offenses, or
 2. May be issued, for offenses listed where a citation is not required.**NOTE:** See information below identifying offenses that are required to be charged via a criminal citation and those that may be charged via a criminal citation.
- Officers charging a defendant via a criminal citation will either issue a citation in lieu of making an arrest, or make an arrest and subsequently issue a citation in lieu of continued custody, provided that all of the criteria for charging on a citation are still present.
- A criminal citation may only be issued if the defendant is an adult.
- Officers who do not have grounds for a warrantless arrest will not arrest defendants or lodge charges via a criminal citation or a Form DC/CR2, Statement of Charges. The officer must either refer the victim/complainant to the District Court Commissioner or complete a Form DC/CR1, Application for Statement of Charges, for prosecution.

- If a defendant has committed a qualifying offense that is required to be charged via a citation, but does not meet all of the criteria for charging on a criminal citation, the defendant will be arrested and charged on a Form DC/CR2. The reason for not charging via a criminal citation must be explained in the Statement of Charges and report narrative (e.g., defendant could not be identified; defendant was subject to arrest based on an outstanding arrest warrant, etc.).
- Defendants transported to a police facility will be photographed and fingerprinted and an EBooking arrest record will be completed prior to them being released.
- Defendants charged via a criminal citation will not be taken for a bail hearing.
- Refer to the Criminal Citation List for charging information including charging language.

OFFENSES REQUIRED TO BE CHARGED VIA A CRIMINAL CITATION

- Possession of marijuana (Criminal Law Article § 5-601).
NOTE: Refer to the Criminal Citation List and the Civil Citation List for charging purposes related to the amount of marijuana in possession.
- Any misdemeanor or local ordinance violation that does not carry a penalty of imprisonment.
- Any other misdemeanor or local ordinance violation not involving serious injury or an immediate health risk for which the maximum penalty is imprisonment of 90 days or less.

EXCEPTIONS:

1. Failure to comply with a peace order (Courts Article § 3-1508).
2. Failure to comply with a protective order (Family Law Article § 4-509).
3. Violation of a condition of pretrial or post trial release (Criminal Procedure Article § 5-213.1).
4. Possession of an electronic control device after conviction of a drug felony or crime of violence (Criminal Law Article § 4-109(b)).
5. Violation of an out-of-state domestic violence order (Family Law Article § 4-508.1).
6. Abuse or neglect of an animal (Criminal Law Article § 10-604).

OFFENSES THAT MAY BE CHARGED VIA A CRIMINAL CITATION

- Sale of an alcoholic beverage to an underage drinker or intoxicated person (Alcoholic Beverages Article § 6-304, § 6-307, § 6-308, or § 6-309).
- Malicious destruction of property if the damage is less than \$500 (Criminal Law Article § 6-301).
- Misdemeanor theft (Criminal Law Article § 7-104 (g)(2)).
- Possession of a controlled dangerous substance other than marijuana (Criminal Law Article § 5-601).

CRITERIA FOR CHARGING BY A CRIMINAL CITATION (ALL MUST BE MET)

- The officer is satisfied with the defendant's evidence of identity.
- The officer reasonably believes that the defendant will comply with the citation.
- The officer reasonably believes that the failure to charge on a statement of charges will not pose a threat to public safety.
- Defendant is not subject to arrest:
 1. For an alleged misdemeanor involving serious injury or immediate health risk or an alleged felony arising out of the same incident; or
 2. Based on an outstanding warrant.
- The defendant complies with all lawful orders by the officer.
- Officer has grounds for a warrantless arrest.

CRIMINAL CITATION COMPLETION INSTRUCTIONS

- Complete the identification blocks as required.
NOTE: Race will be indicated by letter code.
- If the recipient refuses to sign, they will be arrested. The citation will be marked “refused to sign” and will be submitted to the Evidence Management Unit. The *Narrative* tab of the incident report will contain the fact that a citation was issued but the defendant refused to sign.
- The CC number will be written above the words “Uniform Criminal Citation.”
- For citations issued for alcohol violations, write the words “Liquor Board” above the CC number on the citation and place the liquor license information on the first line of the DC/CR4, Statement of Probable Cause, and in the *Narrative* tab of the incident report.
- Print the witness list on the reverse side of the white (Court Copy) and in the Statement of Probable Cause.

DEFENDANT DOCUMENT DISTRIBUTION

- Citation (Canary Copy).
- Form DC/CR4.
NOTE: If the defendant is no longer in custody, the document will be mailed to his/her address.
- The “Important Notice” form advising the defendant of his/her rights to an attorney or public defender.

CRIMINAL CITATION DISTRIBUTION

- White and green copies - Information & Records Management Section.
- Canary copy - to the defendant.
- Pink copy - retained by the officer.

INFORMATION & RECORDS MANAGEMENT SECTION

- Forwards a copy of all criminal citations involving licensed liquor establishments to the Liquor Board.
- Responsible for the statistical data collection and annual reporting to the Maryland State Police.

INFORMATION & RECORDS MANAGEMENT SECTION COMMANDER

- Reviews annually the data collected by the Information & Records Management Section for the detection of patterns indicating discriminatory enforcement.
- Reviews the annual report of the Maryland Statistical Analysis Center for patterns indicating discriminatory enforcement.

REFERENCES

- Criminal Citation List.
- Criminal Procedure §4-101.
- CALEA, Chapter 1.

4-6.2 ADULT AND JUVENILE CIVIL CITATIONS

APPLICABLE LAWS

- Annotated Code of Maryland, Alcoholic Beverages Article.
- Annotated Code of Maryland, Criminal Law Article.
- Annotated Code of Maryland, Education Article.
- Annotated Code of Maryland, Family Law Article.
- Annotated Code of Maryland, Public Safety Article.

- Baltimore County Code.

GENERAL

- Adults and juveniles will only be arrested for these offenses if they:
 1. Refuse to give necessary identification and are being charged under Criminal Law Article 10-113 through 10-120 or Education Article 26-103; or

NOTES:

 - a. Suspects arrested for refusing to provide necessary identification will be issued a criminal citation charging them with a violation of Criminal Law Article 10-120 in addition to the civil citation(s).
 - b. Necessary identification does not always require a photo identification, rather, just an ability to identify the subject (refer to Field Manual, Article 4, Section 1.1).
 2. Falsely identify themselves.

NOTE: Suspects arrested for falsely identifying themselves will be charged via a DC/CR 2, Statement of Charges, in addition to the civil citation(s).
- If the subject gives false information, the person can be criminally charged under Criminal Law Article § 9-501 (i.e., false statement to a law enforcement officer) in addition to the civil citation.
- Officers cannot compel a person to present his/her identification to complete a civil citation for a marijuana-related violation (Criminal Law Article § 5-601).
- Officers cannot effect an arrest for refusal to sign a civil citation.
- Officers may not use a civil offense as the basis to search an individual without a warrant or valid consent.
- Officers may issue a civil citation if they witness the offense or if they are given sufficient information from a complainant.
- Officers will issue a criminal citation for violations of open alcoholic beverage container laws instead of a Maryland Civil Citation.
- If non-alcohol violations are involved, a citation will be issued for the alcohol violation and the other charges will be handled separately. The same CC number may be used.
- The citation must indicate the fine that may be imposed.
- Refer to the Civil Citation List for charging information including charging language.
- If the subject is under 18, a Uniform Juvenile Civil Citation may be issued.

REFERENCES

- Civil Citation List.
- Field Manual, Article 4 (Arrest, Custody, and Court).

4-6.2.1 ADULT CIVIL CITATIONS

GENERAL

- Under the Servicemembers Civil Relief Act, 50 U.S.C. §§ 3901-4043, United States service members cannot be issued a Uniform Civil Citation. Officers should ascertain the service member's name, rank, and the contact information for their commanding officer and make the proper notifications.

ADULT CIVIL CITATION COMPLETION INSTRUCTIONS

- Complete the identification blocks as required.

NOTE: State of Maryland racial designation codes will be used.
- Enter the CC number next to the pre-printed number.
- If a citation is related to a licensed liquor establishment, write the words "Liquor Board" by the CC number and place the liquor license information on the first line of the DC/CR4, Statement of Probable Cause, and in the *Narrative* tab of the incident report.

- Only one charge may be placed on a citation.
- County/Municipality - enter "Balto. Co."
- Agency - enter "Balto. Co. PD."
- Related Citations - enter the number from any related Maryland Uniform Criminal/Civil Citation or any related traffic citation numbers.
- Refer to the Civil Citation List for charging information including charging language.
- Document - enter the reference document used (e.g., Criminal Law Article, etc.).
- Print the witness list on the reverse side of the white copy of the citation and in the Form DC/CR4A.

ADULT CIVIL CITATION DISTRIBUTION

- White/green/pink copies – Information & Records Management Section.
- Yellow - defendant.
- Goldenrod - retained by officer.

REFERENCE

- Civil Citation List.

4-6.2.2 JUVENILE CIVIL CITATIONS

CITATION COMPLETION INSTRUCTIONS

- Complete the identification blocks as required.
NOTE: State of Maryland racial designation codes will be used.
- Enter the CC number next to the pre-printed number.
- If a citation is related to a licensed liquor establishment, write the words "Liquor Board" by the CC number and place the liquor license information on the first line of the DC/CR4, Statement of Probable Cause, and in the *Narrative* tab of the incident report.
- Only one charge may be placed on a citation.
- Driver's License Number, State - For juveniles age 16 or 17 who possess a driver's license.
- County/City - enter "Balto. Co."
- Agency - enter "Balto. Co. PD."
- Related Citations - enter the number from any related Maryland Uniform Criminal/Civil Citation or any related traffic citation numbers.
- Place the Contact number and JID number in the upper left portion of the citation.
- In cases in which a juvenile is eligible for release at the scene of the offense, the juvenile civil violation citation does not have to be signed by the juvenile's parents or guardian. The parents or guardian will be contacted by telephone within 48 hours. If notification is unsuccessful within 48 hours, the investigating officer will send a certified letter advising them of the situation. The method of notification will be reflected in the *Narrative* tab of the incident report.
- Refer to the Civil Citation List for charging information including charging language.
- Print the witness list on the reverse side of the white copy of the citation and in the DC/CR4A.

REPORTING

- Complete a Form 117 in EBooking.
NOTE: Contact the Information & Records Management Section to request completion of the *JID* and *Confirmed by* fields in the EBooking arrest record.
- Complete the *Booking Type* field in EBooking as "Child In Need of Supervision (CINS)."
- Complete the *Final Custody Status* field in EBooking as "Referred to Juvenile Offenders In Need of Supervision (JOINS)."

- Complete a Form 117R.
NOTE: “Juvenile Civil Citation” and the appropriate charges (e.g., Juvenile Civil Citation – unlawful possession of an alcoholic beverage, etc.) must be listed as the reason in custody on the Form 117R.

SUPERVISORS

- Review and approve the citation, Form 117, Form 117R, and related paperwork submitted by the charging officer.
- Forward all copies to JOINS.

JOINS OFFICERS

- Review cases for the juvenile’s eligibility in the JOINS Program.
- Forward cases to the Department of Juvenile Services should juvenile(s) not be eligible for the JOINS Program.

CITATION DISTRIBUTION

- White - to Information & Records Management Section.
- Green - to Precinct JOINS Officer.
- Pink - Juvenile.
- Yellow - Juvenile’s parent/legal guardian.
- Goldenrod - retained by officer.

REFERENCES

- Civil Citation List.
- Field Manual, Article 3 (Juvenile Procedures).

4-7.0 REPEAT OFFENDERS

GENERAL

- A Violent Crime Repeat Offender is any person charged as an adult for an offense defined as a Crime of Violence under the Annotated Code of Maryland, Criminal Law Article, Section 14-101, and who is eligible for mandatory sentencing.
- A Narcotic Repeat Offender is any person charged as an adult for a Controlled Dangerous Substance (CDS) offense defined under Criminal Law Article, Section 5-101 and Subtitle 6.
- When a person is arrested for one of the previously mentioned charges, the arresting officer will contact the Repeat Offender Team (ROT). If the ROT is closed, the arresting officer will leave a voice mail message.

REPEAT OFFENDER TEAM

- Monitors all identified repeat offenders in Baltimore County.

CRIMINAL APPREHENSION SUPPORT TEAM

- Is responsible for the surveillance and apprehension of identified violent and/or career criminals.

REFERENCES

- Administrative Manual, Article 5 (Department Organization).
- [Annotated Code of Maryland, Criminal Law Article.](#)

4-8.0 DETENTION AND REMOVAL ORDERS

4-8.1 EMERGENCY EVALUATIONS

GENERAL

- Emergency evaluations may be:
 1. Petitioned and certified by a peace officer (e.g., sheriff, state police officer, county police officer, etc.).
 2. Petitioned and certified by a medical authority (e.g., physician, psychologist, clinical social worker, etc.).
 3. Petitioned by an individual who is not a peace officer or medical authority, and certified by a judge.

NOTE: Refer to the Annotated Code of Maryland, General Health Article, for a current list of persons who are qualified to petition for an emergency evaluation.
- Upon notification that a court ordered emergency evaluation has been issued:
 1. An officer will be dispatched to the court to pick up the petition, as soon as possible.
 2. The petition will be transported to the appropriate precinct for service.
 3. The precinct desk officer will:
 - a. Ensure the appropriate entry is made into the Civil Order Record Book.
 - b. Attach a Form 132, Control Sheet, to the petition.
 - c. Conduct background and firearms checks on the subject, noting the results on, and attaching all relevant documents to, the Form 132.
 - d. Give the petition to the appropriate squad supervisor for assignment.
- Emergency evaluations that are petitioned and certified by a peace officer or a medical authority and cannot be immediately served will be transported to the appropriate precinct, where the precinct desk officer will:
 1. Ensure the appropriate entry is made into the Civil Order Record Book.
 2. Attach a Form 132 to the petition.
 3. Conduct background and firearms checks on the subject, noting the results on, and attaching all relevant documents to, the Form 132.
 4. Give the petition to the appropriate squad supervisor for assignment.

NOTE: Non-court ordered emergency evaluations that are immediately served do not require entry into the Civil Order Record Book, completion of a Form 132, etc.
- The emergency petition will serve as a detainer until the:
 1. Individual is admitted to an appropriate mental health facility;
 2. Individual is found by an examining physician to not meet the requirements for involuntary admission; or
 3. Petition is returned to the court.

INTOXICATED EVALUEES

- Will not be transported to a crisis center hospital for psychological evaluation.
- Will be given a preliminary breath test (PBT).
- With a PBT blood alcohol content in excess of 0.04, will not be taken for an emergency evaluation.
- Who refuse the PBT, will be taken to the crisis center after their physical condition and actions indicate their intoxication has diminished to an acceptable level.
- Who must wait for an evaluation due to intoxication, will be placed in an area of constant observation until taken for the evaluation.

ASSISTANCE TO SOCIAL SERVICES

- When a representative of the State of Maryland Social Services Administration believes that an individual has a mental disorder and an emergency exists, they call the Police Department for assistance.

- The responding officer will accompany the representative and interview the subject.
- If the officer agrees that an emergency does in fact exist (i.e., it appears the individual has a mental disorder or presents a danger to the life and safety of the individual and others if not placed in a health care facility), the officer will transport the subject to the facility according to Department procedures.
- It is the responsibility of the Social Services representative to complete a Petition for Protective Services.
- If the officer determines that an emergency does not exist, the representative will be advised of the petition process and directed to the District Court.

4-8.1.1 SERVICE OF PETITIONS FOR EMERGENCY EVALUATION

MEMBERS

- Must observe a subject for current symptoms of mental illness, prior to filing a petition for emergency evaluation.
NOTE: The officer's own observations and information received from third parties will be used as justification on the petition.
- Attempt to serve assigned emergency evaluations that have been certified and submitted by a medical authority or peace officer, until the subject is located and transported to a hospital for an evaluation.
- Attempt to serve assigned court ordered emergency evaluations for a maximum of five days after the issue date.
- Will make several attempts to serve assigned emergency evaluations during their tour of duty, starting as soon as practical, and note their identification number, date, and time for each attempt on the attached Form 132, Control Sheet.
NOTE: Service attempts will be made on all shifts.
- Complete the Form 132 and return it to their supervisor for approval after:
 1. Service of an assigned emergency evaluation, or
 2. A court ordered emergency evaluation is unable to be served and five days has passed since the date of issue.
NOTE: Expired court ordered emergency evaluations will be returned to the court.
- Return unserved emergency evaluations to their supervisor at the end of the shift.
- Will, upon serving an assigned emergency evaluation, or encountering a subject meeting the criteria for an officer initiated emergency evaluation:
 1. Take the individual into custody, whether or not a crime has been committed.
 2. Inform the evaluatee of the reason for their apprehension and that they are being taken into custody under the Annotated Code of Maryland.
 3. Complete the appropriate incident report using the appropriate offense code(s) (e.g., "Emergency Evaluation, Court Ordered," "Emergency Evaluation, Health Service Initiated," "Emergency Evaluation, Officer Initiated," "Emergency Evaluation, Voluntary," etc.) listing the evaluatee in the *Victims* tab.
NOTE: A separate CC number is required for each emergency evaluation. Any other incident occurring during an emergency evaluation will be documented separately.
 4. Complete a Form CC-DC13, Petition for Emergency Evaluation, (original and two copies), unless serving one that has been previously court ordered, or completed by a peace officer or certified medical authority.
 5. Notify the nearest relative and/or interested person (as shown on the petition) and the evaluatee's attorney, if any. Notification will include the evaluatee's present and future whereabouts.
 6. Transport the person to the closest designated emergency facility.
EXCEPTION: Members will transport the person to the emergency facility designated on the emergency evaluation, if specified.

7. Complete a Form 273, Sick or Injured Person Medical Report.
8. Distribute the Form CC-DC13 as follows:
 - a. Original - provided to the hospital at the time of the evaluation.
 - b. First copy - to the Information & Records Management Section.
 - c. Second copy - placed in the precinct/division files.

NOTE: The CC number will be written in the upper right corner of the petition.

- Notify their shift commander immediately, upon serving an assigned emergency evaluation on a member of a criminal justice agency (e.g., correctional institution, police department, etc.), or encountering a member of a criminal justice agency meeting the criteria for an officer initiated emergency evaluation.
- Refer to Field Manual, Article 8 (Report Writing), for required report distribution.

SUPERVISORS

- Assign unserved emergency evaluations to the appropriate members at the start of the shift.
NOTE: Service attempts will be made on all shifts.
- Ensure service attempts are conducted.
- Approve completed Forms 132, if applicable.
- Provide unserved emergency evaluations to the oncoming supervisor.

SHIFT COMMANDERS

- Notify the appropriate criminal justice agency, upon notification by a member that an evaluated individual is:
 1. Sworn, in all instances.
 2. Non-sworn, if they are employed in a sensitive position.

REFERENCE

- Field Manual, Article 8 (Report Writing).

4-8.1.2 TRANSPORTATION OF EVALUEES

GENERAL

- Evaluatees will be transported by police vehicle to the nearest emergency facility when a petition is initiated by a police officer, certified medical authority, or endorsed by the court.
- Transportation must be accomplished with care to avoid injury to the officers and the patient. Special precautions, such as leg restraining straps and handcuffs, may be necessary.
- Transportation of committed individuals who are not being guarded by Department officers will be the responsibility of the hospital.
- When an evaluatee is released from an emergency facility and desires transportation:
 1. The evaluatee will be taken to the place that custody occurred.
 2. Arrangements for transportation will be made by the emergency facility.
 3. If the emergency facility cannot provide transportation, the police will be contacted and provide transportation.
- If the person to be transported has a medical condition requiring treatment:
 1. The officer will request an ambulance.
 2. If the evaluatee is violent, the officer may ride inside the ambulance to ensure the safety of Fire Department personnel. This will be determined by ambulance personnel.
 3. If necessary, the officer's service weapon may be placed in a locked compartment in the ambulance until arrival at the emergency facility.

- The Department will only transport a patient from an emergency facility to another treatment center when the patient was initially transported to the emergency facility by a friend, relative, etc. and is violent. The doctor at the emergency facility will make this determination.

4-8.1.3 HOSPITAL PROCEDURES

OFFICERS

- If practicable, have the hospital notified that an evaluatee is being brought to the emergency facility.
- Deliver the evaluatee to the registration desk and advise the registrar of the need for an evaluation.
- Advise the registrar that Baltimore County will not be responsible for billing.
- Inform the registrar that if the evaluatee is not violent, the officer will not remain unless requested to do so by emergency facility personnel (e.g., physician, physician assistant, nurse practitioner, or other advanced practice professional, etc.).
- Advise their supervisor of their status after 15 minutes if the hospital does not relinquish their service or immediately if the request is made for the officer to remain.

SUPERVISORS

- Respond to the hospital and assess the evaluatee's behavior, when the hospital does not relinquish an officer's services.
- Confer with the emergency facility personnel making the request when an officer is asked to remain.
- Assess the evaluatee for violent behavior, keeping in mind that the mere fact that an individual has been involuntarily taken to a hospital for an Emergency Evaluation suggests the potential for violence. Consideration should be given to the evaluatee's past actions and propensity for violence, as well as the supervisor's observations at the hospital.
NOTE: If the evaluatee is violent, the supervisor shall allow the officer to stay.
- When a supervisor allows an officer to relinquish hospital duties, the report will reflect all factors that led to the decision.

REFERENCES

- [Annotated Code of Maryland, Family Law Article.](#)
- [Annotated Code of Maryland, Health - General Article.](#)

4-8.2 CIVIL PROTECTIVE ORDERS

CIVIL PROTECTIVE ORDERS

- Are entered into MILES/METERS.
- Should always be verified if a copy is not available for review at the scene.

4-8.2.1 INTERIM AND TEMPORARY PROTECTIVE ORDERS

DEFINITIONS

- Petitioner - the person requesting an order.
- Respondent - the alleged abuser.
- Cohabitant - an individual who has had sexual relations with the respondent at any time and has lived with the respondent for a total of at least 90 days within the past year.
NOTE: The 90 days need not be consecutive.

- Interim Protective Order - an order of protection from abuse issued by a District Court commissioner which lasts no longer than the end of the second business day after it is issued.
- Temporary Protective Order - an order of protection from abuse issued by a judge and may last as long as six months. A Temporary Protective Order may be based on the petitioner's application alone or, if the respondent appears at the Temporary Protective Order hearing, on testimony from both the petitioner and the respondent.

PERSONS ELIGIBLE FOR RELIEF

- The current or former spouse of the respondent.
- A cohabitant of the respondent.
- An individual related to the respondent by blood, marriage, or adoption.
- A parent, step-parent, child, step-child of the respondent, or victim who lives or has lived with the respondent or victim for a total of at least 90 days within the past year.

NOTE: The 90 days do not have to be consecutive.

- A vulnerable adult.
- An individual who has a child with the respondent.
- An individual who has had a sexual relationship with the respondent within one year prior to the filing of the petition.
- An individual who alleges that the respondent committed, within six months before the filing of the petition, any of the following acts against the individual:
 1. Rape or a sexual offense under § 3-303, § 3-304, § 3-307, or § 3-308 of the Criminal Law article; or
 2. Attempted rape or sexual offense in any degree.

ORDER RECEPTION

- Officers will be called to the District Court issuing an Interim or Temporary Protective Order to take possession of the order.
EXCEPTION: Circuit Court Protective Orders which are served by the Baltimore County Sheriff's Office.
- Officers who obtain the order from the District Court commissioner will indicate the date and time the order was received in the lower right corner of the order.
- The receiving officer will determine the affected precinct and notify, fax, or relay the Interim or Temporary Protective Order to that precinct.
- Once in the correct precinct, the Interim or Temporary Protective Order will be given to the desk officer.

PRECINCT DESK OFFICER

- Reviews the order to confirm that it was signed and issued by either a District Court Judge, Circuit Court Judge, or court commissioner.
- Logs all Interim and Temporary Protective Orders in the Civil Order Record Book.
- Performs record and firearm checks on both parties, to include any outstanding warrants and/or summonses, and attaches copies of those record checks to the existing documents.
- Faxes the Interim/Temporary Protective Order to the Information & Records Management Section.
- Completes a Form 132, Control Sheet, and attaches it to the front of the Interim/Temporary Protective Order.
- Forwards the Interim/Temporary Protective Order to the supervisor for assignment.
- Verifies existing orders when a copy is not available at the scene for the investigating officer to review.

INTERIM AND TEMPORARY PROTECTIVE ORDER SERVICE

- Under Maryland law, Interim and Temporary Protective Orders must be served immediately upon receipt by law enforcement.
- The assigned officer will review the order to determine if it includes an order for officers to remove and return any minor children to the petitioner.
NOTE: While the order may stipulate that a child will be removed from the home, the order does not authorize officers to use force to enter any dwelling.
- If the order requires returning a child to the petitioner, a supervisor will be requested to respond to the scene prior to its service.
NOTE: Prior to the service of any out of state court order authorizing the removal of children from the respondent, the Legal Section will be contacted.
- The assigned officer will make several attempts, if practical, to serve the order during his or her tour of duty.
- Upon locating the respondent, the serving officer will:
 1. Read the order to the respondent and have the respondent sign.
 2. Note the date, time, and place of service in the "Result" block of the Form 132.
 3. Follow the instructions listed in the order.
- If the order requires the respondent to vacate the premises and/or surrender a firearm and he or she refuses, an immediate arrest will be made (see Field Manual, Article 4, Section 8.2.4 for a list of arrestable violations).
NOTE: If the respondent refuses to surrender a firearm, the assigned officer will apply for a Search and Seizure Warrant per current Department policy, or obtain a valid consent to search if probable cause exists to believe the respondent possesses firearms.
- If the order requires the respondent to consent to the removal of a child and he/she refuses, the assigned officer will:
 1. Complete the appropriate incident report prior to the end of his/her tour of duty.
 2. Ensure that the offense code "Protective Order Violation" is selected in the incident report.
 3. Distribute a copy of the report to the Precinct Domestic Violence Coordinator.
NOTE: Officers may only enter a dwelling without a search warrant if there is reason to believe that a child is in imminent danger and that forcible entry is necessary for his/her protection. The information supporting this decision must be articulated in the incident report.
- The serving officer will ensure a Victim Information & Notification Everyday (VINE) protective order notification is sent via METERS within two hours of service, regardless of the issuing jurisdiction.
- The serving officer will complete the appropriate incident report using the offense code "Protective Order Service" and any additional offense codes that may apply.
NOTE: If weapons are surrendered during the service of a Temporary Protective Order the offense code "Weapon Other" will also be used. Surrendered firearms will be listed in the *Property* tab of the incident report, using "K-Safekeeping" in the *Status* field.
- The officer must select "Protective Order Service" from the *Report Type* dropdown on the *Administrative* tab, when applicable.
NOTE: This will activate the *Protective Order Service* supplemental tab, which contains required report information.
- The Officer will include the following information in the incident report:
 1. Interim or Temporary Protective Order number.
 2. Date, time, and place of service.
 3. Respondent's name and date of birth.
NOTE: The respondent will be listed in the *Others* tab using the *Entity Type* of "Served with Protective or Peace Order."
 4. Location where the order was obtained.

5. Name of the issuing judge/commissioner.
 6. Date and time of the Final Protective Order hearing.
 7. Court location where the completed Return of Service form was returned.
 8. Method of returning the Return of Service form to the court (i.e., via fax or hand delivered).
 9. The date and time that the VINE protective order notification was sent.
- When firearms are surrendered, the investigating officer will:
 1. Provide a copy of a Form 15, Property Inventory, and a Firearms Surrender and Retake Instruction letter to the respondent.
 2. Ensure that a stolen property inquiry through NCIC is completed for all firearms and the subsequent result is documented in the report.
 - The distribution of a served Interim or Temporary Protective Order is as follows:
 1. Original – forward to issuing court.
 2. First copy – to the respondent.
 3. Second copy – to victim (if present).
 4. Third copy – to the Information & Records Management Section for scanning.
 - The officer serving the order must complete the Return of Service form and ensure that it is returned to the issuing court.
NOTE: This may be faxed or hand-carried (e.g., by the officer serving the order, by a cadet, by a prisoner transport officer, etc.) to the court

SUPERVISORS

- Ensure the order is logged out of the Civil Order Record Book and returned to the appropriate court.
- Sign/approve the Form 132, Control Sheet, and forward it to the Information & Records Management Section.
- Respond to the scene prior to the service of an order requiring the return of a child to the petitioner.
- Notify the shift commander if an order requires the return of a child to the petitioner, the child could not be returned to the petitioner, and there is reason to believe the child is in danger.
NOTE: In these situations the supervisor will ensure that the case status remains “Open” until:
 1. The child is returned to the petitioner, and/or
 2. The judge issues a Violation of Court Order for the respondent, and the order is served.

SHIFT COMMANDERS

- Ensure that unserved court orders are returned to the issuing court as soon as possible, but no later than the next business day.

DOMESTIC VIOLENCE COORDINATOR (DVC)

- Completes required paperwork to release firearms from court-ordered surrenders as described in the Field Manual, Article 6. The Form 128D, Disposal/Destruction of Property/Evidence or Form 128R, Retention of Property/Evidence, will require the approval of a lieutenant or higher.

UNSERVED INTERIM AND TEMPORARY PROTECTIVE ORDERS

- Will be returned to the squad supervisor at the end of the shift.

- The squad supervisor will give the order to the oncoming supervisor who will assign it for service. Having reached the hearing date, the order will be signed out of the Civil Order Record Book and returned to the court where issued. If an extension is granted and a new Protective Order is issued, it will be re-entered into the Civil Order Record Book.
NOTE: Attempts to serve the order will be clearly shown on the Return of Service form.

REFERENCES

- [Annotated Code of Maryland, Family Law Article.](#)
- Field Manual, Article 6 (Miscellaneous Property Issues).

4-8.2.2 CIRCUIT COURT TEMPORARY PROTECTIVE ORDERS

GENERAL

- Temporary Protective Orders originating in the Circuit Court for Baltimore County will be served by the Baltimore County Sheriff's Office.
- Any subsequent calls for service relating to a Temporary Protective Order will be handled by this Department, regardless of who served the order.
When the Court orders firearms to be surrendered in a Temporary Protective Order that is being served by the Baltimore County Sheriff's Office, a Baltimore County Police Officer will be called to the scene to collect and package all firearms.
- The responding police officer will prepare an incident report using the offense codes "Protective Order Service" and "Weapon Other" and the Situation Found Code "B-20, Protective Order Service." Surrendered firearms will be listed in the *Property* tab of the incident report, using "K-Safekeeping" in the *Status* field.
- When firearms are surrendered, the Baltimore County Police Officer will:
 1. Provide a copy of a Form 15, Property Sheet, and a Firearms Surrender and Retake Instruction letter to the respondent.
 2. Ensure that a stolen property inquiry through NCIC is completed for all firearms and the subsequent result is documented in the report.

UNSERVED TEMPORARY PROTECTIVE ORDERS

- Officers called to a location where a petitioner advises that an existing Circuit Court Temporary Protective Order has not yet been served by a deputy sheriff will:
 1. Contact the Sheriff's Office or the Information & Records Management Section to verify the existence of the Temporary Protective Order.
 2. If available, request a deputy sheriff to respond to the location to serve the order on the respondent. If a deputy sheriff can respond within a reasonable time, the officer will remain at the location until a deputy sheriff arrives.
 3. If the deputy sheriff cannot respond, have a copy of the order faxed to the closest precinct and relayed to the officer at the location where the officer will serve the copy on the respondent in accordance with this Article.
 4. Advise the petitioner to contact the Sheriff's Office at a later time if it is closed and the order cannot be verified or a copy obtained to serve on the respondent.

4-8.2.3 FINAL PROTECTIVE ORDERS

FINAL PROTECTIVE ORDERS

- Are orders of protection from abuse issued by a judge and may remain in effect for as long as two years.
- May be issued by the Court at a hearing involving both parties. This hearing follows the service of the Temporary Protective Order and may extend and/or alter the temporary provisions.

- Are served in open court or, if the respondent is not present at the hearing, by first class mail to the respondent's last known address.
NOTE: Service is complete upon mailing by the court on the day of the final hearing.
- May order the respondent to:
 1. Refrain from abusing, threatening, or contacting any person(s) eligible for relief.
 2. Refrain from entering the home and remain away from the place of employment of the person(s) eligible for relief.
 3. Vacate the home immediately.
- May award temporary custody of children and use of jointly owned vehicles.
- May authorize force for the removal of children (Refer to Field Manual, Article 4, Section 8.2.1).
- Will order the respondent to surrender firearms.
- Are in effect for a period of time specified by the court.
- May be automatically extended if, during the term of the order, the petitioner files a motion to extend it and the hearing on the motion was not held before the order's original expiration date. In these situations the order will be automatically extended and its terms remain in full force and effect until the hearing on the extension. Members must query the Secure Judiciary Case Search (i.e., J Portal) to ascertain if an order has been extended past the original expiration date.
- Are kept on file and verified by the Information & Records Management Section.

INFORMATION & RECORDS MANAGEMENT SECTION

- Upon the receipt of the Final Protective Order from the District and Circuit Courts, will make a copy of the original order and distribute it to the respective assistant precinct commanders via departmental mail.

ASSISTANT PRECINCT COMMANDERS

- Are responsible for receiving copies of Final Protective Orders from the Information & Records Management Section.
- Will maintain a Final Protective Order Record Book to include, at a minimum, the following headings:
 1. Date and time received at precinct.
 2. Issuing court.
 3. Respondent name.
 4. Respondent address.
 5. Case number.
 6. Date forwarded to Domestic Violence Coordinator.
 7. Firearms surrendered (yes/no).
 8. Final disposition and date.
- **NOTE:** The Final Protective Order Record Book is required to be a ledger.
- Will log all Final Protective Orders in the Final Protective Order Record Book and then forward them to the precinct's Domestic Violence Coordinator (DVC).

DOMESTIC VIOLENCE COORDINATOR (DVC)

- Once the copy of the Final Protective Order is received from the precinct's assistant precinct commander, an investigative file will be generated and retained for three years. The file will include criminal history and the Maryland Automated Firearm Service System (FS00) inquiries.
- Will contact the respondent of a Final Protective Order to arrange for the surrender of firearm(s) (e.g., telephone, home visit, etc.).
- Provides the respondent with the Final Protective Order to ensure that the respondent is aware that he/she must surrender all firearms.

- If the respondent fails to comply with the order to surrender all firearms, and there is probable cause to believe that the respondent possesses firearms, an arrest will be made. If an arrest is not physically possible because the respondent is not present, a warrant/summons will be sought. Failure to surrender the firearms is a criminal violation of the order, under the Annotated Code of Maryland, Family Law Article, Section 4-509 (a).
- If the respondent refuses to surrender a firearm, the assigned officer will apply for a Search and Seizure Warrant per current Department policy or obtain a valid consent to search, if probable cause exists to believe the respondent possesses firearms.
- If an incident report was written, will complete a subsequent version of the Case Report, or an Officer Report, as appropriate, to include all investigative actions taken and the final disposition of the Final Protective Order (e.g., warrant obtained, firearms collected, etc.).
- If an incident report was not written, must generate a new CC number and complete the appropriate incident report using the offense code "Protective Order Service" and the Situation Found Code "B-20 Protective Order Service."
NOTE: If weapons are surrendered the offense code "Weapon Other" will also be used.
- If unable to verify that the respondent owns or possesses firearms after checking with the respondent, victim, possible witnesses, and the Maryland Automated Firearm Service System (FS00), does not have to generate a new CC number or incident report. A Detective Note will be generated to document this information and the investigative actions taken.
- Advises the Assistant Precinct Commander of the final disposition of the order.
- Completes required paperwork to release firearms from court-ordered surrenders as described in the Field Manual, Article 6 (Miscellaneous Property Issues). The Form 128D, Disposal/Destruction of Property/Evidence or Form 128R, Retention of Property/Evidence, will require the approval of a lieutenant or higher.

REFERENCE

- Field Manual, Article 4, (Arrest, Custody, and Court).
- Field Manual, Article 6 (Miscellaneous Property Issues).

4-8.2.4 VIOLATIONS OF INTERIM, TEMPORARY, OR FINAL PROTECTIVE ORDERS

INVESTIGATING OFFICERS

- Review the Protective Order prior to formulating a response to the complainant and to determine if an arrest can be made.
- Contact the Information & Records Management Section to verify the Protective Order if a copy is not available.
- If the Protective Order cannot be verified:
 1. Review safety planning with the victim.
 2. Complete the appropriate incident report using the offense code "Protective Order Violation" and the *Disposition* of "Unfounded," explaining all attempts to verify the order in the *Narrative* tab.
 3. Refer the complainant to the appropriate court.
- If the Protective Order has been verified as active and the respondent is at the location, the investigating officer will arrest for the following:
 1. Abusing or threatening the petitioner.
 2. Contacting or harassing the petitioner.
 3. Entering the petitioner's residence.
 4. Refusing to vacate the residence (when required in the Protective Order).
 5. Failing to stay away from the petitioners' or other family member's place of employment, school, or temporary residence.

6. Refusing to surrender firearms (when required in the order).
NOTE: If the respondent violates any other provisions not listed above, they are civil infractions for which the investigating officer can take no enforcement action. In those instances, the officer will refer the petitioner back to the issuing court, whereby they may file a petition for contempt.
- If the Protective Order has been verified as active and the respondent who violated the order is no longer at the location, the investigating officer will apply for a warrant/summons for the violation.
- Complete the appropriate incident report using the offense code “Protective Order Violation” as well as the appropriate codes for all additional related offenses. The CC number will be placed in the upper right corner of a copy of the Protective Order, and placed into the precinct/division files. The Protective Order case number, issuing court, issue date, and expiration date will be listed in the *Narrative* tab of the incident report.
- If making an arrest, complete a Statement of Charges for Violation of a Protective Order.
NOTE: It is a Federal violation for a person subject to a Protective Order to ship, transport, receive, or possess firearms.

PETITIONER NOTIFICATION

- The Maryland State Police (MSP) will notify the Department when the respondent of a Protective Order applies to purchase a regulated firearm.
- Any member receiving such notification from the MSP will immediately notify the Firearm Interdiction Team (FIT).
- FIT will be responsible for any necessary investigation.
- FIT will be responsible for contacting the Domestic Violence Coordinator (DVC) of the precinct in which the petitioner resides.
- The DVC will contact the petitioner for necessary notifications.

REFERENCE

- [Annotated Code of Maryland, Family Law Article.](#)

4-8.2.5 PEACE ORDERS

DEFINITIONS

- Peace Order - issued by the District Court for those people who are outside the scope of Interim and Temporary Protective Orders, but who still need protection from continuing serious bodily harm, fear of imminent serious bodily harm, assault in any degree, false imprisonment, harassment, stalking, trespassing, malicious destruction of property, misuse of telephone facilities and equipment, misuse of electronic communication or interactive computer service, revenge porn, or visual surveillance.
- Temporary Peace Order - issued by a judge when he/she finds evidence that an alleged aggressor has committed, and is likely to commit in the future, one of the enumerated criminal acts listed under **PERSONS ELIGIBLE FOR A TEMPORARY, INTERIM, OR FINAL PEACE ORDER (ALL OF THE FOLLOWING MUST BE MET)**.
NOTE: A Temporary Peace Order is valid for up to seven days from the time it was signed, and it may be extended by the Court for up to 30 days.
- Interim Peace Order - issued by a District Court commissioner when the District Court is closed. Issued when the District Court commissioner finds evidence that an alleged aggressor has committed, and is likely to commit in the future, one of the enumerated criminal acts listed under **PERSONS ELIGIBLE FOR A TEMPORARY, INTERIM, OR FINAL PEACE ORDER (ALL OF THE FOLLOWING MUST BE MET)**.
NOTE: An Interim Peace Order is valid for up to two business days.

- **Final Peace Order** - issued by a judge during a hearing in reference to a Peace Order that was already issued.
- NOTES:**
1. A Final Peace Order is effective for whatever period of time the judge decides, up to six months.
 2. A Final Peace Order may be automatically extended if, during the term of the order, the petitioner files a motion to extend it and the hearing on the motion was not held before the order's original expiration date. In these situations the order will be automatically extended and its terms remain in full force and effect until the hearing on the extension. Members must query the Secure Judiciary Case Search (i.e., J Portal) to ascertain if an order has been extended past the original expiration date.
- **Employee** - is:
 1. An individual who is employed by an employer; or
 2. A volunteer or an independent contractor who performs services for an employer at the employer's workplace.
 - **Employer** - a person engaged in a business, an industry, a profession, a trade, or any other enterprise in the state.

NOTE: An employer includes a person that acts directly or indirectly in the interest of another employer with an employee.

PERSONS ELIGIBLE FOR A TEMPORARY, INTERIM, OR FINAL PEACE ORDER (ALL OF THE FOLLOWING MUST BE MET)

- The person is not eligible for an Interim or Temporary Protective Order.
 - The alleged criminal act is one of the enumerated crimes (i.e., assault in any degree, false imprisonment, harassment, stalking, trespassing, malicious destruction of property, misuse of telephone facilities and equipment, misuse of electronic communication or interactive computer service, revenge porn, or visual surveillance).
 - The alleged enumerated crime has occurred within the last 30 days.
 - The alleged enumerated crime is likely to occur again, if relief is not granted to the victim.
- NOTE:** As of October 1, 2021 an employer can petition for a Peace Order on behalf of an employee if the enumerated crime was committed against the employee at the employer's workplace. By law, the employer is required to notify the employee, prior to filing the petition.

MEMBERS

- Explain the Peace Order process to victims and/or the victim's employer when the appropriate criteria exists.
- Notify victims and/or the victim's employer that a "filing fee" is payable at the time of the application for a Peace Order.
- Notify the victim's employer, when applicable, that they must notify the employee, prior to filing an application for a Peace Order.
- Notify their supervisor and shift commander when a Baltimore County employee may be eligible for a Peace Order due to an incident which occurred in their workplace.
- See Field Manual, Article 1, Section 5.1.2 (Threats Against Police Employees or Property) for procedures regarding Department members who may be eligible for a Peace Order due to workplace violence.

ORDER RECEPTION

- Members will be called to the District Court issuing the Peace Order for pickup.
- Officers who obtain an order from the court will indicate the date and time the order was received in the lower right corner of the order.
- The receiving member will determine the affected precinct and notify, fax, or relay the order to that precinct.

- Once in the correct precinct, the order will be given to the desk officer.

DESK OFFICERS

- Review the order to confirm that it was signed and issued by a judge or court commissioner.
- Ensure the order is logged into the Civil Order Record Book.
- Perform record and firearm checks on all parties, to include any outstanding warrants and/or summonses and attach a copy of the record checks to the existing documents.
- Fax the order to the Information & Records Management Section (IRMS).
- Complete a Form 132, Control Sheet, and attach it to the front of the order.
- Give the order to the appropriate squad supervisor for assignment.
- Verify an order when a copy is not available at the scene for investigating officers to review.

ORDER SERVICE

- Interim and Temporary Peace Orders must be served as soon as practical.
- Once served, the officer will note the date, time, and place of service in the lower right corner of the order.
- The assigned officer will make several attempts, if practical, to serve the order during his or her tour of duty. The officer will:
 1. Read the order to the respondent and have the respondent sign.
 2. Note the date, time, and place of service in the "Result" block of the Form 132.
 3. Follow the instructions listed in the order.
- The serving officer will complete the appropriate incident report using the offense code "Peace Order Service" and any additional offense codes that may apply.
- The officer must select "Protective Order Service" from the *Report Type* dropdown on the *Administrative* tab.

NOTE: This will activate the *Protective Order Service* supplemental tab, which contains required report information.

- The officer will include the following information in the incident report:
 1. Interim or Temporary Peace Order number.
 2. Date, time, and place of service.
 3. Respondent's name and date of birth.

NOTE: The respondent will be listed in the *Others* tab using the *Entity Type* of "Served with Protective or Peace Order."
 4. Location where the order was obtained.
 5. Name of the issuing judge/commissioner.
 6. Date and time of the Final Peace Order hearing.
 7. Court location where the completed Return of Service form was returned.
 8. Method of returning the Return of Service form to the court (i.e., via fax or hand delivered).
- The distribution of a served Interim or Temporary Peace Order is as follows:
 1. Original - forward to issuing court.
 2. First copy - to the respondent.
 3. Second copy - to victim (if present).
 4. Third copy - to the IRMS for scanning.
- The officer serving the order must complete the Return of Service form and ensure it is returned to the issuing court.

NOTE: This may be faxed or hand-carried (e.g., by the officer serving the order, by a cadet, by a prisoner transport officer, etc.) to the court.

SUPERVISORS

- Ensure the order is logged out of the Civil Record Book and returned to the appropriate court.
- Sign/approve the Form 132, Control Sheet, and forward it to the IRMS.

SHIFT COMMANDERS

- Ensure that unserved court orders are returned to the issuing court as soon as possible, but no later than the next business day.
- Notify the Threat Management Team when a Baltimore County employee may be eligible for a Peace Order due to an incident which occurred in their workplace.
NOTE: The Threat Management Team will consult with the Legal Section for a determination as to whether the Department will pursue a Peace Order on behalf of the County employee.

UNSERVED ORDERS

- Will be returned to the squad supervisor at the end of the shift.
- The squad supervisor will give the order to the oncoming supervisor who will assign it for service. Having reached the hearing date, the order will be signed out of the Civil Order Record Book and returned to the court where issued. If an extension is granted and a new Peace Order is issued, it will be re-entered into the Civil Order Record Book.
NOTE: Attempts to serve the order will be clearly shown on the Return of Service form.

ORDER CONFLICTS

- Peace Orders may be issued against opposing parties in a situation and should be enforced to the extent that there is no conflict.
- If there is a conflict between Peace Orders, members will abide by the earliest issued order.

OTHER JURISDICTION ORDERS

- Are addressed using the same procedures as orders issued by Baltimore County courts.

VIOLATIONS OF PEACE ORDERS

- Members will contact the IRMS to verify the Peace Order if a copy is not available.
- Members who cannot verify the Peace Order will:
 1. Review safety planning with the victim.
 2. Complete the appropriate incident report using the offense code "Peace Order Violation" and the *Disposition* of "Unfounded," explaining all attempts to verify the order in the *Narrative* tab.
 3. Refer the complainant to the appropriate court.
- Members will arrest, with or without a warrant, for the following violations listed on verified Interim, Temporary, or Final Peace Orders:
 1. Committing or threatening to commit one of the following acts:
 - a. An act that causes serious bodily harm.
 - b. An act that places the petitioner in fear of imminent serious bodily harm.
 - c. Assault in any degree.
 - d. False imprisonment.
 - e. Harassment.
 - f. Stalking.
 - g. Trespass.
 - h. Malicious destruction of property.
 - i. Misuse of telephone facilities and equipment.
 - j. Misuse of electronic communication or interactive computer service.
 - k. Revenge porn.

- I. Visual surveillance.
2. Contacting, or attempting to contact or harassing the petitioner.
3. Entering the residence of the petitioner.
4. Being at the place of employment, school, or temporary residence of the petitioner.

NOTE: If the respondent violates any other provisions not listed above, they are civil infractions for which the investigating officer can take no enforcement action. In those instances, the officer will refer the petitioner back to the issuing court, where they may file a petition for contempt.

- If the Peace Order has been verified as active and the respondent who violated the order is no longer at the location, the investigating officer will apply for a warrant/summons for the violation, if criminal charges are possible.
- Members confirming a violation of a Peace Order will complete the appropriate incident report using the offense code "Peace Order Violation" as well as the appropriate codes for any additional related offenses. The CC number will be placed in the upper right corner of a copy of the Peace Order, and placed into the precinct/division files. The Peace Order case number, issuing court, issue date, and expiration date will be listed in the *Narrative* tab of the incident report.
- If making an arrest, complete a Statement of Charges for Violation of a Peace Order.

4-8.3 BODY ATTACHMENTS

GENERAL

- Court orders entitled "Attachment for Contempt" are considered to be civil in nature. The person taken into custody on a body attachment will not be processed as if it were a criminal arrest.
- Officers receiving a body attachment will take the person named on the order into custody and complete an arrest record. A CC number will be required.
- If the subject resists being taken into custody, the officer involved will charge the subject with assault and not with resisting arrest. Discretion should be used on the part of the officer.
- An NCIC wanted check will be made on the subject. If the subject is wanted on criminal charges, normal arrest procedures will be followed.
- The subject will not be photographed/fingerprinted.
- Subjects detained on body attachments may be placed in precinct cellblocks prior to bail hearings and after bail hearings when the subject is being held in default of bail.

CIVIL BODY ATTACHMENTS

- All civil body attachments are processed by the Baltimore County Sheriff's Office.
- After disposing of all criminal charges, arresting officers will contact the Information & Records Management Section (IRMS).
- The IRMS will notify the on-duty sheriff's deputy to respond and take custody of the prisoner.

CRIMINAL BODY ATTACHMENTS

- After disposing of criminal charges, the subject will be taken before the court issuing the attachment, if court is in session.
- If court is not in session, the subject will be taken before a court commissioner for a bail hearing. The bail hearing will be held as soon as possible and within 24 hours of taking the subject into custody.

4-8.4 DETAINERS

GENERAL

- All detainers against inmates of penal institutions (originating in the police precincts) will be referred directly to the Information & Records Management Section.
- The United States Marshal's Office has requested that whenever it is necessary to remove a federal prisoner from either the City or County Detention Center for an interview, court, etc., the writ will be served on the United States Marshal and not on the warden of the particular detention center.
- Detainers on federal prisoners will also be filed with the United States Marshal.

4-8.4.1 HABEAS CORPUS WRITS

WRIT PROCESS

- The correctional institution where the subject is detained will be contacted at least 24 hours in advance and given the date and time the transporting officer will arrive.
- The Baltimore County State's Attorney's Office will prepare the writ, which must be signed by a Circuit Court judge.
- If the prisoner is to be held in the Baltimore County Detention Center for more than one day, it must be stipulated on the writ and approved by the other jurisdiction's correctional institution.
- The writ will be delivered to the correctional institution to take custody of the prisoner.
- The prisoner will be returned to the appropriate facility for processing.
- After processing, the prisoner must be taken before the Towson District Court commissioner for a bail hearing.
- A copy of the commitment papers will remain on file at the detention center.
- After processing at the detention center is completed, the prisoner will be returned to the correctional institution in the other jurisdiction.
- A copy of the Baltimore County Detention Center commitment papers will be left with the institution and a body receipt will be obtained from the desk officer, indicating return of the prisoner.

NOTE: Personnel desiring to remove a prisoner from a correctional institution may contact the Fugitive Team for assistance.

4-8.5 PETITION FOR CUSTODY, INTERROGATION, AND ARREST OF A JUVENILE

GENERAL

- A Petition for Custody, Interrogation, and Arrest is used to bring a juvenile from another jurisdiction within the State into Department custody when a court order is required or to obtain custody of a juvenile who is being held at a detention facility.
- This petition is not a charging document and it should not be used to circumvent ordinary juvenile charging procedures.
- Service of the Petition requires completion of a Form 117.

FILING PROCESS

- Officers will submit a Form 12L to their shift/unit commander requesting permission to obtain the Petition.
- If the request is approved, the officer will arrange a meeting with a state's attorney from the Juvenile Unit of the State's Attorney's Office.
- The Juvenile Unit of the State's Attorney's Office will prepare the petition and forward it to the officer for service.

LIFE AND DISPOSITIONS OF PETITIONS

- The life of a Petition for Custody, Interrogation, and Arrest of a juvenile is infinite. However, there are no facilities for maintaining an active file of open petitions and they are not entered into the NCIC.
- If the juvenile named on the petition cannot be apprehended within 15 days from the date of issuance and the officer believes that it would be beneficial to hold the petition longer, the officer may make an extension request to the commander.
- Approving commanders will notify the Juvenile Unit of the State's Attorney's Office.
- At the end of the extension period, the petition will be returned to the Juvenile Unit of the State's Attorney's Office for destruction.
- The shift commander who initially approved the request will ensure that the petition is accounted for.
- The commander will retain the original Form 12L, noting any extensions, for one year.

4-9.0 ARREST REPORTING

4-9.1 GENERAL REPORTING

GENERAL

- If the suspect is arrested or charged, place the suspect's full information in the *Offenders* tab of the incident report.
- An updated version of the Case Report will be used when additional suspects are identified and arrested and all relevant information will be placed in the *Offenders* tab.

4-9.1.1 NARRATIVE SUBSTITUTION

OFFICERS

- Will complete a narrative for all incident reports. Copies of Form DC/CR4A narratives may not be forwarded to the Information & Records Management Section in lieu of a narrative in an incident report.
- May copy an incident report narrative and paste it into a DC/CR4A for submission to the court.
NOTE: Officers copying text from outside of the Records Management System (RMS) and pasting it into the *Narrative* tab must check all pasted text for correct formatting and line breaks, as incorrect formatting will carry over into the RMS, altering the appearance of the official police report.
- Must be extremely sensitive to the information included in the Statement of Charges since a copy of this document will be retained by the defendant at the bail hearing.
- Ensure that confidential and sensitive information from the incident report is not included in the Statement of Charges, where applicable.

SQUAD SUPERVISORS

- Ensure the Statement of Charges does not contain information that would jeopardize the case or is sensitive to the victim, witnesses, etc.

4-9.2 FORM 19, CRIMINAL DEBRIEFING GUIDE

GENERAL

- A Form 19 will be completed whenever an individual is arrested and charged with an offense where a Form 166 or Form 117 is completed.
- The form may be completed by someone other than the arresting officer.
- The arrestee will not be intimidated or coerced into responding to the debriefing questions.

DEPARTMENT MEMBERS

- Will attempt to gather information from the arrestee.
- Will pursue an expanded line of questioning when a positive response is given.
- Will notify a supervisor as soon as possible when a positive response is given for any of the questions.
- Will have the arrestee sign the Form 19 when no information was obtained. A signature is not required when a positive answer is given for any of the questions.
- If a debriefing could not be conducted or the arrestee refused to sign the form, explain on the reverse side of the form.
- Upon completion of the debriefing, fax or forward a copy of the Form 19 to the team/unit responsible for the follow-up.
- The original Form 19 will be forwarded to the Information & Records Management Section and a copy will be placed in the precinct/division files.

SUPERVISORS

- Will review and sign the completed Form 19.
- Will determine if the follow-up is the responsibility of:
 1. The officer completing the debriefing.
 2. Investigative Services Team.
 3. Criminal Investigations Bureau.
 4. Other appropriate team/unit.
- Will ensure that critical information gathered from the debriefing is forwarded to the necessary team/unit as soon as possible.

INFORMATION & RECORDS MANAGEMENT SECTION

- Upon receipt of a Form 166 or Form 117 will:
 1. Ensures that a Form 19 was completed.
 2. Send a notice to the debriefing officer's commander when a Form 19 is not received/incomplete.
 3. Forward the original Form 19 to the Intelligence Unit.

CRIMINAL INTELLIGENCE TEAM

- Upon receipt of the Form 19 will:
 1. Review for pertinent criminal intelligence information.
 2. Maintain a file of Forms 19 for auditing and statistical analysis for no less than 12 months.

CIB/IST/OTHER UNITS

- Upon receipt of the Form 19 will:
 1. Maintain a file of all Forms 19 forwarded to them for six months.
 2. Advise the debriefing officer's commander whenever information obtained from debriefing leads to case clearances and/or arrests.

4-9.3 ELECTRONIC BOOKING (EBOOKING) ARREST RECORDS

GENERAL

- Adults will be booked into the adult EBooking system, and juveniles will be booked into the juvenile EBooking system.
EXCEPTION: Juveniles waived to adult status will be booked in the adult EBooking system.
- A separate arrest record will be made in the EBooking system for each individual arrested.

- One booking/contact number will be issued for each arrested person, regardless of the number of charges placed against the person.
- If persons arrested are in police custody and it is determined they have committed other offenses, this does not constitute additional arrests if:
 1. Adults have not had a bail hearing.
 2. Juveniles have not been released as guided by Department policy.
- Persons being held in lieu of bail, either in the jail or in precinct lockups or released on bail, and juveniles released according to Department policy, are no longer in police custody and will require a new arrest record, booking/contact number, and fingerprint cards if additional charges are to be placed.
- The arrest record will be the only report completed for arrests made for other agencies and for service of Failure to Appear (FTA) and Violation of Probation (VOP) warrants.
- All arrest records will be completed by the arresting officer.

NOTE: Only members assigned to the Information & Records Management Section (IRMS) may complete the *UID*, *JID*, *SID*, and *Confirmed by* fields in an arrest record.
- The desk officer will assist in the completion of the arrest record, when necessary.
- Members will send the data to the RMS upon completion of an EBooking record, when the arrest is required to be documented within a Case Report, so that the information may be pulled into the *Offenders* tab.
- The arrest record will be approved by the appropriate supervisor within the EBooking system.
- The Form 166 and Form 117 are printed forms that are created from the EBooking system and do not display the entire arrest record.
- In the event of a Countywide system failure, officers will follow the EBooking system contingency plan.
- Officers will refer to Field Manual, Article 3 for juvenile EBooking arrest procedures.
- Officers will refer to Section 9.3.1 of this Article and Field Manual, Article 3, Section 12.1, Form 117 Preparation Instructions, to ensure the proper booking type is selected when creating an arrest record.

INCIDENTS REQUIRING THE CREATION OF AN ARREST RECORD

- Criminal arrests (e.g., warrant, Statement of Charges, etc.).
- Traffic arrests where a person is physically arrested and taken into custody.
- Service of body attachments.
- Juveniles requiring completion of a Form 117.

NOTE: The record for juveniles waived to adult status will be created in the adult EBooking system. The subject's JID number will be placed in the *Arrest Narrative* field of the arrest record for informational purposes by a member assigned to the IRMS.
- Prisoners arrested or held for another jurisdiction (e.g., Arrested for Other Jurisdiction, Detention O.J., etc.).

NOTE: The criminal charge used to arrest or hold the suspect must be entered into the EBooking record.
- Any subject placed in a cellblock.
- Defendants found guilty of a charge lodged on a criminal summons, when the court orders processing.
- All subjects taken into custody and released without charge.

NOTE: The criminal charge used to arrest the subject must be entered into the EBooking record.

ARREST RECORDS USING BOOKING TYPE "ARREST FOR OTHER JURISDICTION"

- The *UID* field will be completed by a member assigned to IRMS.
- A CC number will be obtained.

- A wanted check will be made by a member of the IRMS.
- The name of the outside agency officer who takes custody of the prisoner will be added to the *Custody* tab, along with the officer's identification number and agency name, if appropriate.
- Fields recording court information will not be completed.
- "Other" will be selected in the *Chrg/DNA* tab for reason fingerprinted.
- Open the *Charge* field and type "Warrant - OJ" in the *Non-CJIS/Local Charge* field.
- Enter the name of the issuing jurisdiction in the *Arrest Narrative* field under the *Arrest* tab.

ARREST RECORDS USING BOOKING TYPE "DETENTION O.J."

- The *UID* field will be completed by a member assigned to the IRMS.
- A CC number will be obtained.
- A wanted check will be made by a member of the IRMS.
- The name of the outside agency officer who had original custody of the prisoner will be added to the *Custody* tab, along with the officer's identification number and agency name, if appropriate.
- The name of the Department member completing the arrest record will be placed in the *Arrested by* field.
- Fields recording court information will not be completed.
- Open the *Charge* field and type "Detention - O.J." into the *Non-CJIS/Local Charge* field.
- Enter the name of the jurisdiction requesting temporary detention in the *Arrest Narrative* field under the *Arrest* tab.

ARREST RECORDS USING BOOKING TYPE "RELEASED WITHOUT CHARGE"

- The *UID/JID* field will be completed by a member assigned to the IRMS.
- The prisoner's *Final Custody Status* field will be marked "Released without Charge."
- Reflect the charge, article/section number, or County Code Section number in the *Chrg/DNA* tab used to place the subject under arrest.

MEMBERS COMPLETING ARREST RECORDS FOR SUBJECTS BEING LIVESCAN FINGERPRINTED

- Ensure that the *UID*, *JID*, and *SID* fields in the EBooking arrest record are left blank.
NOTE: Completing members will also ensure that the *UID*, *JID*, and *SID* fields in the LiveScan system are left blank prior to submitting a subject's fingerprints to the Department of Public Safety and Correctional Services (DPSCS).
- Ensure the EBooking arrest record is closed once the subject's fingerprints have been submitted to the DPSCS.
- Check the subject's EBooking arrest record after submitting his/her fingerprints to determine if the IRMS has completed the required fields (e.g., *UID*, *JID*, *Confirmed By*, etc.).
NOTE: If the required fields have not been completed and 30 minutes has passed since the subject's fingerprints were submitted, the member will contact the IRMS to determine the cause of the delay.
- Will not change the *Record Status* field of the EBooking arrest record from "Open" to "Pending Approval" until the required fields have been completed by a member of the IRMS.

MEMBERS COMPLETING ARREST RECORDS FOR SUBJECTS NOT BEING LIVESCAN FINGERPRINTED

- Ensure that the *UID*, *JID*, and *SID* fields in the EBooking arrest record are left blank.
- Ensure the EBooking arrest record is closed once the record has been completed.

- Contact the IRMS to request the required fields (i.e., *UID* and/or *JID* and *Confirmed By*) be completed by a member of the IRMS.
NOTE: If the required fields have not been completed and 30 minutes has passed since the arresting member telephoned the IRMS, the arresting member will call the IRMS a second time to determine the cause of the delay.
- Will not change the *Record Status* field of the EBooking arrest record from “Open” to “Pending Approval” until the required fields have been completed by a member of the IRMS.

DESK/PROCESSING OFFICERS

- Ensure subjects are not taken for a bail hearing or released from the Department’s custody until the required fields have been completed in their EBooking arrest records.
- Will not change the *Record Status* field of the EBooking arrest record from “Open” to “Pending Approval” until the required fields have been completed by a member of the IRMS.

INFORMATION & RECORDS MANAGEMENT SECTION

- When a subject has been LiveScan fingerprinted - uses the state identification (SID) number supplied in the DPSCS e-mail to:
 1. Determine the subject’s correct UID and/or JID number; and
 2. Conduct a warrant query on the subject.
NOTE: The IRMS member will immediately notify the arresting officer upon discovery of any:
 1. Possible open warrants.
 2. Discrepancies with the subject’s personal identifying information (e.g., name, date of birth, etc.), in the EBooking record that is different than the information associated with the SID number that DPSCS returned as a result of the fingerprint submission.
- When a subject is not being LiveScan fingerprinted (e.g., arrestees released without charge, juveniles being charged by way of a Form 117, Juvenile Referral and/or Custody Report, but not taken into custody, etc.) - confirms that the subject is not being LiveScan fingerprinted upon receiving a telephone notification from a precinct/command.
NOTE: In these situations the IRMS member will use the information provided by the arresting officer to:
 1. Determine the subject’s correct UID and/or JID number; and
 2. Conduct a warrant query on the subject.
NOTE: IRMS members will immediately notify the arresting officer upon discovering any possible open warrants.
- Determines the reason for any delay when an EBooking arrest record has not been completed within 30 minutes of:
 1. Submission of the LiveScan fingerprints to the DPSCS.
 2. Receiving a telephone notification from a precinct/command.
- Completes the following fields in arrestees’ EBooking arrest records:
 1. *UID* and/or *JID*.
 2. *Confirmed By*.
 3. *SID*.

EXCEPTION: The SID field will be left blank if LiveScan fingerprints were not submitted.

ARRESTEES TRANSFERRED

- When it becomes necessary to house a prisoner in a lockup in a precinct/division other than that in which the prisoner was arrested, a Form 166 or Form 117 will be printed, and will accompany the prisoner to the precinct/division where the prisoner will be housed (e.g., a person is arrested in Precinct 9 and housed in Precinct 7, a Form 166 will be printed and sent to Precinct 7 along with the prisoner, etc.).
- The precinct housing the arrestee will make required updates to the arrestee’s arrest record in the EBooking system.

REFERENCES

- Field Manual, Article 3 (Juvenile Procedures).
- Field Manual, Article 5 (Prisoners).

4-9.3.1 FORM 166 PREPARATION INSTRUCTIONS

GENERAL

- If at any time a precinct prisoner processing system is unavailable, the Baltimore County Office of Information Technology (OIT) Help Desk will be contacted for further instructions.
- In the event of a system malfunction, outage, or maintenance, officers will utilize the EBooking contingency forms, or transport arrestees to an adjacent precinct, as directed by the Commander of the Technology Section (Refer to Article 4, Section 9.4, EBooking Contingency Plan).

EBOOKING TABS (Tabs not listed below are considered self-explanatory):

QUICK BOOK

- *Booking Type* field: Select the appropriate booking type from the dropdown menu. This will determine the mandatory fields throughout the booking record that are required to be filled out. The following are the Booking Types:
 1. Criminal Arrest (Police Default) - for a violation of criminal law.
 2. Arrest for Other Jurisdiction - an arrest is made for another jurisdiction. The O.J. will pick up the prisoner and conduct the bail hearing.
 3. Bail Revocation - when bail is revoked.
 4. Booking for Other Agency - another agency responds to a Baltimore County location for prisoner processing only. The other agency is responsible for prisoner transportation and bail hearing.
 5. Court-Ordered Fingerprinting - fingerprinting ordered by the court.
 6. Detention O.J. - Baltimore County housing a prisoner for another jurisdiction for a brief period of time (i.e., an O.J. fugitive squad traveling through Maryland).
 7. Investigative Incident - a subject detained during an incident for investigative purposes only.
 8. Legacy - a record that has been imported into the EBooking system from the Bookem system.
NOTE: No modifications can be made to this type of record.
 9. Released Without Charge - a subject was arrested for an offense, but then subsequently released with no charges pending.
 10. Sex Offender (Registration Only).
 11. Traffic Arrest - a subject arrested for a traffic offense.
NOTE: When the initial arrest is for a traffic violation and a criminal charge is later added, the booking type should be "Criminal Arrest."
 12. Warrant Service - a subject is arrested on a warrant only.
- *UID, SID, and Confirmed by* fields:
 1. The *UID, SID, and Confirmed by* fields will be entered into the arrest record by the Information & Records Management Section (IRMS) upon receipt of a confirmation e-mail from the Department of Public Safety and Correctional Services (DPSCS), if the arrestee was LiveScan fingerprinted.
NOTE: Members will contact the IRMS if the aforementioned fields have not been completed and 30 minutes has passed since submission of the LiveScan fingerprints to the DPSCS.

2. Members completing arrest records will contact the IRMS to request completion of the *UID* and *Confirmed by* fields, if an arrestee is not being LiveScan fingerprinted.
NOTE: Members will contact the IRMS a second time if the aforementioned fields have not been completed and 30 minutes has passed since the member telephoned the IRMS.
- *Maiden Name* field: For a female arrestee only. When the marital status is: married, widowed, or divorced, the *Maiden Name* field becomes mandatory.
 - Social Security (i.e., *SSN* field) and Driver's License Numbers (*Driver's License* field): When the information is available, complete the appropriate fields. When a driver's license number is entered, the license state becomes mandatory.

PHYSICAL

- All Scars, Marks, Tattoos (SMTs) will be recorded in the appropriate fields and photographed.

ARREST

- Additional information that is not captured elsewhere in the booking record can be entered in the *Arrest Narrative* field.

CHARGE/DNA

- Enter all charges.
- The "Reason Charged/Fingerprinted" should correspond with the booking type. For Criminal Justice Information Services (CJIS) charges, select the appropriate charge from the CJIS code or from the dropdown menu. For local charges, enter the appropriate charge in the *Non-CJIS/Local Charge* field.
- Arresting officers are responsible for entering charging information.
- Desk officers are responsible for entering bail amounts.

VEHICLE

- If the subject is not the registered owner of the vehicle, the owner's name and address may be entered in the *Vehicle Comment* field.

ACTION LOG

- All adult prisoner action records will be recorded within the Incarceration Log Book, in lieu of the *Action Log* tab. (Refer to Field Manual, Article 5).

CUSTODY

- All of the final custody information will be completed by the releasing officer or the desk officer. If a bail hearing is conducted by a Prisoner Transport Officer (PTO), notation can be made in the *Comments* field.

RECORDS MANAGEMENT

- When all mandatory fields are completed, the arresting officer is responsible for changing the *Record Status* field from "Open" to "Pending Approval." This signifies that the arrest record is complete and ready for supervisory review.
- Supervisor: Will review arrest records for accuracy, and will change the *Record Status* field from "Pending Approval" to "Approved." Supervisors will notify arresting officers of records that need correction.

4-9.4 EBOOKING CONTINGENCY PLAN

GENERAL

- A manual (non-electronic) contingency plan has been established to facilitate a thorough, coordinated, and consistent arrest reporting process in the event that the EBooking system becomes unavailable.
- A member experiencing connectivity and/or technical problems with the EBooking system should contact the Baltimore County Office of Information Technology (OIT) Help Desk.

CONTINGENCY REPORT FORMS

- Form 331, EBooking Contingency Form (Adult).
- Form 331J, EBooking Contingency Form (Juvenile).
- Form 332, EBooking Contingency Form (Screening/Action Log).
- Form 15, Property Inventory.

TECHNOLOGY SECTION COMMANDER

- Will be notified of all precinct cellblock EBooking terminal malfunctions, system-wide outages, and system-wide maintenance related to the EBooking system.
- Coordinates the Department's response during periods of malfunctions, outages, and maintenance.
- Authorizes and implements the EBooking Contingency Plan after evaluating the outage/malfunction.
NOTE: An isolated malfunction may not justify the use of the EBooking Contingency Plan. The decision to transport prisoners to an adjacent precinct, or utilize the Contingency Plan, will be evaluated on a case-by-case basis.
- Notifies commanders of terminal malfunctions, system-wide outages, and system-wide maintenance and provides instructions (e.g., use of contingency forms, fingerprinting procedure changes, etc.).
- Notifies affected members when the EBooking Contingency Plan is no longer in effect and that the recovery process may begin.

MEMBERS

- Use contingency report forms that are approved by the Department (e.g., Forms 331, Forms 331J, Forms 332, etc.) only when authorized to do so by the Technology Section (TS) Commander, or designee.
- Complete the following forms:
 1. Form 331, for each booking record requiring entry in the Adult EBooking system.
 2. Form 331J, for each booking record requiring entry in the Juvenile EBooking system.
 3. Form 332, for each booking record.
 4. Form 15, for documentation of all prisoner property.
- Complete all applicable fields on the contingency reports to allow correct data entry into the EBooking system once it is restored.
- Photograph subjects, using the photographing guidelines state below, when applicable.
- Fingerprint subjects, using the LiveScan system, when applicable.
NOTE: LiveScan data will be manually entered by the fingerprinting officer.
- Submit all contingency forms to their supervisor prior to the end of their tour of duty.
EXCEPTION: Original Forms 332 will be maintained by the desk officer for each prisoner, and will be submitted to a supervisor once the prisoner is no longer held at the facility.
- Place copies of contingency forms in prisoners' arrest folders, per standard booking procedures.

- Retain original EBooking contingency report forms as part of their investigative notes after the data has been entered into the EBooking system. Copies of contingency reports will not be forwarded to the Information & Records Management Section (IRMS).
EXCEPTION: Signed Forms 15 will be submitted as part of the completed arrest packet.

SUPERVISORS

- Review all contingency reports.
- Collect all contingency reports, regardless of if they are completed or approved, and submit them to the shift commander prior to the end of their tour of duty.
EXCEPTION: Forms 332 for prisoners currently housed in the precinct cell block.

SHIFT COMMANDERS

- Retain the contingency reports written by their shift/unit and store them in a safe location where they are accessible to other supervisors.

PRECINCT/SECTION COMMANDERS

- Ensure that the EBooking Contingency Plan is implemented correctly within their command.
- Maintain an adequate supply of EBooking contingency forms within their command.
- Are responsible for ensuring that the recovery process is implemented correctly within their command, including that data from all contingency report forms is entered into EBooking for all contingency reports generated by members of their command.

ARRESTEE PHOTOGRAPHS

- Taken using a digital camera with a removable digital media card.
NOTE: While the EBooking Contingency Plan is in effect, at least one digital camera will be dedicated solely for arrestee photographs at each precinct and will not be used for other purposes.
- Will be taken in sequential order as follows:
 1. A frontal photograph of the arrestee while holding an 8 ½" x 11" sheet of white paper just beneath their chin that contains their last name, first name, middle initial, UID number, and arrest date and time written legibly in black marker.
NOTE: This photograph will identify the arrestee so that the photographs may be imported into the correct EBooking record upon malfunction recovery. The writing must be legible when viewing the photograph from the digital media card.
 2. A frontal photograph of the arrestee.
 3. A right profile of the arrestee.
 4. A left profile of the arrestee.
 5. Photographs of the arrestee's scars, marks, and tattoos, if applicable.
- For multiple arrestees, will be stored on the same digital media card.
NOTE: Once the digital media card has reached its capacity, it will be given to the Shift Commander for safekeeping until pickup by the IRMS.

MALFUNCTION RECOVERY

- Upon notification from the TS Commander that the system has been restored, shift/unit commanders will ensure the reporting officer, or a designee, enters the information from the contingency reports into the EBooking system as soon as possible, but no later than 72 hours from the time of notification.
- Members will enter the data from the contingency reports into EBooking using the most appropriate options for all tabs and fields based on the information contained in the contingency forms.

- Members entering information into EBooking who are different from the reporting officer will:
 1. Type the following in the *Narrative* field:
 - a. Booking completed by (name and identification number of the reporting officer) – e.g., “Booking completed by Officer J. Doe #1234.”
 - b. Booking data entered by (name and identification number of the member inputting the data into EBooking) – e.g., “Booking data entered by Officer B. Jones #1001.”
 2. Forward the contingency report forms to the arresting officer.

NOTE: The arresting officer, not the entering officer, is responsible for verifying the data entered into the EBooking system from a contingency report form. Discrepancies will be corrected by contacting the IRMS.
- Shift supervisors will approve EBooking records, once the information from all contingency forms for the arrestee have been entered.
- The IRMS Commander will appoint an IRMS member to:
 1. Report to each command and collect the digital media card(s) used for booking photographs, once the contingency plan is no longer in effect.

NOTE: Media cards will not be sent from the precincts to the IRMS via departmental mail or other means.
 2. Import each booking photograph from the digital media cards into the corresponding approved EBooking records, after 72 hours has passed.

4-10.0 SUMMONS PROCEDURES

GENERAL

- Precinct commanders will ensure that a file is kept at the desk for summonses being held for return.

DEPARTMENTAL MAIL COURIER

- Will pick up warrants, summonses, and other necessary court documents, as required, from the District Court commissioner’s office in the course of their daily mail route.
- Will place the warrants, summonses, and other court documents in an envelope and seal it in the presence of the on-duty District Court commissioner.
- Will place the name of the on-duty District Court commissioner witnessing the transaction on the outside of the envelope.
- Will transport the sealed envelope to Warrant Control.

SHIFT COMMANDERS

- Having a District Court within their command will have the officer transporting mail respond to the District Court and follow the above listed procedures when the departmental mail courier is on leave.

WARRANT CONTROL TEAM

- Attaches a Form 132, Control Sheet (original only), to each summons, filling out the defendant’s name, control and summons number, and precinct assigned.
- Forwards the summons for service to the precinct where the defendant lives.
- Forwards served summonses to the court.
- Forwards unserved summonses to the court, or appropriate agency.

PRECINCT DESK OFFICERS

- Log all summonses in the Warrant/Summons Tracking System.
- Complete a Form 132 (original only) and attach it to the front of the summons, if one is not already attached.

- Perform record and firearm checks, to include any outstanding warrants and attach a copy of the record checks to the Form 132.
 - Assign the summons for service.
 - If a Form 132A, Summons Notification Letter, has been left and the subjects named in the summonses call, advise them of the summons location. If the summons:
 1. Is still at the precinct, it may be signed there.
 2. Has been returned to the court, advise the subject that the trial date is recorded on the Form 132A and that they may call the court for further information.
 - On midnight shift will check the summons file daily to see if any summonses are due to be returned and, if so, return them to Warrant Control and log them out of the Warrant/Summons Tracking System.
- NOTE:** All summonses will be returned at least 10 days prior to the trial date.

SQUAD SUPERVISORS

- Ensure that several documented attempts to serve the summons are made.
- Authorize the issuance of the Form 132A (original only) to the assigned officer if the summons is not served after one attempt.
- At the end of each shift:
 1. Collect all summonses.
 2. Give the summonses to the desk officer for filing, pending return, if at least two unsuccessful service attempts have been made.
 3. Sign the Form 132 in the space provided and send the remaining copies of the summons and Form 132 to the desk officer if the summons has been served.
- Ensure that all summonses (with Forms 132 attached) are forwarded to Warrant Control on or before the indicated due date and at least 10 days prior to the trial date.

OFFICERS

- Attempt to serve the assigned summons and note attempts on the Form 132.
- May interview neighbors to ascertain the whereabouts of the person named on the summons, if necessary, and note on the Form 132. If the person is still not located, other agencies may be contacted.
- Unable to serve the summons after one attempt:
 1. Obtain a Form 132A from the squad supervisor.
 2. Make a second attempt to serve the summons.
 3. If the second attempt is unsuccessful, complete the:
 - a. Form 132A and leave it in a conspicuous location or with an individual at the residence.
 - b. Applicable sections of Form 132 and return it, along with the summons, to the squad supervisor.
- Serving the summons:
 1. Give the canary copies to the defendant.
 2. Complete the Form 132.
 3. Return all remaining copies to the squad supervisor.
- Will not remove any labels from a summons.
- Encountering subjects who refuse to sign their summonses, and willing to accept their copies, will document the refusal to sign on the summons. The officer will give the subject their copies and proceed as with all other served summonses.
- Encountering subjects refusing to sign their summonses, and unwilling to accept their copies, will mark the Form 132 "Refused to Accept" and proceed as with all other unserved summonses.

4-11.0 COURT

4-11.1 DISTRICT COURT SCHEDULING

FORMS 245A & 245B, COURT SCHEDULE

- Completed by supervisors for each member of their unit/shift to schedule court days.
- Prepared in duplicate (original and one copy) and forwarded to the court liaison officer (CLO) assigned to each location.
- Reviewed for completeness by the CLO.
- Forwarded to the CLO marked "Revision" when scheduling changes are necessary.
NOTE: The word "Revision" should be placed on the top of the form above the member's identification number.
- Originals are maintained by the CLO assigned to the location.
- Copies are maintained at each command.
- Forms 245A will be used to submit scheduled court dates covering January through September.
- Forms 245B will be used to submit scheduled court dates covering July through March.

OFFICERS

- Notify their supervisors as soon as possible, but never less than 90 days, when requesting vacation or optional leave on a day which appears as a court day on their court schedule. Officers will also provide the original summons and a copy of the offense report, if a case has been set for that day.
NOTE: The District Court has the final determination in postponing cases.
- Incurring a conflict by being scheduled in Circuit and/or District Courts on the same day will immediately notify the CLO. The officer will not contact the courts.

SQUAD SUPERVISORS

- Prepare a Form 245A or 245B, for each unit/shift member including in the notes section any known dates for: day work (absent regular leave days), vacation leave, military leave, schools, training, or long-term absences.
- Submit members' court dates on a Form 245A for the months January through September.
NOTE: When completing Forms 245A, the first three months must have identical court dates for the corresponding months that appeared on the member's prior Form 245B, if applicable.
- Submit members' court dates on a Form 245B for the months July through March.
NOTE: When completing Forms 245B, the first three months must have identical court dates for the corresponding months that appeared on the member's prior Form 245A, if applicable.
- Indicate on the form if the officer is a transferred member and enter their previous assignment, if applicable.
- Schedule officers for a minimum of one traffic date and two criminal dates each month. Officers involved in traffic or criminal enforcement that produce a large number of citations or arrests will have a minimum of two traffic or criminal court dates each month.
EXCEPTION: Members assigned to the midnight shift may be scheduled for fewer court dates when scheduling conflicts exist.
- Forward Forms 245A and 245B to the CLO.
- Ensure that all officers are aware of their court schedule and that desk officers have a copy of the Forms 245A and 245B for each command member.
- Immediately submit a Form 245A or 245B for new officers on their shift, if necessary.

- Submit a revised Form 245A or 245B if a squad member needs to take optional or vacation leave on a day that appears as a court day on their court schedule. This must be submitted at least 90 days before the leave day requested. The original summons and a copy of the offense report will also be forwarded to the CLO, if a case has been scheduled for that day.
- Keep a balanced court schedule to avoid having too many officers in court at one time.
- Contact the CLO if an error in scheduling is discovered.

PRECINCT/UNIT COMMANDERS

- Are notified by the court liaison supervisor (CLS) when Forms 245A or 245B are due.
- Prepare a Form 159, Order/Directive Verification Form, to verify that a Form 245A or 245B was submitted for each member of their command.

UNITS WITH NO COURT LIAISON

- Unit commanders will ensure a Form 245A or 245B is completed for each of their members and forward them to the CLS.
- When members are transferred into one of these units, the commander will ensure a revised Form 245A or 245B is completed, including where the member was last assigned, and forward it to the CLS.

4-11.2 COURT LIAISON PROGRAM

GENERAL

- Allows the Department to assign members (sworn and non-sworn) to each precinct to coordinate the efforts of summonsed officers with court attendance.
- All requests for postponement or to be excused from court shall be submitted on a Form 3, Request for Excused Absence from Court.

NOTE: A copy of the summons will be attached to the Form 3.

COURT LIAISON OFFICERS (CLOs)

- Maintain records of summonsed officers for District Court criminal cases.
- Receive copies of all District Court criminal case summonses for officers within their area of responsibility.
- Contact the State's Attorney's Office if four or more officers are summonsed to a trial on the same case and ascertain which officers are required for prosecution.
- Obtain the required documentation from summonsed officers and maintain files on cases scheduled for trial.
- Process all Forms 3.
- Ensure a copy of the Metropolitan District map is posted in a public location within each courthouse within the County, in accordance with Baltimore County Code § 17-2-101, Discharging Firearm or Weapon in Metropolitan District.

SUMMONSED OFFICERS

- Must submit an approved Form 3 to the CLO prior to any court date requiring "overtime" attendance.

NOTE: Approved Forms 3 will be submitted:

1. Immediately upon receiving a summons less than seven days prior to the court date; or
 2. As soon as possible, but no later than five days after receiving a summons more than seven days from the court date.
- Indicate in the *Case Involvement* section of the Form 3 if the summons requiring overtime is from another jurisdiction, for routine traffic, or from the defense.

- Identifying a defendant as a substantial risk to the peace, and/or safety of the citizens of Baltimore County (e.g., pending charges, history of violence, etc.), should notify the CLO prior to the trial date.
- Furnish the CLO with case documentation within five days of receipt of a summons or as soon as possible if given less than five days notice before the trial.
- Call the court excusal number after 1800 hours the evening before the scheduled court date to determine if they are needed for Circuit or Juvenile Court.
NOTE: The date and time that the excusal number was called must be included on the Form 110, Overtime Pay Form, or Form 110A, Compensatory Leave Form.
- Who are on duty will:
 1. Remain in service until called by the CLO for district court cases.
EXCEPTION: When previously directed to appear by an Assistant State's Attorney or CLO.
 2. Contact the Circuit Court Liaison and notify him/her that they are on duty and available.
NOTE: Members will provide the liaison with their name, identification number, unit assignment, and defendant's name.
- Required to attend court will report by the designated time on the summons, unless otherwise instructed or authorized by the CLO.
- Be prepared to appear in court immediately when directed by the CLO or the State's Attorney.
NOTE: Members will contact the CLO when not able to respond to court within 30 minutes.
- Attach a copy of the approved Form 3 to the Form 110 or the Form 110A.

REFERENCE

- [Baltimore County Code.](#)

4-11.3 COURT WITNESSES

DEPARTMENT MEMBERS

- When summonsed and requested to testify, or in any other way act on behalf of a criminal defendant, will:
 1. Immediately notify the appropriate prosecutor via a Form 12L.
 2. Advise their commander via a Form 12L and provide the name of the prosecuting attorney who was notified.
 3. If no summons is received, advise the person making the request that a summons or subpoena is necessary, unless acting voluntarily.
 4. Not make voluntary reference to their position or employment with the Baltimore County Police Department, if acting outside the line of duty.
- May not collect a court appearance fee when testifying in connection with Baltimore County business, either during normal working hours or while being paid overtime.

STATE'S WITNESSES

- Department members who believe that a witness is unreliable or will fail to appear when summoned will notify the prosecutor via a Form 12L detailing the grounds for their suspicion.
- Members having probable cause to believe a witness is interfering in or impeding an investigation will proceed in accordance with established charging procedures.

REFERENCES

- Administrative Manual, Article 1 (Conduct).
- [Baltimore County Code.](#)

4-11.4 COURT SUMMONSES FOR DEPARTMENT MEMBERS

4-11.4.1 JUVENILE, CIVIL, AND CIRCUIT COURT SUMMONSES

GENERAL

- Juvenile, Civil, and Circuit Court summonses are issued to members in paper format.

PRECINCT/DIVISION COMMANDERS

- Ensure that a standard size ledger book is prepared for the logging of all Juvenile, Civil, and Circuit Court summonses received at the command. Each page will be divided into eleven columns with the following headings:
 1. Date summons received.
 2. Name of shift commander/traffic supervisor logging summonses.
 3. Name and identification number of summonsed member.
 4. Type of court.
 5. Trial date.
 6. Location of court.
 7. Defendant's name.
 8. Central Complaint (CC)/case number.
 9. Officer's initials and date received by officer.
 10. Initials of shift commander/traffic supervisor who served the summons.
 11. Remarks.

OFFICERS RECEIVING SUMMONSES

- From the deputy sheriff, will sign and date the copies and immediately return them to the deputy sheriff. Originals will be given to the summonsed member's shift commander.
- For an officer who has left the Department, will forward the summons to the Court Liaison Officer (CLO).
- For an officer who has been recently transferred, the summons will be forwarded to the officer's shift/unit commander at the new duty assignment.
- Will record all forwarded summonses in the logbook with an appropriate entry made in the "Remarks" column.
- Requesting excusal from a Circuit or Juvenile Court case, will submit a Form 3, Request for Excused Absence from Court, to the appropriate CLO within five days of receipt of a summons.

NOTE: A copy of the summons must be attached to the Form 3.

SHIFT/UNIT COMMANDERS

- Log Circuit, Juvenile, and Civil Court summonses in the logbook.
- Issue summonses to named officers.
- For an officer on vacation or leave who will:
 1. Return prior to the trial date, will ensure the summons is delivered to the officer upon their return to duty.
 2. Not return until after the trial date, will note on the summons the officer's status and when the officer will return. The summons will then be forwarded to the CLO.

4-11.4.2 DISTRICT COURT SUMMONSES

GENERAL

- District Court summonses are issued to members via their individually assigned Department e-mail accounts by their assigned court liaison officer (CLO), the CLO supervisor, or bureau designee.

NOTE: Summons information for upcoming district court cases that have been sent electronically to the Department via the courts is available on the Department's Intranet site in PDF format. Members may search the PDFs documents by their name or Department identification (ID) number for information on their upcoming court cases.

- E-mailed summonses will contain a subject line with the format "**SUMMONS MDEC/SUBAGENCY/OFFICER NAME ID/RUN DATE**" (e.g., Officer Smith from Precinct 1, for a summons with a run date of 2/19/2019, will receive an e-mail with the subject line "**SUMMONS MDEC PC1 SMITH 4546 2/19/2019,**" etc.).

NOTE: The run date is the date the summons was sent from the courts to the Department. It is not the trial date.

MEMBERS

- Will be considered served with a summons on the date and time the e-mail was sent.
EXCEPTION: When the member does not report to work between the date and time the e-mail was sent, and the court date and time listed on the summons.

- Encountering court cases for which they appear to have been summonsed on the PDF document, but were not served via e-mail, are excused from court.

NOTE: In these circumstances, members are not required to attend court, and will not be compensated, unless they are otherwise notified/authorized by a CLO or CLO supervisor.

- Review each court case listed, upon receipt of a summons.
- Ensure their personal records (e.g., calendars, case files, and/or other methods of tracking court dates, etc.) are updated with new and revised court summons information, so they appear in court, when required.
- Submit a Form 12L, Intra-Department Correspondence, to their commander, if the late receipt of an e-mailed summons caused them to miss court. The Form 12L will include the:
 1. Date and time of trial;
 2. Location of trial;
 3. Type of case;
 4. Name of the defendant(s);
 5. Reason the member did not receive the e-mailed summons prior to the court date; and
 6. Date and time the e-mailed summons was opened and reviewed by the member.

NOTE: A copy of the e-mail summons will be attached to the Form 12L.

- Requesting excusal from a District Court case, will submit a Form 3, Request for Excused Absence from Court, to the appropriate CLO within five days of receipt of a summons.

NOTE: A copy of the e-mailed summons does not need to be attached to the Form 3.

- Attach a copy of the e-mailed summons to the appropriate paperwork, when requesting overtime pay or compensatory leave for court appearances.

COURT LIAISON OFFICERS

- Receive electronic files containing summons information for Department members from the District Court.
- Screen cases to determine if a member is needed for court, prior to the distribution of summonses via e-mail.
- Distribute summonses to Department members via e-mail, when a member is needed in court, and the summons is for a:
 1. Newly scheduled court case; or

2. A previously scheduled court case that has been updated (e.g., the case has been postponed, moved to a different courtroom, etc.).

NOTE: Summonses will be sent by bureau designee, for members who are not assigned a CLO.

- Maintain a CLO database containing summons information for all Department members.

4-11.5 COURT AND HEARING ATTENDANCE

OFFICERS

- Required to appear in court during their tour of duty:
 1. Will notify their immediate supervisor at roll call on the date of the court appearance.
 2. Will leave their assignment as notified by the Court Liaison Officer (CLO).
- Unable to appear in court at the required time, will inform the CLO as soon as possible.
- Arriving late will provide an explanation to the State's Attorney.
- Incurring a conflict by being scheduled in different courts or court rooms at the same time will immediately notify the CLO. The officer will not contact the courts.
- Will not leave court until the conclusion of their cases, unless given permission by the State's Attorney, the Court, or the CLO.
- Working day shift, must contact their CLO prior to the end of their tour of duty if they have not been notified that their case has concluded.
- On callback status:
 1. Will contact their duty station at the conclusion of their court duties and inform the shift/unit commander of their status and time remaining on callback.
 2. Will either report for duty or be excused as instructed by the shift/unit commander.
- Assigned to a uniformed section, will wear the uniform of the day to court regardless of their duty status and be properly equipped for duty.
- Assigned to a non-uniformed position, will wear professional business attire when attending court. The badge must be displayed on the outermost garment at all times when attending court in civilian clothes.
- Will sign the Court Attendance Roster noting the time of arrival to the court room, when attending District Court or Juvenile Court.
- Must conduct themselves in a dignified and respectful manner while in court or other judicial hearings.
- Currently on suspension, will:
 1. Contact their supervisor upon receipt of a summons to determine if they should appear for trial.
 2. Not transport any evidence to the trial site. They should make arrangements with their supervisor to have the evidence delivered to the court if needed.

OFFICERS TAKING UNSCHEDULED LEAVE

- Notify their supervisor, if the squad/team is working.
- Notify the CLO, when their squad/team is not working.
- Notify the on-duty supervisor, if the CLO is not available.
- Contact the clerk of the appropriate court and document notification information as required below if neither the on-duty supervisor nor the CLO can be reached in a timely manner. Voice mail messages are not acceptable. Notification must be made to an individual.
- Upon returning to work, submit a Form 12L to the commander including:
 1. Date, time, and location of the trial.
 2. Type of case.
 3. Name(s) of defendant, if possible.
 4. Reason unable to appear.

5. Name of the clerk contacted and date and time of notification, as provided by the supervisor.

SUPERVISORS

- If an officer is unable to appear due to sickness, death in the family, etc., notify the CLO or, if the CLO cannot be reached in a timely manner, the clerk of the appropriate court. Voice mail messages are not permitted. Notification must be made to an individual.
- If a judge or a state's attorney requests more information concerning a member's absence from court, notify the member to contact the court personally. This information is to assist the judge in making an informed decision on the case. Only the court may excuse a member from court.
- Document the date, time, and name of the individual notified in the clerk's office or the CLO and provide the information to the absent officer upon their return to duty.
- File a copy of the absence notification Form 12L in the officer's precinct personnel file for reference should the officer's absence be questioned.
- Of a suspended officer, will immediately:
 1. Determine all pending court cases involving the suspended officer.
 2. Contact the CLO with information regarding any routine traffic cases and/or for criminal or serious traffic cases.
 3. Inform the suspended officer if they are required to appear at trial as instructed by the Legal Section or the CLO.
 4. Make arrangements to have any evidence transported to and from court. The suspended officer will not transport evidence.
 5. Inform the CLO of the officer's status, appearance instructions, and arrangements for transporting evidence.

4-11.6 DISCOVERY

GENERAL

- The Department will make every effort to provide the State's Attorney's Office (SAO) with all available information necessary to comply with defendants' discovery requests.
NOTE: Failure of the SAO to provide evidence during discovery may negatively affect the outcome of a case in court.

MEMBERS

- Recovering evidence will properly document its existence in the associated incident report and include:
 1. A description of the type and amount of evidence collected.
 2. The name and identification (ID) number of the member collecting the evidence.
 3. The manner in which the evidence was collected/stored (e.g., sent to the Evidence Management Unit (EMU), stored in cloud-based digital evidence management systems (DEMS), sent to the Forensic Services Section (FSS) for electronic storage, etc.).
- Obtaining charging documents for suspects in criminal or serious traffic cases will forward a copy of all videos, photographs, recordings, Detective Notes, and paper evidence (e.g., photo displays, written confessions, written statements, checks, receipts, pawn sheets, etc.) to the SAO.
EXCEPTION: Evidence stored electronically by the FSS or in a DEMS.
- Will forward copies of evidentiary items to the SAO:
 1. Electronically via the shared drive, or
EXCEPTION: Copies of evidentiary items that are forbidden by law to be transferred electronically (e.g., child pornography, DNA profile, etc.) will be sent as detailed below under **FORWARDING PHYSICAL COPIES OF EVIDENTIARY ITEMS.**

2. Physically if it cannot be forwarded electronically.

NOTE: Electronic forwarding is the preferred method and will be used, when possible.

- Collecting physical items that cannot be scanned and forwarded electronically, will photograph the item(s) using a body worn camera (BWC) mobile device so the images may be forwarded electronically to the SAO.
- Will not forward copies of evidentiary items to the SAO until a suspect has been charged.
- Are prohibited from forwarding copies of evidentiary items to the SAO via e-mail.
- Are responsible for removing the evidence from the EMU and forwarding copies of it to the SAO when a suspect is charged after the evidence has been submitted to the EMU.
- Shall ensure all evidence collected is properly handled and stored as stated in the Department's established procedures.

FORWARDING ELECTRONIC COPIES OF EVIDENTIARY ITEMS

- Evidence stored in a DEMS (e.g., body worn camera videos, conducted electrical weapon videos, etc.) will be shared with the SAO electronically by the Technology Section (TS).
NOTE: Members will share evidence stored in a DEMS with the SAO, when necessary, or upon receipt of a request from the SAO to do so.
- Copies of evidentiary items stored electronically by the FSS (i.e., digital photographs) will be forwarded by the FSS upon receipt of a request from the SAO to do so.
- Members will forward copies of evidentiary items electronically by:
 1. Navigating to the shared drive, and selecting the "County" folder, followed by selections of the "Restricted" folder, and the folder for their assignment (e.g., "Precinct 3 – SAO Share," etc.).
 2. Creating a folder with the central complaint (CC) number as the name of the folder.
 3. Copying into the folder all files available in an electronic format.
NOTE: Members will ensure that a copy of the DC/CR1, Application for Statement of Charges, DC/CR2, Statement of Charges, and/or warrant are included in these files.
NOTE: Members without access to the shared drive at their current assignment will coordinate with the precinct in which the incident occurred for sharing of the files.
- Members should ensure that they keep their own electronic files as the SAO will remove the items from the shared drive once it has been received by their office.
- If new items of evidence are obtained after a shared file has been deleted by the SAO, the member will create a new folder as described above and notify the SAO of the new items forwarded.

FORWARDING PHYSICAL COPIES OF EVIDENTIARY ITEMS

- Physical copies of evidentiary items submitted to the EMU will be sent to the SAO by the charging officer via Department mail in an envelope:
 1. Marked with: "State's Attorney's Office – Attention: Discovery," the name of the defendant(s), and the central complaint (CC) number for the case.
 2. Containing a copy of the Form DC/CR1, Application for Statement of Charges, DC/CR2, Statement of Charges, and/or warrant.
 3. Containing the evidence copies with the CC number and item number written in the upper, right corner of each page.
EXCEPTION: Compact discs will be marked with the CC number on the disc.

4-12.0 COURT-ORDERED FINGERPRINTING

COURT COORDINATOR

- Picks up Forms CC-DC/CR19, Court-Ordered Fingerprinting, from the judge who ordered the fingerprinting each day court is in session.

- Gives the Forms CC-DC/CR 19 to the assistant precinct commander at the precinct where they are assigned.
- Ensures that forms are picked up in their absence.

ASSISTANT PRECINCT COMMANDER

- Maintains a log of all forms received.
- Confirms fingerprinting of ordered defendants.
- Returns all Forms CC-DC/CR 19 to the District Court Traffic Criminal Administrator after the third business day.
- Ensures fingerprint cards and Forms 166 are submitted per current policy.
- Immediately notifies the District Court Traffic Criminal Administrator by phone of subjects who are printed after the third business day.

DESK OFFICERS

- When presented with a Form CC-DC/CR 19 by the defendant, check the form to make sure the defendant is at the ordered precinct.
- Direct the defendant to the precinct designated in the court order, if necessary.
- Confirm the individual's identity.
- Conduct wanted checks on all subjects ordered to be fingerprinted.
- Photograph the defendant.
- Complete an EBooking arrest record.
NOTE: The *UID*, *SID*, and *Confirmed by* fields will be entered into the arrest record by the Information & Records Management Section (IRMS) upon receipt of a confirmation e-mail from the Department of Public Safety and Correctional Services (DPSCS).
- The *Arrest Narrative* field of the record will note that the defendant is being fingerprinted upon conviction of a summons/citation and include the name of the ordering judge.
- Draw a CC number for the charge on which the defendant was convicted, if no CC number is assigned to the charge.
- Fingerprint the defendant using the LiveScan system and:
 1. Enter the words "Court Ordered" in the *OCA* field.
 2. Enter the District Court tracking number.
- Complete the return portion of the original court copy of the Form CC-DC/CR 19.
- Have the individual date and sign the original Form CC-DC/CR 19.
- Forward the completed Form CC-DC/CR 19, Form 166, and print cards to the assistant precinct commander.
- Immediately release persons not sentenced to confinement upon completion of the fingerprinting and photographing.
- If a defendant reports for fingerprinting after the three day limit, they will still be processed.

4-13.0 CRIMINAL RECORD INQUIRIES

NCIC/MILES WANTED CHECKS

- When an inquiry is made on limited data and a positive response is received, it is essential to match the remaining identifying data in the MILES or NCIC record with the information that the officer has on-hand before taking further action.
- Should any information be obtained as the result of an inquiry, the precinct/section instituting the request will be responsible for checking with the agency that entered the record in the file to ensure that no status change has occurred.
- Telephone inquiries will be made through the Information & Records Management Section.
- Radio inquiries will be made through the dispatcher or mobile data computer.

REFERENCE

- Field Manual, Article 1 (Investigations).

4-13.1 DISSEMINATION OF CRIMINAL HISTORY

GENERAL

- Criminal history information may be given to:
 1. Criminal justice agencies (e.g., police, courts, corrections, etc.).
 2. Agencies which are authorized by federal/state statutes or executive orders to conduct investigations for employment suitability or security clearances.
NOTE: This includes the Records Management System (RMS) and any other records system that may contain criminal history information.
- Individuals outside of the Department who are not members of the agencies listed above will be advised to contact the Criminal Records Repository of the State of Maryland.
- The Information & Records Management Section will maintain a log of the names, identification numbers, etc., of members requesting criminal record checks.
- Telephone requests made by officers will be verified by the Information & Records Management Section and the information requested will be given to the member in a return telephone call to the precinct/division.
- Criminal history information will not be given via the radio.
NOTE: This does not include MILES/NCIC wanted checks.
- Department members will only obtain criminal record checks for purposes related to law enforcement.
- All criminal record information is considered confidential.
- It is a violation of the law for an officer to give a criminal record check to an individual not authorized to receive such information.

4-13.2 EXPUNGEMENT OF ARREST AND CRIMINAL RECORDS

ARREST/CUSTODY RECORDS

- Any adult or juvenile arrested on probable cause but then released without charge, prior to October 1, 2007, may request expungement of arrest records.
NOTE: The Information & Records Management Section began expunging arrest records on October 1, 2007, for subjects arrested and released without charge.
- A person requesting expungement or administrative removal will:
 1. Complete an [Expungement of Records Form](#).
 2. If the arrest or detention occurred within three years of the request, also complete a [General Waiver and Release Form](#).
- Requests for administrative removal of juvenile custody records will be reviewed by the Legal Section prior to removal.

CRIMINAL RECORDS

- Department members encountering persons who desire to expunge criminal records in which actual charges have been placed, will advise those persons that application for expungement can only be made at the court where the person's case was tried (i.e., Circuit Court or District Court in Towson), if the case disposition rendered was acquittal, charge dismissal, probation before verdict, nolle prosequi, or stet.
- Expungement applications will be made through the court clerk.
- Approval by the court will result in an expungement directive sent to the Information & Records Management Section.

PRISONERS

Article 5

- 5-1.0 Prisoners [rev. 08/2020]**
 - 5-1.1 *Prisoner Tracking* [rev. 09/2016]

- 5-2.0 Searches [rev. 02/2017]**
 - 5-2.1 *Strip Searches* [rev. 10/2020]
 - 5-2.2 *Body Cavities* [rev. 08/2020]

- 5-3.0 Prisoner Handling [rev. 06/1999]**
 - 5-3.1 *Handcuffing of Prisoners* [rev. 08/1998]
 - 5-3.2 *Transportation of Prisoners* [rev. 09/2017]
 - 5-3.2.1 *Prisoner Transport Program* [rev. 09/2017]

- 5-4.0 Prisoner Processing [rev. prior to 1994]**
 - 5-4.1 *Screening* [n/a]
 - 5-4.1.1 *Suicide Screening* [rev. 08/2020]
 - 5-4.1.2 *Health Screening* [rev. 10/2014]
 - 5-4.1.3 *Prison Rape Elimination Act (PREA) Screening* [rev. 02/2017]
 - 5-4.2 *Prisoner Property* [rev. 10/2020]
 - 5-4.2.1 *Property Release* [rev. 12/2015]
 - 5-4.3 *Fingerprinting and Photographing* [rev. 08/2020]
 - 5-4.3.1 *Fingerprint Card Completion* [rev. 09/2019]
 - 5-4.4 *DNA Data Base System-Collection Upon Criminal Charge* [rev. 10/2020]
 - 5-4.5 *Bail Hearings* [rev. 09/2019]
 - 5-4.5.1 *Bail Hearings for Hospitalized Prisoners* [rev. 04/2019]

- 5-5.0 Housing Prisoners [n/a]**
 - 5-5.1 *Safety/Security* [rev. 08/2021]
 - 5-5.2 *Prisoner Action Records* [rev. 09/2016]
 - 5-5.2.1 *Incarceration Log Book* [rev. 09/2016]
 - 5-5.3 *Detention* [rev. 04/2019]
 - 5-5.4 *Segregating Prisoners* [rev. 10/2014]
 - 5-5.5 *Prisoner Meals* [rev. 09/2016]
 - 5-5.6 *Prisoner Visitation* [rev. 10/2014]
 - 5-5.7 *Guarding Prisoners Requiring Hospitalization* [rev. 04/2018]
 - 5-5.7.1 *Prisoner Visitation at Medical Facilities* [rev. 04/2018]
 - 5-5.8 *Closure of Precinct Cellblocks* [rev. 10/2014]

- 5-6.0 Medical Issues [rev. 12/2022]**
 - 5-6.1 *Pepper Aerosol Restraint Spray (ARS)* [rev. prior to 2000]
 - 5-6.2 *Seriously Injured/Ill Prisoners* [rev. 07/2003]
 - 5-6.3 *Prisoners Requiring Medication* [rev. 10/2014]
 - 5-6.4 *Narcotic Addicts* [rev. prior to 1994]
 - 5-6.5 *Communicable Diseases* [rev. prior to 1994]

- 5-7.0 Unusual Occurrences [rev. 08/2020]**
 - 5-7.1 *Escape from Department Custody* [rev. 10/2020]

- 5-8.0 Removal of Detention Center Prisoners [rev. 08/2020]**

- 5-9.0 Prison Rape Elimination Act (PREA) of 2003 [rev. 02/2017]**
- 5-9.1 *PREA Prevention Standards* [rev. 02/2017]
- 5-9.2 *PREA Arrests and Searches* [rev. 02/2017]
- 5-9.3 *PREA Reporting* [rev. 08/2020]
- 5-9.4 *PREA Investigations* [rev. 02/2017]
- 5-9.5 *PREA Training and Education* [rev. 02/2017]
- 5-9.6 *PREA Data Collection* [rev. 02/2017]

PRISONERS

5-1.0 PRISONERS

DEFINITION

- Prisoner - includes arrestees both pre- and post-bail hearing. Unless otherwise noted, it also includes persons held for other jurisdictions (e.g., Detention O.J., extradition, etc.) and juveniles.

ABBREVIATIONS

- JID - Juvenile Identification.
- UID - Unique Identifier.

FORMS

- Form 117 - Juvenile Referral/Custody Report.
- Form 166 - Arrest Report.
- Form 166B - Arrestee Screening Form.

DEPARTMENT MEMBERS

- Are responsible for the custody and safety of prisoners and management and security of the facility under their control.
- Will not recommend any person, firm, or corporation as attorney, counsel, or bondsperson to a prisoner.
- Will not be directly or indirectly involved with making arrangements, agreements, or compromises between a criminal and victim for the purpose of allowing the criminal to escape punishment provided by law.

5-1.1 PRISONER TRACKING

GENERAL

- All prisoners are tracked utilizing the EBooking system.
- Arresting officers and desk officers will enter arrest data into EBooking for adult prisoners, juveniles, and persons arrested by other units/divisions who are brought into a precinct for processing and detention.
- After release from police custody, prisoner disposition will be entered into the EBooking system.
- When precinct computers are out-of-service for extended periods, adjacent precincts with an operational system will be utilized to update information.

SHIFT COMMANDERS

- Conduct a face to face check of the actual prisoner population against the EBooking system at least once per shift to ensure:
 1. The safety and welfare of the prisoners, and
 2. EBooking entries are updated and accurate.**NOTE:** This is recommended to be completed at the beginning or end of each shift.
- Sign the Form 91, Daily Summary Report, indicating that the face to face prisoner check and EBooking system verification were completed.

5-2.0 SEARCHES

MEMBERS

- Taking an arrestee into their custody will immediately conduct a search, unless exigent circumstances exist.
NOTE: This applies to the arresting officer and all member taking custody of a prisoner from anyone within or outside of the Department, regardless of whether a previous search was conducted.
- Responsible for searching arrestees will be held accountable for a proper search, using the search procedures outlined below.
- Use caution when searching areas where there may be sharp objects or other hazards.
- Are prohibited from placing an arrestee into a cell without a thorough search.

SEARCH PROCEDURES

- Members of the same gender as an arrestee will make a thorough search of:
 1. The arrestee.
 2. The arrestee's personal effects (e.g., handbags, backpacks, etc.).
- Members of the opposite gender as an arrestee will:
 1. Make an initial full body pat down of the arrestee for weapons, contraband, and other property in their possession.
NOTE: This will be done in the presence of another officer, when practicable.
 2. Make a thorough search of the arrestee's personal effects.
 3. Ensure a thorough search of the arrestee is conducted by a member of the same gender as the arrestee as soon as practicable.

5-2.1 STRIP SEARCHES

STRIP SEARCHES

- May be conducted when specific factors are present which establish a reasonable, articulable suspicion that the search will recover items seizable by law.
NOTE: A prisoner's previous criminal history or Records Management System (RMS) record alone does not provide sufficient criteria.
- Must be approved by the shift commander; however, when exigent circumstances exist and the shift commander is not readily available, a supervisor or acting supervisor may authorize the search. The supervisor must:
 1. Ensure strip search requirements are met and in accordance with departmental rules and regulations.
 2. Notify the shift commander as soon as possible and submit a written record (e.g., Detective Note, Case Report, Officer Report, etc.) detailing the exigent circumstances.
- Conducted by an officer along with a witnessing officer, both being the same gender as the prisoner.
- Conducted in departmental facilities, when possible.
- Conducted in secure areas away from the view of others.
NOTE: The prisoner will not remain unclothed any longer than is absolutely necessary.
- Noted in the EBooking arrest record and will contain the:
 1. Reason the search was made.
NOTE: A specific reason must be given; statements such as "Search Incident to Arrest" or "See prisoner's criminal history/RMS record" are not sufficient.
 2. Name of the shift commander/supervisor approving the search.
 3. Name of the officer conducting the search and witnessing officer.
 4. Date, time, and place the search was made.
 5. Result of the search.

5-2.2 BODY CAVITIES

GENERAL

- The mouth is the only body cavity that may be searched without a warrant. In this instance there must be probable cause to believe the prisoner is concealing something.
NOTE: Reasonable force may be used to prevent swallowing the object.
- Search of body cavities other than the mouth require a search warrant. In this instance:
 1. There must be a clear indication that the person has within their body evidence or contraband, which must be removed.
 2. The shift commander or squad supervisor may give the authority to apply for a search warrant.
 3. The search must be done by a licensed physician.
 4. Force may be used to the extent necessary to effect submission to the body cavity search.

MEMBERS

- Contact a Vice/Narcotics Section supervisor prior to applying for a warrant to conduct a body cavity search.

EMERGENCY SEARCHES

- Police personnel may direct an authorized physician to conduct a search of body cavities without a warrant in an emergency when time is of the essence, after permission has been given by the shift commander or squad supervisor.
- The highest-ranking officer involved in authorizing the search must file a detailed written record explaining the emergency conditions.

REFERENCES

- Field Manual, Article 1 (Investigations).
- Field Manual, Article 7 (Evidence).

5-3.0 PRISONER HANDLING

OFFICERS

- Making an arrest or at any time having prisoners in their custody who are not confined to a cell, will guard their prisoners closely, using the utmost caution to prevent them from escaping or injuring anyone in such manner.

5-3.1 HANDCUFFING OF PRISONERS

DEPARTMENT MEMBERS

- Will refer to Field Manual, Article 12 (Use of Force/Weapon Systems), regarding proper handcuffing procedures.
- Should obtain the judge's permission to keep restraining equipment on high-risk prisoners during court proceedings.

5-3.2 TRANSPORTATION OF PRISONERS

SAFETY/SECURITY FACTORS

- Include the:
 1. Prisoner's demeanor and physical condition.
 2. Seriousness of pending charges.
 3. Previous escape risk (when known).
 4. Type of security at destination.

- 5. Previous use of pepper aerosol restraint spray (ARS).
- Determine the:
 1. Mode of transportation used.
 2. Number and type of personnel necessary to safely transport/guard the prisoner.
 3. Additional safety measures required (e.g., seclusion from public, medical needs, etc.).
 4. Special needs of the prisoner (e.g., wheelchair, crutches, etc.).

PRISONERS

- Will be seat belted in police vehicles when the vehicle is equipped with seat belts.
EXCEPTION: If a member believes a prisoner must be transported without the use of a seat belt, the shift/unit commander will be contacted to evaluate the reasons for not seat belting the prisoner and will make the final decision. If approved, the reasons for not seat belting the prisoner will be documented in the *Arrest Narrative* field of the arrest record along with the name and identification number of the shift/unit commander who made the decision.
- Will not be secured by any means to fixtures within police vehicles.
- May be transported in vehicles with screens, without another officer's assistance, but must be seated in the right rear passenger seat. If multiple prisoners are to be transported, another police car will be requested to respond if the prisoner transport wagon is not available.
- Transported in vehicles without screens, will be seated in the right rear passenger seat and an assisting officer, if available, will ride along in the left rear passenger seat. When transporting two prisoners, an assisting officer will ride in the left rear passenger seat with the prisoners seated in the center and right rear passenger seats.
- Of opposite sexes, are not to be transported together unless exigent circumstances exist.
EXCEPTION: Prisoner transport wagons with separate areas for segregation of prisoners.
- Will not be placed face down in a prisoner transport wagon if ARS was used.
- Who are juveniles, will not be transported with adult offenders unless juvenile jurisdiction has been waived or exigent circumstances exist.
- Will not be allowed to communicate with anyone while in transport.

PRISONER TRANSPORT WAGONS

- Used for prisoner transportation, when available.
- Must be used when transporting three or more prisoners.
- Used to transport prisoners recovering from the effects of ARS whenever possible.
- Will not be used to transport non-violent, "constant watch" prisoners.
- Should not be used for more than eight prisoners at one time unless exigent circumstances exist. Accompanying officers will be assigned to the prisoners at the discretion of the shift commander.

PRISONER TRANSPORT OFFICERS (PTO)

- May be sworn members or provided by a contracted vendor.
- Transport prisoners to/from precincts, courts, commissioner's offices, medical facilities, and detention centers.
- Review all paperwork related to prisoners in their custody to ensure that all warrants, detention, and removal orders are completed prior to releasing the prisoner.
- Search prisoners/arrestees and transport vehicles before and after transport.
- Immediately report any personal property or contraband discovered for an appropriate investigation and/or reporting.
- Observe prisoners in their control for visible signs of physical injuries, abnormal behavior or potential suicidal behavior, and make note of statements made by the prisoner regarding it.

- Notify dispatch:
 1. To request assistance and/or additional equipment necessary when transporting mentally or physically handicapped persons, their equipment, or medication.
NOTE: Assistance may be requested from the Baltimore County Fire, Health, or Social Services Departments.
 2. Of the starting location, destination, and vehicle mileage at the beginning and end of the trip, when transporting prisoners of the opposite sex.
EXCEPTION: Fugitive transports when out of radio range.
- Will not stop during prisoner transport to respond to the need for police services except under the following circumstances and only when there is minimal risk to the prisoner:
 1. During on-view life or death situations.
 2. When services can be offered via radio without exiting the vehicle.
- Report any unusual incident to the shift commander immediately.
- Stand by until desk officers complete screening evaluations. If an emergency evaluation is necessary, a sworn transport officer will take the person for evaluation. Other jurisdictions housing prisoners in Baltimore County will also follow this procedure.
EXCEPTION: Department plain-clothes personnel and members of covert units (e.g., Vice, Intelligence, Narcotics, etc.).
- Secure personal property belonging to transported individuals.
- May release a prisoner's property upon the prisoner's release from custody. Excessive amounts of personal property will be forwarded to the Evidence Management Unit.
- Are responsible for the proper sign off and disposition of all reports and documentation relating to a prisoner. Vendor PTOs will stand by until desk officers review all reports related to the prisoner for completeness and accuracy.
- Return to their assigned precinct duties when not engaged in transporting prisoners.
- May be utilized to assist desk officers in the event of unplanned personnel shortages. Shift commanders should contact the PTO supervisor for such requests. Desk duties will not interfere with prisoner transport.
- Employed by a vendor, will defer to the authority and responsibility of a Department member if questions arise regarding specific prisoner transport situations.

DESK OFFICERS

- Notify the PTO of and note any pertinent information (e.g., medical conditions, escape risks, detainers, additional warrants, etc.) on the Form 166.

SUPERVISORS

- Monitor multiple prisoner transports to ensure adequate resources and safety measures are employed.

SHIFT/UNIT COMMANDERS

- Evaluate situations and decide if prisoners will be transported without the use of a seat belt.

TRANSPORT BETWEEN FACILITIES

- The PTO will notify the appropriate judge or other court officials when a prisoner presents a security hazard prior to transport to court.
- Prior to transporting a prisoner from a temporary police holding facility to the Detention Center or the Department of Corrections, the PTO will obtain the necessary paperwork from the desk officer. Upon arrival the PTO will:
 1. Surrender any weapon to the duty officer.
 2. Remove restraining devices within a secure area as directed by detention facility personnel.

3. Deliver necessary documentation, including a copy of the arrest report, to the detention facility officer.
4. Obtain the name of the officer receiving the prisoner and the time of release, and provide it to the desk officer upon return of the paperwork to the precinct.
5. Obtain the signature of the officer receiving any prisoner property on the copy of the Form 15, Property Inventory.

5-3.2.1 PRISONER TRANSPORT PROGRAM

GENERAL

- The Prisoner Transport Program will be guided by the current vendor contract as negotiated.
- Decisions that directly or indirectly affect contracted Prisoner Transportation Officers (PTOs) will be made consistent with the rules and regulations described in the Prisoner Transportation Manual.
NOTE: Exceptions will only be permitted when exigent circumstances exist and are approved by a shift commander.

BUREAU CHIEF OF THE OPERATIONS BUREAU

- Or his/her designee, oversees the Prisoner Transport Program.
- Designates a Program Administrator to act as a liaison with the prisoner transport contractor.

PROGRAM ADMINISTRATOR

- Monitors the program to ensure contract compliance.
- Ensures that contracted PTOs are trained regarding proper procedures.
- Mediates conflicts arising from transport assignments.
- Reviews and maintains appropriate records.
- Advises the Bureau Chief of any unusual occurrences related to prisoner transport.

MEMBERS

- Familiarize themselves with the rules and regulations contained in the Department's Prisoner Transportation Manual, if:
 1. Their duties include working with prisoners transported by the contracted vendor.
 2. They supervise members whose duties include working with prisoners transported by the contracted vendor.

SHIFT COMMANDERS

- Communicate with the on duty Contractor's Manager prior to deploying a PTO to perform a task in conflict with the Prisoner Transportation Manual.
NOTE: The Shift Commander and Contractor's Manager will determine a suitable resolution together.
- Present any unresolved situations/issues to the Program Administrator for a final decision.

COMMANDERS

- Ensure a copy of the Prisoner Transportation Manual is maintained in an area convenient to members dealing with prisoners and prisoner transportation.

REFERENCE

- Prisoner Transportation Manual.

5-4.0 PRISONER PROCESSING

GENERAL

- Prisoners will be processed as soon as possible.
- Prisoners will be positively identified prior to being released or transported.

5-4.1 SCREENING

5-4.1.1 SUICIDE SCREENING

FORM 166B, ARRESTEE SCREENING FORM

- Completed in the EBooking system prior to placing any individual into the cellblock or holding cell, including individuals placed in secured detention.
- Two copies will be printed and placed with the arrestee's arrest documents.
NOTE: An additional copy will accompany the prisoner if transferred or released to a detention facility.

SCREENING MEMBERS

- Will be alert for potential signs of suicidal behavior, which include:
 1. Evidence of prior suicide attempts.
 2. Talk of suicide, including jokes.
 3. Alcohol or drug intoxication.
 4. Unrealistic attitude or a lack of a sense of the future.
 5. Excessive shame or guilt.
 6. Severe mood changes.
 7. Known mental illnesses.
 8. Behavior of a provoking manner.
- Check the Records Management System (RMS) and other available databases for prior suicide attempts and emergency commitments.
- Document observations on the Form 166B.
- Immediately notify the shift commander of potential suicidal behavior.
- Complete a Form 166B prior to placing the prisoner in the cellblock or holding cell. If the prisoner is violent and cannot be interviewed:
 1. Place the prisoner into cellblock or holding cell area and institute observation/supervision checks at intervals no longer than 15 minutes.
 2. Immediately notify the shift commander.
 3. Complete the Form 166B when behavior permits.

SHIFT COMMANDERS

- Personally interview and observe the prisoner to determine or verify their condition and decide if an emergency evaluation is necessary upon notification of a prisoner's violent behavior, or an automatic notification resulting from the completion of the Form 166B.
- Establish appropriate observation/supervision of the prisoner:
 1. Routine checks - no longer than 30 minute intervals.
 2. Active checks - no longer than 15 minute intervals.
 3. Constant checks - uninterrupted personal visual observations that may include using a holding cell apart from the main cellblock.
- Arrange to house the prisoner at another precinct or the Detention Center if a holding cell apart from the main cellblock is not available.
- Initiate an emergency evaluation when appropriate.
- Note any actions/observations made, and type of checks to be conducted, on the Form 166B.

PRISONERS

- Who are not committed to a treatment facility after an emergency evaluation, will be returned to the precinct in which the suicide screening took place. The precinct will take responsibility for the prisoner, subsequent treatment, or transportation.
EXCEPTION: Prisoners housed for other agencies that require transportation, treatment, or evaluation will be the responsibility of the other agency, unless an emergency exists.
- Held for other agencies who cannot be placed in a precinct cellblock (e.g., suicide watch, etc.) will be guarded by personnel from the other agency.

5-4.1.2 HEALTH SCREENING

DESK OFFICERS

- Screen the prisoner to determine:
 1. The current health of the person.
 2. The importance and location of medications currently being taken by the prisoner.
 3. The prisoner's behavior, state of consciousness, and mental status.
 4. If there are any body deformities, traumatic markings, bruises, jaundice, or other injuries or illnesses.
- Enter any and all observations in the EBooking record.
- Promptly notify the shift commander if medical attention is required or if medical treatment is specifically requested.
- Notify the oncoming desk officers, and/or the prisoner transport officer (PTO), of any prisoner(s) having a serious medical/mental condition.

SHIFT COMMANDERS

- Ensure the prisoner receives medical attention and is transported immediately to a medical facility if an emergency exists.
- Follow procedures regarding medical issues.

5-4.1.3 PRISON RAPE ELIMINATION ACT (PREA) SCREENING

PREA RISK ASSESSMENT

- Completed for all:
 1. Adult arrestees.
 2. Juvenile arrestees being charged as adults.
 3. Juvenile arrestees being charged as juveniles if they are being placed into a holding cell with another juvenile arrestee.
NOTE: The juvenile EBooking system does not contain the PREA Risk Assessment questions. Members required to complete a PREA Risk Assessment on a juvenile arrestee being charged as a juvenile will:
 - a. Ask the juvenile the PREA Risk Assessment questions contained in the adult EBooking system.
 - b. Document in the *Arrest Narrative* field of the arrest record that an assessment was completed, any information indicating an arrestee is vulnerable to victimization or may be a danger to other arrestees, and the name of the shift commander notified of the information.
- Ensures that actions are taken to protect arrestees from sexual violence, assault, and contact with other arrestees and from sexual misconduct by Department members.
- Includes the arrestee's risk of sexual victimization based upon his/her:
 1. Mental health, physical condition, any developmental disability, age, physical build, or appearance.
 2. Having previously been incarcerated.
 3. Criminal history or the nature of the alleged offense.

DESK OFFICERS

- Screen and assess the arrestee's risk of vulnerability for victimization based upon the arrestee's known mental health, physical condition, suicide risk, criminal history, and potential for sexual violence.
- Ask the arrestee about his/her own perception of vulnerability to sexual abuse.
- Immediately notify the shift commander of any information indicating an arrestee is vulnerable to victimization or may be a danger to other arrestees.

SHIFT COMMANDERS

- Conduct an interview with any arrestee expressing a concern for their safety or those who the screening officer believes have an increased likelihood of victimization.
- Provide such protection as they deem necessary if an arrestee is found to be vulnerable to victimization or a danger to other arrestees.

COMMANDERS

- Report allegations of sexual abuse or sexual harassment to the designated state or local services agency under applicable mandatory reporting laws.

5-4.2 PRISONER PROPERTY

GENERAL

- Desk officers will provide safekeeping for the personal property of prisoners.
- Prisoners will only be able to keep their immediate clothing, except belts and shoes. If other clothing is deemed dangerous to life or would aid escape, the shift commander will make a decision as to whether or not the prisoner may keep the clothing.
- Package prisoner property according to the procedures in the Evidence/Property Packaging Manual.
- Once a prisoner's property has been packaged, additional property items (e.g., cell phones, mail, medication, packages, etc.) will not be accepted from persons outside of the Department.
- If additional property is discovered after a prisoner's property has been packaged, the item(s) will be brought to the attention of a supervisor who will decide if the property will be:
 1. Added to the prisoner's Form 15, Property Inventory, and placed into the prisoner's manila property envelope; or

NOTE: Members opening a sealed property envelope will follow the procedures listed below addressing the emergency opening of envelopes.

 2. Properly packaged and submitted to the Evidence Management Unit (EMU).

PROPERTY STORAGE

- All prisoner property will be secured in an individual locker.
- Desk officers will:
 1. Place their initials, date, and time received across the flap of the sealed prisoner property envelope.
 2. Place the sealed property envelope in a locker and secure with a keyed lock.
- Prisoner property will not be removed from the envelope unless an emergency exists. In this instance, a supervisor will make the decision to open the envelope.
- If an envelope is opened due to an emergency, the member will:
 1. Note the reason for opening on the rear of the old envelope and in the *Arrest Narrative* field of the arrest record.
 2. Place the old envelope into a new one.
 3. Seal the new envelope per standard procedures.
 4. Secure the property in a locker.

- Property lockers for all prisoner property will be inspected by the on-coming desk officer to ensure that they are properly secured. The inspection will be documented in the Prisoner/Property block of the Form 91, Daily Summary Report.
NOTE: Desk officers going off duty will be held accountable for improperly secured lockers.

REFERENCE

- Evidence/Property Packaging Manual.

5-4.2.1 PROPERTY RELEASE

GENERAL

- Property not stolen or held as evidence will be turned over to prisoners upon release. The releasing officer:
 1. And the prisoner must sign the Form 15, Property Inventory.
 2. Will note refusal by the prisoner to sign the Form 15.
 3. Submits the completed Forms 15 to their supervisor.
- When prisoners are taken to another institution:
 1. Their property will be turned over to the receiving authority.
 2. The receiving authority will sign the Form 15.
 3. The Form 15 will be returned to the respective precinct/division for distribution.
- When it is expected that prisoner property will not be accepted by the receiving authority (e.g., pocket knife, cigarette lighter, tobacco products, more property than will fit in a large manila envelope, etc.), the arresting officer will:
 1. Properly package the item(s).
 2. Complete and sign a Form 128A, Disposition of Prisoner Property (original and one copy), ensuring that the prisoner:
 - a. Understands that property not claimed within 45 days will be considered unclaimed property and will be disposed of in accordance with the Baltimore County Code.
 - b. Signs the form.
NOTE: Refusal of the prisoner to sign will be noted on the Form 128A by the arresting officer, and a witnessing officer's signature must also be obtained.
 3. Forward the property to the Evidence Management Unit (EMU) within 48 hours with the Form 15 (original and one copy), a Form 128D, Disposal/Destruction of Property/Evidence, and the original Form 128A.
NOTE: The copy of the Form 128A is the prisoner's copy and will accompany the prisoner until they are released.
- Property designated for pickup by another person must be picked up before the arresting officer goes back in service.
NOTE: The arresting officer must package the property and forward it to the EMU if not picked up prior to the officer going back into service.
- Every effort will be made by the precinct/division involved to return the property to its owner.
- A supervisor will approve and distribute the Form 15 after the prisoner property has been released as follows:
 1. Original - to the Information & Records Management Section.
 2. Copy - placed into precinct/division files.

EVIDENCE MANAGEMENT UNIT

- Monitors Forms 128A to determine those that remain on file longer than 45 days.
- Verifies whether property owners are currently incarcerated in the Baltimore County Detention Center (BCDC), upon receipt of property marked to be released.
- Notifies property owners by mail that:
 1. Unclaimed property will be disposed of at the conclusion of the 45 days.

- Property may be designated for pickup by a third party within the 45 day period, upon completion and return of the notification letter to the EMU, authorizing a designee.

NOTE: Incarcerated property owners will be notified via mail sent to the detention center.

- Sends notification letters to persons listed as authorized designees, indicating that property may be claimed at the authorization of the property owner.
- Disposes of unclaimed property after 45 days, in accordance with the Baltimore County Code.

PROPERTY ACCEPTED BY DETENTION CENTER

- Officers transporting a prisoner from a detention or correctional facility outside of Baltimore County will inform the releasing jurisdiction that the Department cannot accept responsibility for items other than those deemed acceptable by the Detention Center. The following is considered acceptable property:
 1. All monies (U.S. currency only).
 2. All legal papers and related materials.
 3. Personal photographs (no Polaroids).
 4. Stationery (blank envelopes and paper) and stamps.
 5. Only that personal clothing worn by the prisoner.

NOTE: Prior to accepting a prisoner, officers will search the prisoner's property for contraband, unacceptable property, etc.

REFERENCES

- [Baltimore County Code](#).
- Field Manual, Article 6 (Miscellaneous Property Issues).

5-4.3 FINGERPRINTING AND PHOTOGRAPHING

GENERAL

- The LiveScan system is a machine used for fingerprint identification using electronic/digital recording technology.
- Fingerprint processing will be done electronically.
- All arrested subjects 18 years of age or older, and juveniles meeting the fingerprinting criteria will be LiveScan fingerprinted and photographed.

EXCEPTION: Persons who are mentally disturbed or released without charge.

- The LiveScan system may be used for identification purposes. The fingerprints are sent electronically. No fingerprint cards are needed for identification.
- Lethal weapons will not be worn by Department members during prisoner processing.
- Personnel utilizing the LiveScan system need to be approved by the LiveScan Administrator.
- Attempts will be made to process persons with deteriorated fingerprints. In the event that an individual cannot be processed with the LiveScan system due to a deteriorated fingerprint or physical deformity, processing officers may complete one inked Baltimore County fingerprint card.

NOTE: A Forensic Services Section technician may be contacted for assistance in obtaining inked fingerprints from an individual with a physical deformity.

- In the event that the LiveScan system is not operational, members will transport prisoners to an adjacent precinct for processing.
- Cards will be printed out at the precinct and forwarded to the Identification Unit.
- Desk officers will be responsible for the quality of fingerprints and the entering of prisoners' information.

JUVENILE PROCESSING

- Juvenile offenders cannot see or communicate with adult offenders while being processed.
- Juveniles 14 years of age or older must be LiveScan fingerprinted and photographed when arrested, and transported to a departmental facility, for any of the following offenses:
 1. Any felony.
 2. All burglaries.
 3. Unauthorized use of a motor vehicle.
 4. All sex offenses.
 5. Trespassing (Peeping Tom).
 6. Indecent exposure.
 7. Prostitution.
 8. Handgun violations.
 9. Second Degree Assault.
 10. Destruction of Property-Graffiti.
 11. All gang-related offenses.
 12. Any other charge, with permission of the shift commander or higher.
- Juveniles under the age of 14 will only be photographed and LiveScan fingerprinted with the permission of a shift commander or higher. Justification for this decision must be noted in the incident report.
- Procedures for LiveScan fingerprinting juveniles:
 1. With the LiveScan software opened, select the “New” button from the toolbar.
 2. Select booking type “Juvenile Arrest.” The record will appear similar to an adult criminal arrest.
 3. Enter charges into the EBooking system only; do not enter them into the LiveScan system.
 4. Enter all required fields in both the EBooking and LiveScan systems (i.e., the *JID*, *SID* and *Confirmed by* fields will remain blank in the EBooking system, and the *JID*, and *SID* fields will remain blank in the LiveScan system).

NOTE: There is no data transfer available in the juvenile section of the EBooking system.
 5. The Central Complaint (CC) number will be placed under the *Arrest Information* tab into the *Identification Comments* field.
 6. LiveScan fingerprint the juvenile. Once completed, lock the record, transmit the data, and print the cards.
 7. Write the charges onto the Maryland fingerprint card.

REFUSAL TO SUBMIT TO PROCESSING

- If a prisoner refuses to be processed, he/she will be taken for a bail hearing and the commissioner will be informed of the refusal, along with the fact that the subject might be wanted or could possibly be using false identification.
- If the court commissioner refuses to conduct a bail hearing until the prisoner is identified, document that fact, and hold the prisoner at the precinct until the next sitting of the Court.
- Contact the Administrative Judge to request the matter be put on the docket and request that a court order be imposed for the prisoner to submit to fingerprinting, processing, etc.

NOTE: The Legal Section may be contacted for further instructions, if necessary.

PHOTOGRAPHING

- All prisoners receiving a UID number must be photographed, utilizing the EBooking system.
- The EBooking Form 15, Property Inventory, which contains the prisoner’s photograph, will be kept with personal property and readily available to identify the prisoner.
- A copy of the Form 166 will be given to the private security agency contracted to transport prisoners to a detention facility.

INFORMATION & RECORDS MANAGEMENT SECTION

- Receives e-mail responses from the Department of Public Safety and Correctional Services (DPSCS) each time a set of fingerprints is submitted via the LiveScan system by a Department member.

NOTE: E-mail replies received from the DPSCS will contain a State Identification (SID) number for the fingerprinted subject.

- Contacts the DPSCS to determine the cause of any delay when an e-mail response is not received within 30 minutes of a Department member submitting a set of LiveScan fingerprints.

NOTE: In these situations the IRMS will:

1. Provide the inquiring Department member with resolution instructions (e.g., submit the prints, reprint the arrestee's fingerprints due to poor print quality, etc.); or
2. Determine the UID and/or JID number and complete the required fields in the arrest record, if the DPSCS system is not available.

INFORMATION & RECORDS MANAGEMENT SECTION MEMBERS RECEIVING E-MAIL REPLIES FROM DPSCS

- Use the SID number supplied in the DPSCS e-mail to:
 1. Determine the individual's correct UID and/or JID number; and
 2. Conduct a warrant query on the subject.

NOTE: The IRMS member will immediately notify the arresting officer upon discovery of any:

1. Possible open warrants.
2. Discrepancies with the individual's personal identifying information (e.g., name, date of birth, etc.), in the EBooking record that is different than the information associated with the SID number that DPSCS returned as a result of the fingerprint submission.

REFERENCE

- Field Manual, Article 4 (Arrest, Custody, and Court).

5-4.3.1 FINGERPRINT CARD COMPLETION

GENERAL

- The processing officer will sign their name and departmentally assigned identification number on the LiveScan fingerprint card.
- The prisoner will be requested to sign their name on the LiveScan fingerprint card.

INKED BALTIMORE COUNTY FINGERPRINT CARDS

- Prisoners will only be fingerprinted using ink and a Baltimore County card in situations where persons have deteriorated fingerprints or a physical deformity which does not allow for the LiveScan system to be used.
- Write "Juvenile Waived" on the card if the juvenile is processed as an adult.
- Enter all pertinent information on the fingerprint card, including the title of all the charges in the appropriate blocks.
- Place palm prints on the back of the card.
- Forward the card to the Identification Unit for processing.

PALM PRINTS NOT ACCEPTED BY LIVESCAN

- Print out the palm cards displaying the prisoner's information.

- Place the palms on the correct cards. The right palm and the writer's palm will be placed on the palm card that has the circled right hand, the left palm and writer's palm will be placed on the palm card with the circled left hand. The palm print cards will be stapled to the related LiveScan card.
- Write the SID number, entered in the arrest record by the Information & Records Management Section, on the LiveScan card.

DESK/PROCESSING OFFICERS

- Ensure fingerprint cards are printed and submitted to the Identification Unit when arrestees are fingerprinted using the LiveScan system.
NOTE: Prior to submitting cards, members will ensure:
 1. The UID/JID number from the EBooking record is written in the *OCA* field on the back of the first print card; and
 2. The SID number from the EBooking record is written in the *State Identification Number* field on the back of the first print card.
- Submit completed LiveScan fingerprint cards to a supervisor for approval.
- Inform the on-coming desk officer of any pending identifications or unresolved issues.

SUPERVISORS

- Inspect LiveScan fingerprint cards for accuracy in charging information, SID numbers, UID numbers, etc.
- Place LiveScan fingerprint cards in an envelope and forward them to the Identification Unit via intra-departmental mail.

5-4.4 DNA DATA BASE SYSTEM-COLLECTION UPON CRIMINAL CHARGE

GENERAL

- The Maryland Annotated Code, Public Safety Article, Title 2, Section 501 requires all law enforcement agencies within the State of Maryland to collect deoxyribonucleic acid (DNA) samples from all individuals charged with a qualifying crime, for entry in a statewide DNA database.

EXCEPTIONS: DNA samples will not be collected from arrestees charged with a qualifying crime if:

1. The arrestee is being charged as a juvenile.
2. Information is obtained indicating that the arrestee's DNA is already contained in the convicted offender database (i.e., LiveScan system response or member query of the DNA database).

NOTE: If a sample is taken prior to receiving information indicating that the arrestee's DNA is already contained in the convicted offender database, the sample will still be submitted to the Maryland State Police Forensic Lab Services for processing.

DEFINITIONS

- **Arrestee** - an individual required to provide a DNA sample pursuant to the Maryland Annotated Code, Public Safety Article, Title 2, Section 501.
- **Certified Member** - a member of the Baltimore County Police Department who has been trained in the collection of DNA by use of the DNA collection kits.
- **Charged** - an individual against whom a written accusation (e.g., warrant, criminal information, indictment, statement of charges, etc.) has been completed, alleging that the defendant has committed a qualifying crime.
- **DNA Collection Kit** - a sealed and sterile kit containing supplies used for the collection of a DNA sample from inside an arrestee's mouth.

- Qualifying Crime - committed and/or attempted:
 1. Offenses listed in the Criminal Law Article, §14-101 that require collection of a DNA sample.
 2. First, Second, and Third Degree Burglaries.

QUALIFYING CRIMES FOR DNA COLLECTION

- Abduction;
- Arson in the first degree;
- Kidnapping;
- Manslaughter
EXCEPTION: Involuntary manslaughter;
- Maiming as previously proscribed under former Article 27, §§ 385, 386 of the Code;
- Murder;
- Rape;
- Robbery under § 3-402 or § 3-403 of the Criminal Law Article;
- Carjacking;
- Armed carjacking;
- Sexual offense in the first degree;
- Sexual offense in the second degree;
- Use of a firearm in the commission of a felony or other crime of violence;
EXCEPTION: Possession with intent to distribute a controlled dangerous substance under §5-602(2).
- Child abuse in the first degree under § 3-601 of the Criminal Law Article;
- Sexual abuse of a minor under § 3-602 of the Criminal Law Article if:
 1. The victim is under the age of 13 years and the offender is an adult at the time of the offense; and
 2. The offense involved:
 - a. Vaginal intercourse, as defined in § 3-301 of the Criminal Law Article; or
 - b. A sexual act, as defined in § 3-301 of the Criminal Law Article; or
 - c. An act in which part of the offender's body penetrates, however slightly, into the victim's genital opening or anus; or
 - d. The intentional touching of the victim's or the offender's genital, anal, or other intimate area for sexual arousal, gratification, or abuse;
- Home invasion under § 6-202 (B).
- Human trafficking under §3-1102(b)(1), §3-1102(b)(2), §3-1103(a)(1), §3-1103(a)(2), 3-1103(a)(3), 3-1102(e)(1) if the victim is a minor and/or the suspect used or intended to use force/threat/coercion/fraud, and §3-1102(e)(2) if the victim is a minor and/or the suspect used or intended to use force/threat/coercion/fraud;
- An attempt to commit any of the aforementioned crimes;
- Continuing course of conduct with a child under § 3-315 of the Criminal Law Article;
- Assault in the first degree;
- Assault with intent to murder;
- Assault with intent to rape;
- Assault with intent to rob;
- Assault with intent to commit a sexual offense in the first degree;
- Assault with intent to commit a sexual offense in the second degree;
- Burglary in the first degree under § 6-202; or an attempt;
- Burglary in the second degree under § 6-203; or an attempt;
- Burglary in the third degree under § 6-204; or an attempt.

MEMBERS

- Only collect DNA samples if they are certified in the use of the DNA collection kits.
- Collect DNA from persons who have been charged with a qualifying crime after arrest and processing, if required.
- Will not collect a DNA sample from an arrestee being charged by way of a statement of charges until the:
 1. Statement of charges has been completed and signed.
 2. Statement of charges has been reviewed by a supervisor.
 3. Reviewing supervisor has authorized collection of a sample.
- Complete the DNA information section of the *Charge/DNA* tab in the EBooking system.
- Ensure arrestees receive the "Notification of Rights" document.
- Complete the DNA packet per enclosed instructions, seal the packet, and place it immediately in the outgoing departmental mail.
- Complete an entry in the DNA collection log maintained at the facility.
- Explain to arrestees charged with a qualifying crime that a DNA sample is required by law.
NOTE: Refusals to comply with DNA collection will result in the issuance of a subpoena for the arrestee to appear before a Grand Jury.
- Confronted with an arrestee refusing to submit to DNA collection will:
 1. Complete the DNA collection kit without obtaining a sample.
 2. Note the arrestee's refusal to provide a sample on the required forms, in the DNA collection log, and the EBooking record.
 3. Immediately notify their supervisor of the arrestee's refusal to submit a sample.

SUPERVISORS

- Review all charging documents to ensure probable cause exists to charge the arrestee with a qualifying crime prior to authorizing DNA collection.
- Ensure that officers collecting DNA samples are certified.
- Ensure proper entries have been made in the EBooking system and the DNA collection log.
- Explain to arrestees that DNA collection is required by law and that the arrestee will be subpoenaed before a Grand Jury for the purposes of collecting a sample, upon notification of a refusal to submit to DNA collection.
- Notify the shift/unit commander if an arrestee refuses to submit a DNA sample.

SHIFT/UNIT COMMANDER

- Ensures all reasonable attempts have been made to obtain a DNA sample, when an arrestee refuses to submit a sample.
- Advises arrestees refusing to submit a sample that a Grand Jury subpoena is being submitted that will require the arrestee to appear before the Grand Jury on the Monday following the arrest.
NOTE: If the following Monday is a court holiday, the Monday following the holiday will be used.
- Faxes a copy of all served subpoenas to the State's Attorney's Office and the Legal Section and indicates whether the arrestee made bail or is being detained at the Baltimore County Detention Center.
- Obtains additional copies of subpoenas from the Legal Section, as needed.

DESK OFFICER

- Maintains the DNA collection log for the facility, ensuring it:
 1. Is accessible to members.
 2. Contains a list of the qualifying crimes, additional log pages, and Grand Jury subpoenas.

- Faxes a copy of the entries on the DNA collection log to the Forensic Services Section weekly.

NOTE: The date and time the fax is sent will be recorded in the DNA collection log.

FORENSIC SERVICES SECTION

- Maintains liaison with the Maryland State Police Forensic Lab Services for updates and possible hit confirmations on DNA collected.
- Collects the corresponding information and notifies the responsible investigative unit upon receiving a possible DNA hit confirmation.
- Coordinates and collects all DNA information for the Governor's Office of Crime Control & Prevention (GOCCP).
- Collects and maintains data in reference to Department DNA collections.

MATERIALS & FACILITIES MANAGEMENT UNIT

- Responsible for ordering, receiving, and disseminating the DNA collection kits.

TRAINING SECTION

- Oversees the training and certification of members in the use of the DNA collection kits.
- Maintains records of members' certifications.

REFERENCES

- Maryland Annotated Code, Public Safety Article, §2-501.
- Maryland Annotated Code, Criminal Law Article, §14-101.

5-4.5 BAIL HEARINGS

BAIL HEARINGS

- Precincts/sections will be responsible for transporting their prisoners to bail hearings, including those arrested by the Fugitive Team and the Vice/Narcotics Section (when requested).
EXCEPTION: When previous arrangements have been made with another precinct/section, or with the contracted vendor.
- Other police agencies will be responsible for transporting their prisoners to bail hearings.
- Arrestees will not be transported to a bail hearing until the *UID*, *SID*, and *Confirmed by* fields have been entered into the arrest record by the Information & Records Management Section (IRMS).

5-4.5.1 BAIL HEARINGS FOR HOSPITALIZED PRISONERS

GENERAL

- Bail hearings for hospitalized prisoners:
 1. Must be conducted by a Baltimore County court commissioner, regardless of the jurisdiction the hospital is located in.
 2. Cannot be conducted between 2200 hours and 0800 hours.
NOTE: Requests for a hearing may be sent between these hours.
- The Baltimore County court commissioner will determine which shift and which commissioner will conduct the bail hearing.

SUPERVISORS OF THE RANK OF SERGEANT AND ABOVE

- Request a Baltimore County court commissioner to conduct a bail hearing for a hospitalized prisoner by:
 1. Completing a letter on a Form 44, Departmental Letterhead, requesting the hearing, and include the:
 - a. Defendant's information (i.e., name, address, date of birth, sex, race, all applicable charges, and if a public defender has been requested).
 - b. Hospital information (i.e., hospital name and address, wing or floor, room number, and the name of and contact information for the charge nurse).
 - c. Requestor's information (i.e., requestor's name, rank, identification number, assignment, and contact phone number).
 2. Forward the Form 44, via e-mail, to the Commissioner's Office employees identified on the Court Liaison Contacts directory.
- Will be contacted by a Baltimore County court commissioner to schedule the bail hearing and arrange for transport to the hospital.
- Notify oncoming shift supervisors and desk officers that a commissioner has been requested, when the bail hearing does not take place prior to the end of their shift.
- Assign an officer to transport the assigned commissioner to and from the hospital.

REFERENCE

- Court Liaison Contacts.

5-5.0 HOUSING PRISONERS

5-5.1 SAFETY/SECURITY

MEMBERS

- Receive training at least once every four years addressing the operation of holding facilities.

COMMANDERS

- Maintain and post emergency evacuation plans for prisoners.

KEYS

- Two sets of keys will be made available for each lock within the lockup and controlled by desk members. The first set will be used in the course of normal duty, while the second set will be kept within the lockup control area (desk) for emergency use.
- Desk members will not carry related keys into the cellblock area.

WEAPONS

- Firearms will not be permitted within the secured lockup areas.
- Firearms will be placed in firearms lockers where available or locked within a cabinet outside the secured lockup area.

- Other Department-issued weapons can be carried within the secured lockup area for self-defense or to defend another from physical harm.
EXCEPTION: Conducted Electrical Weapons (CEWs) are not permissible in the secured lockup areas and will be placed in firearms lockers where available or locked within a cabinet outside of the secured lockup area. Officers may request shift/unit commander approval to wear a CEW in the secured lockup area. Shift/unit commander approval to carry a CEW into a secured lockup area is allowed only for a backup officer to wear a CEW to ensure the safety of other officers. The shift/unit commander must base their decision on articulable and notable concerns for officer safety based on specific circumstances regarding the individual(s) in custody. Shift/unit commander approval is necessary in all cases except exigent, in-progress, and immediate critical officer safety incidents.
- Non-departmental equipment which could be used as a weapon or restraining device will not be allowed within the secured lockup area except upon the authority of the shift commander or higher.

MAINTENANCE TOOLS

- Are only allowed in the lockup area for maintenance purposes and only when no prisoners are being held in the lockup area.
- Carried into cellblocks will be properly accounted for by desk personnel upon completion of repairs.

CELLBLOCK SECURITY

- Inspections of the cellblocks to locate weapons and contraband and identify signs of operational wear or detainee tampering will be completed:
 1. At a minimum, once per shift, by a desk officer, and documented in the Incarceration Log Book.
EXCEPTION: When the cell is occupied for the duration of the shift, occupancy will be noted in the log book.
 2. On a weekly basis, and documented on the Form 164, Accreditation Standards Inspection Report, by the precinct's administrative officer, or designee.
NOTE: Deficiencies will be reported to a supervisor immediately.
- Cellblocks will be checked prior to placing prisoners in the cellblock and immediately after their removal.
- Ingress and egress doors to the cell or detention area will be secured and locked at all times when occupied by a prisoner.
- Access to prisoners and cellblocks is restricted to essential personnel.
- Under no circumstance will a member enter an occupied cellblock without another member present.
NOTE: Another member with direct visual contact, including those monitoring an operable electronic surveillance system, will suffice as the member's presence.
- Some conditions necessitating members to enter an occupied cellblock are: sickness, injury, fight, feeding, inspection, etc.
- A prisoner will never be delegated the authority to manage, supervise, or control other prisoners.
- Electronic surveillance systems in precinct cellblocks are only for security and safety.
- Audio receiving equipment in the cellblock area is to be used in situations deemed to be an emergency or when officer or prisoner safety is involved. Audio equipment is never to be used to violate privacy or in investigations.

5-5.2 PRISONER ACTION RECORDS

GENERAL

- Prisoner action records must be maintained for all adult and juvenile prisoners in police custody. The following prisoner actions require documentation:
 1. All required checks (i.e., routine, active, or constant).
 2. Prisoner movements (e.g., arrival at facility, placed in or removed from cell, leaving or returning from a hospital or a bail hearing, etc.).
 3. Feeding.
 4. Processing.
- Juvenile prisoner action records will be maintained in the EBooking system within the *Action Log* tab for each individual arrestee.
NOTE: Supervisors reviewing juvenile EBooking records must ensure each prisoner's *Action Log* tab is complete, prior to approving the record.
- Adult prisoner action records will be maintained in an Incarceration Log Book containing the records for all adult prisoners entering the facility.

5-5.2.1 INCARCERATION LOG BOOK

GENERAL

- Is a record ledger which is divided, left to right, containing at a minimum, the following columns:
 1. Date of action.
 2. Time of action.
 3. Officer's signature.
 4. Officer's identification number.
 5. Number of prisoners in the facility.
 6. Type of action (e.g., entered facility, processed, fed, transported to hospital or bail hearing, required check, etc.).
NOTE: Individual prisoners' names must be listed in the remarks column for all actions not applicable to all prisoners currently in the facility.
 7. Remarks.
- Is to be retained for five years past the last entry date and then discarded.
EXCEPTION: Original incarceration logs for unusual occurrences will be kept with the administrative investigation reports.

5-5.3 DETENTION

GENERAL

- Desk officers are responsible for a thorough search of same gender prisoners prior to placement in cellblocks.
- When the desk officer is of the opposite gender, an officer of the same gender will thoroughly search the prisoner prior to placement in a cellblock.
NOTE: If an officer of the same gender is unavailable, another precinct will be contacted to supply the officer required to conduct the search.
- At no time will prisoners of the opposite gender occupy the same cellblock.
- Proper housing of prisoners is the responsibility of the shift commander of the precinct/section where detained.
- Prisoners are to be made as comfortable as practicable and given opportunity and access to a telephone for the purpose of family notification, and/or contacting counsel or bondsmen.
EXCEPTION: When the use of a telephone would impede an investigation.

- Prisoners will have access to toilet paper and paper towels at all times.
- Prisoners will be physically observed at least once every 30 minutes at staggered intervals to ascertain their condition. This must be recorded in accordance with Department procedures (Refer to Section 5.2, Prisoner Action Records).
- Prisoners will have access to paper cups and water or a water fountain.
- Prisoners will not be allowed to leave a precinct lockup for any reason other than:
 1. To be taken to a detention facility.
 2. Sickness.
 3. Court.
 4. Interviews.
 5. Authorized release from custody.

NOTE: Members releasing a prisoner into the custody of another jurisdiction are required to:

 1. Obtain positive identification indicating that the person taking custody is a federal, state, or local law enforcement officer, and
 2. Ensure that the name of the agency, and of the person taking custody, are entered into the *Custody* tab of the prisoner's EBooking record.
- When a prisoner is allowed to leave the precinct lockup for special situations, the shift commander will prescribe transportation/security procedures (e.g., use of additional officers, special restraining devices, etc.) based on the circumstances, keeping in mind the extraordinary opportunity for the prisoner to escape or inflict injury on themselves or others.

PRISONER STATUS

- Prisoners not released on their own recognizance, or unable to post bail, will be transported to the Detention Center with all the required paperwork.
- Wanted checks via Maryland Electronic Telecommunications Enforcement Resource (METERS), Baltimore County, and the District Court Information System will be conducted on prisoners before taking custody from another jurisdiction and:
 1. Open warrants will be served by the original arresting agency.

EXCEPTION: A warrant that states it must be served in the originating jurisdiction.

 2. Baltimore County warrants will be served by Department members.

ADULT PRISONERS

- Are to be separated by sight and sound from juvenile prisoners and from prisoners of the opposite gender.

NOTE: The term "sight and sound" refers to general contact and normal conversation.
- The Bureau Chief of the Operations Bureau, or his/her designee, will designate precincts (i.e., Precincts 2, 3, 9, and 12) responsible for the temporary housing of female prisoners. Female prisoners will be housed at the designated precincts in the following instances:
 1. If it is estimated that processing, etc., will take longer than four hours.
 2. If a bail hearing cannot be arranged within four hours.
 3. If after a bail hearing, the detention center cannot house a female prisoner.
- Designated precincts will be contacted prior to transporting female prisoners to their location for availability and personnel requirements.

NOTE: It will be the responsibility of the arresting precinct to supply a female officer if requested by the designated precinct's shift commander.
- The arresting officer will complete all arrest related paperwork and stay with the prisoner unless the designated precinct shift commander advises he/she is not required.
- Members should not enter cells where prisoners of the opposite gender are confined unless accompanied by another Department member.

EXCEPTION: When exigent circumstances exist.

JUVENILES

- Not waived as adults must be handled in accordance with Field Manual, Article 3 (Juvenile Procedures).

REFERENCES

- Field Manual, Article 4 (Arrest, Custody, and Court).
- Field Manual, Article 3 (Juvenile Procedures).

5-5.4 SEGREGATING PRISONERS

GENERAL

- Prisoners will be separated from others upon notification and approval of the shift commander when:
 1. There exists a potential for bodily harm or property damage due to their behavior or physical condition.
 2. Persons are violent, or under the influence of alcohol/narcotics.
- Shift commanders will review the circumstances and Form 166B prior to placing a prisoner in segregation.
- When segregation is necessary, the prisoner will be:
 1. Denied access to clothing or articles having potential to cause harm.
 2. Checked more frequently than the standard 30-minute intervals.
 3. Afforded the same living conditions and privileges extended to the general prisoner population.
- When a prisoner is segregated, the *Action Log* tab of the EBooking system and the Form 166B will contain:
 1. Circumstances/reason for segregation.
 2. Mental and physical condition of the prisoner.
 3. Date, time, and location of housing.
 4. Special needs of the prisoner.
- Segregation of prisoners is to be terminated when the reasons for segregation no longer exist. The date and time the prisoner is returned to the general population will be recorded on the *Action Log* tab of the EBooking record and the Form 166B.

5-5.5 PRISONER MEALS

MEALS

- Are individual, pre-packaged food for lunch and dinner, and are marked with an expiration date.
- Consisting of special diets are allowed for medical conditions if prescribed by a licensed physician or to permit a prisoner to abide by religious or cultural dietary rules. These meals must be approved by the shift commander and paid for by the prisoner.
NOTE: If the prisoner does not have money, petty cash may be used to meet the immediate needs until other arrangements can be made (e.g., contacting the family, admission to the Detention Center, etc.).
- Are furnished to prisoners at least once every eight hours.
- Are distributed one per prisoner, using the oldest stock first.
- Containers will have no utensils, and will be collected and accounted for at the end of the meal, and disposed of outside of the lockup area.
- Will not be provided in the lockup area between standard mealtimes.
- Are obtained only from businesses under contract with Baltimore County.
- Are delivered to the precinct in the requested numbers on days agreed upon with the vendor.

- Are stocked according to a pre-determined inventory number.

STOCKING PROCESS

- Discard meals that have reached the expiration date, and record the new total in the meal inventory ledger.
- Order the appropriate number of meals when vendors call.
- Complete a voucher, forwarding the original copy to the Budget Management Section.
- When the meals are delivered, verify the number, date, and sign the invoice.
- Store the meals at 38°F in the commercial grade refrigerator supplied to each precinct.
NOTE: In the event of a shortage of meals prior to the next delivery date, call the vendor to order additional meals for delivery.
- In the event of a shortage prior to the next delivery date, meals may be obtained from an adjacent precinct with an adequate supply.

MEAL INVENTORY LEDGER

- Used to account for meals and includes the following information:
 1. Date and Time.
 2. Officer's Name.
 3. Meals Delivered - lunch and dinner.
 4. Meals Disbursed - lunch and dinner.
 5. Meals Disposed of - lunch and dinner.
 6. Remaining Meals - lunch and dinner.
- Inspected monthly by a designee of the precinct commander. Shortages will be reported immediately.

5-5.6 PRISONER VISITATION

GENERAL

- Visitors will be allowed during those times established by the precinct commander.
- No person will be permitted to visit, or otherwise communicate with the prisoner, without permission from the shift commander.
- Members of the Bar Association will be given full opportunity to confer confidentially with prisoners provided they are retained as counsel and the prisoner desires to see such counsel.
- Visitor names will be recorded on the prisoner's *Action Log* tab of the EBooking record.
- No person will be allowed to have direct contact with a prisoner. Desk officers will instruct visitors on this matter.
- No visitor will be allowed to keep items brought into the facility in their possession during the visit.

5-5.7 GUARDING PRISONERS REQUIRING HOSPITALIZATION

GENERAL

- This section does not apply to subjects who are being released into the custody of a medical facility for the service of an emergency petition.
- If a prisoner held for another agency requires hospitalization, that agency will be responsible for the hospital detail.

SHIFT COMMANDERS

- Assign two same gender officers to guard prisoners held at the precinct and requiring hospitalization.

- Assign two officers to assist in transporting prisoners to the hospital when a prisoner is held at the precinct. The hospital guard duty will be the responsibility of that precinct and the officers will be of the same gender.
- The Precinct 6 Shift Commander will assign officers for transporting post-trial prisoners held at the Detention Center to the hospital. In these instances, the hospital guard duty will be the responsibility of the Detention Center.
- May amend, as needed, any portion of the hospitalization procedures providing it does not conflict with hospital policy.
NOTE: Shift commanders may only decide to assign one officer to guard a prisoner if they have reviewed the circumstances of the incident and have determined that one guarding officer is sufficient.
EXCEPTION: Guarding officers must be of the same gender as the prisoner.

SUPERVISORS

- Check on their personnel periodically and provide relief as necessary.

OFFICERS

- Keep their loaded service weapons with them at all times. Shotguns will not be permitted in hospitals for the purpose of guarding prisoners.
- Use a restraint where possible, unless the attending physician advises it may cause harm or injury. Officers will notify the shift commander of the circumstances if restraints cannot be used.
- Ensure the hospital registrar and security personnel are aware of any unusual circumstances requiring special security and that a same gender police escort will accompany the prisoner at all times.
- Request hospital security to:
 1. Provide one of their portable radios in case assistance is needed.
 2. Keep a close check on them, stopping in at least once an hour.
 3. Provide security assistance whenever the prisoner is moved.
 4. Accompany oncoming head nurses on their first visit.
 5. Provide keys (if available) to all appropriate door locks in the event a prisoner is placed in a room capable of being locked from the inside (i.e., bathrooms).
- Avoid public and patient areas. Officers will not have prisoners ride in an elevator with persons other than hospital staff when escorting them.
- Stay inside the prisoner's room at all times. Officers may be stationed outside the door if the prisoner has a highly infectious disease.
- Lock the room door from the inside to prevent anyone from walking in without notice. Only the hospital staff and head nurse should have a key to the room.
- Should attempt to observe anyone desiring entrance prior to opening the door.
- Require persons desiring entrance to the room to identify themselves.
- Request that a phone be provided in the room for police use only and the bill be forwarded to the Department. The hospital switchboard will be informed that the prisoner is not allowed incoming calls.
- Allow prisoners to call their attorneys. Calls to friends or relatives are not permitted.
- Will not do anything that may distract their attention from the prisoner.
- Contact their supervisors when relief is required.
- Search rooms thoroughly when coming on duty in the presence of the off-going officers, taking into consideration the prisoner's condition.
- Check all trays and containers brought into the room and ensure that they have the same items when taken out.

- Will be served meals in the prisoner's room when the prisoner is served in the hospital. Meals will not be served between 2300 and 0700 hours.
NOTE: The meal expense will be paid by the County.
- Notify the Medical Examiner if a prisoner dies in a Baltimore County hospital before, during, or after treatment. The Medical Examiner will be informed of the known facts concerning time, place, manner, and circumstances of death. In this instance, follow Department procedures for unusual occurrences.
- Must immediately notify the shift commander and hospital security should it become necessary to deviate from any rules concerning guarding prisoners in hospitals.

REFERENCE

- Administrative Manual, Article 3 (Administrative Investigations and Reports).

5-5.7.1 PRISONER VISITATION AT MEDICAL FACILITIES

GENERAL

- Only the prisoner's spouse, parents, or attorney may visit the prisoner in the hospital.
- Visitors must first appear in person at the precinct to obtain permission from the precinct commander.
- If approved, the commander will set the date and time of each visit and will call the hospital room and inform the officer(s).

APPROVED VISITORS

- Will sign in and out of the logbook kept in the prisoner's room. The logbook will contain the date/time of visit and the name/address of visitor.
- Will be searched prior to entering the prisoner's room. When the visitor is a member of the opposite sex:
 1. An officer of the same gender as the visitor will be requested to perform the search.
 2. The searching officer will stay until the visit is over.
- Refusing to be searched will be denied visitation privileges.
- Will not be permitted to:
 1. Touch a prisoner for any reason.
 2. Be within arm's reach of the prisoner.
 3. Bring food or drink for themselves or the prisoner.
 4. Use the sanitary facilities in the room under any circumstances. They will be directed to use the hospital's facilities and that once they leave the room the visit will be terminated.
 5. Bring into the room items in which something can be concealed or could be used as a weapon. Visitors will be told to leave such items in their vehicle, with a friend or relative or as a last resort, with hospital security.
- Under no circumstances will a visitor be allowed to hand anything to the prisoner.

5-5.8 CLOSURE OF PRECINCT CELLBLOCKS

GENERAL

- A sanitation inspection of cellblocks will be completed and documented at least weekly.
- When a precinct cellblock must be closed, the shift commander will notify the 9-1-1 Police Liaison of the number of prisoners held and the reason for the closure.
- The shift commander of the closed precinct will notify the appropriate neighboring shift commanders.
- The shift commander will arrange for the holding of any current prisoners, and make arrangements for the processing of future prisoners.

- If a prisoner from a closed precinct is housed at a neighboring precinct, the closed precinct will transport and guard prisoners for:
 1. Treatment at medical facilities, including hospital details.
 2. Transfer to the Detention Center.
 3. Bail hearings/reviews.
- A telex message will be sent by the desk officer to all commands advising of the closure or reopening of a precinct's cellblock.

INFESTATION

- If a precinct cellblock area is contaminated with insect or pest infestation the:
 1. Cellblock will be closed.
 2. Shift commander will contact the 9-1-1 Police Liaison, who will contact the Safety Officer.
 3. Desk officer will send a telex to all personnel advising of the closure and the reopening.
 4. Procedures in the Infestation Manual will be followed.

REFERENCE

- Infestation Manual.

5-6.0 MEDICAL ISSUES

MEDICAL TREATMENT

- Performed as approved by a licensed physician or trained persons.
- Documented in the *Action Log* tab of the EBooking record.
- Performed at an area hospital, except for first aid.

FIRST AID KITS

- Available at the desk/control center.
- Used for first aid treatment of prisoners by desk personnel.
- Contains items approved by the Safety Officer.
- Inspected and replenished weekly.

SHIFT COMMANDERS

- Ensure that a Form 273, Sick or Injured Person Medical Report, (original and one copy) is completed when a person in police custody is transported to a medical facility for treatment. The Form 273 should be completed by the end of the shift.
- Document any refusal for medical care in the "Remarks" section on the Form 273 and the *Action Log* tab within the EBooking record. The prisoner refusing medical care must sign the Form 273. Failure to sign the Form 273 will also be noted in the "Remarks" section.
- Determine the proper billing instructions for the medical facility. The person in custody will be billed for all payments resulting from:
 1. Any illness prior, during, or after custody.
 2. Any injury occurring prior to being taken into custody.
 3. Injury occurring because of resisting arrest or attempting to avoid arrest.
 4. Self-inflicted injuries.

NOTE: Baltimore County will only be billed for payment if the prisoner was injured while in police custody and the person did not contribute to the cause of injury.
- Forward the Form 273 to the precinct/section commander for approval and distribution to the Information & Records Management Section. A copy will be placed in the precinct/section files.

INFORMATION & RECORDS MANAGEMENT SECTION

- Scans Forms 273 for inclusion in the Records Management System (RMS).

5-6.1 PEPPER AEROSOL RESTRAINT SPRAY (ARS)

GENERAL

- Prisoner transport wagons will be equipped with spray water bottles and clean paper towels to help overcome the effects of Pepper Aerosol Restraint Spray (ARS).
- When a prisoner is recovering from the effects of ARS:
 1. Advise the prisoner that air and water are the only treatment for ARS.
 2. Offer the prisoner a container of water and towels as soon as possible.
 3. Verbally assure the prisoners of the temporary nature of their discomfort.
 4. Monitor and remain with the prisoner continuously until the effects subside.
- If the prisoner displays an unexpected reaction to ARS, summon medical assistance immediately.

REFERENCE

- Field Manual, Article 4 (Arrest, Custody, and Court).

5-6.2 SERIOUSLY INJURED/ILL PRISONERS

GENERAL

- When prisoners are seriously injured or ill, they will immediately be taken to a hospital by ambulance or other suitable conveyance and accompanied by an officer of either gender. If this occurs prior to processing, the accompanying officer will:
 1. Make an immediate search for contraband and weapons.
 2. In the presence of a nurse or doctor:
 - a. Search for further identification.
 - b. Record the name of the doctor/nurse witness on the report concerning the search.
 - c. Safeguard personal property.
 - d. Prevent loss or destruction of evidence.
 - e. Obtain a signed release from the hospital or doctor stating whether the prisoner is well enough to be kept in a lockup.

NOTE: The guarding officer must be of the same gender as the prisoner.
- A cleric of the prisoner's religion will be called promptly if a prisoner appears to be in danger of dying while in police custody if:
 1. Requested by the prisoner.
 2. The accompanying officer has reason to believe the prisoner is of a particular faith and cannot express their desire for a clergyman.
- Under no circumstances will an unconscious prisoner be placed or allowed to remain in a cell without medical treatment, even though the prisoner's condition may appear to have been caused by intoxication.

5-6.3 PRISONERS REQUIRING MEDICATION

GENERAL

- Members will not give medication to any prisoner, arrestee, or other person in police custody.
- Prisoners, arrestees, and other persons in police custody who require medication will be transported to the nearest medical facility for treatment.
- In an emergency, activate the Emergency Medical Services (EMS) system.

DESK OFFICERS

- Advise the shift commander immediately whenever a prisoner, arrestee, or other person in police custody requires medication.
- Ensure that information on prisoners who are taking, and/or are prescribed medication, is entered into the Form 166B, Arrestee Screening Form, during the booking process.
- Document in the *Action Log* tab of the EBooking system, prisoners that are transferred to a hospital for medication.

SHIFT/UNIT COMMANDERS

- Arrange for arrestees to have a bail hearing as soon as practicable.
- Ensure that arrestees remaining in custody after bail hearings are transferred to the Detention Center as soon as practicable.

PRISONER TRANSPORT OFFICERS

- Transporting a medical priority prisoner to the Detention Center will provide the Detention Center with the following:
 1. The original commitment for the prisoner.
 2. Any detainer for the prisoner.
 3. All hospital discharge documents.
 4. All prescriptions given the prisoner while in custody.

5-6.4 NARCOTIC ADDICTS

GENERAL

- Prisoners reported as narcotic-addicted or identifying themselves as narcotic addicts who show any signs and symptoms of progressing to severe withdrawal will be transferred to the Detention Center for detoxification treatment. Prior to transfer, the officer-in-charge must notify the Detention Center by telephone.
- Prisoners on an authorized methadone treatment program will be transported for treatment either to a treatment center in Baltimore County or to an approved medical facility.

5-6.5 COMMUNICABLE DISEASES

GENERAL

- Information or records regarding prisoners with communicable diseases are confidential. Access is limited to those with a legal need to know.
- Prisoners with or claiming to have a communicable disease but who do not appear to need emergency care will be handled and transported according to standard procedures, but may be segregated from other prisoners.
- A person who dies while in custody will be examined by the Medical Examiner for infectious disease if any of the following exist:
 1. A Department member was exposed to body fluids.
 2. Information indicates the person was a carrier.
 3. The prisoner was an intravenous drug user.**NOTE:** Shift commanders are responsible for making the request for an infectious disease examination.
- Cellblock areas and vehicles contaminated by blood or body fluids will be cleaned upon the person's release and prior to confining anyone else.

REFERENCE

- Administrative Manual, Article 8 (Departmental Property).

5-7.0 UNUSUAL OCCURRENCES

DEPARTMENT MEMBERS

- Immediately notify the shift commander and initiate the appropriate incident report using the appropriate offense code(s) if a prisoner or a person in their custody dies, attempts suicide, seriously assaults anyone, escapes, or attempts escape.

SHIFT COMMANDERS

- Initiate an administrative investigation as outlined in the Administrative Manual, Article 3 (Administrative Investigations and Reports).
- Document each prisoner within the cellblock and print a Form 166 for each individual arrestee.
- Print a screen shot of all arrestees currently listed in the EBooking records for the facility.
- Print a screen shot of each arrestee's *Action Log* tab that details all of the notations made by the desk officers.

REFERENCE

- Administrative Manual, Article 3 (Administrative Investigations and Reports).

5-7.1 ESCAPE FROM DEPARTMENT CUSTODY

DEPARTMENT MEMBERS

- Will not, without proper authority, release any prisoner in their charge or, through neglect or design, allow any prisoner in their charge to escape. Escape due to a member's negligence or carelessness may be deemed neglect of duty.
- Who make an arrest or have personal custody of prisoners not confined to a cell will guard them closely, using utmost caution to prevent escape or injury in such attempt.
- Responsible for the control of a prisoner who escapes from a police vehicle or facility:
 1. Will immediately broadcast a description and direction of travel for the escapee.
 2. Will notify the shift commander and initiate an incident report.
 3. Will obtain a warrant charging the person with escape if the individual is not apprehended within one hour.
 4. May voluntarily give a public safety statement in reference to the circumstances surrounding the escape (Refer to Field Manual, Article 12, Section 7.2, Public Safety Statements).

NOTE: Involved members may decline to answer the public safety statement questions.

9-1-1 POLICE LIAISON

- Notifies the Fugitive Unit, unless the escapee is immediately arrested after the escape.
- Provides adequate personnel to assist the precinct in a search.
- Coordinates the search with the shift commander.

SUPERVISORS

- Will not conduct formal administrative interviews of the member(s) involved. They will only ask the involved member(s) the Public Safety Statement questions outlined in Field Manual, Article 12, Section 7.2, Public Safety Statements, when applicable.

SHIFT COMMANDERS

- Ensure the immediate notification of the precinct/section commander and the Internal Affairs Division.
- Initiate and direct the search.

- Institute a Phase I or II, if necessary.
- Terminate the search effort when it is determined the escapee has eluded police and is no longer in the area.
- Ensure an Executive Summary telex has been sent.
- Will not conduct formal administrative interviews of the member(s) involved. They will only ask the involved member(s) the Public Safety Statement questions outlined in Field Manual, Article 12, Section 7.2, when applicable.
- Initiate a Form 258, Statement of Incident, if negligence or dereliction of duty is suspected or present.
- Complete a cost analysis for the operation.

FUGITIVE UNIT

- Assigns necessary personnel to assist the precinct when the suspect is not immediately arrested.
- Ensures that the escape warrant is entered into METERS/NCIC.

REFERENCES

- Administrative Manual, Article 3 (Administrative Investigations and Reports).
- Field Manual, Article 11 (Major Incidents).

5-8.0 REMOVAL OF DETENTION CENTER PRISONERS

DEPARTMENT MEMBERS

- Requesting temporary removal of a Detention Center prisoner for investigative purposes without court documents must notify:
 1. Their immediate supervisor of the request.
 2. Their shift commander for final approval.
 3. The duty officer at the Detention Center via telephone for approval prior to removal.
- Must complete the Authorization for Temporary Removal of Prisoner from Detention Center Form prior to removing the prisoner from the Center. The form will be signed by the Detention Center Officer at the time of release and return. A copy will be forwarded to the Information & Records Management Section (IRMS) for scanning into the Case Folder.

NOTE: The member must ensure the central complaint (cc) number is documented on the form, prior to distribution to the IRMS.
- In non-uniform capacity temporarily removing prisoners from the Detention Center must be accompanied by a uniformed officer or have an on-duty supervisor at the police facility verify the officer's identity, if questioned by the Detention Center.

5-9.0 PRISON RAPE ELIMINATION ACT (PREA) OF 2003

DEFINITIONS

- Abusive Sexual Contact - contact of any person without his or her consent, or of a person who is unable to consent or refuse; intentional touching, either directly or through the clothing, of the genitalia, anus, groin, breast, inner thigh, or buttocks of any person; excluding incidents in which the intent of the sexual contact is to harm or debilitate rather than sexually exploit.
- Arrestee - any person held in a custodial setting for any length of time by any federal, state, or local prisons, jails, police lockups, temporary holding cells, private facilities, and community settings such as residential facilities.
- Contractor - any person or business entity that provides services on a recurring basis pursuant to a contractual agreement with the Department.

- Gender nonconforming - any person whose appearance or manner differs from traditional societal gender expectations.
- Intersex - any person whose sexual or reproductive anatomy or chromosomal pattern appears to differ from typical definitions of male or female. Intersex medical conditions are sometimes referred to as disorders of sex development.
- Nonconsensual Sexual Acts - contact of any person without his or her consent, or of a person who is unable to consent or refuse; contact between the penis and the vagina or the penis and the anus including penetration, however slight; contact between the mouth and the penis, vagina, or anus; penetration of the anal or genital opening of another person by a hand, finger, or other object.
- Staff Sexual Harassment - repeated verbal statements or comments of a sexual nature to an arrestee by an employee, volunteer, official visitor, or agency representative, including demeaning references to gender or derogatory comments about body or clothing, or profane or obscene language or gestures.
- Staff Sexual Misconduct - any behavior or act of a sexual nature directed towards an arrestee by an employee, volunteer, official visitor, or agency representative; romantic relationship between staff and arrestees are included; consensual or nonconsensual sexual acts include intentional touching of the genitalia, anus, groin, breast, inner thigh, or buttocks with the intent to abuse, arouse, or gratify sexual desire; or completed, attempted, threatened, or requested sexual acts, or occurrences of indecent exposure, invasion of privacy, or staff voyeurism for sexual gratification.
- Transgender - any person whose gender identity (i.e., internal sense of feeling male or female) is different from the person's assigned sex at birth.
- Volunteer - any person who donates time and effort on a recurring basis to enhance the activities and programs of the Department.

NOTE: The above definitions only apply to the PREA policy.

GENERAL

- In accordance with the Prison Rape Elimination Act (PREA) of 2003, the following policies and procedures were developed to ensure that those arrested and detained are safeguarded from both sexual assaults by other arrestees or detainees, and from sexual misconduct committed by members of the Department.
- PREA is a national law and applies to all federal, state, and local prisons, jails, police lock-ups, temporary holding cells, private facilities, and community settings such as residential facilities.
- Department members are responsible for understanding and adhering to Department procedures and applicable laws regarding PREA.

5-9.1 PREA PREVENTION STANDARDS

POLICE DEPARTMENT

- Neither tolerates nor condones discrimination, harassment, or sexual abuse in any form or to any degree between arrestees, members, visitors, agency representatives, and/or other arrestees while in the custody of the Department.
- Will not tolerate retaliation in any way against anyone who has articulated any concern about discrimination, harassment, or sexual harassment whether that concern relates to discrimination against or harassment of the individual raising the concern or against an arrestee.
- Prohibits any contractor, employee, volunteer, or prisoner transport company representative who engages in sexual abuse from having contact with arrestees.

- Shall not promote anyone or enlist the services of any contractor who may have contact with arrestees, if the person has:
 1. Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);
 2. Been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
 3. Been civilly or administratively adjudicated to have engaged in the activity described in this section.
- Considers any incidents of sexual harassment of prisoners in determining whether to promote anyone, or to enlist the services of any contractor, who may have contact with arrestees.
- Asks all applicants and current employees who may have contact with arrestees directly about previous misconduct in written applications or interviews for promotions.

NOTE: Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

PREA COORDINATOR

- Is the Bureau Chief of the Operations Bureau.
- Develops, implements, and oversees the Department's efforts to comply with the PREA standards in all of its facilities.
- Reviews the contract with any prisoner transport contractor to ascertain if they are in compliance with the PREA standards. If they are not in compliance, the PREA coordinator, or his/her designee negotiates with them to ensure they become compliant with the PREA standards.
- Takes appropriate remedial measures and considers whether to prohibit further contact with detainees by the prisoner transport contractor, if they are not in compliance with the PREA standards.

PRISONER TRANSPORT CONTRACTOR

- Must be in compliance with the PREA standards.
- Reports violations and incidents to the Department and to any relevant licensing bodies.

EXCEPTION: If activity was clearly not criminal.

COMMANDERS

- Develop, maintain, and document a staffing plan, to ensure that each shift has an adequate number of desk officers to protect arrestees against sexual abuse or sexual harassment.

NOTE: All deviations from the staffing plan will be documented and justified.
- Ensure that all video equipment is properly working to assist desk officers in monitoring the holding cell to help prevent sexual abuse or sexual harassment.
- Assess, determine, and document annually whether adjustments are needed to the staffing levels or their monitoring technologies.
- Initiate immediate actions to prevent immediate harm to the arrestee and to preserve and protect the crime scene when advised that an arrestee reported an incident of sexual activity of any kind.
- Provide written materials in formats or through methods that ensure effective communication with arrestees with disabilities, including arrestees who have intellectual disabilities, limited reading skills, or who are blind or have low vision.

- Ensure that an administrative and/or criminal investigation is completed promptly, thoroughly, and objectively for all allegations of sexual abuse and sexual harassment.
NOTE: This includes the collection of any available evidence, electronic monitoring data, interviews with alleged victims, witnesses, and alleged abuser, and shall review prior, if any, complaints or reports of sexual abuse or sexual harassment.
- Ensure a Form 159, Order/Directive Verification Form, is completed every four years for each member of their command, acknowledging the member has reviewed:
 1. The Department's PREA policies.
 2. Administrative Manual, Article 2, Section 6.0, Members Summoned, Arrested, Charged, or Served with a Civil Protective Order.
- Shall collect the incident-based sexual abuse data for their facility annually, and forward it to the PREA Coordinator by January 30th of each year. This report will include the following:
 1. Identifying problem areas.
 2. Taking corrective action on an ongoing basis.
 3. Synopsis of its findings and corrective actions for each lockup.
 4. Comparisons of the current year's data with those from prior years and an assessment of the facility's progress in addressing sexual abuse.

DEPARTMENT MEMBERS

- Ensure that all persons entering the holding area are informed of the Department's zero tolerance policy regarding sexual abuse and sexual harassment.
- Take reasonable steps to prevent, detect, and respond to sexual abuse and sexual harassment of arrestees in custody.
- Take whatever action is necessary to protect the arrestees from being sexually abused by, or abusing other arrestees, and from sexual misconduct by Department members (Refer to Field Manual, Article 5, Section 4.1, Screening).
- Report immediately to their supervisor any knowledge, suspicion, or information regarding sexual abuse or sexual harassment.
NOTE: The member shall treat all information related to the incident as confidential, revealing only the information needed to make treatment and investigation decisions.
- Separate the alleged victim and abuser and take whatever steps are necessary to preserve and protect the crime scene and evidence when reports of sexual abuse or sexual harassment are made.
- Make their best effort to avoid placing juveniles in isolation.
- Will not conduct cross-gender searches or cross-gender visual body cavity searches.
EXCEPTION: In exigent circumstances when performed by a medical practitioner. All such searches will be documented.
- Of the opposite gender are required to announce their presence when entering an area where arrestees are likely to be showering, performing bodily functions, or changing clothes.
- Cannot simply assume that subjects are committing a consensual act upon encountering arrestees engaging in sexual activity.
- Separate victims and abusers, and take appropriate measures to protect victims, should they express a fear of retaliation.
- Have a continuing affirmative duty to disclose any previous or present sexual misconduct.

EMPLOYMENT SECTION

- Shall not hire anyone or enlist the services of any contractor who may have contact with arrestees, if the person has:
 1. Engaged in sexual abuse in a prison, jail, lockup, community confinement facility, juvenile facility, or other institution (as defined in 42 U.S.C. 1997);

2. Been convicted of engaging or attempting to engage in sexual activity in the community facilitated by force, overt or implied threats of force, or coercion, or if the victim did not consent or was unable to consent or refuse; or
 3. Been civilly or administratively adjudicated to have engaged in the activity described in this section.
- Considers any incidents of sexual harassment of prisoners in determining whether to hire anyone, or to enlist the services of any contractor, who may have contact with arrestees.
 - Performs a criminal background check that is consistent with federal, state, and local law prior to hiring new members.
 - Contacts all prior institutional employers for information on substantiated allegations of sexual abuse or any resignation during a pending investigation of an allegation of sexual abuse as part of the hiring process.
 - Asks all applicants who may have contact with arrestees directly about previous misconduct in written applications or interviews for hiring.
- NOTE:** Material omissions regarding such misconduct, or the provision of materially false information, shall be grounds for termination.

INTERNAL AFFAIRS DIVISION

- Provides information on substantiated allegations of sexual abuse or sexual harassment involving a former employee upon receiving a request from another law enforcement agency.
- EXCEPTION:** Unless prohibited by law.

5-9.2 PREA ARRESTS AND SEARCHES

ARRESTEES

- Will be screened as directed in Field Manual, Section 4.1.3, to assess their risk of being sexually abused and/or their risk of being sexually abusive towards other arrestees.
- NOTE:** The screening information must be used to mitigate any such danger to the arrestees.
- Are screened as directed in Field Manual, Section 4.1.3, to determine whether the arrestees are, or perceived to be, lesbian, gay, bisexual, transgender, or intersex (LGBTI), or gender nonconforming through conversations with the arrestee, by reviewing any available medical records, or a through medical examination conducted in private by a medical practitioner.
 - Will not be searched or physically examined for the sole purpose of determining their genital status.
 - Will not be segregated solely on the basis of being identified as an LGBTI.
- NOTE:** Members will determine, on a case-by-case basis, whether segregation is necessary to ensure arrestee's health and safety. When making the decision to segregate an arrestee, serious consideration to the arrestee's own views regarding his or her own safety will be considered.
- Must be given the opportunity to shower, perform bodily functions, and change clothing without Department members, or arrestees of the opposite gender viewing them.

JUVENILE ARRESTEES

- Will not be housed with adult offenders unless juvenile jurisdiction has been waived.
 - Will be screened as directed in Field Manual, Section 4.1.3, to assess their risk of being sexually abused and/or their risk of being sexually abusive towards other arrestees.
- NOTE:** The screening information must be used to mitigate any such danger to the arrestees.

OFFICERS INTERACTING WITH ARRESTEES WHO HAVE DISABILITIES

- Take whatever steps are necessary to ensure effective communication with arrestees who are deaf or hard of hearing.
- Provide access to interpreters who can interpret effectively, accurately, and impartially, both receptively and expressively, using necessary specialized vocabulary.
- Shall not rely on arrestee interpreters, readers, or other types of assistants except in limited circumstances where an extended delay in obtaining an effective means of communication could compromise the arrestee's safety or the investigation of the arrestee's allegations.
NOTE: Department members are not required to take actions that they can demonstrate would result in a fundamental alteration in the nature of a service, program, or activity, or in undue financial and administrative burdens pursuant to the Americans with Disabilities Act.

VICTIMS REQUESTING MEDICAL AND MENTAL CARE

- Will be offered no-cost access to a forensic medical examination when needed, for evidence collection or when medically appropriate.
NOTE: Such examinations shall be performed by a Sexual Assault Forensic Examiner (SAFE) or other qualified medical practitioners and documented.
- Who allege sexual abuse in lockup, shall receive timely, unimpeded access to emergency medical treatment.
- Are provided treatment without financial cost regardless of whether the victim names the abuser or cooperates with any investigation arising out of the incident.
- Are provided by the Department with access to outside advocates for emotional support services related to sexual abuse, and are provided contact information for local, state, or national victim advocacy or rape crisis organizations. The Department will enable reasonable communication between arrestees and these organizations, with as much confidentiality as possible.

5-9.3 PREA REPORTING

GENERAL

- Arrestees, including limited English proficient (LEP) individuals, as part of the intake process, are to be notified of their right to be safe while in the Department's custody, as well as the prohibited acts and ways to report allegations.
- Members will accept reports made verbally, in writing, anonymously, and from third parties, and will promptly document all reports.
- Each facility with a lockup will post a sign indicating options for the arrestee to report, or privately report, to the proper authority any sexual abuse or sexual harassment, staff neglect, or violation of responsibilities that may have contributed to an incident.
- All details of the investigation shall be recorded in written documents. Documents will include a description of the physical and testimonial evidence, the reasoning behind credibility assessments, and investigative facts and findings.
- All reports, evidence, etc. of each incident shall be retained for a minimum of five years past the end of the suspect's incarceration or member's employment by the Department.
EXCEPTION: Unless evidence retention policies mandate a longer period.

5-9.4 PREA INVESTIGATIONS

GENERAL

- Responsibility for criminal investigations will be assigned as outlined in Field Manual, Article 1, Investigations.
- Investigations involving members will be conducted by the Internal Affairs Division (IAD) pursuant to Administrative Manual, Article 2, Complaints and Misconduct.

- The Department will not require an abused arrestee to submit to a polygraph examination as a condition for proceeding with an investigation.
- When there is probable cause to believe that an arrestee sexually abused another arrestee in lockup, the Department shall refer the matter to the appropriate prosecuting authority.

INVESTIGATING MEMBERS

- Follow the rules of evidence as outlined in Field Manual, Article 1 (Investigations), and Field Manual, Article 7 (Evidence), when investigating allegations of sexual activity in a lockup.
- Consult with the State's Attorney's office if the evidence supports criminal prosecution.

COMMANDER

- Ensures appropriate medical treatment is provided without compromising evidence when notified of a sexual assault.
- Ensures that the chain-of-custody for evidence is followed, if the sexual assault occurred within 96 hours of reporting, by securing the clothing of both the victim and alleged suspect, if possible.
- Informs the receiving facility of the incident, and the victim's potential need for medical or social services if the victim is transferred from the lockup to a jail, prison, or medical facility, as permitted by law.
NOTE: Unless the victim requests otherwise.
- Notifies the head of the facility where the alleged abuse occurred. Such notification shall be documented and provided as soon as possible, but no later than 72 hours after receiving the allegation that an arrestee was sexually abused while confined at another facility.
- Determines whether staff neglect, or violation of responsibilities may have contributed to a PREA incident.
- Contacts the Internal Affairs Division (IAD) Commander if they determine neglect or violation of responsibilities contributed to a PREA incident.
- Reports any allegation of sexual abuse or sexual harassment involving a juvenile to the designated state or local services agency under applicable mandatory reporting laws.

INTERNAL AFFAIRS DIVISION COMMANDER

- Investigates pursuant to Administrative Manual, Article 3, Administrative Investigations and Reports, upon notification of alleged sexual misconduct by a member.
- Requests input from the precinct/section commander for discipline.
- Imposes no standard higher than a preponderance of the evidence in determining whether allegations of sexual abuse or sexual harassment are substantiated.

DISCIPLINARY SANCTIONS FOR MEMBERS

- Members shall be subject to disciplinary sanctions, including termination, for violating sexual abuse and sexual harassment policies in accordance with the Discipline Matrix.
- Disciplinary sanctions shall be commensurate with the nature and circumstances of the acts committed.
- All terminations or resignations by members as a result of these disciplinary sanctions shall be reported as required to other law enforcement agencies and to any relevant licensing bodies.

EXCEPTION: When the activity was clearly not criminal.

REFERENCES

- Administrative Manual, Article 2 (Complaints and Misconduct).
- Administrative Manual, Article 3 (Administrative Investigations and Reports).
- Field Manual, Article 1 (Investigations).
- Field Manual, Article 7 (Evidence).

5-9.5 PREA TRAINING AND EDUCATION

TRAINING SECTION

- Trains members how to comply with the PREA standards.
- Trains members how to prevent, detect, and respond to sexual assault, threats, or abuse in Department facilities.
- Trains members how to conduct professional and respectful lesbian, gay, bisexual, transgender, or intersex (LGBTI) pat-down searches in the least intrusive manner possible, consistent with security needs.
- Trains all current members who may have contact with lockup arrestees within one year of the effective date of the PREA policy.
- Provides annual refresher information to all members to ensure that they know the Department's current sexual abuse and sexual harassment policies and procedures.

COMMANDERS

- Ensure members of their command have received the proper PREA training on an annual basis.
- Document each member's training with the member's signature or electronic verification of completion.

SPECIAL VICTIMS UNIT COMMANDER

- Ensures members of the Special Victims Unit (SVU) receive training in reference to conducting sexual abuse investigations in confinement settings. This specialized training shall include techniques for interviewing sexual abuse victims, proper use of Miranda and Garrity warnings, sexual abuse evidence collection in confinement settings, and the criteria and evidence required to substantiate a case for administrative action or prosecution referral.
- Maintains documentation indicating all investigators assigned to SVU have completed the required specialized training in conducting sexual abuse investigations.

5-9.6 PREA DATA COLLECTION

COMMANDERS PREPARING SEXUAL ABUSE INCIDENT REVIEWS

- Conduct a sexual abuse incident review within 30 days of the conclusion of every sexual abuse investigation, including where the allegation has not been substantiated.
EXCEPTION: When the allegation has been determined to be unfounded.
- Implement the recommendations of the Review Team for improving the holding facilities or document the reasons for not doing so.

REVIEW TEAMS PREPARING SEXUAL ABUSE INCIDENT REVIEWS

- Consist of the Bureau Chief of the Operations Bureau, the Bureau Chief of the Criminal Investigations Bureau (CIB), the Internal Affairs Division (IAD) Commander, the precinct commander, and the primary investigating officer.
- Consider if there is a need to change policy, staffing levels, video monitoring, or lockup dynamics to better prevent, detect, or respond to sexual abuse.
- Consider whether the incident or allegation was motivated by race; ethnicity; gender identity; lesbian, gay, bisexual, transgender, or intersex identification, status, or perceived status; or gang affiliation.
- Report their findings and any recommendations for improvement to the precinct commander and the PREA coordinator.

PREA COORDINATOR

- Ensures that the incident-based data collected shall include, at a minimum, the data necessary to answer all questions from the most recent version of the Local Jail Jurisdictions Survey of Sexual Violence conducted by the Department of Justice, or any subsequent form developed by the Department of Justice and designated for lockups.
- Maintains, reviews, and collects data as needed from all available incident-based documents, including reports, investigation files, and sexual abuse incident reviews and securely retains this data for at least 10 years after the date of the initial collection.
- Obtains incident-based and aggregated data from any private agency with which the Department contracts.
- Provides all such data from the previous calendar year to the Department of Justice no later than June 30th of each year. This report will also be made readily available to the public through the Department's website.
- Redacts specific material from the reports when publication on the internet would present a clear and specific threat to the safety and security of a lockup, but must indicate the nature of the material redacted.

MISCELLANEOUS PROPERTY ISSUES

Article 6

- 6-1.0 Abandoned, Found, Safekeeping Property [rev. 10/2020]**
- 6-2.0 Disposition of Property [n/a]**
 - 6-2.1 *Removal of Property from the Evidence Management Unit [rev. prior to 1994]*
 - 6-2.2 *Form 128D, Disposal/Destruction of Property/Evidence and Form 128R, Retention of Property/Evidence [rev. 10/2011]*
 - 6-2.3 *Release of Property [rev. 12/2008]*
 - 6-2.3.1 *Firearm Release [rev. 08/2020]*
- 6-3.0 Motor Vehicles Coming Into Police Custody [n/a]**
 - 6-3.1 *Storing of Motor Vehicles [rev. 08/2020]*
 - 6-3.1.1 *Vehicle Property Inventory [rev. 08/2020]*
 - 6-3.2 *Stolen Motor Vehicles [rev. prior to 1994]*
 - 6-3.3 *Unusual Motorized Vehicles [rev. prior to 1994]*
- 6-4.0 Evictions [rev. 08/2020]**
- 6-5.0 Pawn Shops and Secondhand Dealers [rev. 08/2021]**
- 6-6.0 Removal of Deceased Person's Property [rev. prior to 1994]**
- 6-7.0 Non-Evidentiary Driver's Licenses and Vehicle License Plates [rev. 10/2020]**

MISCELLANEOUS PROPERTY ISSUES

6-1.0 ABANDONED, FOUND, SAFEKEEPING PROPERTY

MEMBERS RECOVERING PROPERTY

- In Baltimore County, on or off duty, have no right to claim such property.
- Determine the exact location of the recovery, along with the discoverer's identity (e.g., private citizen, another officer, through own investigation, etc.) and the date, time, and circumstances of the discovery.
NOTE: This information will be included in the appropriate incident report.
- Promptly take recovered property to the precinct/section for processing and storage.
- Prepare a Form 15, Property Inventory Form, and:
 1. Indicate if any citizen finder wishes to claim the property after 30 days.
 2. Obtain the finder's signature if claiming property.**EXCEPTION:** Found guns are not permitted to be claimed by citizen finders and will be packaged as evidence.
- Make a reasonable effort to determine the owner of abandoned/found property (e.g., found bicycles, found firearms, etc.), prior to authorizing its disposition.
- Complete a Form 128D, Disposal/Destruction of Property/Evidence or Form 128R, Retention of Property/Evidence, and forward it to the Evidence Management Unit (EMU) along with the Form 15 and property.
NOTE: All Forms 128D or R require a shift/unit commander's signature prior to submission.
- Process property per the Evidence/Property Packaging Manual procedures and store it in a secure limited access area prior to the end of their tour-of-duty.
- Ensure stored property is ready for transport to the EMU, unless the shift commander's approval has been obtained on a Form 340, Property/Evidence Hold Form, for the items to be held at the precinct.
NOTE: See Field Manual, Article 7, Section 2.0, Handling Physical Evidence, for the procedures for the use of the Form 340.

FORM 15, PROPERTY INVENTORY

- Completed for property, including evidence.
- Notes whether or not the finder wishes to claim the property in the "Remarks" section. The claimant will sign next to the notation.
- Distributed as follows:
 1. Original - to the Evidence Management Unit (EMU).
 2. First Copy - Forwarded to the Information & Records Management Section (IRMS) for scanning into the Records Management System (RMS).

SUPERVISORS

- Ensure all property is properly tagged, labeled, marked, or packaged in accordance with this Article and the Evidence/Property Packaging Manual procedures.
- Ensure that required property forms/reports are complete and accurate prior to approval.

PROPERTY STORAGE

- Property required to remain at a precinct in lieu of immediate delivery to the EMU (e.g., evidence is need for a hearing or for investigative purposes, etc.) may be held at the precinct upon authorization by the shift/unit commander on a Form 340.
NOTE: The authorization and the reason for the hold will also be noted by the shift/unit commander in the remarks column of the Property/Evidence Log Book.
- Property will be placed in a property/evidence locker and locked.

- Bicycles must be stored in a secure limited access area, or may be chained or cable locked together with key access controlled by the precinct commander per policy.
- Precincts will designate a secure limited access area for storing large bulk items (e.g., televisions, appliances, etc.) not fitting in the property/evidence lockers, with key access controlled by the precinct commander per policy.
- Property and required forms will be transported to the EMU within 72 hours by a courier designated by the EMU.
EXCEPTION: Property placed in property/evidence lockers on holidays that fall on a Monday or Friday will be transported to the EMU on the next regular business day. Property for which a property/evidence hold (i.e., Form 340) has been approved, will be transported to the EMU within 72 hours of removal of the hold.
- Property forms returned for correction must be revised and returned to the EMU within 72 hours.
NOTE: If the officer is unavailable to make the correction within the specified time, the officer's supervisor will ensure that the correction is made and the forms returned to the EMU.

REPORTING

- The appropriate incident report will be completed, documenting recovered property in the *Property* tab.
- The report will indicate whether or not the finder intends to claim the property.
- For found and abandoned property, the victim will be the owner of the property.
- Property reported stolen and subsequently recovered, must be updated in a subsequent version of the Case Report. Additional information regarding the circumstances of the recovery will be listed in the *Narrative* tab.

COMMANDERS

- Ensure that designated members maintain accurate records and handle property according to procedure.
- Ensure that individually secured lockers, capable of being locked, are provided for storage of property.
- Will be the only person having a key to the property/evidence lockers. Duplicate keys will be maintained by the EMU.
NOTE: On-duty shift commanders will control the property/evidence locker key in the absence of the commander.
- Ensure a Property/Evidence Log Book is maintained (Refer to Article 7-2.0).

SPECIAL PROPERTY

- Property requiring analysis or examination will be sent to the EMU, accompanied by a request form (original and two copies). The EMU will distribute the request form to the FSS, who will complete required examinations and tests of property.
- Contaminated property or that suspected of contamination by body fluids will be labeled distinctly with the word "Biohazard."
- Perishable property will be promptly refrigerated or otherwise cared for and reported to the shift commander.
NOTE: The EMU does not accept perishable items.
- For large amounts of cash, CDS, valuables, or volatile items (e.g., PCP, fuel, etc.), officers will contact the EMU through the 9-1-1 Communications Center for further direction when the EMU is closed.
- When trucks carrying valuable cargo are involved in crashes, the trucking and insurance companies will be contacted as soon as possible.

- Property such as animals, animal drawn vehicles, pushcarts, or cumbersome items will be driven or transported to the station or safe place as directed by the officer in charge. If unable to locate the lawful owner within a reasonable time, the matter will be referred to the commander.
- Property having a serial number which has been removed, defaced, or obliterated will be sent to the EMU. The EMU will mark such property with the central complaint (CC) number and "Baltimore County" so as not to diminish the value of the property.
- Alcoholic beverage containers recovered as found property will be disposed of at the precinct/unit provided that:
 1. The items are photographed, and the photograph is submitted as evidence.
 2. Contents are emptied into an appropriate drain and containers are discarded into a trash receptacle.
 3. Investigating officers document the manner of disposal in the appropriate incident report and notify their supervisor of the actions taken.

REFERENCES

- Evidence/Property Packaging Manual.
- Field Manual, Article 7 (Evidence).
- Field Manual, Article 8 (Report Writing).

6-2.0 DISPOSITION OF PROPERTY

6-2.1 REMOVAL OF PROPERTY FROM THE EVIDENCE MANAGEMENT UNIT

GENERAL

- Members removing property from, or returning property to, the Evidence Management Unit (EMU) will sign the chain of custody on the Form 15, Property Inventory.
- The EMU maintains a separate file of all property signed out.
- When property has not been returned within one week, the EMU will send a notice to the commander of the officer who signed it out. Notices will be sent each week until the property is returned. If the property has not been returned or accounted for after three notices, a fourth will be sent to the division commander for action.
- Members receiving notification of unreturned property will complete the response section and return the notice to the EMU within three days.

6-2.2 FORM 128D, DISPOSAL/DESTRUCTION OF PROPERTY/EVIDENCE AND FORM 128R, RETENTION OF PROPERTY/EVIDENCE

FORM 128D, DISPOSAL/DESTRUCTION OF PROPERTY/EVIDENCE AND FORM 128R, RETENTION OF PROPERTY/EVIDENCE

- Required by the Evidence Management Unit (EMU) when:
 1. Evidence is to be released to the claimant or disposed of by the Department.
 2. In response to a list of cases on Delinquent Property Reports issued by the EMU.
 3. A case has been disposed of by the courts.
 4. Property is sent to the EMU for safekeeping.
 5. Owners of property verified as being stolen have moved from their last known address and the property is forwarded to the EMU for disposal. In this instance the:
 - a. Form 15, Property Inventory, will note the property as evidence.
 - b. Form 128D, Disposal/Destruction of Property/Evidence will note that the item may be disposed of.

- c. EMU will attempt to contact the owner. If unable to locate the owner in the time prescribed by law, the property will be declared abandoned and disposed of.
- 6. Disposing of found narcotics and firearms.
 - Required for found and/or abandoned property.
 - Completed in original only.
 - **EXCEPTION:** Narcotic paraphernalia, narcotics, and firearms require an original and one copy.
 - Attached to the Form 15 and taken to the EMU when submitted with the property.
 - Forwarded to the EMU when submitted later, separate from the property.

COMMANDERS

- Ensure that Forms 128D or R are completed and forwarded for cases identified by the Delinquent Property Report.

6-2.3 RELEASE OF PROPERTY

GENERAL

- Contraband will not be released.
- Property not subject to forfeiture may be returned to the claimant as soon as possible.
- Property in dispute will not be given to any claimant unless the other claimants renounce all claims in writing or upon order by the Chief of Police.
- Claimants will not be referred to the Evidence Management Unit (EMU) for property unless a Form 128D, Disposal/Destruction of Property/Evidence, has been completed.
- When firearms are found which are not evidence or contraband and the owner is unknown, they will be disposed. They may not be claimed.
- Unclaimed property may be released under the guidelines of the Baltimore County Code.

EVIDENCE MANAGEMENT UNIT (EMU)

- May release property to the lawful owner (or representative) after positive identification of both the property and owner is made.
- May release property, if the property owner is deceased, to the personal representative for the estate. Personal representatives must present "Letters of Administration" from the Orphans Court prior to the release of property.
- Records the property's final disposition on the original Form 15, Property Inventory. When all items have been disposed of, the Form 15 will be forwarded to the Information & Records Management Section.

INVESTIGATING OFFICERS

- Will make every effort to identify the lawful owner of the property.
- May release personal effects, not required as evidence, to properly identified next-of-kin in fatal traffic crashes and in other cases of sudden death.
- May release property held at a precinct/section to its lawful owner provided the property is not required as evidence and ownership is not disputed. The Form 15 will then be signed by the claimant and distributed as follows:
 1. Original – to the Information & Records Management Section.
 2. Copy – placed into the precinct/division file.
- If the property owner is incarcerated, will note it on the Form 128D, Disposal/Destruction of Property/Evidence, along with the place of incarceration, if known.
- If the property owner's whereabouts are unknown, request that notification be made to the owner's attorney, if known.

- If correspondence is received from the property owner's attorney requesting release of the property, request that notification be made to both the property owner and the requesting attorney. Officers will forward the following with the Form 128D, Disposal/Destruction of Property/Evidence:
 1. The attorney's correspondence, if the request was written.
 2. A Form 82, Transmittal Memo, with the appropriate information if the request is oral.
- Determine if the requirements for the release of firearms have been met.

6-2.3.1 FIREARM RELEASE

INVESTIGATING OFFICERS

- Conduct an investigation to determine a claimant's eligibility, prior to the release or disposal of any firearm.

NOTE: Required record checks must be conducted for each individual claimant and each individual firearm.
- Complete the appropriate incident report selecting:
 1. "Yes" to question "Does this incident involve releasing or disposing of seized firearms?," on the *Administrative* tab.

NOTE: This will activate the *Firearms Disposition* supplemental tab, containing required report information
 2. "Yes" to the question "Confidential?" on the *Elements of the Incident (EOI)* tab.
- Complete a Form 128D, Disposal/Destruction of Property/Evidence or Form 128R, Retention of Property/Evidence, stating whether the firearm(s) is to be released or destroyed.

NOTE: The make, model, caliber, and serial number of each firearm must be listed.
- Submit printed copies of record check information to their supervisor for review/verification.

REQUIRED REPORT INFORMATION

- Full name, sex, race, date of birth, address, and phone number of the claimant.
- Make, model, caliber, and serial number of each individual firearm, indicating whether it is to be:
 1. Released, or
 2. Destroyed.
- List of databases checked.
- List of factors disqualifying a claimant from receiving any/all firearms.
- Whether the claimant is qualified (i.e., firearm(s) may be released), or disqualified (i.e., firearm(s) may not be released), due to prohibition under state and/or federal law.
- Explanation for release or denial of release.
- Whether a Form 128D, Disposal/Destruction of Property/Evidence or Form 128R, Retention of Property/Evidence was completed for the firearm(s).

SUPERVISORS

- Review printed copies of record check information and the incident report for completeness and to ensure that the claimant's eligibility for the release of each individual firearm has been accurately determined, prior to report approval.
- Approve and forward the original Form 128D, Disposal/Destruction of Property/Evidence or Form 128R, Retention of Property/Evidence and printed copies of record check information to the shift/unit commander.

SHIFT/UNIT COMMANDERS

- Review printed copies of record check information and the incident report for completeness and to ensure that the claimant's eligibility for the release of each individual firearm has been accurately determined prior to report approval.
- Approve and forward the original Form 128D, Disposal/Destruction of Property/Evidence or Form 128R, Retention of Property/Evidence to the Evidence Management Unit (EMU).
- Destroy printed copies of record check information after they have been reviewed.

EVIDENCE MANAGEMENT UNIT

- Reviews the Form 128D, Disposal/Destruction of Property/Evidence or Form 128R, Retention of Property/Evidence and the incident report.
NOTE: The EMU cannot process any firearm release or destruction until a Form 128D, Disposal/Destruction of Property/Evidence or Form 128R, Retention of Property/Evidence has been submitted.
- Notifies the claimant or their attorney of their right to petition the court of Maryland within 30 days of receiving notification, if the firearm is to be destroyed.
NOTE: The EMU will notify the claimant, by mail, to pick up the firearm(s) should the court rule in favor of the claimant.
- Disposes of the firearm(s), per departmental policy and as prescribed by law if:
 1. No claim is made within 30 days.
 2. No request for review is submitted (or the court is not petitioned) within a specified time.
 3. The court rejects the claim or orders forfeiture of the firearm(s).
- Forwards a copy of the Form 128D, Disposal/Destruction of Property/Evidence to the Firearm Interdiction Team (FIT) for final release approval, if the firearm is to be released.
- Notifies the claimant, by mail, to pick up their firearm(s) upon release approval by the FIT.

FIREARM INTERDICTION TEAM (FIT)

- Ensures that the Department's required report information for the disposition of firearms is up-to-date with current firearms laws and contains a list of:
 1. Databases to be checked.
 2. Factors disqualifying a claimant from receiving a firearm.
- Reviews the incident report and the Form 128D for adequate release justification and completes:
 1. Necessary record checks on the claimant who is requesting possession of the firearm.
 2. A Form 128D for the final disposition of the firearm(s).

LEGAL SECTION

- Represents the Department on any firearm appeal made to the District Court.
- May be consulted for interpretation of release requirements.

6-3.0 MOTOR VEHICLES COMING INTO POLICE CUSTODY

6-3.1 STORING OF MOTOR VEHICLES

GENERAL

- Stored motor vehicles will not be held at the precinct parking lots without permission of the precinct commander.
- Department vehicles will not be used to transport any motorcycle, motor scooter, motorbike, or moped.

OFFICERS TAKING CUSTODY OF VEHICLES

- Will complete an Impound/Tow Record documenting all applicable information regarding the vehicle/tow. The narrative will include:
 1. "See incident report for narrative," if an incident report was written; or
 2. An explanation of the circumstances regarding the tow, if an incident report was not written.
- **EXCEPTION:** When the towed vehicle has been documented in an Automated Crash Reporting System (ACRS) Report, an Impound/Tow Record is not required.
- Will notify the owner.
- Will complete a motor vehicle inventory.

SUPERVISORS

- Must leave the case status marked "open" until the vehicle owner is identified and notified of the vehicle recovery.

ARRESTED VEHICLE OPERATORS

- May secure the vehicle and allow it to remain parked legally, provided:
 1. The vehicle is not required for evidence or other purposes.
 2. They are aware of their actions and agree to assume full responsibility for the vehicle, accessories, and contents.
 3. They can make arrangements to have the vehicle taken care of by the owner or owner's agent within a reasonable time period.
- **NOTE:** Officers should note this arrangement in the *Narrative* tab of the incident report or Impound/Tow Record.

REFERENCES

- Automated Dispatch System (ADS) BCOPD Desk Officer Guide.
- Field Manual, Article 1 (Investigations).

6-3.1.1 VEHICLE PROPERTY INVENTORY

GENERAL

- A motor vehicle inventory is an administrative measure designed to protect motor vehicles and their contents while not in the owner's possession; to protect the Department against claims of lost, stolen, or damaged property; and to protect Department personnel and the public against injury or damaged property due to hazardous materials or substances that may be in the vehicle.

VEHICLES TO BE INVENTORIED

- All vehicles that come into Department custody (stored/impounded vehicles, etc.) shall be subject to a routine custodial inventory.
EXCEPTION: Vehicles involved in crashes shall not be subject to routine inventory for safety reasons (e.g., biohazards, wreckage, etc.).

SCOPE OF INVENTORY

- The inventory should be conducted in a systematic order, starting at the front of the vehicle and working towards the rear of the vehicle.
- A motor vehicle inventory may extend to all areas of the vehicle in which personal property or hazardous materials may reasonably be found including, but not limited to, the passenger compartment, trunk, and glove compartments.
- All closed containers found in the vehicle shall be opened for purposes of inventory.

- Locked containers shall not be forced open; if a key or lock combination is available, locked containers will be opened and inventoried.

OFFICERS TAKING INVENTORY

- If no property is taken into police custody, in general terms, note the type of property remaining in the vehicle in the narrative of the incident report or Impound/Tow Record.
- Complete a Form 15, Property Inventory, for property taken into custody.
- Will only take into custody property of significant value or hazardous material.
- Should only list personal items (e.g., loose change, clothing, magazines, etc.) in general terms and not inventory any permanently attached accessories.
- Contraband or evidence discovered during an inventory may be seized and used to charge a suspect(s). The burden is on the officer, however, to show that the inventory was pursuant to Department policy.

6-3.2 STOLEN MOTOR VEHICLES

GENERAL

- When the owner of a recovered stolen vehicle responds to take possession, the vehicle will not be taken into police custody.
- When a stolen vehicle used for business purposes is recovered, the recovering officer will attempt to return the vehicle to its owner immediately.

OFFICERS RECOVERING STOLEN VEHICLES

- Remove and inventory license plates as evidence if they belong to other vehicles.
- Check the vehicles for property. Such property will be held and processed.

AUTO THEFT TEAM

- Initiates action to have a recovered stolen vehicle disposed of if all means to identify the vehicle's owner have been exhausted, upon:
 1. Approval of the Auto Theft Team Supervisor.
 2. Notification of the Evidence Management Unit (EMU) Commander of the need to dispose of the vehicle.

6-3.3 UNUSUAL MOTORIZED VEHICLES

INVESTIGATING OFFICERS

- Complete a Form 15, Property Inventory (original and two copies). Distribution:
 1. Original - to the Information and Records Management Unit.
 2. First copy - to precinct/division files.
 3. Second copy - to Vehicle Operations & Maintenance Shop tow truck operator upon arrival.

REFERENCE

- Field Manual, Article 2 (Traffic Procedures).

6-4.0 EVICTIONS

GENERAL

- The Department neither assumes responsibility for loss of nor guards evicted property.

INVESTIGATING OFFICERS

- Only respond to evictions as requested by constables or sheriffs to:
 1. Ensure their safety and prevent resistance to official acts when there is a clear threat.
 2. Take into custody if the owner cannot be located or refuses to take responsibility for:
 - a. Small loose valuables (e.g., cash, negotiable papers, credit cards, jewelry, etc.).
 - b. Dangerous items (e.g., guns, explosives, ammunition, etc.).
 - c. Contraband, drugs, and alcohol.
 - d. Medicines and poisons.
 - e. Any items that may be hazardous.
- Complete a Form 15, Property Inventory, and the appropriate incident report using the appropriate offense codes(s) when taking property into custody.

6-5.0 PAWN SHOPS AND SECONDHAND DEALERS

DEFINITION

- Secondhand Dealers - persons who do business buying, selling, or consigning:
 1. Precious metal.
 2. Junk or scrap metal.
 3. Pre-owned, battery operated electronic devices.

INVESTIGATING OFFICERS

- Who locate stolen items at a pawnshop/secondhand dealer will, in:
 1. Baltimore County:
 - a. Contact the Pawn Team to place a hold on the item(s).
 - b. Respond along with the owner/victim to view the item(s).
 - c. Notify the Pawn Team of the results of the owner's/victim's identification.
 2. Another jurisdiction, contact the Pawn Team for assistance.
- Respond and take appropriate action upon learning that a person is attempting to sell stolen property.

PAWN TEAM

- Maintains files on pawn shops, secondhand dealers, and transactions.
- Inspects licenses, inventories, and premises of pawn shops and secondhand dealers.
- Ensures that pawnshops and secondhand dealers are in compliance with current laws.
- Investigates and reports on complaints concerning pawnshops and secondhand dealers.
- Maintains records of all items acquired by pawn shops and secondhand dealers.
- Investigates persons operating pawn shops or secondhand dealer businesses in Baltimore County without a license.
- Writes administrative violations and notifies the Department of Labor, Licensing, and Regulation (DLLR).
- Completes criminal charges when appropriate.

6-6.0 REMOVAL OF DECEASED PERSON'S PROPERTY

INVESTIGATING OFFICERS

- Take possession of property found on the deceased prior to removal of the body and in the presence of another member or witness.
- Inventory and record property in accordance with this article.

- May later release property not required as evidence to the next-of-kin entitled to its possession or custody.
EXCEPTION: Evidence will be the responsibility of Forensic Services Section personnel when they are called to process the scene.

REFERENCE

- Field Manual, Article 7 (Evidence).

6-7.0 NON-EVIDENTIARY DRIVER'S LICENSES AND VEHICLE LICENSE PLATES

GENERAL

- Confiscated driver's licenses being destroyed will be logged on the Form 346, Driver's License Log, and placed into the dedicated evidence locker.
 - Confiscated license plates being returned to the Motor Vehicle Administration (MVA) will be logged on the Form 345, License Plate Return Log, and placed into the dedicated evidence locker.
 - The procedures contained in this section do not apply to:
 1. Found driver's licenses. These will be packaged and submitted as evidence to the Evidence Management Unit (EMU) unless returned to the owner.
 2. Driver's licenses or vehicle license plates that are needed as evidence for court.
- NOTE:** These items will be packaged according to the Evidence/Property Packaging Manual.

FORM 345, LICENSE PLATE RETURN LOG

- Utilized to log each license plate/set of license plates returned to the MVA using these procedures.
- Members will complete all columns for each set of license plates submitted.
- Maintained in the "Plates/Licenses" evidence locker until submitted by the MVA Evidence Coordinator.

FORM 346, DRIVER'S LICENSE LOG

- Utilized to log each driver's license submitted to be destroyed.
- Members will complete all columns for each driver's license submitted.
- Maintained in the "Plates/Licenses" evidence locker until submitted by the MVA Evidence Coordinator.

DEDICATED EVIDENCE LOCKER

- Will be marked "Plates/Licenses" to ensure the same locker is always used for vehicle license plates and driver's licenses.
- Emptied by the precinct's MVA Evidence Coordinator.
- Will not be utilized for any property other than driver's licenses to be destroyed, or vehicle license plates to be returned to MVA.

MVA EVIDENCE COORDINATOR

- Selected by the precinct commander.
- Empties the contents of the dedicated evidence locker at least once a week.
NOTE: This will be monitored, and completed more often, if the contents are excessive.
- Verifies each item in the locker with the Form 345 and Form 346.
- Completes the "Packaged by" section of the forms with their name, date, and precinct number when packaging the license plates and driver's licenses.

- Completes a Form 15, Property Inventory, containing one listed item as, “One box containing miscellaneous license plates,” and a separate item as “One envelope containing miscellaneous driver’s licenses.”
- Completes a Form 128D, Disposal/Destruction of Property/Evidence, to return the vehicle license plates to the MVA.
- Completes a Form 128D to have the driver’s licenses destroyed.
- Packages all verified license plates into a cardboard box of the size prescribed by the EMU, seals with packaging tape, applies evidence tape over the packaging tape, and attaches a completed evidence label.
- Packages all verified driver’s licenses into a paper envelope of the size prescribed by the EMU, seals with packaging tape, applies evidence tape over the packaging tape, and attaches a completed evidence label.
- Places the cardboard box and/or paper envelope, and approved Form 15 and Form 128D, into a separate evidence locker, or other secure location, for transport by the Evidence Courier.
- Makes an entry into the Evidence Log Book.
- Places a new Form 345 and Form 346 in the “Plates/Licenses” evidence locker.
- Attaches completed Forms 345 and Forms 346 to the Form 15 for distribution to the EMU.
- Maintains one copy of the completed Forms 345 and Forms 346 in a file for three years.

EVIDENCE COURIER

- Transports the envelopes/boxes of driver’s licenses and vehicle license plates to the EMU.

PRECINCT COMMANDER

- Selects a member of their command to serve as the MVA Evidence Coordinator.

EVIDENCE MANAGEMENT UNIT

- Receives the precinct envelopes and boxes of driver’s licenses and vehicle license plates.
- Transports the boxes to MVA for return.
- Destroys the envelopes of licenses.
- Maintains one copy of the Forms 345 and Forms 346 in a file for three years.

REFERENCE

- Evidence/Property Packaging Manual.

EVIDENCE

Article 7

- 7-1.0 General** [rev. 12/2023]
- 7-2.0 Handling Physical Evidence** [rev. 12/2023]
 - 7-2.1 *Evidence/Property Recovery By Other Jurisdictions* [rev. 08/2020]
 - 7-2.2 *Trial and Final Disposition of Evidence* [rev. 05/2014]
- 7-3.0 Forensic Services Section** [rev. 12/2023]
 - 7-3.1 *Laboratory Examinations* [rev. 12/2023]
- 7-4.0 Firearms Evidence** [rev. 12/2023]
 - 7-4.1 *Disarming Firearms* [rev. 12/2023]
 - 7-4.2 *Packaging Firearms* [rev. 10/2020]
- 7-5.0 Controlled Dangerous Substance (CDS) Evidence** [rev. 10/2020]
- 7-6.0 Vehicles Held As Evidence** [rev. 12/2023]
- 7-7.0 Handling and Packaging Special Evidence** [rev. 10/2020]
 - 7-7.1 *Hypodermic Syringes and Needles* [rev. 10/2020]
 - 7-7.2 *Clean-Up and Decontamination* [rev. prior to 1994]
- 7-8.0 Questioned Documents Evidence** [rev. 10/2020]
 - 7-8.1 *Submitting Documentary Evidence* [rev. 10/2020]
 - 7-8.2 *Questioned Document Examination* [rev. 10/2020]
- 7-9.0 Statements and Confessions** [rev. 08/2020]
 - 7-9.1 *Juvenile Statements and Confessions* [rev. 04/2005]
 - 7-9.2 *Dying Declarations* [rev. prior to 1994]
- 7-10.0 Visual Investigative Aids** [rev. 11/2010]
 - 7-10.1 *Line-ups* [rev. 11/2010]
 - 7-10.2 *Photograph Identification* [rev. 08/2020]
 - 7-10.3 *Show-Ups* [rev. 08/2020]
 - 7-10.4 *Forensic Artist Composites* [rev. 11/2010]
 - 7-10.5 *Sketches* [rev. prior to 1994]
- 7-11.0 Polygraph Examinations** [rev. 02/2010]
 - 7-11.1 *Juvenile Polygraph Examinations* [rev. prior to 1994]
- 7-12.0 Wire or Oral Interceptions** [rev. 08/2020]
 - 7-12.1 *Consensual Interception* [rev. 08/2020]
 - 7-12.2 *Court Ordered Interception* [rev. 08/2020]
- 7-13.0 Latent Fingerprint Evidence** [n/a]
 - 7-13.1 *Latent Print Processing* [rev. 12/2023]
 - 7-13.2 *Latent Print Comparison* [rev. 10/2020]
 - 7-13.3 *Maryland Automated Fingerprint Identification System (MAFIS)* [rev. 08/2020]
 - 7-13.4 *Form 136, Latent Print Report Follow-Up* [rev. 01/2001]

- 7-14.0 Photographs [rev. 12/2023]**
 - 7-14.1 *Requests for Photographic Services* [rev. 10/2014]

- 7-15.0 Search and Seizure Warrants [rev. 12/2022]**
 - 7-15.1 *Application Process* [rev. 12/2022]
 - 7-15.1.1 *Court Procedures* [rev. 12/2022]
 - 7-15.2 *Pre-Operational Procedures* [rev. 12/2022]
 - 7-15.3 *Service Procedures* [rev. 12/2022]
 - 7-15.4 *Post-Service and Record Keeping Procedures* [rev. 12/2022]
 - 7-15.5 *Sealing of Affidavits* [rev. 11/2010]

- 7-16.0 Juvenile Investigation [rev. prior to 1994]**

EVIDENCE

7-1.0 GENERAL

ABBREVIATIONS

- CDS - Controlled Dangerous Substance.
- CIB - Criminal Investigations Bureau.
- CST - Crime Scene Team.
- DNA - Deoxyribonucleic Acid.
- EMS - Emergency Medical Services.
- EMU - Evidence Management Unit.
- FIT - Firearm Interdiction Team.
- FSS - Forensic Services Section.
- IST - Investigative Services Team.
- MAFIS - Maryland Automated Fingerprint Identification System.
- METERS - Maryland Electronic Telecommunications Enforcement Resource System.
- MVA - Motor Vehicle Administration.
- NCIC - National Crime Information Center.
- OCME - Office of the Chief Medical Examiner.

7-2.0 HANDLING PHYSICAL EVIDENCE

GENERAL

- Before the CST begins processing a scene where Fourth Amendment Constitutional Rights apply, the CST will require:
 1. A search warrant signed by an appropriate judge;
 2. Verbal consent to search from a person authorized to grant the consent; or
 3. Written signed consent to search from a person authorized to grant the consent.**EXCEPTION:** When exigent circumstances are present, and a signed search warrant or verbal/written consent has not been obtained, the CST supervisor will consult with the FSS Commander or the FSS Assistant Commander prior to processing the scene.
- All physical evidence will be preserved at the crime scene by the principal investigating officer. The collection of evidence is the responsibility of that officer, unless CIB or FSS personnel respond and assume responsibility.
- Evidence touched or moved at a crime scene by a responding officer will be collected by that officer to maintain the chain of custody for the item.
NOTE: This includes weapons at the scene moved for safety reasons.
- The FSS may be contacted for assistance, if there is a question as to how a piece of evidence should be handled.
- If the FSS is needed at the crime scene, they will be requested within one hour after initiating the investigation, and the crime scene will be secured.
- Many procedures for the handling of evidence are the same as for non-evidentiary property.
- Evidence and required forms will be transported to the EMU within 72 hours by a courier designated by the EMU.
EXCEPTION: Evidence placed in property/evidence lockers on holidays that fall on a Monday or Friday will be transported to the EMU on the next regular business day. Evidence for which a property/evidence hold (i.e., Form 340, Property/Evidence Hold Form) has been approved, will be transported to the EMU within 72 hours of removal of the hold.

MEMBERS RECOVERING EVIDENCE

- Determine the exact location of the recovery, along with the discoverer's identity (e.g., private citizen, another officer, through own investigation, etc.) and the date, time, and circumstances of the discovery.
NOTE: This information will be included in the appropriate incident report.
- Promptly take recovered evidence to the precinct/section for processing and storage.
- Must process property per the Evidence/Property Packaging Manual procedures, and store it in a secure limited access area prior to ending their tour of duty.
- Ensure stored evidence is ready for transport to the EMU, unless the shift commander's approval has been obtained on a Form 340, for the items to be held at the command.

FORM 340, PROPERTY/EVIDENCE HOLD FORM

- Required for property/evidence to be held at the command in lieu of immediate submission to the EMU.
NOTE: The form may not be used to hold prisoner property.
- Documents the reason(s) property/evidence is to be held in an evidence locker and not transported to the EMU.
NOTE: The property/evidence must be packaged and ready for submission to the EMU, or otherwise disposed of, by the hold removal date on the Form 340, when a hold has been approved.
- Completed by the investigating officer and approved by a shift commander.
- Displayed on the exterior of the property/evidence locker in which the approved items are being held.
- Upon submission of the property/evidence to the EMU, will be distributed as follows:
 1. Original – EMU.
 2. Copy – Information & Records Management Section.

REFERENCES

- Evidence/Property Packaging Manual.
- Field Manual, Article 6 (Miscellaneous Property Issues).

7-2.1 EVIDENCE/PROPERTY RECOVERY BY OTHER JURISDICTIONS

GENERAL

- Upon notification from another jurisdiction regarding the recovery of property related to a Baltimore County incident, the Telecommunications/Inquiry Desk will be notified.
EXCEPTION: Motor vehicles.

TELECOMMUNICATIONS/INQUIRY DESK

- Checks the National Crime Information Center (NCIC), the Maryland Electronic Telecommunications Enforcement Resource System (METERS), the police report, and/or teletype to verify that the recovered property is in fact property taken in a Baltimore County incident.
- Upon verification, notifies the precinct commander where the incident originated.
- If it is determined that the property is not from a Baltimore County incident, notifies the requesting agency of the findings.

PRECINCT COMMANDER

- Requests the Investigative Services Team (IST) to conduct a review of the Department's investigation when evidence/property is recovered by another jurisdiction.
- Ensures that the property is deleted from NCIC/METERS upon verification.

- Assigns the case for additional investigation based upon the case review and recommendation provided by IST.
- Ensures that the property recovery is documented in a subsequent version of the Case Report.

INVESTIGATIVE SERVICES TEAM (IST)

- Conducts a review of the Department's investigation when evidence/property is recovered by another jurisdiction upon the request of the precinct commander.
- Provides the precinct commander with the updated case information, and a recommendation of what unit, team, or member should conduct the follow-up investigation.

UNITS/TEAMS/MEMBERS ASSIGNED TO CONDUCT FOLLOW-UP INVESTIGATION

- Obtains and reviews all recovery information from the other jurisdiction (e.g., circumstances surrounding the recovery, suspect(s) identified or charged, etc.).
- Determines the potential for prosecution of any identified suspects not already charged with the offense.
- Consults with the State's Attorney's Office if necessary.
- Determines the need to retain the recovered property as evidence.
- Sends a letter to the other jurisdiction, if applicable, advising that the property is not needed and may be released to the rightful owner.
NOTE: A copy of this letter should also be sent to the property owner listed in the police report.
- Contacts the other jurisdiction, if applicable, and makes arrangements to have the evidence/property returned to Baltimore County.
NOTE: The evidence/property may be shipped to the Department using a package handling service with which the Department has an established account, if authorized by the member's shift/unit commander.
- Upon receipt of the evidence/property package, submits the evidence/property to the Evidence Management Unit utilizing established procedures.
- Completes the appropriate incident report to document any activities conducted.

7-2.2 TRIAL AND FINAL DISPOSITION OF EVIDENCE

INVESTIGATING OFFICERS

- Notified of a trial date where physical evidence is to be presented in the case, will obtain the evidence from the Evidence Management Unit (EMU) on the date of trial and deliver it to court.
- Contacts Forensic Services Section (FSS) when the court summons is received to assure that any requested examinations will be finished to meet prosecution discovery deadlines.
- Notified of a trial date for a case in which a firearm was used, will notify the FSS and supply the date of the trial, the type of offense, and the central complaint (CC) number.

FORMER MEMBERS

- When the only witness summonsed for trial is a former officer of the Department, to obtain physical evidence the:
 1. Witnesses will contact a supervisor of the precinct/division where they were assigned during investigation of the case, advising them of the pending trial to allow sufficient time for case preparation.
 2. Supervisor will assign an officer to assist the witness in obtaining the reports and evidence needed for the trial.
 3. Officer assigned to assist the witness will maintain the chain of custody on all evidence.

RELEASING EVIDENCE

- Property held as evidence will not be disposed of or released unless:
 1. The case has been disposed of by the courts and the release is authorized by the respective commander.
 2. The evidence is too large or dangerous to be stored and is photographed prior to disposal.
 3. It is authorized by the investigator in charge of a major criminal investigation.
- Perishable evidence or that which is urgently needed by its owner may be released by authorization of the commander of the precinct/division concerned, after it is photographed by the FSS prior to release.
- When evidence is released by the precinct/division involved or by the EMU, the person releasing the property will forward the original of the Form 15, Property Inventory, to the Information & Records Management Section.
- When evidence is held at the EMU that no longer needs to be retained, the collector will submit a Form 128D, Disposal/Destruction of Property/Evidence, to the EMU.
- If the defendant is incarcerated when the Form 128D is completed, this will be noted on the form, including the place of incarceration, if known.
- If the defendant's whereabouts are unknown when the Form 128D is completed, the investigating officer will request that notification be made to the defendant's attorney, if known.
- If correspondence is received from the defendant's attorney requesting release of property, the investigating officer will request that notification be made to both the defendant and the requesting attorney. Along with the Form 128D, the officer will forward the attorney's correspondence, if the request was written, or a Form 82, Transmittal Memo, with the appropriate information, if the request is oral.

NARCOTICS EVIDENCE

- Controlled dangerous substances (CDS) evidence will be obtained from the EMU and taken to trial when felony charges are involved. Evidence will not be needed in misdemeanor cases and Juvenile Court cases, unless it has been requested by the State's Attorney.
NOTE: All CDS evidence will be returned to the EMU or precinct/division evidence locker after each court session.

TRIAL DISPOSITIONS

- In cases where there is a postponement or trial is continued the following day, evidence not admitted into trial must be returned to the EMU by the officer and withdrawn the next day of trial. In the event the EMU is closed, evidence will be returned to the precinct/division evidence locker.
- If evidence is being retained during the trial and the officer is no longer needed in court, the officer responsible for that evidence will obtain an Evidence Retention Receipt from the court or State's Attorney to ensure that the chain of custody is preserved.
- At the conclusion of any trial, the officer will be responsible for returning all physical evidence to the EMU.
- If the evidence is no longer needed at the end of the trial (e.g., due to probation before judgment, dismissal of charges, etc.), the officer may have the owner sign a Form 59, Evidence Release. The officer will then turn the property over to the owner and deliver the Form 59 to the EMU.

REFERENCE

- Field Manual, Article 6 (Miscellaneous Property Issues).

7-3.0 FORENSIC SERVICES SECTION

CRIME SCENE TEAM (CST)

- Conducts the collection of physical evidence for the following types of incidents:
 1. Animal abuses/cruelties/neglects.
 2. Assaults with life-threatening injury.
 3. Burglaries.
EXCEPTIONS: Burglary attempts, fourth degree burglaries, domestic-related burglaries, burglaries of vacant apartments and dwellings, sheds, detached garages, commercial storage lockers, construction trailers, storage trailers, houses under construction, boats not being used as residences, and commercial businesses under construction.
 4. Child abuses.
 5. The following types of death investigations:
 - a. The victim is in a state of decomposition.
 - b. Juvenile deaths resulting from violence, suicide, casualty, or occurring suddenly and not as a result of a traffic crash.
NOTE: This includes all sudden deaths of infants.
 - c. Homicides (including attempts).
 - d. Overdoses.
EXCEPTIONS: Overdoses occurring at hospitals or medical centers.
 - e. Unattended deaths.
 - f. Suicides.
NOTE: This does not include attempted suicides.
 - g. Those that are suspicious.
 - h. Those of a criminal nature.
 - i. Deaths involving a victim under 50 years of age with no history of medical issues.
NOTE: This list is not all-inclusive. Members should treat all death investigations as a possible homicide, until determined otherwise. Members should not move the body or alter the scene until after speaking with the CST or the CST supervisor prior to contacting the OCME.
 6. Elder/vulnerable adult abuses with life-threatening injury.
 7. Fatal fires.
 8. Home invasions.
 9. Kidnappings.
 10. Rape/sex offenses.
 11. Robberies:
 - a. Armed robberies of banks and commercial businesses (including attempts).
 - b. Street robberies with life threatening injury.
 - c. Carjackings with life threatening injury.
 12. Use of force incidents with visible injuries to the officer or the suspect.
NOTE: If injuries are not visible, the shift/unit commander will decide if the photographs will be taken by a member of their command (i.e., using the Axon Capture application or the precinct/unit's digital camera) or by the CST.
 13. Weapon discharges/shootings (excluding destructions of property).
 - a. With life-threatening injury as determined by on-scene EMS.
 - b. Officer involved shooting (except to humanely destroy an animal).

NOTE: Department members who recover a stolen vehicle are responsible for the evidence recovery and processing of the vehicle, unless the circumstances of the incident involve one of the above listed criteria.

- Emergency conditions, as determined by the on-duty FSS supervisor, may require the FSS to enter a Restricted Response Mode, in which the CST will only respond to:
 1. Homicides or suspicious deaths.
 2. Fatal fires.
 3. Rape/sex offenses.
 4. Kidnappings.
 5. Officer involved shootings.
 6. Crimes resulting in life-threatening injuries as determined by on-scene EMS.

NOTE: When the CST is in restricted response mode, the shift/unit commander responsible for the investigation should contact the FSS Assistant Commander to determine if the re-allocation of CST resources is possible.

REFERENCES

- Field Manual, Article 1 (Investigations).
- Field Manual, Article 2 (Traffic Procedures).
- Field Manual, Article 12 (Use of Force/Weapons Systems).

7-3.1 LABORATORY EXAMINATIONS

AVAILABLE LABORATORY EXAMS

- Chemistry – Suspected CDS.
- Biology - Serology and DNA.
- Trace Evidence - Hair (suitability for DNA), fibers, glass, gunshot residue, arson, soil, paint, and physical match.
- Digital and Multimedia Evidence - Computer, mobile device, and other digital media. Video extraction/enhancement.
- Evidence Processing - Latent print processing.
- Latent Prints - Latent print comparisons.
- Firearms - Firearm and tool mark comparison, firearm operability, and serial number restoration.
- Footwear comparisons and footwear database searches.
- Questioned documents.

NOTE: Some of the above examinations may be subcontracted to an outside agency or vendor for examination. The outside agency examiner may contact the submitting member for additional examination requirements.

FORENSIC SERVICES SECTION (FSS)

- In consultation with the requesting officer, determines the most appropriate type of examination for items submitted and, if necessary, causes such exam(s) to be conducted by the agency/vendor of its choice.

INVESTIGATING OFFICERS

- Will submit one Form 88, Request for Laboratory Examination, signed by the member's supervisor, to the FSS.

NOTE: All appropriate examinations for a single item will be selected by checking the appropriate boxes on each line item.
- Will submit one Form 98, Request for CDS Analysis, for suspected CDS evidence.
- Submitting items for comparison, a known source is required.
- When notified of a positive laboratory examination, are responsible for the investigative follow-up. A CODIS investigation will require the officer to contact CIB for direction/assistance.

COMMANDERS

- When receiving a laboratory examination requiring additional investigation, will forward the examination's results to the submitting officer for investigative follow-up.

7-4.0 FIREARMS EVIDENCE

GENERAL

- Render firearms safe by completely unloading them, prior to packaging.
- Ensure a second member checks each firearm to ensure that it is unloaded and signs the Form 15, Property Inventory, documenting his/her check of the weapon.
- Handle evidentiary firearms as little as possible.
- Consult the CST supervisor if any questions regarding firearms exist.
- Do not disassemble or remove any parts of a firearm for any reason.

7-4.1 DISARMING FIREARMS

GENERAL

- Never submit a loaded weapon. If unsure how to make the weapon safe, contact the CST supervisor.
- Always point the firearm in a safe direction and maintain trigger awareness prior to, and during, disarming.
- Engage any safety mechanisms present on the firearm.
EXCEPTION: Some safety mechanisms may inhibit unloading procedures. In these cases, the safety should be disengaged until after unloading is complete.
- Remove all magazines or empty magazine tubes, if present, prior to clearing the chamber.
- Some firearms require manual cycling to remove ammunition by virtue of extractors and ejectors. Extreme caution should be adhered to in these instances.
- Pay special attention to automatic weapons. After the magazine has been removed, the chamber must also be cleared.
NOTE: The disarming instructions given are not all inclusive for every style of weapon, however, the greater percentage encountered by police officers are covered.
- After emptying and clearing a weapon, always carefully re-inspect it to ensure all ammunition was removed.

SEMI-AUTOMATIC PISTOLS

- Remove magazine (usually found in butt) by depressing magazine release (usually found on frame in back of trigger or on bottom of grip).
- Pull back breechblock slide to check for a chambered live round. Any round should be ejected.
- Clear the chamber and lock open by means of the slide lock. If there is no slide lock, allow slide to return to its normal position and apply safety.

REVOLVERS

- Locate cylinder release and open (on top break revolvers release is usually on top strap at rear).
- Carefully open and note position of each cartridge, if any.
- Remove any and all live and spent ammunition.
- Leave firearm in open condition.

MAGAZINE FED BOLT ACTION RIFLES

- Magazines:
 1. Box magazines - locate magazine floor plate release button on bottom of magazine (usually located at rear of plate just forward of trigger guard). Open plate, remove any live ammunition, and reinstall floor plate.
 2. Tube magazines - open magazine by removing forward end (usually a knurled plug) and remove ammunition.
- Open bolt and leave open. Remove cartridge from chamber.

MAGAZINE FED LEVER ACTION RIFLES

- Lower lever to gain access to breech and check for live ammunition.
- Remove any live rounds from chamber and magazine tube.

PUMP SHOTGUNS

- Locate safety and apply.
- Remove live ammunition from magazine tube by carefully pressing down on the shell latch and manually removing the live ammunition until the tube is cleared.
- Pull slide to rear to expose chamber and magazine. Remove chambered round.

SEMI-AUTOMATIC SHOTGUNS

- Engage the firearm's safety mechanism.
- Remove all ammunition from the magazine first.
- Grip operating handle on side of breechblock, pull to rear, and remove any live round in chamber.
- Slowly and carefully operate breechblock utilizing operating handle to manually remove any remaining ammunition from magazine.

BLACK POWDER FIREARMS

- Do not attempt to unload these weapons.
- On percussion style firearms, very carefully remove percussion caps from nipples.
- Very slowly and carefully lower hammer from cocked position.
- Contact the CST supervisor as soon as possible.
NOTE: Members assigned to the CST have been trained to determine if a black powder firearm is loaded and/or able to be transported to the FSS for unloading by the Firearms & Toolmark Identification Unit.
- Do not smoke or create sparks in close proximity to this type firearm.

7-4.2 PACKAGING FIREARMS

GENERAL

- Firearms and their serial numbers, whether evidence or not, will be listed on a Form 15, Property Inventory.
NOTE: The make and model of the firearm will also be listed in the description on the Form 15.
- Firearms and related evidence will be listed on a separate Form 15 from other property or evidence.

PACKAGING

- Refer to the Evidence/Property Packaging Manual for the packaging of all firearms, ammunitions/rounds, magazines, and related items (e.g., holsters, gun cases, accessories, etc.).

TRANSPORTING FIREARMS

- All firearms will be delivered to the Evidence Management Unit. The name of the deliverer must appear on the Property Evidence Tag.
- The Information & Records Management Section will forward to the Forensic Services Section a copy of any Form 15 that identifies recovered firearms.

REFERENCE

- Evidence/Property Packaging Manual.

7-5.0 CONTROLLED DANGEROUS SUBSTANCE (CDS) EVIDENCE

DEPARTMENT MEMBERS

- Package CDS according to the procedures in the Evidence/Property Packaging Manual.
- If evidence is seized that is too large for packaging, contact the squad supervisor who will contact the Forensic Services Section (FSS) for assistance, if necessary.
- Will not acknowledge receipt of any CDS evidence that is improperly packaged or unaccompanied by properly completed forms.
- Store CDS at the facility evidence locker until it can be delivered to the EMU the next business day.

CDS ON SCHOOL PROPERTY DURING SCHOOL HOURS

- Follow the procedures in the Evidence/Property Packaging Manual regarding the processing of CDS evidence.
- Provide the school's principal with the central complaint (CC) number and a copy of the Form 15, Property Inventory, listing the confiscated suspected CDS.

EVIDENCE MANAGEMENT UNIT (EMU)

- Upon receiving a chemical analysis confirming the presence of Fentanyl/other derivative of Fentanyl in CDS in powdered form, will:
 1. Ensure the investigating officer took photographs of the CDS evidence at the time of collection.
 2. Initiate procedures to destroy the substance.
 3. Complete the appropriate incident report stating that the evidence was destroyed after analysis confirmed that it contained Fentanyl/other derivative of Fentanyl.

REFERENCE

- Evidence/Property Packaging Manual.

7-6.0 VEHICLES HELD AS EVIDENCE

GENERAL

- Members intending to tow a vehicle to the FSS garage for processing must first contact the CST supervisor for authorization.
- Members will follow the procedures for the collection of vehicles as evidence contained in the Evidence/Property Packaging Manual.
- Vehicles with extensive damage, flat tires, or leaking fluids cannot be towed into the FSS garage.
NOTE: The CST will advise where these vehicles will be processed.

INVESTIGATING MEMBERS RELEASING VEHICLES HELD AS EVIDENCE

- Complete a Form 128D, Disposal/Destruction of Property/Evidence, and obtain the required approvals.

- Conduct warrant and MVA queries on the claimant of the vehicle.
- NOTES:**
1. If someone other than the claimant will be driving the vehicle from the County's property, warrant and MVA queries will also be completed on the person that will drive the vehicle.
 2. Record checks will be conducted prior to the investigating member contacting a claimant to take possession of the vehicle from County property.
- Print query results and a photograph of the claimant from MVA or other database.
 - Provide the completed Form 128D, query results, and photograph to members assigned to the CST who will release the vehicle.
 - Contact the claimant and instruct them to retrieve the vehicle.
- NOTE:** Members will advise claimants that their vehicle will be towed by a licensed tow company for storage if not retrieved within 24 hours.

VEHICLE RELEASE

- Members assigned to the CST will release the vehicle to the claimant listed on the completed and approved, Form 128D.

VEHICLE CLAIMANTS

- May not receive their vehicles without approval from the investigating officer.
- Must be properly identified.
- Pay tow charges if required.
- Sign the Form 15, Property Inventory, prior to the release of the vehicle.

REFERENCE

- Evidence/Property Packaging Manual.

7-7.0 HANDLING AND PACKAGING SPECIAL EVIDENCE

GENERAL

- Special evidence includes (but is not limited to): tool marks, glass, paint, soil, inhalants, and arson evidence.
- Package these items of evidence in accordance with the procedures in the Evidence/Property Packaging Manual.

TOOL MARKS

- Evidence includes abrasions or impressions left by tools on objects at the scene and various tools found in the possession of the suspects.

REFERENCE

- Evidence/Property Packaging Manual.

7-7.1 HYPODERMIC SYRINGES AND NEEDLES

GENERAL

- Hypodermic syringes and needles will be handled and packaged per the procedures in the Evidence/Property Packaging Manual.
- NOTE:** Mere possession of a hypodermic syringe or needle in itself does not constitute a crime. There must be other factors relating its possession to illegal use or distribution of drugs (e.g., admission by the defendant, lack of a prescription, needle in close proximity to drugs, paraphernalia, etc.).

- Hypodermic syringes/needles for medical reasons (e.g., insulin, allergies, etc.) and the accompanying medical kit remain with the prisoner's property.

BIOHAZARD SHARPS CONTAINER

- Is kept in a temporary evidence/property holding area or similar location accessible to all employees, with a conspicuously labeled "BIOHAZARD" sign.
- Biohazard sharps container bags will be removed by the contracted waste removal company when full.

FACILITY COORDINATOR/DESIGNEE

- Will contact the contracted waste removal company for the removal of all authorized biohazard waste container bags when full.

REFERENCES

- [Annotated Code of Maryland](#).
- Baltimore County Police Department Exposure Control Plan.
- Evidence/Property Packaging Manual.

7-7.2 CLEAN-UP AND DECONTAMINATION

CLEAN-UP

- When packaging of evidence involving blood or body fluids is completed:
 1. Discard the rubber gloves in the facility BIOHAZARD container.
 2. Wash immediately and thoroughly with hot soapy water. Isopropyl alcohol can be applied to the hands prior to washing with soap and hot water if an additional measure of protection is necessary.
 3. Uniforms or other soiled clothing should be laundered as follows:
 - a. Launder washable fabrics in a bleach solution if the fabric is compatible with bleach.
 - b. Body fluid stains in fabrics requiring dry cleaning should be diluted in cold water and placed in a plastic bag prior to cleaning.

CONTAMINATED ITEMS

- Use disposable rubber gloves during any decontamination procedure.
- Wash the item with hot soapy water and rinse thoroughly.
- Soak the item in a solution of water and household bleach for 10 to 15 minutes. Use a concentration of about one and one-half cups of bleach for each gallon of water. Rinse with water and air dry.
- For large areas, disinfect with the bleach and water solution and clean with soap or detergent.
- Package non-evidentiary, contaminated items in two plastic bags (double bagging), seal with tape, and label with the "BIOHAZARD" warning. Deposit these items in facility BIOHAZARD containers.
- Contaminated materials will be collected periodically by a departmental courier and transported for incineration.

7-8.0 QUESTIONED DOCUMENTS EVIDENCE

GENERAL

- These examinations are subcontracted to outside agencies/vendors.

AVAILABLE DOCUMENTARY EVIDENCE EXAMS

- Handwriting (script).
- Hand printing and hand lettering.
- Imitation signatures (traced or freehand).
- Spurious signatures (false).
- Typewriting and typewriter ribbons.
- Inks and papers.
- Check writers and other mechanical impressions.
- Indented writing.
- Obliterated or eradicated writing.
- Used carbon paper.
- Burned or charred paper.
- Fracture line comparison (e.g., torn paper, etc.).
- Photocopies.

7-8.1 SUBMITTING DOCUMENTARY EVIDENCE

GENERAL

- The original documentary evidence should be submitted for examination, if available. Photocopies will be accepted if they are of excellent quality and the original has been destroyed or is unavailable. The officer will note this fact on the Form 88, Request for Laboratory Exam, in the following manner: "Copy Only - Original Destroyed."

INVESTIGATING OFFICERS

- Avoid writing on the document.
- Do not fold, staple, or mark the document.
- Place each document into a separate paper envelope.
- Refer to the Evidence/Property Packaging Manual for evidence submission.
- Complete a Form 88 for any requested forensic examinations.
NOTE: Questioned documents examinations may be subcontracted to outside agencies/vendors. The outside agencies/vendors may contact the submitting member for additional requirements to complete the examination.

REFERENCE

- Evidence/Property Packaging Manual.

7-8.2 QUESTIONED DOCUMENT EXAMINATION

GENERAL EXAMINATION REQUIREMENTS

- Questioned and known writing must be comparable.
- Approximation of questioned writing conditions should be similar (e.g., wording, spaces on paper available for writing, writing instrument, etc.).
- Genuine victim's writing must be comparable to the text in question.
- The best evidence must be used. If originals are not possible, a clear machine copy or photograph will be accepted.
- The Forensic Services Section (FSS) may be contacted for guidance in reference to questioned documents examinations.

EXAMINATION REQUESTS

- Will include the following information:
 1. A list of evidence clearly distinguishing between the questioned and known.
 2. What is to be compared.

3. A brief explanation of the crime as it pertains to the handwriting examination (e.g., relationship to victim, suspect's access to victim's writing, physical and mental condition of suspect, etc.).
- Questioned documents examinations may be subcontracted to outside agencies/vendors. **NOTE:** The outside agencies/vendors may contact the submitting member for additional requirements to complete the examination.

7-9.0 STATEMENTS AND CONFESSIONS

GENERAL

- Prior to commencing any custodial interrogation, a Form 14, Miranda Rights Waiver, must be presented to:
 1. An adult suspect.
 2. A juvenile waived to adult status.
- A prompt presentment to the commissioner may be delayed for the:
 1. Completion of booking procedures.
 2. Determination of whether to seek a charging document against the suspect.
 3. Corroboration of crimes to which the suspect has admitted.
 4. Gathering of information which is likely to be significant in averting harm to others or loss of property of substantial value.
 5. Gathering of relevant nontestimonial information likely to be significant in discovering the identity or location of other persons who may be associated with the arrestee in the commission of the offense for which he/she was apprehended, or in preventing the loss, alteration, or destruction of evidence relating to such crime.
- **NOTE:** Once the investigator has exhausted the investigative activities listed above, he/she must either:
 1. Ensure the arrestee is transported to a commissioner.
 2. Contact his/her supervisor to determine if a Form 266, Waiver of Right to Prompt Presentment, should be completed, and if the interrogation can continue.
- Prior to conducting an interrogation, the interrogating officer will:
 1. Indicate whether the suspect can read and write.
 2. Read each right aloud to the suspect.
 3. Ask the suspect if he or she understands and have the suspect initial each right.
 4. Have the suspect sign the Form 14 if waiving his/her rights.
 5. Indicate refusal to sign on the Form 14 and in the incident report.
 6. Complete the Form 14, sign his/her name, and affix the date and time.
- Suspects subject to interrogation will never be threatened, tricked, or cajoled when trying to obtain a waiver of their rights.
- Distribute Forms 14 and Forms 266 as follows:
 1. Originals - packaged as evidence and forwarded to the Evidence Management Unit (EMU).
 2. Photocopies - forwarded to the Information & Records Management Section (IRMS).
 3. Yellow copy/second copy - retained in the precinct/division files.
- **NOTE:** Forms 14 and Forms 266 will be submitted with Forms 14A, Witness Statement Form, and Forms 14B, Witness Statement Form Continuation, if these forms were completed.
- If the suspect refuses to sign the Form 266 the interrogating officer can continue if it is clear in the recorded interview (i.e., audio and video) that the suspect understands his/her rights and is clearly waiving those rights voluntarily.

WRITTEN CONFESSIONS

- Will be recorded on a Form 14A, continued on a Form 14B (when necessary), and distributed as follows:
 1. Original - packaged as evidence and forwarded to the EMU.
 2. Photocopy - forwarded to the IRMS.
 3. Yellow copy - retained in the precinct/division files.
- NOTE:** Forms 14A and Forms 14B will be submitted with Forms 14 and Forms 266, if these forms were completed.

WITNESS STATEMENTS

- Will be recorded on a Form 14A, and continued on a Form 14B.
- Distribute statement/waiver forms as follows:
 1. Original - forwarded to the IRMS.
 2. Yellow copy - retained in the precinct/division files.

INVESTIGATING OFFICERS

- Will not imply in any way that a statement or confession will be used on behalf of the defendant in court.
- Conducting an interrogation must:
 1. Give serious consideration to the age, education, and mental and physical condition of the person in custody.
 2. Be convinced that the person in custody fully understands his/her constitutional rights.
- May use a question and answer format at the end of the narrative statement if the narrative does not contain sufficient detail. The suspect or person in custody will be presented with the written question and permitted to write the answer in his/her own words. This method may also be used for witness statements.
- Immediately stop an interrogation when a suspect or person in custody expresses a desire to exercise his/her rights.
- Will not give legal advice or attempt to answer any legal questions. This does not conflict with the officer's duty to advise a person in custody of his/her constitutional rights.
- State whether a statement or confession is oral or written in the narrative portion of the appropriate incident report.
- Note in the *Narrative* tab of the incident report if the suspect or person waived his/her Miranda rights but refused to sign the waiver and the names of all witnesses to the advice of rights.

SUPERVISORS

- Determine the need to complete a Form 266 when requested.
- Ensure the reading, explaining, and defendant's response to the Form 266 is either audio and video recorded, or is agreed to and signed by the defendant.

CHANGES TO STATEMENTS/CONFESSIONS

- May only be made during the period in which the statement is being prepared. Once the person has signed the statement or confession, it will not be changed. Changes at this point must be made on a separate signed statement that refers back to the original.
- Will be made by witnesses, suspects, or persons in custody in their own handwriting. They will be instructed to place their initials opposite each correction.

INFORMATION & RECORDS MANAGEMENT SECTION

- Marks original/copies of Forms 14, Forms 14A, and Forms 14B "RESTRICTED MATERIAL."

7-9.1 JUVENILE STATEMENTS AND CONFESSIONS

GENERAL

- Statements or confessions made by a juvenile after being advised of Miranda rights must be voluntarily given. Only juveniles themselves may waive their rights. The parents/guardian will not be allowed to force the juvenile to waive Miranda rights. In situations where the juvenile wants to waive but the parents refuse, interrogating officers may either discontinue or call the State's Attorney's Office for advice.
- Juvenile offenders do not have the right to prompt presentment.
- In determining the voluntariness of the statement/confession, the officer must give serious consideration to the following possible mitigating factors:
 1. Age. The fact of marriage may balance off a juvenile's age.
 2. Mental age. A low mental age may mitigate against voluntariness.
 3. Previous police or juvenile court experience.
 4. Advice or presence of parents/guardian and/or counsel.
 5. Physical condition (e.g., if the juvenile has been drinking, taking drugs, or is physically ill, etc.).
- Uncorroborated confessions made by a juvenile are not sufficient to sustain a delinquency charge.

INVESTIGATING OFFICERS

- Complete and sign the Forms, 14/14A/14B, requesting the parents/guardian to sign as witnesses.

REFERENCE

- Field Manual, Article 3 (Juvenile Procedures).

7-9.2 DYING DECLARATIONS

INVESTIGATING OFFICERS

- Will make every effort to obtain a dying declaration from a victim of a serious assault, when death is imminent.
- Ensure that the victim understands that there is no hope of recovery before any statement is taken. If the victim has been taken to a hospital, the investigating officer will request the doctor in attendance to inform the person that they are at the point of death, if such be the case, and that the doctor has no hope for their recovery.
- Will question the dying person as follows:
 1. What is your name?
 2. Where do you live?
 3. Do you believe that you are about to die?
 4. Do you have any hope of recovery from injuries you have received?
 5. How and in what manner, did you receive the injuries from which you are now suffering?

NOTE: Answers to questions may be given by signs if the victim is unable to speak or write.

- Will reduce the statement to writing. The statement will be signed by all witnesses present. If possible, the victim's signature should also be obtained.

REFERENCES

- Field Manual, Article 3 (Juvenile Procedures).
- [Maryland Rules of Procedure \(Juvenile Causes, Discovery, and Inspection\)](#).

7-10.0 VISUAL INVESTIGATIVE AIDS

GENERAL

- Visual investigative aids are comprised of: Line-ups, Photograph Identifications, Show-ups, and Forensic Artist Composites.
- Visual investigative aids may be used to assist with the identification or elimination of suspects.
- All visual investigative aids will be conducted in a structured, professional manner designed to clear the innocent, as well as identify suspects in criminal offenses.
- Criminal investigations should not be concluded or otherwise ceased based solely on eyewitness identification.
- Investigating officers must not, by word or gesture, offer opinions or make suggestive comments to any victim/witness concerning the guilt or innocence of a subject before, during, or after any identification procedure.
NOTE: Victims/witnesses making inquiries about a Department member's opinion shall be informed of this restriction.
- Upon completion of any visual investigative aid process, investigating officers are prohibited from providing any feedback to the victim/witness regarding the results of the identification.
- Investigating officers will record any/all of the victim/witnesses comments and/or any other relevant observations, including their level of confidence, when making or not making an identification.

REFERENCE

- [Annotated Code of Maryland, Public Safety Article.](#)

7-10.1 LINE-UPS

GENERAL

- All line-ups will be conducted by the Robbery Unit in accordance with established procedures.
- Line-ups may be requested by the State's Attorney's Office or the investigating officer with approval from his/her supervisor.

REFERENCE

- CIB S.O.P. #99-05, Line-up Procedures.

7-10.2 PHOTOGRAPH IDENTIFICATION

DEFINITIONS

- Blinded Administering Officer - an officer who presents the photo display to the victim/witness without having knowledge of which photograph is being viewed by the witness at the time.
- Sequential photo display - a method of displaying a photo display during which the photographs are viewed by the victim/witness one at a time, rather than all at once.
- Folder shuffle - a method of administering a photo display in which the administrator does not control the order of presentation of the photographs, and learns the order of presentation after the process is complete.

SEQUENTIAL PHOTO DISPLAYS

- Are conducted using a blinded administering officer and folder shuffle to eliminate inadvertent and nonverbal clues as to the identity of a possible suspect.
- Contain one possible suspect photo and five filler (i.e., non-suspect) photos.

PHOTOGRAPHS

- Are only to be used to identify logical suspects.
- May be obtained from the EBooking system, other jurisdictions, or created with other photographs, utilizing the guidelines below.
- Must be presented in a sequential format, in six folders.
- Should be similar in facial hair, hairstyle, age, and unique and unusual features (e.g., scars, marks, and tattoos, etc.).
- Should be of the same type (e.g., black and white, color, school yearbook, etc.) size, and contain a similar background.
- Should resemble the suspect's description or appearance at the time of the incident.
- The photo source, identifying numbers, and dates will be taped or blacked out prior to showing them, if applicable.

INVESTIGATING OFFICERS

- Create the photo display and complete a Form 126, Witness Identification Admonition (original and one copy).
- Complete a separate photo display and Form 126 for each suspect utilizing new filler photographs when there are multiple suspects.
- Permanently attach (e.g., staple, glue, tape, etc.) the photographs to the inside of the folder.
- Write a number, one through six, below the photograph inside each folder.
- Shuffle the folders so that the order of presentation is not known.
- Read the admonition on the Form 126 to each victim/witness, and have the victim/witness initial before each statement to verify their understanding.
- Show the folders one at a time to the victim/witness in a manner that prevents the administering officer from seeing which photograph is being viewed.
- Have the victim/witness signal when to move to the next photograph.
- Continue showing the photos until all photos have been viewed, even if the suspect is identified.
- Allow the same victim/witness to view the display a second time if necessary.
- Show the photo display to each victim or witness separately when there are multiple victims/witnesses. Victims/witnesses will not be permitted to communicate with each other until after the photo display has been completed and will be instructed not to discuss their identifications with anyone else.
- Have the victim/witness note all comments (exactly as spoken) as to the identification of a suspect in the "Witness Comments" section of the Form 126. This will be in their own handwriting. The victim/witness will then sign and date on the photo of the identified subject, if applicable, and the witness section of the Form 126.
- When a victim/witness selects a photograph, but expresses uncertainty, question the victim/witness to obtain as much information as possible to ascertain what the similarities and differences are between the photograph selected and the suspect.
- Complete an updated version of the Case Report or an Officer Report, which indicates the:
 1. Photo source or identifying numbers of all photographs shown.
 2. Date and location the photo display is shown.
 3. Name of the person to whom the photographs were shown.
 4. Number of the photograph identified, if applicable.
 5. Name of any suspect.
 6. Statements made by the victim/witness, including the role which the identified subject played in the crime.
- Package the photo display as evidence once it has been shown to the witness. Any and all photo displays created, viewed, identified, or not identified must be packaged as evidence and sent to the Evidence Management Unit (EMU).

- Distribute the Form 126 as follows:
 1. Original - accompanies the photo display.
 2. Copy - precinct/division files.

7-10.3 SHOW-UPS

GENERAL

- Show-ups are “one-on-one” identification procedures in which a victim/witness is presented with a suspect(s) within a reasonable length of time following the commission of a crime for the purpose of determining whether the victim/witness identifies the individual as the suspect.
- If a suspect held in custody has been officially charged (issued a copy of the Statement of Charges), a show-up will not be conducted. Refer to line-up procedures for the purposes of identification.
- Show-ups will not be conducted with more than one victim/witness present at a time. If there is more than one victim/witness, the show-up must be conducted separately for each victim/witness. Victims/witnesses will not be permitted to communicate before or after any show-up regarding the identification of the suspect.
NOTE: The same suspect will not be presented to the same victim/witness more than once.

INVESTIGATING OFFICERS

- May arrange a show-up between a victim/witness and a suspect whenever a potential suspect is located and detained within a reasonable length of time in proximity to the location of the crime, and fits the description of the suspect given by the victim/witness.
- Obtain a detailed description of the suspect before a show-up is conducted. The victim/witness must advise the officers that they will be able to recognize the person who committed the crime prior to the show-up.
- Will not take a suspect to the precinct for a show-up. The suspect will be detained at the place he/she was located in the least restrictive manner possible that will ensure the suspect remains with the officer.
- Complete a Form 126, Witness Identification Admonition (original and one copy), prior to conducting a show up. Each admonition will be read by the officer to the victim/witness, and will be initialed by the victim/witness after being read by the officer. The victim/witness will also write any comments in the space provided and sign the form.
- Transport the victim/witness to the suspect’s location for the show-up. Care will be used to shield the victim/witness from being seen by the suspect.
NOTE: Suspects will not be transported to the victim/witness location unless exigent circumstances exist.
- May transport the victim/witness to canvass the general area in which a crime has occurred with the hopes of spotting the suspect and arranging a show-up identification.
- If the subject detained is not identified by a victim/witness as the suspect and officers lack any other probable cause for an arrest, the officer will release the subject and document the information.
- Complete an updated version of the Case Report or an Officer Report, which includes the:
 1. Name of the officer(s) who detained the possible suspect.
 2. Date, time, and location of the show-up.
 3. Full information of the detained possible suspect (e.g., name, gender, race, date of birth, address, and physical description, etc.).
 4. Results of the show-up and any statements made.
 5. Name of the victim/witness who viewed the possible suspect.

6. Name of the officer who transported the victim/witness and the type of transportation (e.g., marked, unmarked, nondescript, etc.).

NOTE: The transporting officer will complete an Officer Report, whether or not a Statement of Charges is completed.

FORM 126, WITNESS IDENTIFICATION ADMONITION, DISTRIBUTION

- Original - forwarded by the supervisor to the Information & Records Management Section.
- Copy - held in the precinct/division files.

7-10.4 FORENSIC ARTIST COMPOSITES

GENERAL

- May be requested by the investigating officer, with approval from his/her supervisor, by contacting the Criminal Investigations Bureau (CIB) Robbery Unit.
- Composites will not be created or attempted by anyone other than those approved to do so.

FORENSIC ARTIST SERVICES

- Are used on a case-by-case basis depending on the seriousness of the crime and merits of the case.
- Require consultation with and approval of the investigating officer, forensic artist, and the Robbery Unit Commander.

REFERENCE

- CIB S.O.P. #10-02, Forensic Artist Composites.

7-10.5 SKETCHES

GENERAL

- The person processing the scene will make a rough sketch and measurements, including sufficient information to be drawn to scale.
- Sketches should include dimensions, relation of the crime scene to other buildings, geographical features, roads, the exact address of the crime scene, location of significant features of the scene, name of the person preparing the sketch, the direction of north, and the location of physical evidence.

7-11.0 POLYGRAPH EXAMINATIONS

POLYGRAPH EXAMINATIONS

- Requests are made by contacting an examiner personally or by telephone for an appointment. A written request is not required.
- Will not be given until sufficient facts of the investigation have been established to enable the examiner to construct adequate, objective, and comprehensive questions.
- Will not be required of any person unless otherwise required by law or departmental rules and regulations. Refusal to submit to such an examination will not be construed as a tacit admission of guilt.
- Charts will not be made part of the investigator's reports.
- Of crime victims requires:
 1. Documented evidence that the alleged offense may be a false report.
 2. The approval of the investigating shift/unit commander.

3. Prior consultation with the State's Attorney's Office.

EXCEPTION: Victims of first and second degree rape and all degrees of sexual offenses will not be required to submit to a polygraph examination as a condition for proceeding with the investigation of a sexual offense.

INVESTIGATING OFFICERS

- During the investigation, should withhold from the persons to be examined information believed to be known only to the victim, the investigator and a person with guilty knowledge.
- When requesting a person to submit to an examination, will clearly state that submission is entirely voluntary.
- Must emphasize to a potential examinee that the examination is an extremely effective method of establishing the truth. Confidence should be expressed in both the accuracy of the procedure and the impartiality of the examiner.
- Will not attempt to explain the procedure to a potential examinee.
- When a potential examinee exhibits fear of the test procedure, will assure that the examiner will thoroughly explain the procedure prior to any examination.
- Ensure that the examinee does not meet the examiner prior to testing.

POLYGRAPH PERSONNEL

- Have the responsibility for all polygraph related procedures.
- Determine if the subject is fit for testing or if any particular examination should take place.
- Determine the proper time frame for administering all polygraph exams on a case-by-case basis.

EXAMINATION PREREQUISITES

- A subject will not be tested:
 1. If obviously fatigued, emotionally unstable, under the influence of medication, drugs, drug withdrawal symptoms, or is suffering pain or discomfort due to illness or injury.
 2. Without having had food, rest, and relief from lengthy interviews prior to the examination.
 3. Within a short time frame following the original offense, arrest, or interrogation.
- The officer assigned to and most knowledgeable of the entire case should personally handle all polygraph test arrangements and will accompany the subject to the test. This officer must:
 1. Verify the full name, date of birth, and address of the subject.
 2. Interview the subjects in advance to ascertain their story or alibi and obtain a written statement, if possible.
 3. Conduct a thorough criminal record check concerning the subject.
 4. Seat the subject in the polygraph room alone, with the door shut.
 5. Fully inform the examiner of all details of the case and subject.
 6. Be able to answer any reasonable question about the case or subject.
 7. Remain available in the building throughout the test.
 8. Retain responsibility for the security of any prisoner/subject being examined.

7-11.1 JUVENILE POLYGRAPH EXAMINATIONS

GENERAL

- The polygraph examiner will determine the juvenile's fitness to take the polygraph examination.
- The investigating officer must:
 1. Prior to an examination, obtain a written statement from the juvenile regarding the juvenile's involvement in the incident under investigation.

2. Be present during the examination.
- An officer with probable cause who wishes to bring a juvenile in from a detention facility for the purposes of a polygraph examination must first:
 1. Consult with the State's Attorney's Office.
 2. Obtain a Petition for Custody, Interrogation, and Arrest.

POLYGRAPH EXAMINATIONS

- Are permitted if a juvenile is either:
 1. Suspected of being involved in a misdemeanor or felony offense; or
 2. Believed to be withholding information needed in the course of an investigation and voluntarily agrees to the polygraph examination.
- Should not be administered to juveniles under the age of 12; however, maturity may be used as a determining factor.
- Will only be administered if both the juvenile and the parents/guardian consent to the examination.

7-12.0 WIRE OR ORAL INTERCEPTIONS

GENERAL

- Department members will not conduct, assist, or participate in the interception of wire or oral communication without expressed authorization.
- Requests for interception of communications, applications to a court, court orders, tapes and recordings, reports and other records, writings or information concerning the interception of communications will be considered strictly confidential by all Department members and all knowledge or information relating thereto will be restricted to those persons authorized by law or by this procedure on a need-to-know basis.
- All wire or oral intercepts will be recorded.

ORIGINAL TAPES

- Will be processed and held as evidence, regardless of their content.
- Made pursuant to a court ordered intercept, will be held as the issuing judge directs and must be retained in any event for no less than 10 years. All other original tapes will be held as evidence until the period for appeal of all affected parties has been concluded, unless otherwise ordered by a Circuit Court judge.
- May be copied for working purposes.

CRIMINAL INTELLIGENCE TEAM

- Registers, prior to use, with the Maryland State Police, electronic, mechanical, or other devices whose design renders them primarily useful for the purpose of surreptitious interception of wire or oral communication and other necessary related equipment owned by the Department or its members.
- Maintains and controls the above equipment.
- Provides the above equipment to Department members, provided proper authorization is present. Department members will not use any unregistered equipment to intercept wire or oral communications.
- Maintains a record of all wire or oral intercepts, for a minimum of three years from the date of the intercept, which contains a:
 1. Copy of all court orders, Consensual Monitoring (CM) Forms, and Request for Equipment Loan Forms.

2. Record book for consensual interception which includes the CM number, date of intercept, name of consenting party, and officer assigned.

EXCEPTION: The Technical Operations Team registers their own equipment and maintains their own wire and oral intercept records.

7-12.1 CONSENSUAL INTERCEPTION

INTERCEPTION PREREQUISITES

- The facts of the case must be specific and articulable.
- The initial report must be completed.
- The requesting member must believe that additional evidence will be obtained through the interception.

INVESTIGATING OFFICERS

- May request permission to intercept communications through their supervisor.
- After receiving approval for the interception, complete the Request for Equipment Loan Form, in an original and one copy. Form distribution:
 1. Original - to the Criminal Intelligence Team.
 2. Copy - retained in the precinct/section file.

SUPERVISORS

- Ensure compliance with laws regarding interception of wire or oral communications prior to authorizing interception.
- Arrange a meeting with the shift commander, investigating officer and, if possible, the consenting party in order to review the facts.

SHIFT/UNIT COMMANDERS

- Determine the necessity of the intercept.
- If approving the interception, endorse the Request for Equipment Loan Form.
- Ensure that a Consensual Monitoring Form is completed (original and two copies) prior to the interception. Form distribution:
 1. Original - retained in the precinct/section file.
 2. First copy - to the Criminal Intelligence Team.
 3. Second copy - retained in the case file until forwarded to the State's Attorney's Office for trial preparation (not less than 15 days before trial).

7-12.2 COURT ORDERED INTERCEPTION

INTERCEPTION PREREQUISITES

- Permission from the Bureau Chief of the Criminal Investigations Bureau (CIB).
EXCEPTION: Criminal Intelligence Team members.
- A valid court order.

INVESTIGATING OFFICERS

- May request interception of wire or oral communication by submitting to their commander, through channels, a report which states the:
 1. Existing evidence in the case.
 2. Additional evidence that would be obtained by an intercept.
 3. Investigative techniques that have been used, the results of those techniques, and why each has failed, appears unlikely to succeed, or appears too dangerous.

COMMANDERS

- Ensure compliance with laws regarding interception of wire or oral communications prior to authorizing interception.
- If agreeing with the request, prepare a written summary (original only) of the facts of the case along with a recommendation. This summary will remain a part of the precinct/section case file.
- Notify the division commander.
- Arrange a meeting with the Bureau Chief of the CIB and a member of the State's Attorney's Office Special Investigations Division.
- Notify the Criminal Intelligence Team that an intercept may be imminent.
- If the persons at the meeting decide to proceed with the intercept, assign the necessary personnel to cooperate with the State's Attorney's Office in drafting the application and affidavit.
- Forward the application and affidavit to the State's Attorney's Office for review and approval.
- If approved, ensure that a Request for Equipment Loan Form (original and one copy) is prepared. Form distribution:
 1. Original - to the Criminal Intelligence Team.
 2. Copy - retained in precinct/section file.
- Maintain complete and accurate records of the investigation.
- Ensure that there is communication between the personnel assigned to the interception, members of the State's Attorney's Office, and the judge who signed the order.

REFERENCE

- [Annotated Code of Maryland, Courts and Judicial Proceedings.](#)

7-13.0 LATENT FINGERPRINT EVIDENCE

7-13.1 LATENT PRINT PROCESSING

GENERAL

- When it is appropriate to collect latent prints at a crime scene, the principal investigating officer is responsible for the collection, unless:
 1. The CIB assumes investigative responsibility of the incident.
 2. The FSS assumes control of the evidence recovery in the incident.

NOTE: See Section 3.0, Forensic Services Section, of this article for information specific to the FSS responsibilities in investigations.
- Patrol supervisors may consult with the CST supervisor and request assistance any time a special technique or forensic knowledge is required.
- The FSS Commander or Assistant Commander will make the final determination whether the CST will respond to a scene to process for latent prints.

COLLECTION PROCESS

- Use a disposable respirator mask for safety purposes.
- Dust surfaces with black powder. On dark surfaces, use a flashlight for side lighting.
- Use tape for lifting prints.
- Place lifting tape on the glossy side of the fingerprint paper.
- Cut the paper and tape to make neat edges.
- Print pertinent information on rear side of fingerprint paper along with the following:
 1. Date and time of lift.
 2. Central complaint (CC) number.
 3. Address of offense.

4. Location of lift.
5. Diagram the specific location of lift.
6. Officer's name and identification number.
7. Vehicle information or write "Vehicle - n/a."
8. Lift number(s).

PACKAGING LATENT PRINTS

- At no time will fingerprint evidence be sent through departmental mail. All fingerprint evidence is submitted through a precinct evidence locker.
- Will be packaged according to the procedures in the Evidence/Property Packaging Manual.
- A Form 15, Property/Inventory, is not required to be submitted with the fingerprint evidence.
- When supplies are needed, personnel will contact their precinct/section budget officer.

REFERENCE

- Evidence/Property Packaging Manual.

7-13.2 LATENT PRINT COMPARISON

INVESTIGATING OFFICERS

- Who receive a Laboratory Report from the Forensic Services Section (FSS) with a qualifying statement at the end of the report that latent prints were developed in the case, will submit a Form 106, Request for Latent Print Comparison, to the Latent Print Unit (LPU), if a suspect is developed in the case.
- Who arrest a subject for murder, rape, burglary, robbery, arson, auto theft, and grand theft, will:
 1. Ascertain if a Laboratory Report has been submitted by the Forensic Services Section (FSS) technician on the offense being investigated. If a Laboratory Report is not on file, the investigating officer will contact the LPU and inquire if identifiable fingerprints were lifted from the scene or from the fruits of the crime.
 2. In the event there are identifiable fingerprints available at the LPU, submit a Form 106 to the LPU.
- Advise persons, when applicable, to go to any precinct station to have their prints taken for elimination purposes. The officer will fill in their names in the appropriate blocks and send the cards to the FSS. The FSS will return all cards that are incomplete or illegible.

FILING PROCESS

- A Form 106 will be completed and forwarded to the LPU.
- In the event the suspect does not have an arrest record in Baltimore County, the remarks section will be utilized for information pertaining to the suspect.
- Upon comparison, the LPU will return the duplicate copy of the Form 106 to the originating member with the results.
- When comparison results in a positive identification, the LPU will document results in a Forensic Services Section Laboratory Report and notify the originating member that an identification was made.

FORENSIC SERVICES SECTION

- Issues Laboratory Reports which include information about whether or not latent prints were developed in a case.
- Instructs members to submit a Form 106 in the event that a suspect is developed in a case.

7-13.3 MARYLAND AUTOMATED FINGERPRINT IDENTIFICATION SYSTEM (MAFIS)

GENERAL

- The Maryland Automated Fingerprint Identification System is a database of fingerprints of persons arrested in Maryland and those individuals applying for sensitive jobs requiring a background check.
- The system is used to identify unknown fingerprints found at the scene of crimes in the state, and in some instances outside the state.

FINGERPRINT IDENTIFICATION UNIT

- Forwards all appropriate fingerprint cards to the Criminal Justice Information Center for entry into MAFIS.

LATENT FINGERPRINT EXAMINERS

- Operate and enter into MAFIS all of the quality latent fingerprints obtained from crime scenes.
- Examine the list of potential candidates for identification generated by the MAFIS system.
- Attempt to make an identification using the fingerprint card suspect file.
- Prepare an Officer Report, if latent fingerprints are identified as a match or positive identification.

7-13.4 FORM 136, LATENT PRINT REPORT FOLLOW-UP

COMMANDERS

- Ensure that:
 1. Follow-up investigations are conducted in a timely manner.
 2. A MAFIS log is kept containing the following information:
 - a. Date the Form 136 is received from the latent fingerprint examiner.
 - b. Central Complaint number.
 - c. Type of offense.
 - d. Date of offense report.
 - e. Officer assigned to conduct follow-up investigation.
 - f. Date Form 136 returned to the Information & Records Management Section.
 - g. Status of follow-up investigations.
 - h. Suspect's arrest status.
- Forward the Form 136 to the investigating officer.

INVESTIGATING OFFICERS

- Develop corroborating evidence to substantiate the MAFIS hit to:
 1. Specifically identify the area where the suspect's prints were found.
 2. Interview the victim to determine if the:
 - a. Victim, family members, or business associates know the suspect.
 - b. Suspect had lawful access to the area where the prints were found.
 3. Determine if arrests were made.
 4. Complete a record check to determine if the suspect was incarcerated at the time the offense was committed.
 5. Interview the suspect, prior to placing charges, if the suspect had lawful access to the area where the prints were recovered.
- Complete the case status section of the Form 136 and forward to the squad supervisor for approval.

SQUAD SUPERVISOR

- Return approved Form 136 to the Information & Records Management Section within 25 days after the date it is logged in the MAFIS log.

REQUESTS FROM OTHER AGENCIES

- Must make a written or oral request to the Forensic Services Section Commander when that agency's member wishes to access the automated system in Baltimore County and their agency is not part of the MAFIS network.

7-14.0 PHOTOGRAPHS

GENERAL

- Evidentiary photographs will be taken with a precinct/unit's digital camera or the Axon Capture application on a Department-issued device.
- When members use the precinct/unit's digital camera, each media card must contain images from only one central complaint (CC) number, regardless of the number of photographs taken.
- Media cards are not to be placed into any other device prior to being sent to the Photo Laboratory Team (PLT), after taking the photographs and removing the media card from the camera.
- The CST will photograph:
 1. All child abuse injuries.
 2. Visible injuries related to a police use of force (i.e., officer or suspect injuries).
 3. Crime victims' injuries classified by on-scene EMS personnel as:
 - a. Priority 1 - life threatening.
 - b. Priority 2 - potentially life threatening.
 - c. Priority 4 - fatality.

NOTES:

1. Precinct members are responsible for photographing injuries that are classified by on-scene EMS personnel as Priority 3 (i.e., non-life threatening), unless the incident is a child abuse or a police use of force with visible injuries.
 2. For safety reasons, even if the responding CST is a sworn member, an officer is required to be present when the CST responds to photograph injuries.
- Members will use a scale card to show measurement when capturing photographs as evidence.
 - Members taking photographs will ensure overall, mid-range, and close-up photographs are taken of individuals and items.
 - If photographs are taken at a crime scene, they should be documented on the *Narrative* tab of the incident report.
NOTE: Members will include in the narrative the date, time, location, and the name of the person taking the photographs.
 - The reasons photographs were not taken at a major crime scene must be included in the report narrative.
 - All photographs taken at a crime scene must be handled as evidence.
 - Department members will only use Department-issued equipment/devices to capture images.
EXCEPTION: In exigent circumstances, when evidence may be lost or destroyed, members, at their discretion, may use personal equipment/devices to preserve evidence.
 - If members use their personal equipment/devices to preserve evidence, they will:
 1. Notify their immediate supervisor.

2. E-mail the image(s) to their Department e-mail account, as soon as possible.
EXCEPTION: Images that contain personal identifying information and/or are forbidden by law to be transferred electronically (e.g., child pornography, etc.). In these cases, members will contact the Forensic Services Section (FSS), in lieu of the procedures herein, and follow the instructions provided.
 3. Copy the image(s) to a disc and print a copy of the image(s).
 4. Submit the disc and printed copy of the image(s) to the Evidence Management Unit for evidentiary storage before deleting the images from their device.
- NOTE:** Members should be mindful that personal equipment/devices, and its contents (e.g., media or SIM card, etc.), could be admissible in court and subject to the rules of discovery.

CRASH PHOTOGRAPHS

- Will be taken for the following:
 1. Baltimore County vehicles and/or property.
 2. Vehicles from County, city, state, or federal government.
 3. Fatalities.
 4. Physical injury when immediate medical attention is required.
 5. Hit and runs where substantial damage exists or where solvability factors are present.
EXCEPTION: Late reported hit and runs.
 6. Other crash scenes, if necessary for court.
- Include actual damage, vehicle identification numbers, license plates, as well as causative factors (e.g., obstructed traffic signs, skid marks, parked vehicles, etc.).

MEDIA CARD SUBMISSION

- All media cards submitted to the PLT for processing will be in the proper envelope:
 1. Form 304, Motor Vehicle Accident Photograph Report, for crashes.
 2. Form 125, for other incidents.
- Submitted media cards will be sent via departmental mail.
- Media cards related to different CC numbers will be submitted in separate envelopes.
- Envelopes will be sealed by placing tamper-evident tape over the flap.
NOTE: Information on the front of the envelope should not be obstructed by the tape.
- Place the CC number, packaging officer's name, and date across the evidence tape with a permanent marker, perpendicular to the seal.
- In the event that criminal action arises out of a motor vehicle crash, all media cards pertaining only to the crash will be submitted in the Form 304 envelope. Media cards dealing with the criminal aspects of the case will be submitted in the Form 125 envelope.

PHOTOGRAPHS, FILMS, DIGITAL IMAGES, SOUND RECORDINGS, AND VIDEO RECORDINGS TAKEN BY CITIZENS

- Are allowed on public or private property as long as the citizen is otherwise acting lawfully and safely.
NOTE: Public property includes streets, sidewalks, municipal parks, etc.
- Cameras, cell phones, media cards, and other recording devices used by citizens will NOT be confiscated, erased, or destroyed for any reason.
EXCEPTION: Cameras, cell phones, media cards, and other recording devices may be seized if they have evidentiary value and if authorized by a warrant or valid consent. The seized property must be treated as evidence and will not be destroyed or altered. Any such device may only be seized without a warrant if exigent circumstances require such a seizure. If seized under exigent circumstances, a search warrant or valid consent must be obtained before the device is examined. The contents of the device should be examined by the FSS.

REFERENCES

- Field Manual, Article 2 (Traffic Procedures).
- Field Manual, Article 12 (Use of Force/Weapons Systems).

7-14.1 REQUESTS FOR PHOTOGRAPHIC SERVICES

PHOTOGRAPHIC SERVICES REQUESTS

- Photographs will not be processed into prints/optical media for crashes or crime scenes until a Form 127, Request for Photographic Services, is submitted from the investigating officer, approved by a supervisor, and has a copy of the court summons attached. Any request for processing of crash or crime scene photographs without a court summons will have to be justified and then approved by the Photo Laboratory Team (PLT) supervisor.
- The Form 127 will be used whenever the services of the PLT are requested for other than routine processing as outlined previously. This form is broken down into four parts, which are explained as follows:
 1. Part I - self-explanatory. Completed by the officer initiating the request and is approved by a supervisor.
 2. Part II - completed when requesting photographic prints/optical media from film/media cards that were processed previously and archived. This part would be used when an officer needs prints/optical media for court or other reasons and should be filled out as completely as possible. It is further requested that at least five working days be allowed to ensure that the request is completed on time.
 3. Part III - used whenever any specialized photographic services are required. This includes:
 - a. Aerial photography.
 - b. Line-ups.
 - c. Public relations photography.
 - d. Special evidence photography.
 - e. Any other specialized photographic services.
 4. Part IV - completed by PLT personnel.
- When specialized photographic services are requested, the PLT must have at least 10 days notice.

AERIAL PHOTOGRAPH REQUESTS

- Information necessary for aerial photographs includes a:
 1. Photocopy of a map indicating the area to be photographed.
 2. List of distinctive features that can be spotted from the aircraft (e.g., house color, roof color, etc.).
 3. Contact person in the requesting unit.
- One optical disc will be forwarded to the requesting member.
NOTE: If additional prints are needed, contact the PLT.
- The PLT will make scheduling arrangements with the Aviation Team.

COLOR PRINTS/CDs

- Only one set of prints/optical media will be made of submitted images. It is the sole responsibility of the receiving officer to keep them in suitable condition for investigation/court presentation.
- Requests for prints/optical media will be made on a Form 127, at least five working days in advance of the date needed.
- The final authority for whether prints or optical media are made, rests with the PLT supervisor.

7-15.0 SEARCH AND SEIZURE WARRANTS

7-15.1 APPLICATION PROCESS

GENERAL

- An application for a search and seizure warrant may be submitted to the courts when there is probable cause to believe that:
 1. A misdemeanor or felony is being committed:
 - a. By a person; or
 - b. In a location, structure, or vessel; or
 2. Property subject to seizure is:
 - a. On the person; or
 - b. In or on a location, structure, or vessel.
- An application for a search and seizure warrant may contain a request that the warrant be a “no-knock” warrant (i.e., a search and seizure warrant that authorizes the executing law enforcement officer to enter a building, apartment, premises, place, or thing to be searched without giving notice of the officer’s authority or purpose) on the ground that there is reasonable suspicion to believe that, without the authorization the life or safety of the executing officer or another person may be endangered.
- All applications for search and seizure warrants shall contain all required information including a sufficient description of:
 1. The probable cause;
 2. A nexus between the crime and the person, location, structure, or vessel to be searched/seized; and
 3. The location/vehicle/structure/other item to be searched/seized.
- Applications for “no-knock” warrants shall also contain the following required information:
 1. A description of the evidence in support of the application;
 2. An explanation of the investigative activities that have been undertaken and the information that has been gathered to support the request for a “no-knock” warrant;
 3. An explanation of why the affiant is unable to detain the suspect or search the premises using other, less invasive methods;
 4. Acknowledgment that any police officers who will execute the warrant have successfully completed the same training in breach and call-out entry procedures as SWAT team members;
 5. A statement as to whether the warrant can effectively be executed during daylight hours and, if not, what facts or circumstances preclude effective execution in daylight hours; and
 6. A list of any additional occupants of the premises by age and gender, as well as an indication as to whether any individuals with cognitive or physical disabilities or pets reside at the premises, if known.
- Reviews and written approvals must be obtained for all search and seizure warrant applications and affidavits prior to submission for judiciary approval. The following requirements apply:
 1. For all search and seizure warrants, a review and written approval must be conducted by a permanent rank supervisor (i.e., a member of the rank of corporal or above).

2. For all “no-knock” warrants, a:
 - a. Second review and written approval must be completed by a member of the permanent rank of captain or above.
EXCEPTION: With the written approval of a major or above, a captain may, on a case-by-case basis, designate a member of the permanent rank of lieutenant to review and approve a specific application for a “no-knock” warrant. This designation will be based on operational need and the training, knowledge, and experience of the lieutenant. Absent operational need, a member of the rank of captain will be routinely used for the second level of review.
 - b. Subsequent review and written approval must be completed by the State’s Attorney.

MEMBERS

- Contact the appropriate Criminal Investigative Bureau (CIB) entity, precinct Investigative Services Team (IST), or appropriate specialized unit, to discuss the investigation prior to obtaining a search and seizure warrant, if the CIB, an IST, or other specialized unit has investigative responsibility for the incident.
- Contact a permanent rank supervisor from the Vice/Narcotics Section (VNS), for investigations that:
 1. Focus solely on controlled dangerous substances (CDS).
NOTE: The VNS will have primary investigative responsibility for these investigations.
 2. Can be furthered by utilizing CDS-related investigations.
NOTE: The VNS may assume investigative responsibility, or provide support to the primary investigating entity.
- Consult with an Assistant State’s Attorney, if necessary.
- Complete the appropriate application and affidavit, containing all required information.
NOTE: Members must use the current, approved templates posted on the Department’s Intranet site when applying for search and seizure warrants. Members must use the template containing the words “no-knock” in the title when a “no-knock” warrant is being requested.
- Forward completed applications and affidavits for the required:
 1. Supervisory review(s) and written approvals; and
 2. Review and written approval by the State’s Attorney, for all “no-knock” warrants.
- Present completed and approved applications to a judge by following either the business hours procedures or the after business hours procedures, after all required reviews and written approvals have been obtained (See Article 7, Section 14.1.1, Court Procedures).

SUPERVISORS AND COMMANDERS REVIEWING APPLICATIONS AND AFFIDAVITS

- Prior to submission to a judge, ensure the application and affidavit:
 1. Is complete; and
 2. Contains all required information.
- Electronically sign and date applications and affidavits, upon approval.
- Ensure at least one supervisor with access to informant folders has assessed the personal history and reliability of the informant, when applicable.

7-15.1.1 COURT PROCEDURES

GENERAL

- Circuit Court and District Court judges have jurisdiction to grant search and seizure warrants that are to be executed throughout Baltimore County and the State of Maryland.

MEMBERS

- Follow applicable court procedures (i.e., for during business hours or after business hours).
- Contact the following to determine what actions will be taken next, if a judge refuses to review or is unavailable to review and sign the warrant:
 1. Their lieutenant or captain; and
 2. The Legal Section Commander or designee, or the State's Attorney's Office.**NOTE:** The member will provide those contacted with the following information:
 1. Circumstances of the investigation.
 2. Exigency for the warrant.
 3. Reason for refusal or unavailability.

DURING BUSINESS HOURS

- Investigating officers applying for a search and seizure warrant may decide to:
 1. Respond to any court in person with printed documents; or
 2. Follow the electronic application procedures.

AFTER BUSINESS HOURS

- Investigating officers applying for a search and seizure warrant will contact the District Court Commissioner, and will be directed to present the warrant:
 1. In a printed form in person to the night duty judge; or
 2. Electronically to the night duty judge.**EXCEPTION:** Search and seizure warrants for wiretap investigations will be directed to a dedicated judge, who may be contacted directly.

ELECTRONIC SEARCH AND SEIZURE WARRANTS DURING BUSINESS HOURS

- Members will check the "Duty Judge Schedule" on the Department's Intranet site to determine if the document is to be sent to the Circuit Court or District Court for review. When the:
 1. Circuit Court is responsible for the review – members will contact the Circuit Court "Warrant Duty Judge" for the day.
 2. District Court is responsible for the review – members will send an e-mail to all of the District Court judges via the "DL-District Court Warrants" distribution list to advise them of the warrant application.

REFERENCE

- Duty Judge Schedule.

7-15.2 PRE-OPERATIONAL PROCEDURES

GENERAL

- The following must be completed prior to the execution of all search and seizure warrants:
 1. All required notifications; and
 2. Deconfliction; and
NOTE: Deconfliction will be conducted in accordance with the procedures under the heading **DECONFLICTION** below.
 3. A risk assessment, documented on a Form 321A, Search Warrant Risk Assessment; and
 4. Completion of the pre-service portion of the Form 185, Search Warrant Tracking Form; and
 5. Completion of an operational plan (i.e., documented on a Form 328, Operational Plan, or a Tactical Unit Operations Plan); and
 6. A pre-operational briefing; and

7. Supervisory consideration of alternative methods of service that may reduce the risk of injury to occupants of the location/structure/vessel to be searched/seized, individuals in the area of the warrant service, officers conducting the warrant service, etc.

NOTE: Examples of alternative methods of service include, but are not limited to:

1. Initially conducting extended surveillance on a location/structure/vessel;
2. Serving the warrant when there are fewer or no occupants; and
3. Call the residence and requesting the occupants exit in a safe and orderly manner.

EXCEPTION: The above items are not required when the search and seizure warrant is for a location that has already been secured, and for persons, or items is already in police custody.

- Pre-operational surveillance must be conducted, unless operational needs dictate otherwise (e.g., the search and seizure warrant is for a location that has already been secured, surveillance on the location is not practical due to the physical location or known threats, etc.).

NOTE: The authorizing commander and reason for authorization will be documented on the Form 328, when pre-operational surveillance is not conducted.

MEMBERS OBTAINING SEARCH AND SEIZURE WARRANTS

- Ensure notification is made to their shift/unit commander when a search and seizure warrant has been obtained.

EXCEPTION: Search and seizure warrants obtained for locations that have already been secured and for persons or items already in police custody do not require notification.

- Will be responsible for all related necessary deconfliction, to identify locations where potential operational conflicts exist.

NOTE: Deconfliction will be conducted in accordance with the procedures under the heading **DECONFLICTION** below.

- Complete the pre-service portion of a Form 185, Search Warrant Tracking Form (original and two copies), and distribute as noted on the form.

NOTE: A search and seizure warrant tracking control number must be obtained from the Information & Records Management Section (IRMS) prior to the end of the investigating member's tour of duty, and should be obtained prior to the service of the warrant, when practicable.

- Complete an operational plan, via a Form 328, for:
 1. Low risk search and seizure warrants; and
 2. Medium risk and high risk search and seizure warrants that will not be served by the Tactical Unit.

EXCEPTION: Search and seizure warrants for locations that have already been secured, or for persons or items already in police custody.

- Are not required to complete a Form 328, when the search and seizure warrant will be served by the Tactical Unit.

NOTE: The Tactical Unit will utilize a Tactical Unit Operational Plan to document their operational plan.

- Obtain approval of completed Forms 328 documenting the operational plan, by a supervisor who is a permanent rank sergeant or above, prior to the service of the search and seizure warrant.

SUPERVISORS

- Complete a Form 321A, to determine the operational risk level of the search and seizure warrant (i.e., low risk, medium risk, or high risk), and provide that information to the precinct/section commander, or designee.

EXCEPTION: The Form 321A is not required for locations that have already been secured and for persons or items already in police custody.

- Complete a Form 321, Tactical Unit Deployment Request – Pre-Planned Operations, when the search warrant risk assessment yields an operational risk level of “High Risk” or “Medium Risk,” and forward to the precinct/section commander, or designee.
- Ensures completed/approved forms 321A and Form 321 are distributed as indicated on the form.
- Of the permanent rank of sergeant or above, must review and approve all required operational plans (i.e., Form 328 or Tactical Unit Operational Plan), prior to the service of search and seizure warrants. The Form 328 will be distributed as outlined on the form.
- Contact the Technical Operations Team (TOT) prior to the service of all narcotics related search and seizure warrants within Baltimore County to determine if a member of the TOT must be present for the service of the warrant.
NOTE: This includes search and seizure warrants obtained by other jurisdictions where Baltimore County is requested to assist in the service of or serve the warrant.
- Ensure pre-operational surveillance is being conducted, unless operational needs dictate otherwise.
NOTE: Authorization for not conducting surveillance can be given by the appropriate unit commander (i.e., acting or permanent) or, when an Investigative Services Team (IST) has responsibility, the commander (i.e., acting or permanent) responsible for the supervision of the IST.
- Ensure a pre-operational briefing is conducted.
NOTE: A permanent rank supervisor must be present at the pre-operational briefing to ensure it is complete.

SHIFT/UNIT COMMANDERS

- Ensures notification (i.e., by telephone, in-person, etc.) is provided to the on-duty shift commander of the precinct where the warrant will be served, prior to the service of all search and seizure warrants.
NOTE: The on-duty shift commander will notify:
 1. The precinct commander of the precinct where the search and seizure warrant will be served; or
 2. The Night Commander, in lieu of the precinct commander, between 1900 hours and 0300 hours.
NOTE: The member will ensure an e-mail notification is sent to the precinct commander.
 3. The appropriate area major, if the precinct commander or Night Commander is unable to be immediately notified.**EXCEPTION:** Notification is not required in incidents where the location is already secured, or the person or item is already in police custody.
NOTE: For highly sensitive incidents, the notification does not need to disclose confidential information.

PRECINCT/SECTION COMMANDER, OR DESIGNEE

- Ensures required risk assessments have been completed and documented via a Form 321A.
- Reviews and assesses the facts of the case to ensure an accurate operational risk level has been appropriately assigned on the Form 321A.

TACTICAL UNIT

- Responsible for completion of a Tactical Unit Operational Plan, for all:
 1. Search and seizure warrants that will be served by the Tactical Unit; and
 2. All “no-knock” search and seizure warrants.

DECONFLICTION

- The process of determining when law enforcement personnel are conducting events in close proximity to one another.
NOTE: When certain elements (e.g., time, date, or location, etc.) are matched between two or more events, a conflict results and must be addressed prior to service of the search and seizure warrant.
- Deconfliction must be conducted:
 1. Prior to the service of all search and seizure warrants within Baltimore County.
 2. Upon request for assistance of the Criminal Investigations Bureau (CIB) or an IST by another jurisdiction.
- The investigating entity shall contact the Vice/Narcotics Section (VNS) (i.e., an administrative assistant, a VNS supervisor, or a Community Drug Unit (CDU) supervisor) to deconflict the address/location where the search and seizure warrant will be served.
- The VNS will check the address and all target information in the HIDTA case management system (i.e., Case Explorer), and notify the investigating member whether a potential conflict occurs.
- The investigating entity will proceed with the service of the search and seizure warrant, if information is negative in HIDTA case management system.
- The VNS will contact the case agent (e.g., the investigating Department member, etc.) as soon as practical, and prior to the service of the search and seizure warrant, if there is a hit on the address and/or target(s) in HIDTA case management system.
NOTE: The case agent will provide as much information as possible to the investigating entity and ensure any conflicts are resolved, prior to the service of the search and seizure warrant.
- Where conflicts exist, the case agent may attend the service of the search and seizure warrant, upon obtaining supervisor approval.
- The following information must be documented on the Form 328 or Tactical Unit Operational Plan, and in the appropriate incident report:
 1. Name and identification number of VNS personnel conducting the deconfliction.
 2. The date and time deconfliction was conducted.

PRE-OPERATIONAL BRIEFINGS

- Must be attended by a permanent rank supervisor, who is responsible for ensuring all policies are followed and significant operational concerns are addressed prior to the service of the warrant.
- Will be conducted by the attending permanent rank supervisor or designee (e.g., the investigating member, the Tactical Unit Team Leader, etc.).
- Must include:
 1. A review of the:
 - a. Threat assessment (i.e., the Form 321A) and current intelligence related to risk factors (e.g., weapons, number of occupants, animals, suspect's criminal history, etc.); and
 - b. Need for the operation/service of the search and seizure warrant; and
 - c. Reason to conduct the operation at the proposed time and place; and
 - d. Operational goal; and
 - e. Planned tactics to be used; and
 - f. Responsibilities of each member assigned to the operation; and
 - g. Designated medical plan.
 2. Contingency plans and associated tactics;
 3. Inspection of all necessary equipment, including firearms; and

4. A determination of adequate staffing.

NOTE: The supervisor will ensure a minimum number of officers based on the operational threat level (i.e., high threat, medium threat, or low threat) and threat factors used.

NOTE: Pre-operational briefing information must be documented on the Form 328, or Tactical Unit Operational Plan.

- When significant operational concerns are identified during the pre-operational briefing that cannot be safely resolved, the permanent rank supervisor must:
 1. Contact their unit commander; and
 2. Cancel the service of the search and seizure warrant until the issue(s) are properly resolved.

WARRANTS OBTAINED BY OTHER JURISDICTIONS

- Members will ensure notification is made to their supervisor, upon receiving a request to serve, or to assist in the service of, warrants obtained by another agency.
- Supervisors who are notified of a request for Baltimore County officers to serve, or assist in the service of a search and seizure warrant obtained by another agency must refer the request to:
 1. A supervisor of the CIB entity with investigative responsibility for a comparable crime/investigation, had the incident(s) precipitating the search and seizure warrant occurred in Baltimore County; or
 2. The appropriate IST supervisor, when the CIB would not have had investigative responsibility for a comparable crime/investigation, had the incident(s) precipitating the search and seizure warrant occurred in Baltimore County.
- The IST or CIB supervisor must:
 1. Conduct a review and evaluation of the search and seizure warrant;
 2. Present all concerns over service of the warrant (e.g., issues involving probable cause, etc.) to the appropriate unit commander, prior to service, for discussion and decision making.
 3. Ensure completion of required deconfliction, to identify locations where potential operational conflicts exist.
 4. Ensure completion of a risk assessment via a Form 321A.
 5. Complete a Form 321, when a Tactical Unit deployment is requested/required.
 6. Ensure completion of a Form 328, if Department members will be serving the warrant.
 7. Forward the warrant to the appropriate captain, and the Tactical Unit Commander for review and approval, if the warrant is a “no-knock” warrant.

7-15.3 SERVICE PROCEDURES

GENERAL

- All search and seizure warrants will be served in the safest manner possible, and in a manner justified by the risk assessment and all known risk factors.

NOTE: Alternate methods of service (e.g., waiting for occupants to exit the residence, waiting for a vehicle to be left unattended, taking suspects into custody prior to service, etc.) considered must be documented on the Form 328 or Tactical Unit Operational Plan.
- A permanent rank supervisor (i.e., a member of the rank of corporal or above) must be present and remain on-scene for the service of all search and seizure warrants.
- All search and seizure warrants served on locations, vehicles, or vessels within Baltimore County require a minimum of two body worn camera (BWC) equipped members.
 1. Members assigned to a patrol division will be utilized when the Department entity serving the search and seizure warrant is not BWC equipped; and/or when the search and seizure warrant is being served by another agency.

2. An on-scene supervisor will make a reasonable effort to ensure that two designated BWC members are placed in an appropriate vantage point to see and record the entry, particularly the announcements made (e.g., knocking and announcing to alert occupants that the police are at the door, etc.) and manner of entry (e.g., whether an occupant came to the door, key was used, ram was used, etc.).
3. A minimum of one BWC equipped officer will remain after the location has been secured and will be responsible for capturing recordings of:
 - a. Each room/area of the location, structure, or vessel, before and after the search; and
 - b. Each occupant of the location/structure/vessel, including questioning as to whether each occupant has sustained any injuries;
 - c. Any injuries to occupants;
 - d. The reading of Miranda rights;
 - e. The reading of the valuables statement;
 - f. All consent searches.

NOTE: This includes all searches of rooms/areas and all occupants of the location/structure/vessel that are not covered by the search and seizure warrant.

EXCEPTION: The presence of BWC-equipped members is not required for search and seizure warrants for items in police custody.

- All BWC equipped members shall use their BWCs during the execution of the search and seizure warrant in accordance with Department policy (See Field Manual, Article 16, Body Worn Camera Program).

NOTE: When a prohibited use or deactivation criteria (e.g., interaction with a confidential informant; witness requesting not to be recorded, etc.) are met, the encountering members may deactivate their BWCs. However, in all circumstances, the requirement to record the actual execution of the search and seizure warrant still applies and must be recorded.

When the prohibited use or deactivation criteria no longer exist, the member must resume recording.

- All search and seizure warrants are null and void, and may no longer be served, if:
 1. It has not been served within 10 calendar days from the date of issuance; or
 2. The facts supporting probable cause become stale or vanish prior to the expiration of the warrant.

MEMBERS

- Shall be clearly recognizable and identifiable as a police officer (i.e., by wearing a uniform, badge, and nameplate bearing the member's name and identification number) during the execution of all search and seizure warrants.
- Ensure all applicable procedures (e.g., "search and seizure warrant procedures," "no knock search and seizure warrant" procedures, etc., as outlined below) are followed.
- Notify the unit commander or the appropriate permanent rank lieutenant responsible for the IST, when a search warrant has been issued as a "no-knock," but circumstances have changed in the course of an investigation (i.e., there is no longer reasonable suspicion to believe that the life or safety of the executing officer or another person may be endangered) making the appropriate service method a "knock-and-announce."

NOTE: The notified commander will contact the Special Operations Section Commander to determine whether the search and seizure warrant service will require the use of the Tactical Unit, when the search and seizure warrant was issued as a "no-knock" but circumstances have changed in the course of an investigation making the appropriate service method a traditional "knock-and-announce." Notification regarding who will serve the warrant will be made up to their chains of command by the notified commander and the Special Operations Section Commander.

- Are prohibited by law from using flashbang, stun, distraction, or otherwise similar military-style devices, absent exigent circumstances.
- Ensure Miranda rights and the valuables statement are read.

- Ensure a copy of the warrant, application, affidavit, and an inventory of goods seized will be given to the person in charge at the premises. If no such person is available, the forms will be left in a conspicuous location.

BUREAU CHIEF/ACTING BUREAU CHIEF OF THE OPERATIONS BUREAU

- Must authorize the service of all “no-knock” search and seizure warrants after they have been signed by the issuing judge.
- May authorize the service of a “no-knock” search and seizure warrant by an entity other than the Tactical Unit, based on operational need and an assessment of the risk factors and points assessed on the Form 321A, Search Warrant Risk Assessment.
NOTE: All members executing the warrant shall have successfully completed the same training in breach and call-out entry procedures as the Tactical Unit members.

TACTICAL UNIT COMMANDER

- Reviews all Forms 321 and 321A.
- For search and seizure warrants that will not be served as a “no-knock” warrant, discusses the search warrant risk assessment with the precinct/section commander, or designee, to determine who will serve the search warrant, when the Form 321A indicates the warrant is medium risk or high risk.
NOTE: The commanders will come to an agreement concerning who will serve the warrant prior to its service.
- Has operational control of the execution of all “no-knock” search and seizure warrants.
EXCEPTION: The Tactical Unit Commander may delegate this responsibility to a Tactical Unit Supervisor, when multiple search and seizure warrants requiring Tactical Unit presence are being executed at the same time.
- Maintains a file of Forms 321 and Forms 321A for three years.

SEARCH AND SEIZURE WARRANT SERVICE PROCEDURES

- The law requires that members give notice of their authority or purpose prior to entering a building, apartment, premises, place, or thing to be searched, absent a “no-knock” search and seizure warrant/exigent circumstances.
NOTE: Members **cannot** convert a “knock and announce” warrant to a “no-knock” warrant based on exigency – the Courts are the only entity that can convert a “knock and announce” warrant to a “no-knock” warrant. However, if while executing a “knock and announce” warrant members encounter an exigent circumstance requiring immediate entry, that entry is no longer made based on the warrant, but instead on the Exclusionary Rule’s exigency exception.
- The on-scene supervisor will:
 1. Ensure notice of authority/purpose is given (e.g., via “knock-and-announce, etc.); and/or
 2. Authorize forced entry, when appropriate.
NOTE: The decision to use force must be documented in the appropriate incident report.
- Members shall:
 1. Ensure that all “knock and announce” entries are of sufficient volume to be heard by individuals inside of the structure or vessel subject to the search and seizure warrant.
 2. Provide a reasonable amount of time for the individuals inside of a structure or vessel subject to the search and seizure warrant service enough time to respond to the announcements.
NOTE: Under Maryland law, members shall allow a minimum of 20 seconds for the occupants of a residence to respond and open the door before attempting to enter a residence, absent exigent circumstances.

3. Ensure that multiple announcements are made.
NOTE: Only one set of officers should be responsible for the initial announcement prior to entry to ensure the announcement and decisions to enter the structure/vessel are consistent.
4. Ensure that, at a minimum, all announcements will include the following language: "Baltimore County Police Search Warrant."
5. Consider the following factors to ensure the knock and announce is sufficient:
 - a. Time of day.
NOTE: Subjects sleeping will need additional time to respond to the announcement.
 - b. Ambient noise potentially hindering the ability to hear the announcement.
 - c. Size of the structure/vessel/location to be searched.
 - d. Location of occupants as compared to the position of officers announcing.
EXCEPTION: "No-knock" search and seizure warrants.

NO-KNOCK SEARCH AND SEIZURE WARRANT PROCEDURES

- The law requires that "no-knock" search and seizure warrants be executed between 0800 hours and 1900 hours, absent exigent circumstances.
- Any officer notified to assist in the execution of a "no-knock" search and seizure warrant shall notify his/her supervisor of the request.
- The commandment portion of the search and seizure warrant must specify that a "no-knock" entry is authorized and approved by a judge.
- The service of all "no-knock" search and seizure warrants must be approved by the Bureau Chief or acting Bureau Chief of the Operations Bureau, after it has been signed by the issuing judge.
- The serving officer and on-scene supervisor will evaluate the circumstances existing at the time of service and determine if a "no-knock" entry remains warranted. If the life or safety of the executing officer or another person are no longer reasonable believed to be in danger, the serving officer must knock and announce his/her authority and purpose.
- Entry and clearing of locations/structures for all "no-knock" search and seizure warrants served within Baltimore County, including those obtained by other agencies, must be conducted by the Tactical Unit, unless authorized by the Bureau Chief (i.e., permanent or acting) of the Operations Bureau, based on assessment of the risk factors and operational risk level assessed on the Form 321A, Search Warrant Risk Assessment.
EXCEPTION: "No-knock" search and seizure warrants served via a traditional "knock-and-announce."
- During service, the appropriate CIB unit commander, or the lieutenant responsible for the IST, will be paired with the Tactical Unit Commander and the Crisis Negotiation Team Commander, through the completion of the safe entry and clearing of the target location/structure.
NOTE: Appropriate radio channels will be monitored and real-time intelligence will be shared.

7-15.4 POST-SERVICE AND RECORD KEEPING PROCEDURES

POST-SERVICE DEBRIEFING

- Must be conducted by the supervisor in charge of a search and seizure warrant service, or designee.
EXCEPTION: A post-service debriefing is not required when the location was already secured, or the warrant was for persons or items already in police custody.
- Will be conducted within three business days, when possible.
- Will be attended by:
 1. Persons identified by the member conducting the briefing; and

2. The member of the Technical Operations Team (TOT) present for the search and seizure warrant service:
 - a. When problems were observed with the execution or service of the warrant; and
 - b. When practicable, if problems were not observed.
- May include a review of body worn camera recordings of the execution of the search and seizure warrant for the purpose of identifying training needs and incident critiques, upon approval of a sworn member of the Executive Corps (See Field Manual, Article 16, Body Worn Camera Program).

WARRANT RETURN

- The warrant must be returned to the courts within 10 days of either expiration or service of the warrant.

NOTE: This may be done in person or electronically.
- A Form 133, Search Warrant Return, must be completed and forwarded, along with the warrant, to the issuing judge by the affiant officer, if possible.
- Prior to returning a search and seizure warrant, investigating officers must complete the remaining portion of the Form 185 and distribute as noted on the form.

COMMANDER

- Retains a copy of the Form 185 for one year.

INFORMATION & RECORDS MANAGEMENT SECTION

- Maintains a Search and Seizure Warrant Tracking Control Number Logbook, containing, at a minimum, the following information:
 1. Control Number.
 2. Date and time the number was obtained.
 3. Central Complaint (CC) number.
 4. Precinct/unit obtaining the number.
 5. Reporting area of service location.
 6. Zip code of service location.
 7. Jurisdiction of service location.
 8. Type of case.
 9. Whether the warrant is a “no-knock” warrant.
 10. If the warrant is a “no-knock” warrant, whether it was served in a “no-knock” manner.
 11. Date and time warrant was issued.
 12. Date and time warrant is served.
 13. If the warrant is a “no-knock” warrant, the legal basis for obtaining the warrant.
 14. Whether forcible entry was made into the location.
 15. Whether the Tactical Team or other SWAT team was deployed to execute the warrant.
 16. Number of arrests made during the execution of the warrant.
 17. Whether property was seized during the execution of the warrant.
 18. Number of times a weapon was discharged by a police officer.
 19. Number of persons injured by a police officer during execution of the warrant.
 20. Number of persons injured during execution of the warrant, other than by a police officer.
 21. Number of persons killed by a police officer during execution of the warrant.
 22. Number of persons killed during execution of the warrant, other than by a police officer.
 23. Number of domestic animals injured by a police officer during execution of the warrant.
 24. Number of domestic animals injured during execution of the warrant, other than by a police officer.
 25. Number of domestic animals killed by a police officer during execution of the warrant.
 26. Number of domestic animals killed during execution of the warrant, other than by a police officer.

NOTE: The required logbook may be maintained in an electronic system/database.

- Contacts the commander of the unit obtaining the warrant when the Form 185 has not been received within 20 days of a control number being issued.
- Ensures all Forms 185 are scanned into the RMS, for retention in the appropriate case folder.

INFORMATION & RECORDS MANAGEMENT SECTION COMMANDER

- Ensures a report related to search warrants executed by the Department during the prior calendar year is reported to the Governor’s Office of Crime Prevention, Youth, and Victim Services, the County Executive, and the County Council by January 15th of each calendar year.
NOTE: The report will be submitted in the format developed by the Governor’s Office of Crime Prevention, Youth, and Victim Services and will contain all information required by law.

REPORTING

- A Form 328A, Post-Operational Summary, must be completed and distributed by the member obtaining the search and search warrant, upon service.
EXCEPTION: A Form 328A is not required for locations that have already been secured, and for persons or items already in police custody.
- The circumstances for the change in service method must be explained and documented in the appropriate investigative report (e.g., Case Report, Officer Report, Detective Notes, etc.), for warrants issued as a “no-knock warrant” that are not served in a “no-knock” manner.
- The exigent circumstances requiring immediate action must be clearly articulated in the appropriate incident report (i.e., Case Report or Officer Report) when a warrant has not been issued as a “no-knock” warrant, but immediate entry must be made to a location without knocking and announcing due to exigent circumstances under the Exclusionary Rule.

7-15.5 SEALING OF AFFIDAVITS

REQUESTING OFFICERS

- Have the affidavit reviewed by a supervisor.
- Complete a sealing order for presentation to the judge.
- Ensure copies of the Search and Seizure Warrant, sealing order, and signed inventory of goods seized are given to the person in charge of the premises. If no such person is available, the form will be left in a conspicuous location.
- Complete the appropriate sections on the Form 185 prior to submission to the Information & Records Management Section.
- Pursuant to the law, within 15 days after the affidavit is unsealed, deliver it to the person from whom the property was taken, or to a person on the premises.

INFORMATION & RECORDS MANAGEMENT SECTION

- Indicates all sealed affidavits in the logbook by printing “SEALED” in red letters next to the entry “Type of Case.”

7-16.0 JUVENILE INVESTIGATION

INVESTIGATING OFFICERS

- May request a juvenile alleged to be delinquent (or an adult charged with contributing) to:
 1. Appear in a line-up for identification.
 2. Speak for identification.

3. Be fingerprinted.
 4. Pose for photographs not involving reenactment of a scene.
 5. Try on articles of clothing.
 6. Permit the taking of specimens of material under the fingernails.
 7. Permit the taking of samples of blood, hair, and other material involving no unreasonable intrusion upon the person.
 8. Provide handwriting specimens.
 9. Submit to reasonable physical inspection or mental examination.
- Possessing probable cause and wishing to bring a juvenile in from a detention facility for the purposes of an investigative procedure, must first obtain a Petition for Custody, Interrogation and Arrest after consultation with the State's Attorney's Office.

REFERENCE

- [Maryland Rules of Procedure \(Juvenile Causes, Discovery and Inspection\)](#).

REPORT WRITING

Article 8

8-1.0 Incident Reporting [rev. 08/2020]

- 8-1.1 *Reporting Process* [rev. 10/2020]
 - 8-1.1.1 Determining the Number of Required Reports [rev. 08/2020]
 - 8-1.1.2 Required Report Information [rev. 08/2020]
- 8-1.2 *Case Folders* [rev. 08/2020]
 - 8-1.2.1 Case Management [rev. 08/2020]
- 8-1.3 *Case Reports and Officer Reports* [rev. 08/2020]
 - 8-1.3.1 Confidential Incident Reports [rev. 08/2020]
- 8-1.4 *Report Completion and Submission* [rev. 08/2020]
- 8-1.5 *Disposition Codes* [rev. 08/2020]
- 8-1.6 *Race/Ethnicity Designations* [rev. 08/2020]
 - 8-1.6.1 Race Designation [rev. 08/2020]
 - 8-1.6.2 Ethnicity Designation [rev. 08/2020]
- 8-1.7 *Sex/Gender Identity Designations* [rev. 08/2020]
 - 8-1.7.1 Sex Designation [rev. 08/2020]
 - 8-1.7.2 Gender Identity Designation [rev. 08/2020]
- 8-1.8 *Diagrams* [rev. 08/2020]

8-2.0 RMS Workflow [rev. 08/2020]

- 8-2.1 *RMS User Functions and Features* [rev. 08/2020]

8-3.0 Data Entry Standards [rev. 08/2020]

- 8-3.1 *Wizards* [rev. 08/2020]

8-4.0 Administrative Tab [rev. 08/2020]

8-5.0 Elements of the Incident (EOI) Tab [rev. 08/2020]

8-6.0 Offenses Tab [rev. 08/2020]

- 8-6.1 *Offense Descriptions Unique to UCR/NIBRS* [rev. 08/2020]

8-7.0 Offenders Tab [rev. 08/2020]

8-8.0 Victims Tab [rev. 08/2020]

8-9.0 Witnesses Tab [rev. 08/2020]

8-10.0 Others Tab [rev. 08/2020]

8-11.0 Property Tab [rev. 08/2020]

8-12.0 Narrative Tab [rev. 12/2023]

8-13.0 Report Distribution [rev. 08/2020]

- 8-13.1 *Reports Requiring Distribution* [rev. 04/2019]
 - 8-13.1.1 Reports Requiring Distribution to the Baltimore County Detention Center (BCDC) [rev. 07/2013]
 - 8-13.1.2 Reports Requiring Distribution to Baltimore County Public Schools (BCPS) - Students Arrested and/or Charged [rev. 08/2020]

8-14.0 Corrections to Incident Reports Generated Within the RMS [rev. 08/2020]

8-15.0 Detective Notes [rev. 08/2020]

8-16.0 Investigative Memos [rev. 08/2020]

8-17.0 RMS Contingency Plan [rev. 08/2020]

8-18.0 Citizen On-line Reporting System [rev. 04/2018]

8-18.1 *Citizen On-line Reporting System – Petty Theft Shoplifting Program* [rev. 04/2018]

REPORT WRITING

8-1.0 INCIDENT REPORTING

DEFINITIONS

- Records Management System (RMS) - the system that provides for the completion, submission, approval, storage, retrieval, retention, manipulation, archiving, and viewing of information, records, documents, and files pertaining to law enforcement operations (i.e., PremierOne Records).
- Uniform Crime Reporting (UCR) - the Federal Bureau of Investigation's (FBI) national crime reporting system which provides summary statistics on crime.
- National Incident-Based Reporting System (NIBRS) – the FBI's national crime reporting system which provides detailed data on crime.

GENERAL

- The appropriate incident report(s) must be completed for all calls requiring a police report.
- A Case Report must be completed for all incidents/arrests requiring an incident report.

EXCEPTIONS:

1. Crashes requiring the use of the Automated Crash Reporting System (ACRS); and
NOTE: Related arrests and serious traffic (i.e., "Must Appear") citations must be documented on a Case Report under the same Central Complaint (CC) number.
 2. Incidents reported through the Citizen On-line Reporting system; and
 3. Other jurisdiction incidents that do not require reporting to NIBRS/UCR.
- Updated versions of a Case Report must be completed to add or update any NIBRS/UCR reportable information.
 - An Officer Report will be completed for:
 1. Adding, modifying, or correcting non-NIBRS/UCR reportable information in existing reports.
NOTE: "Supplemental" will be selected from the *Report Type* field.
 2. Other Jurisdiction (OJ) incidents that do not require reporting to NIBRS/UCR, because the Department does not have investigative responsibility.
NOTES:
 1. The most appropriate OJ-related report type will be selected from the *Report Type* field.
 2. Incidents originally reported on an Officer Report, that are later determined to require NIBRS/UCR reporting by Baltimore County, must be resubmitted on a Case Report.
 3. Documenting follow-up activities/investigations relative to incidents (including incidents initially reported via ACRS) that do not require reporting to NIBRS/UCR.
NOTE: "Supplemental" will be selected from the *Report Type* field.
 - No information is to be entered into a *Supplemental* Officer Report that was previously entered in the original incident report.
 - Information entered into an incident report via a Case Report or an Officer Report goes through a workflow approval process:
 1. For Case Reports the workflow is officer > supervisor > shift/unit commander > Information & Records Management Section (IRMS) > workflow complete.
 2. For Officer Reports the workflow is officer > supervisor > shift/unit commander > workflow complete.
NOTE: Although an incident report created within the Records Management System (RMS) is visible in the RMS upon being initiated and saved, it is not considered an official incident report until it has been approved at all required levels of approval and has reached the workflow stage of "workflow complete."

- Information entered via Case Reports is used to generate UCR/NIBRS crime statistics.
- Paper copies of incident reports will not be routinely made for precinct/division files.
EXCEPTION: Active missing persons cases being investigated at the precinct level, court, administrative investigations, etc.

INCIDENT REPORTS

- Case Report.
- Officer Report.
- Automated Crash Reporting System (ACRS) Report.

REFERENCES

- Field Manual, Article 1 (Investigations).
- Field Manual, Article 2 (Traffic Procedures).
- Field Manual, Article 4 (Arrest, Custody, and Court).
- Field Manual, Article 7 (Evidence).

8-1.1 REPORTING PROCESS

DEPARTMENT MEMBERS

- Initiate the appropriate report/form when necessary.
- Print or type reports/forms using black ink.
- Are responsible for the accuracy and completeness of reports/forms.
- Conduct a thorough preliminary investigation.
- Develop information as thoroughly as possible.
- Use supporting forms as necessary.
- Submit completed reports to their supervisor for approval.
- Record all pertinent information.

NOTE: Data fields/blocks and narratives within incident reports and charging documents will not include personal identifying numbers (i.e. medical/health accounts, bank accounts, credit cards, social security, insurance plans, personal identification numbers (PIN), or passwords), except as permitted in specified data fields within a Case Report or Officer Report. Specified fields are set for automatic redaction, in order to protect personal identifying information (PII). Dates of birth and driver/vehicle information are not restricted and can be placed on all reports and charging documents.

SUPERVISORS

- Review all reports for accuracy, adherence to procedures, compliance with UCR/NIBRS standards, and quality of preliminary investigation.
- Review all incident reports and the Statement of Charges to ensure only essential officers are listed as “Witnesses to Be Summoned” for court.
- Advise members of deficiencies in the report and investigation and have them corrected.
- Submit approved incident reports to the shift commander for review.
EXCEPTION: ACRS reports.
- Make appropriate case assignments for cases requiring further investigation by members of their command.
- Ensure required follow-up investigations are completed.
- Check the RMS for the status of Case Reports and Officer Reports (e.g., in progress, delinquent, open case, etc.).
- Review the In-Progress SSRS reports and the Delinquent Incidents SSRS report daily.
- Review the Open Case Summary SSRS report weekly.
- Check the Missing Persons SSRS report for open cases daily.

- Identify and discuss with officers any reports that may need additional information and/or corrections.

SHIFT/UNIT COMMANDERS

- Review and approve all incident reports.
EXCEPTION: Automated Crash Reporting System (ACRS) reports.
- Check RMS for the status of Case Reports and Officer Reports (e.g., in progress, delinquent, open case, etc.).
- Review the In-Progress Reports and the Delinquent Incidents Report daily.
- Review the Open Case Summary Report monthly and discuss all “open” cases with their subordinate supervisors.
- Ensure that incident reports, and related paperwork are submitted and approved within 72 hours and will be held accountable for their completion and submission.
EXCEPTION: Completion and submission of ACRS reports by members of the Crash Team may be extended beyond 72 hours, upon approval of their supervisor, when information necessary for completion of the report is not yet available due to the nature of the investigation. The supervisor will ensure reports extended beyond 72 hours are submitted and approved when information necessary for the completion of the report is available, and will be held accountable for their completion and submission.
- Follow-up on missing reports or provide information to the appropriate shift/unit commanders to ensure reports are submitted in a timely fashion.

REFERENCE

- Administrative Manual, Article 4 (Written Communications).

8-1.1.1 DETERMINING THE NUMBER OF REQUIRED REPORTS

GENERAL

- Offenses arising from a singular continuous course of conduct may be documented in one report under a single Central Complaint (CC) number. In order to document related events under one CC number, the report must include:
 1. A specific statement indicating how the officer determined it was a singular continuous course of conduct, in the narrative of the report.
 2. The closest intersection central to the incidents as the incident address, if no one specific address applies.**EXCEPTION:** When multiple reports are required, as outlined in this section.
- For burglaries and attempts, separate CC numbers are required for each location that is burglarized (i.e., separate homes, businesses, sheds, etc. require a separate CC number for each).
EXCEPTION: Burglaries of hotels, motels, lodging houses, or other places where lodging of transients is the main purpose, and burglaries of temporary rental storage facilities (e.g., mini-storage facilities, self-storage facilities, etc.) can be reported under a single CC number when multiple units are targeted during a singular continuous course of conduct. The appropriate *Location Type* (i.e., Hotel/Motel or Rental Storage Facility) must be selected and the total number of premises (e.g., rooms, suits, units, storage compartments, etc.) entered must be documented in the *Premises Entered* field on the *Offenses* tab.
- For thefts and attempts (including thefts from vehicles), separate CC numbers are required when there is a separation in time and place between events. Multiple thefts and attempts may be documented under one CC number, only when the officer can articulate in the narrative of the report that the incident is part of a continued course of conduct which:
 1. Was committed by the same offender(s), and
 2. Occurred during an unbroken period of time, and

3. Occurred in a continuous geographic location (e.g., along a continuous portion of roadway, on adjoining streets, intersections, and/or alleyways, in an apartment complex or business parking lot, etc.).

NOTE: For UCR/NIBRS purposes, and for determining the number of reports required, identity theft, forgery, counterfeiting, and bad checks are considered fraud, and will be reported according to the procedures outlined in the first dot point of this section.

- For shopliftings, property taken by the same subject from different stores or businesses (e.g., in a mall or strip mall, etc.) or in the same store by the same subject on different dates, will be considered to have a separation of time and place, and requires separate CC numbers for each.
- For arsons, multiple locations or items of property burned may be included under the same CC number when damage to all items arose from the same point of origin/fire.
- For missing persons, separate CC numbers are required for each missing person, regardless of whether they are missing from the same location.
- For a motor vehicle crash arising out of another incident, a single CC number will be used.
EXCEPTION: Motor vehicle pursuits resulting in a crash require a separate CC number for the pursuit.
- The use of a single CC number requires all offenders to commit, or assist in the commission of, all the crimes in an incident. The offenders must be aware of, and consent to the commission of all the offenses; or if nonconsenting, their actions assist in the commission of all of the offenses.

8-1.1.2 REQUIRED REPORT INFORMATION

GENERAL

- Supplemental tabs are required to be used on all applicable incident reports to provide required report information in a uniform manner.
NOTE: The use of a supplemental tab is not a substitution for a descriptive narrative.
- The following supplemental tabs containing Baltimore County Police Department required report information exist within incident reports:
 1. *Animal Bite* supplemental tab – Used for reports involving an animal bite. Activated by selecting “Yes” to the question “Does this incident contain an animal bite?” on the *Administrative* tab.
 2. *Bias Related* supplemental tab – Used for reports involving a bias-related incident. Activated by selecting “Yes” to the question “Does this incident contain bias related information?” on the *Administrative* tab.
 3. *Domestic* supplemental tab – Used for reports involving a domestic incident or domestic assault. Activated by selecting “Domestic” from the *Report Type* field on the *Administrative* tab.
 4. *Lethality* supplemental tab – Used to document the Domestic Abuse Lethality Assessment for domestic assaults and qualifying non-domestic assaults. For domestic assaults, is activated by selecting “Yes” to the question “Was an assault involved?” on the *Domestic* tab. For qualifying non-domestic assaults, is activated by selecting “Yes” to the question “Is this a non-domestic related assault that requires a lethality assessment?” on the *Administrative* tab.
 5. *Firearms Disposition* supplemental tab - Used when releasing or disposing of seized firearms. Activated by selecting “Yes” to question “Does this incident involve releasing or disposing of seized firearms?”
 6. *Protective Order Service* supplemental tab - Used to document the service of court protective orders. Activated by selecting “Protective Order Service” from the *Report Type* field on the *Administrative* tab.

7. *Sudden Death* supplemental tab – Used to document all non-criminal death cases. Activated by selecting “Sudden Death” from the *Report Type* field on the *Administrative* tab.
 8. *Finance Related* tab – Used to document incidents involving worthless document, qualifying bad checks, and other financial related documents. Activated by selecting “Yes” to the question “Does this incident contain financial related documents?” on the *Administrative* tab.
 9. *School Threat* supplemental tab – Used to document threats involving schools, students, or staff members. Activated by selecting “Yes” to the question “Does this incident contain threats against a school, student, or staff?” on the *Administrative* tab.
 10. *Missing Person* supplemental tab – Used to document missing persons. Activated by selecting “Missing Person” from the *Report Type* field on the *Administrative* tab.
 11. *EVAA* supplemental tab – Used to document elder or vulnerable adult abuse, neglect, or exploitation. Activated by selecting “Yes” to the question “Does this incident contain a possible elder or vulnerable adult abuse, neglect, or exploitation?” on the *Administrative* tab.
- Additional supplemental tabs/fields containing UCR/NIBRS required report information may be activated, based on selections made within an incident report.
 - All supplemental tabs/fields must be completed in their entirety, when activated.
 - Required report information that is not contained in a supplemental tab, will be:
 1. Placed in the appropriate data entry fields within the incident report, when applicable; or
 2. In the *Narrative* tab of the report, when no other data entry field applies.
 - Refer to Section 17.0 of this article regarding procedures for required report information in the event of an RMS system outage.

8-1.2 CASE FOLDERS

CASE FOLDERS

- Are the primary method of storing incident reports and related documents within the Records Management System (RMS).
- Labeled according to the Central Complaint (CC) number assigned to the incident.

MEMBERS

- Ensure records documented within the Records Management System (RMS) are created within the appropriate Case Folder, whenever possible.
- Ensure documents forwarded to the Information & Records Management Section (IRMS) for scanning into the RMS are properly labeled with the related CC number, so they may be properly placed in the appropriate Case Folder.

8-1.2.1 CASE MANAGEMENT

GENERAL

- Case Management is the primary mechanism for updating and tracking a Case Folder’s Baltimore County *Case Status* and *Case Folder Assignments* within the RMS.
- Case Management updates may only be made by supervisors and shift/unit commanders.

CASE STATUS

- The *Case Status* of a Case Folder is independent from the *Disposition* field of a Case Report.

- The *Case Status* field indicates the current Baltimore County status of the entire investigation, and is not applicable to only the actions of the initial reporting officer.
NOTE: Cases forwarded to a specialized unit for follow-up will remain “Open,” until it has been reviewed by the unit having investigative responsibility.
- The *Case Status* field may only be completed by supervisors and shift/unit commanders.
- Upon review of an incident report in the RMS, supervisors and shift/unit commanders will be responsible for reviewing the *Case Status* of the Case Folder, and updating the *Case Status*, when needed.
- Upon receipt of an incident report via workflow or distribution, supervisors and shift/unit commanders will:
 1. Review the incident report.
 2. Determine if the *Case Status* should remain “Open” or modified.
 3. Assign the case for follow-up, as needed.**NOTE:** Supervisors and shift/unit commanders may only assign cases to members within their command. Supervisors and shift/unit commanders will follow up with the unit/team having primary investigative responsibility regarding Case Status and Case Folder Assignments, as needed.
- The appropriate case status will be selected using the criteria below:
 1. Pending Narrative - the report narrative is incomplete.
 2. Open - follow-up investigation is needed by the initial investigating officer or unit/team having investigative responsibility. The case status will remain open when:
 - a. Stolen property is not included or completely described.
 - b. The Form 25, Civilian Stolen Property Form, has not been returned.
 - c. Interviews and canvassing for witnesses are not completed.
 - d. The who, what, when, where, and how of the incident have not been developed as far as possible.
 3. Ex Clear - the suspect has been:
 - a. Identified and there will be no prosecution by the victim.
 - b. Identified and the victim is instructed to obtain a warrant or summons.
 - c. Arrested.
 - d. Granted immunity.
NOTE: A State’s Attorney must be physically present to guide and authorize all immunity proceedings.
 4. Suspended - there will be no additional investigation by the original reporting officer or a specialized unit.
 5. Closed - the case has been adjudicated or, in the case of a non-criminal incident, when there will be no additional police action.
- Commanders may determine that an investigation is in need of follow-up due to the impact of the incident on the public and/or the Department, or other reasons consistent with the Department’s mission. Commanders may forward these cases to the appropriate specialized unit.

8-1.3 CASE REPORTS AND OFFICER REPORTS

GENERAL

- Case Reports and Officer Reports are the official incident reports types generated within the RMS.
- All incidents where an incident report is written require a minimum of a Case Report or an *Other Jurisdiction* Officer Report.
EXCEPTION: Crashes requiring the completion of an ACRS report with no associated arrests made or serious traffic (i.e., “Must Appear”) citations issued.

- NIBRS/UCR reportable data (e.g., data regarding offenses, offenders, victims, property, etc. for cases occurring in Baltimore County and/or investigated by the Department) requiring updates must be documented via a subsequent version of the Case Report.

CASE REPORTS

- Required for all incidents where an incident report will be completed.
 - EXCEPTIONS:**
 1. Incidents documented on an Automated Crash Reporting System (ARCS) report where no arrest is made or serious (i.e., “Must Appear”) traffic citations are issued.
 2. Incidents occurring in another jurisdiction (OJ) where Baltimore County does not have investigative responsibility for the case.
 - NOTE:** These will be documented on the appropriate *Other Jurisdiction* Officer Report.
- Is the mechanism by which NIBRS/UCR reporting is documented by the Baltimore County Police Department.

VERSIONING

- Members who are the initial report writer should initiate their Case Report or *Other Jurisdiction* Officer Report within the RMS as soon as possible after the call has been coded and save it.
 - NOTE:** This will stamp initial report as version 001.
- Only the highest numbered version of a Case Report is used to report information submitted to NIBRS/UCR.
 - NOTE:** Members must ensure that the previous version of a Case Report has had all data entry fields completed, prior to pulling information into a new version of the Case Report. Failure to do so may result in NIBRS/UCR validation errors and/or errors in crime data reported to NIBRS/UCR.

OFFICER REPORTS

- Used to document non-NIBRS/UCR reportable data/information (i.e., *Other Jurisdiction* reports and *Supplemental* reports).
- May not be used to document NIBRS/UCR reportable data/information.

8-1.3.1 CONFIDENTIAL INCIDENT REPORTS

CONFIDENTIAL INCIDENT REPORTS

- Confidential data will be recorded on a Detective Note, instead of in the incident report.
- When using a Detective Note for an incident requiring NIBRS/UCR reporting, a Case Report must still be completed, filling in only the NIBRS/UCR mandated fields.
 - NOTE:** Information contained in the incident report will be visible in the Records Management System (RMS).
- Incident locations will be entered using “Baltimore County” as the street address, along with the zip code and reporting area of the reporting officer’s duty station in the appropriate fields.
- Tabs for additional confidential information (e.g., people, property, etc.) will not be populated.
 - EXCEPTION:** Fields requiring data entry to pass NIBRS/UCR validation will be entered as “Confidential” or “Unknown,” when possible.
- The word “Confidential” will be entered into the *Narrative* field of the *Narrative* tab.
- “Active” will be selected in the *Disposition* field on the *Administrative* tab.

- The most serious offense will be entered in the *Offense* tab.
NOTE: When selecting a most serious offense, felony offenses will take precedence over misdemeanor offenses. If the severity of the offenses are the same (all felonies or all misdemeanors), then crimes against persons will take precedence over crimes against property.
- Completed and updated final report data will be submitted in a subsequent version of the incident report once the operation or investigation is no longer active and/or confidential.
NOTE: “No” will be selected in the *Confidential* field on the *Elements of the Incident (EOI)* tab.

8-1.4 REPORT COMPLETION AND SUBMISSION

GENERAL

- All Case Reports must be initiated and saved within the RMS, as soon as practicable, upon coding of a call.
NOTE: This will help ensure the initial reporting officer completes the initial version of the Case Report and help prevent versioning errors from reporting inaccurate data to NIBRS/UCR.
- Case Reports and Officer Reports must be completed and approved at the supervisor level, and shift/unit commander level within 72 hours. Any applicable supporting documentation must be approved and forwarded to the Information & Records Management Section (IRMS) within 72 hours.
EXCEPTION: Reports pertaining to the following incidents must be completed and approved by a supervisor and a shift commander prior to the end of the officer’s tour of duty:
 1. Animal Bite, Animal Cruelty, Animal Abuse, and Animal Neglect.
 2. Arsons (all) or any fire with life-threatening injury.
 3. Assaults with life-threatening injury.
 4. Auto-thefts and/or recovered stolen vehicles.
 5. Bias-related incidents.
 6. Burglary – all degrees (including attempts).
 7. Child Abduction.
 8. Child Abuse.
 9. Child Neglect.
 10. Demonstrations, strikes, and riots.
 11. Domestic Assault.
 12. Elder/Vulnerable Adult Abuse.
 13. Explosives involved incident where public safety may be jeopardized.
 14. Firearm discharge by a police officer on or off duty (except to humanely kill animals).
 15. Foreign national with diplomatic immunity involved in criminal incident.
 16. Hazardous Materials (non-credible and credible).
 17. Homicides (including attempts).
 18. Interim and temporary protective order services if the order requires a child to be returned to the petitioner and the respondent refuses.
 19. Juvenile in custody and remanded to DJS or DSS.
 20. Kidnappings (including attempts).
 21. Lost and/or stolen police equipment.
 22. Lost and/or stolen tags and cancellations.
 23. Missing persons, runaways, escapees and cancellations.
 24. Rape and sex offenses (including attempts).
 25. Robberies – all (including attempts).
 26. Seized assets in controlled dangerous substance (CDS) cases.
 27. Serialized property stolen or recovered.
 28. Suicides.

29. Threats against police officers or installations.
30. Unusual occurrences.
31. Use of force incidents.
32. Incident where the report requires immediate distribution.

NOTE: Distribution does not qualify as official notification.

33. Any incident that the shift commander (or above) deems necessary.

- All incidents requiring a Case Report that do not require completion and submission by the end of the officer's tour of duty must have, at a minimum, the following information completed and approved at the supervisor level, and shift/unit commander level, prior to the end of the reporting officer's tour of duty:

1. All NIBRS/UCR related fields.
2. All required fields.

NOTE: This includes all required fields activated by opening all applicable *New Offense*, *New Suspect*, *New Arrestee*, and *New Property Item* sections on the related tabs.

3. A narrative that contains, at a minimum:
 - a. The rank, first initial, last name, and identification (ID) number of the member documenting the narrative.
 - b. The date and time the narrative was documented.
 - c. The text "Report narrative to be continued."

NOTE: Case Reports that are submitted without a complete narrative must be recalled and updated (i.e., if not at a workflow state of "workflow complete"), or updated in a subsequent version of the Case Report (i.e., if at a state of "workflow complete"), within 72 hours.

- All Automated Crash Reporting System (ACRS) reports and supporting documentation must be approved and forwarded to the IRMS within 72 hours.
- All EBooking arrest records must be approved and submitted within 72 hours of the arrest and, if possible, with any accompanying paperwork.
- Reports which have been rejected by a supervisor or shift/unit commander will be corrected and resubmitted in a timely manner in accordance with report submission guidelines.
- Reports requiring completion when a report writer becomes incapacitated for 72 hours or longer will require reassignment to another member for completion.

NOTE: In these instances, the shift/unit commander will contact the Technology Section for instruction.

NOTE: Shift/unit commanders will ensure that incident reports, and related paperwork are submitted and approved within 72 hours and will be held accountable for their completion and submission.

8-1.5 DISPOSITION CODES

DEFINITIONS

- Code 1 – Report.
- Code 2 – Report; unfounded (incident did not occur).
- Code 3 – Report; incident handled by other agencies.
- Code 4 – Report; incident unverified (cannot substantiate occurrence).
- Code 5 – No report; unfounded (incident did not occur).
- Code 6 – No report; incident handled by other agencies.
- Code 7 – No report; incident unverified (cannot substantiate occurrence).
- Code 8 – No report; incident adjusted.
- Code 9 – No crash report; MVA forms issued, occurred on public property.
- Code 10 – No crash report; MVA forms issued, occurred on all other property.

GENERAL

- Disposition codes will be assigned at the conclusion of every call for service to provide a final disposition for a particular call.
- Disposition codes 1 through 4 will be selected when an incident report (i.e., Case Report, Officer Report, and/or ACRS report) is completed.
- Disposition codes 5 through 10 will be selected when no incident report is completed.
- Assigning a call a disposition code of 1 through 4 will generate a Case Folder in the RMS under the CC number for the call, allowing a Case Report or Officer Report to be written.

MEMBERS

- Assigning a call requiring a Case Report or Officer Report a disposition code of 5 through 10 in error must contact the Technology Section to have a Case Folder generated under the original CC number so that an incident report may be completed.

NOTE: A new CC number will not be drawn.

- Assigning a call not requiring a Case Report or Officer Report a disposition code of 1 through 4 in error must complete an Officer Report containing:
 1. The appropriate information in all required fields on the *Administrative* tab; and
 2. The following in the *Narrative* field:
 - a. The rank, first initial, last name, and identification (ID) number of the member documenting the narrative.
 - b. The date and time the narrative was documented.
 - c. The text, "Report not needed. Call coded in error."

8-1.6 RACE/ETHNICITY DESIGNATIONS

8-1.6.1 RACE DESIGNATION

GENERAL

- The following designations will be used to indicate a person's race on all incident reports, Department forms, and fingerprint cards where required:
 1. American Indian or Alaskan Native ("I" where applicable) - a person having origins in any of the original peoples of North and South America (including Central America) and who maintains cultural identification through tribal affiliation or community attachment.
 2. Asian ("A" where applicable) - a person having origins in any of the original peoples of the Far East, Southeast Asia, and the Indian subcontinent. This includes Cambodia, China, India, Japan, Korea, Malaysia, Pakistan, the Philippine Islands, Thailand, and Vietnam.
 3. Native Hawaiian or Other Pacific Islander ("P" where applicable) - a person having origins in any of the original peoples of Hawaii, Guam, Samoa, or other Pacific Islands. This includes individuals who are Carolinian, Fijian, Kosraean, Melanesian, Micronesian, Northern Mariana Islander, Palauan, Papua New Guinean, Ponapean (Pohnpelan), Polynesian, Solomon Islander, Tahitian, Tarawa Islander, Tokelauan, Tongan, Trukese (Chuukese), and Yapese.
 4. Black or African American ("B" where applicable) - a person having origins in any of the black racial groups of Africa.
 5. White ("W" where applicable) - a person having origins in any of the original peoples of Europe, North Africa, or the Middle East.
 6. Unknown ("Unk" where applicable) - persons whose racial demographic information is unavailable or uncertain.
- Members will make every effort to ascertain and report the race of all known subjects.
- The "Unknown" race designation will not be used for subjects who have been arrested or charged.

- Numerical race designations, as used by the Motor Vehicle Administration, will not be used at any time on any report, unless specifically required.

8-1.6.2 ETHNICITY DESIGNATION

GENERAL

- Hispanic (“H” where applicable) - will be used to indicate ethnicity for persons of Hispanic origin on all incident reports, Department forms, and fingerprint cards where required.
- Hispanic origin includes persons of Mexican, Puerto Rican, Cuban, Central or South American, or other Spanish culture or origin, regardless of race.
- Reports will not be accepted with any other ethnicity designations.
EXCEPTION: “Not Hispanic/Latino” and “Unknown” will be used, when applicable for data entered into the RMS.
- Members will make every effort to ascertain and report the ethnicity (i.e., Hispanic, or not Hispanic/Latino) of all known subjects and arrestees.

8-1.7 SEX/GENDER IDENTITY DESIGNATIONS

8-1.7.1 SEX DESIGNATION

GENERAL

- The Sex field will be used to document a subject’s anatomical sex within the RMS.
- When determining a subject’s anatomical sex, members will utilize:
 1. Information contained on the subject’s form of identification;
 2. Information provided by the subject;
 3. Other available information (e.g., historical records, physical appearance, etc.).
- NIBRS/UCR requires the reporting of victims’ and suspects’ sex as either male or female.
NOTE: Members shall avoid unnecessary personal questioning to make a determination, but will use all available information to make a selection, when required.

8-1.7.2 GENDER IDENTITY DESIGNATION

GENERAL

- The *Gender Identity* field will be used to document a subject’s gender identity within the RMS, when the subject:
 1. Expresses a gender identity other than male or female;
 2. Expresses a gender identity that is different than their anatomical sex; and/or
 3. Has the designation of “X” (i.e., unspecified or other) on their driver’s license, identification card, or moped operator’s permit.

8-1.8 DIAGRAMS

FORMS

- Form 327 - Diagram Supplement Form.

FORM 327, DIAGRAM SUPPLEMENT FORM

- Used to submit diagrams (e.g., crime scene sketches, technical drawings, etc.), as part of an incident report.
- Contains:
 1. Diagram.
 2. Related labels and/or a diagram key.
 3. An arrow indicating the direction north.

4. An appropriate scale bar if the diagram is drawn to scale, or if not drawn to scale, the phrase "Not to scale."

NOTE: All diagram descriptions and other related text will be documented in the incident report and not the Form 327.

- May not be used as a substitute for any diagram required as part of an ACRS report.
- May not be used to submit crime scene photographs. Photographs are not considered diagrams, and must be submitted per departmental evidence packaging procedures.
- Submitted to the Information & Records Management Section for inclusion in the RMS.
EXCEPTION: Diagrams of a confidential or sensitive nature will be packaged and submitted as evidence to the Evidence Management Unit (EMU).
- A copy will be retained in the precinct/division files.

8-2.0 RMS WORKFLOW

DEFINITIONS

- **Report Writer** - an individual who writes reports and submits them to a supervisor for approval. Officers, detectives, cadets, and non-supervisory professional staff are typically assigned the role of report writer.
NOTE: Submission to the workflow of a Field Interview Report (FIR) places the FIR at "Workflow Complete."
- **Supervisor** - an individual who approves or rejects reports submitted by report writers for step one approval. Supervisors may also write reports, approve them, and submit them to a shift/unit commander for approval. Supervisors are typically corporals, sergeants, and professional staff equivalents. Approval at the supervisor level:
 1. Places Impound/Tow Records, Investigative Memos, and Detective Notes at "Workflow Complete."
 2. Forwards Case Reports and Officer Reports to the shift/unit commander for approval.
- **Shift/Unit Commander** - an individual who approves or rejects reports that have been approved by a supervisor and submitted for step two approval. Approval at the shift/unit commander level:
 1. Places Officer Reports at "Workflow Complete."
 2. Forwards Case Reports to the Information & Records Management Section (IRMS).
Shift/unit commanders are typically lieutenants or professional staff equivalents.
- **IRMS** - The IRMS reviews Case Reports that have been approved by a shift/unit commander for compliance with UCR/NIBRS related standards. Approval at the IRMS level places Case Reports at "Workflow Complete."

GENERAL

- Members are assigned a role level by the Technology Section (TS) based on their rank and classification.
- Members who temporarily perform the duties of a higher rank or classification, must also have their RMS workflow role level temporarily upgraded.
- The shift/unit commander or member temporarily performing the duties of a shift/unit commander will contact the TS at the beginning of their tour of duty and provide the name, rank, identification number, assignment and sub assignment of all members requiring a temporary role level upgrade.
NOTE: Role level upgrades must be initiated each day a member serves in an elevated roll.
- The TS will ensure all temporary role level upgrades are completed and that members are returned to their assigned role levels each day.
- Upon completion of a document or incident report generated within the RMS, the member will submit it to workflow.

- Documents and incident reports will be routed to the appropriate group within the member's chain of command, and may not be routed to an individual.
- Incident reports and other documents rejected at any role level are returned directly to the report writer for corrections.
NOTE: When resubmitted to the workflow, the incident report will have to go back through all required levels of approval.
- Incident reports and other documents generated within the RMS are not considered final/official until they have reached the workflow status of "Workflow Complete."

8-2.1 RMS USER FUNCTIONS AND FEATURES

GENERAL

- The *Change Password* function will not be used.
NOTE: Password resets can be obtained by contacting the Baltimore County Office of Information Technology (OIT) Help Desk.
- The *Skins* function can be used to toggle between daytime mode and night mode.
- The Cache Management function is used to update system metadata.
NOTE: This function will only be used as directed by the Technology Section (TS).
- The *Add Existing Record* function within a Case Folder will not be used.
- The *Add Subfolder* function within a Case Folder will not be used.
- Comments, notes, and messages documented within the RMS are retained as Department records, and are discoverable in court.

8-3.0 DATA ENTRY STANDARDS

GENERAL

- There are several data fields within Case Reports that contain information that is mandated by UCR/NIBRS.
- The IBR Compliancy and UCR Compliancy features will be used to ensure that all NIBRS/UCR mandated fields/data are completed in accordance with NIBRS/UCR standards.
NOTE: Passing IBR Compliancy and UCR Compliancy does not mean that a report is complete or necessarily thorough.
- Department members are responsible for ensuring that data entered in Case Reports meets NIBRS/UCR criteria.
- All reports must contain all available and pertinent information on all active tabs (e.g., *Administrative, Elements of the Incident (EOI), Offenses, Offenders, Victims, Witnesses, Others, Property, Narrative*, and supplemental tabs, etc.).
- "Unknown" or "non-applicable" information does not need to be entered into reports generated with the RMS.
EXCEPTION: When data entry is required for NIBRS/UCR validation, "Unknown" may be used. The number "00" will be used to document unknown ages in an *Age* field. Age ranges may be entered with a dash separating the two number (e.g., "18-24"), etc.

PERSON NAMES

- Complete and full legal names will be entered into reports.
NOTE: Nicknames and alternate spellings will be entered into the *Aliases* section.
- Names will be verified via existing RMS records, government-issued identification cards, etc.
- The *Find People* wizards will be used to ensure duplicate entries are not made in the RMS.
- Entry of a first name, last name, and date of birth in a report generated within the RMS will create a master name record.

- “Unknown” will be used when a victim or suspect’s name is unknown.
NOTE: This will not create a master name record.
- Abbreviations will not be used.
- Members and law enforcement officers from other jurisdictions appearing in reports while acting in an official capacity will not be identified by their full names or home addresses. (Refer to Administrative Manual, Article 4 (Written Communication.)
NOTE: When entering members and law enforcement officers from other jurisdictions acting in an official capacity into reports in the Records Management System, the person’s first initial and last name will be placed in the *Name* field and their Department identification (ID) number will be placed in the *Alias/Nickname* field. For Department members, 700 E Joppa Rd Baltimore, MD 21286 will be used in the address fields, and the phone number for the member’s duty assignment will be listed in the *Phone Number* field.

BUSINESS NAMES

- Complete and full legal business names will be used in reports.
- A business cannot be listed as a complainant or suspect.
- Names will be verified via existing RMS records, documents of incorporation, etc.
- Baltimore County Government entities (e.g. Police Department, Department of Recreation and Parks, etc.) will be listed as “Baltimore County Government,” with an address of “400 Washington Av Baltimore, MD 21204” in the address field, and further identifying information (e.g., department name, building name, location address, etc.) listed in the *Narrative* tab of the incident report.
EXCEPTION: Baltimore County Public Schools will be listed as “Baltimore County Public Schools” with an address of “6901 Charles St Baltimore, MD 21204” in the address field, and the school name, address and additional identifying information listed in the *Narrative* tab of the incident report.
- Baltimore City Government agencies will be listed as “Baltimore City Government.”
EXCEPTION: Baltimore City Police, Baltimore City Sheriff, and Baltimore City Fire will be listed as such.
- Business names containing:
 1. Two words that are separated by an ampersand (&), will have a space before and after the ampersand (e.g., Abercrombie & Fitch, etc.).
 2. Initials and an ampersand (&), will have no space before and after the ampersand (e.g., A&P Grocery Store, etc.).
 3. Ordinal numbers in their name, will have the number spelled out (e.g., First National Bank, etc.).
 4. State names, will be abbreviated using the two letter state designation (e.g., MD National Bank, etc.).
- Punctuation, will have no spaces before or after the punctuation (e.g., Toys-R-Us, Men’s Warehouse, etc.).

ADDRESSES

- The Find Address wizards will be used to ensure duplicate entries are not made in the RMS.
- Verified addresses will be selected over unverified addresses, when multiple entries for the same address exist within the RMS.
- Addresses are entered as an exact street address or intersection in the address fields.
NOTE: Incidents occurring in close proximity to an exact address (e.g., in front of, in rear of, across from, etc.) will be entered using an exact street address and by placing any additional location description in the *Narrative* tab.
- Addresses will be free from punctuation and the spelling out of street suffixes, unit types, or directions.

- CSZ fields will be used to document the city, state, and zip code associated with an address.
- The two character abbreviation for street suffixes will be used.
- The format of city, two letter state abbreviation, and five digit zip code (e.g., Baltimore, MD 21228, etc.) will be used.
NOTE: The city for all zip codes beginning in the digits “212” will be documented as Baltimore.
- Street intersections will contain an ampersand (&) between the intersecting street names (e.g., Wilkens Av & Walker Av, Loch Raven Bl & Cromwell Bridge Rd, etc.).
- Addresses for unknown locations in Baltimore County, members will use “Baltimore County” as the street address, “Baltimore” as the city, “MD” as the state, and the reporting officer’s duty station zip code and reporting area in the appropriate fields.
- *Address* fields will remain blank for persons with unknown addresses.
NOTE: Partial information (e.g., city, state, zip code, etc.) may be entered in the appropriate fields. Additional relevant information will be listed in the *Narrative* tab.
- Homeless persons may be entered by selected “Homeless” from the “Address Type” field.
NOTE: Relevant information (e.g., city, state, zip code, etc.) may be entered in the appropriate fields.
- The *Precinct* and *Reporting Area* fields for the *Location Information* section of the Administrative tab must only contain the precinct and reporting area in which the incident occurred, regardless of the unit/division handling the investigation.
NOTE: These fields will not be updated in a subsequent version of the Case Report unless further investigation reveals that the incident occurred in a different location than originally reported.

PROPERTY

- The Find Property wizard will be used to ensure duplicate entries are not made in the RMS.
- Serial or owner-applied numbers must be entered in the appropriate fields and without any spaces, hyphens, dashes, or slashes.
- Entry of a make, model, and license plate for a vehicle entered in a report generated within the RMS will create a master property record.

8-3.1 WIZARDS

GENERAL

- Wizards will be utilized to pull information from existing data sources (i.e., data previously entered in a document or existing within the RMS) and import it into specified fields within a document/report created in the RMS, when available.
NOTE: Wizards are denoted by a square icon containing three dots. They are used for linking addresses, people, entities, and property existing in the RMS to additional documents created in the RMS.
- When using wizards, members will ensure that the information pulled into data fields is correct and meets data entry standards.
- Data pulled into data fields that does not meet data entry standards or requires updating will be modified prior to submitting the report.
NOTE: This will update the master record.
- Failure to use wizards to search for existing records in the RMS may result in the creation of duplicate master records in the RMS.

8-4.0 ADMINISTRATIVE TAB

ADMINISTRATIVE TAB INFORMATION

- Administrative Information.
- Incident Information.
- Location Information.
- Body Camera.
- Notifications.
- Additional Information.

REPORT TYPE

- Members will make the most specific and appropriate selection from the *Report Type* field.
NOTE: This will ensure all applicable tabs and applicable supplemental tabs for the selected report type are available for use, and will assist in preventing NIBRS/UCR reportable information from being documented using the incorrect incident report (i.e., Officer Report or Case Report) and report type.
- “Incident” will be selected from the *Report Type* field within a Case Report, when a more specific report type does not apply.
- “Supplemental” will be selected from the Report Type field within an Officer Report, when additional non-NIBRS/UCR reportable information is being added to an incident report.

DISPOSITION

- The *Disposition* field captures incident disposition information using definitions specific to UCR/NIBRS.
- The appropriate disposition code for the incident will be selected:
 1. NIBRS Exception - The case was cleared by exceptional means.
NOTE: The *Clearance Basis* and the *Exceptional Clearance Date* must be entered. A NIBRS exception occurs when one of the following conditions is met:
 1. Death of Offender - Charges cannot be pursued because the offender has died.
 2. Prosecution Declined - Prosecution has been declined for any reason other than a lack of probable cause.
 3. Extradition Denied - The offender has been taken into custody in another jurisdiction and extradition is declined.
 4. Victim Refused to Cooperate - The victim will not cooperate in the prosecution.
 5. Juvenile/No custody - A juvenile is charged without being arrested/taken into police custody.
 2. Arrest - A physical arrest (i.e., of an adult, or of a juvenile) is made.
 3. Unfounded - The incident did not occur.
 4. Active - The investigation is ongoing.
 5. Inactive - The investigation is suspended.
 6. Citation - A citation (e.g., traffic citation, civil citation, criminal citation) or a summons was issued in lieu of arrest.
 7. Warrant Issued - A warrant has been issued.
 8. Not a Crime/Other Service - The incident was not a crime.

RELATED CASES

- The *Related Cases* field is used to document Central Complaint (CC) Numbers related to the report.
- For multiple related incident reports, all related CC numbers will be listed in the *Related Cases* field.
NOTE: A comma will be used to separate each CC number.

BODY WORN CAMERA

- “Yes” will be selected from the *Body Camera Footage Available* field, when there is body worn camera system data (i.e., video and/or audio) associated with the incident.
- An explanation must be documented in the *Explain* field in the *Body Camera* section of the Case Report or Officer Report, when body worn camera system data is unavailable, and when its availability is unknown.

TELETYPES

- “Yes” will be selected from the *Teletype Notified* field, when a teletype has been sent.
- The *Notification Type* and *Telex #* for each teletype must be documented in the appropriate incident report.

ADDITIONAL INFORMATION

- Questions in the Additional Information section require a “Yes” or “No.”
- The selection of “Yes” in any field will activate additional data fields/supplemental tabs.
NOTE: Activated data fields/supplemental tabs contain required report information.

REFERENCE

- Field Manual, Article 1 (Investigations).

8-5.0 ELEMENTS OF THE INCIDENT (EOI) TAB

EOI TAB INFORMATION

- Elements of the Incident.

DEFINITIONS

- Confidential - “Yes” will be selected for incident reports:
 1. Required to be marked confidential, per Department policy.
 2. Containing information on an active confidential operation or investigation, as determined by a shift/unit commander.
 3. At the discretion of the reporting officer, when not required by policy or the shift/unit commander.**NOTE:** Selecting “Yes” does not prevent the incident report or the data contained in it from being visible in the Records Management System (RMS).
- Witness Intimidation Related - “Yes” will be selected when the incident involves a threat or perceived threat to a victim or witness with the intent of inhibiting testimony, or in retaliation for providing testimony or reporting a crime (See Field Manual, Article 1, Section 5.1.4, Threats Against Victims/Witnesses).
- Use of Force Completed (Form 253) - “Yes” will be selected when a Form 253, Use of Force Report, is completed (See Field Manual, Article 12, Use of Force/Weapon Systems).
- Firearm Related - “Yes” will be selected when the incident has any firearm involvement.
- Gang Related - “Yes” will be selected when the incident involves any gang-related activity (See Field Manual, Article 1, Section 3.17, Gang Related Incidents).
- Workplace Violence Related - “Yes” will be selected when the incident involves any workplace violence, to include:
 1. Stalking/harassing behavior at victim’s workplace (e.g., telephone misuse, following victim to the worksite, trespassing, etc.).
 2. Conditional threats of violence at or to a workplace.
 3. Employee vs. employee altercations at the workplace.
 4. Employee vs. patron assaults or threats.
 5. Domestic violence at the workplace.
 6. Bomb threats at a workplace.

7. Disturbances involving mentally/emotionally ill employees at the workplace.
8. Murder/Attempted Murder/Assault with Intent to Murder at the workplace.
9. Suspicious conditions involving a mentally ill subject at a workplace.

NOTE: List is not all inclusive.

- Homeland Security Related - “Yes” will be selected when the incident involves any Homeland Security involvement/issue.
- Repeat Offender Related - “Yes” will be selected when the incident involves any repeat offender activity (See Field Manual, Article 4, Section 7.0, Repeat Offenders).
- CDS Related - “Yes” will be selected when the incident involves any controlled dangerous substance (See Field Manual, Article 1, Section 6.0, Narcotics Enforcement).
- Assets Seized - “Yes” will be selected when the incident involves any assets to be seized with the intention of forfeiture (See Field Manual, Article 1, Section 6.5, Seized Assets in Controlled Dangerous Substances (CDS) Cases).
- School Related - “Yes” will be selected when the incident is school related.
NOTE: School-related incidents may include incidents occurring at locations that are not on school property (e.g., bus stops, field trips, etc.) and incidents occurring on social media (e.g., threats, bullying, etc.).
- Sick/Injured Report Completed (Form 273) - “Yes” will be selected when a Form 273, Sick or Injured Person Medical Report, is completed.

GENERAL

- The *Elements of the Incident (EOI)* tab is used to indicate particular elements concerning an incident (e.g., firearm related, school related, etc.), allowing members to easily identify these incidents when searching in RMS.
- Members will make appropriate selections for each element of the incident.
- The *Elements of the Incident (EOI)* tab is not a substitute for the *Distribution* List function on the *Narrative* tab.
- The selection of “Yes” in certain fields will activate supplemental tabs.
NOTE: Activated supplemental tabs contain required report information.
- If no investigative interviews are conducted, an explanation will be documented in the *Narrative* tab.
- Officers will issue the Maryland Crime Victims and Witnesses Rights and Services Brochure to victims, and document that it was issued by selecting “Yes” in the applicable field.

8-6.0 OFFENSES TAB

OFFENSES TAB INFORMATION

- Offense Code(s).
- Completed.
- Location Type.
- Hate/Bias.
- Domestic Related.
- Using.
- Weapons.
- Criminal Activity.

GENERAL

- There is no *Offenses* tab on a *Supplemental Officer Report*.
NOTE: Offenses requiring addition, deletion, or modification after the initial Case Report or *Other Jurisdiction Officer Report* is completed will be updated via a subsequent version of the Case Report or *Other Jurisdiction Officer Report*.

- All offenses associated with an incident (criminal and/or non-criminal) will be documented using the most appropriate offense code for each.
- A criminal offense code must be documented for all criminal offenses that occur, regardless of whether or not a subject is being charged with that crime (e.g., an assault on police or a family member during the course of an emergency evaluation will be given the appropriate criminal offense code, regardless of whether the subject being evaluated is charged with assault, etc.).
- Multiple offenses with the same offense code must each be entered as unique offenses if any element of the offense differs (e.g., victim, weapon, time of occurrence, etc.).
- The most specific offense code will be used for each offense (e.g., “Child Abuse Assault 1st Degree” for an assault that is child abuse, etc.).
- Offenses that are attempted but not completed will be documented using the most appropriate offense code and selecting “No” from the *Completed* field.
NOTE: Assault cannot be attempted; it is always a completed offense.
- The specific location where the offense occurred will be documented in the *Location Type* field.
- The appropriate hate/bias motivation will be selected when the offense was hate/bias related.
NOTE: The selection of any hate/bias motivation other than “None (No Bias)” or “Unknown (Offenders Motivation Not Known)” will activate the *Hate Bias* supplemental tab, containing additional NIBRS/UCR required information.
- The *Domestic Related* field is required to indicate whether an offense was domestic related. “Yes” will be selected when one of the following victim/suspect relationships exists:
 1. Aunt/Uncle/Cousin/Niece/Nephew/In-Law.
 2. Child (Son/Daughter/Stepchild).
 3. Female Cohabitant (Current or Former).
 4. Female Intimate Partner Last 12 Months.
 5. Grandparent/Grandchild.
 6. Homosexual Cohabitant (Current or Former).
 7. Homosexual Intimate Partner Last 12 Months.
 8. Husband (Current or Former).
 9. Individuals with a Child in Common.
 10. Male Cohabitant (Current or Former).
 11. Male Intimate Partner Last 12 Months.
 12. Parent/Stepparent.
 13. Sibling (Brother/Sister/Stepsibling).
 14. Vulnerable Adult.
 15. Wife (Current or Former).
- **NOTE:** The criteria for making a warrantless arrest, obtaining a protective order, selecting offense codes and/or domestic related circumstances for reporting purposes, and completing a domestic violence lethality assessment are all different.
- Domestic related offenses require the *Domestic Related Circumstances* field be complete to describe the nature of events contributing to the offense.
- The *Using* field will be used to document whether any of the offenders in the incident were suspected of consuming alcohol or using drugs/narcotics during or shortly before the incident, or using computer equipment/handheld devices to perpetrate the crime.
NOTE: “Not applicable” will be selected when alcohol, drugs/narcotics, or computer equipment were not used.
- The *Weapons* field will be used to document the weapon(s) used for each particular offense.

UPGRADING OR DOWNGRADING OFFENSES/INCIDENTS

- Any offense that is changed as a result of additional information after the report is filed will be either upgraded or downgraded by means of a subsequent version of the Case Report or *Other Jurisdiction* Officer Report.

OFFENSES/INCIDENTS OCCURRING IN OTHER JURISDICTIONS (OJ)

- Officers investigating an incident that is later found to have occurred in another jurisdiction will either have the responsible law enforcement agency respond or refer the complainant to the appropriate law enforcement agency.
NOTE: When possible, members should contact the other agency and determine where the complainant needs to go to report the incident or if a report can be made over the phone.
- Offenses/incidents occurring in another jurisdiction and not being investigated by the Baltimore County Police Department that require an incident report must be reported on an *Other Jurisdiction* Officer Report in lieu of a Case Report.
NOTE: The *Other Jurisdiction* Officer report will include:
 1. All applicable offense codes that do not need to be reported to NIBRS/UCR.
 2. The reporting area for the corresponding other jurisdiction in which the offense occurred.
- If a Case Report has already been submitted and it is later determined that:
 1. The entire incident occurred in another jurisdiction, the investigating officer must:
 - a. Complete an updated version of the Case Report.
 - b. Change the incident location and reporting area to reflect the revised location.
 - c. Select “Unfounded” in the *Disposition* field.
 - d. Document in the narrative that the incident is not NIBRS/UCR reportable because the incident did not occur in Baltimore County and the Department is not responsible for the investigation.
 2. Only certain incidents occurred in another jurisdiction, the investigating officer must:
 - a. Complete an updated version of the Case Report.
 - b. Remove the offenses that were determined to have occurred in the other jurisdiction.
NOTE: This will prevent the offenses from being reported to NIBRS/UCR.
 - c. Document in the narrative that the offenses that were removed were not NIBRS/UCR reportable because they did not occur in Baltimore County and the Department is not responsible for the investigation.
- If an incident occurs in multiple jurisdictions:
 1. Only the offense(s) that occur within Baltimore County need to be reported on a Case Report by the Department for NIBRS/UCR purposes.
 2. The location of the Baltimore County offense(s) will be entered in the *Administrative* tab.
 3. The location of the other jurisdiction offense(s) will be entered in the *Narrative* tab.
 4. The *Disposition* field will reflect the disposition of the Baltimore County incidents.
- Property recovered in Baltimore County that was stolen in another jurisdiction will be documented in an *Other Jurisdiction* Officer Report using the:
 1. Address from where the property was stolen as the incident location in the *Administrative* tab.
 2. Baltimore County address for the location of the property recovery in the *Narrative* tab.
- Refer to Article 1, Investigations, for vehicles recovered in Baltimore County that were stolen in an OJ.

UNVERIFIED OFFENSES/INCIDENTS

- Unverified offenses will be coded using the most appropriate offense code and *Disposition* as if it were a verified offense.

- All unverified offenses/incidents where a specific offense or victim cannot be substantiated will be documented using the offense code “Suspicious Incident/Condition/Person/Vehicle.” **EXCEPTION:** The offense code of “Suspicious Incident Condition/Person/Vehicle” will not be used in lieu of “Child Abuse Sexual Assault Pending Classification” or “Sexual Assault Pending Classification,” when an investigation into a possible sexual assault has not yet been completed.
- Information used to verify offenses originally listed in the incident report as unverified will be documented in the *Narrative* tab of a subsequent version of the incident report.

UNFOUNDED OFFENSES/INCIDENTS

- Unfounded offenses/incidents requiring a Case Report will be coded using the most appropriate offense code and the *Disposition* of “Unfounded.” All information used to conclude that the incident is unfounded will be documented in the *Narrative* tab of the incident report.
- If a Case Report has already been submitted and it is later determined that the entire incident is unfounded, the investigating officer must complete a subsequent version of the Case Report and select the *Disposition* “Unfounded.”
- If a report is submitted which has multiple offenses, and one of the offenses is determined to be unfounded, that offense must be downgraded to the offense code of “Non-Criminal Incident.” The other offenses will remain.
- In order to unfound a specific offense, the investigating officer must complete an updated version of the incident report and change the offense code to “Other Non-Criminal Incident.”

NOTE: This is different from unfounding the entire incident report.

NOTE: “Unfounded” will be used for false or baseless complaint. The refusal of the victim to cooperate or failure of the State’s Attorney’s Office to prosecute does not unfound a legitimate offense.

8-6.1 OFFENSE DESCRIPTIONS UNIQUE TO UCR/NIBRS

DEFINITIONS

- Aggravated Assault - an unlawful attack by one person upon another for the purpose of inflicting severe or aggravated bodily injury. This type of assault is usually accompanied by the use of a weapon or by means likely to produce death or great bodily harm (e.g., firearm, knife, cutting instrument, other dangerous deadly weapon, hands, feet, etc.).
- Simple Assault - all assaults which are not of an aggravated nature and do not result in serious injury to the victim.
NOTE: If any weapon other than hands, fist, or feet are used in the assault, it cannot be classified as a simple assault.
- Theft/Fraud Embezzlement - the unlawful misappropriation or misapplication by an offender to his/her own use or purpose of money, property, or some other thing of value entrusted to his/her care, custody, or control. Theft from employer cases fall under this offense code.
- Theft From a Building - a theft from within a building that is open to the general public and where the offender has legal access.
- Theft from Coin Machine - a theft from a device or machine which is operated or activated by the use of a coin.
- Theft All Others - a theft whereby all other offense codes are not applicable.
- Theft Stolen Property Offenses - receiving, buying, selling, possessing, concealing, or transporting any property with the knowledge that it has been unlawfully taken (e.g., by burglary, embezzlement, fraud, larceny, robbery, etc.).

GENERAL

- NIBRS/UCR requires reporting of offenses using definitions that are independent of Maryland law definitions and charges placed.
- Officers must select the appropriate offense code(s) based on NIBRS/UCR definitions, regardless of charges placed.

NOTE: These definitions will only be used for report writing purposes.

8-7.0 OFFENDERS TAB

OFFENDERS TAB INFORMATION

- Suspects.
 1. Name.
 2. Registered Sex Offender.
 3. Aliases.
 4. Addresses.
 5. Phones.
 6. E-mails.
 7. Demographic Information.
 8. Scars, Marks, and Tattoos.
 9. Clothing.
 10. Alerts.
- Arrestees.
 1. Name.
 2. Registered Sex Offender.
 3. Aliases.
 4. Addresses.
 5. Phones.
 6. E-mails.
 7. Demographic Information.
 8. Scars, Marks, and Tattoos.
 9. Clothing.
 10. Warrants.
 11. Arrest Information.
 12. Alerts.

GENERAL

- There is no *Offenders* tab on a *Supplemental Officer Report*.

NOTE: Offender information must be added/updated on a subsequent version of the initial incident report.
- The *Suspect* section of the *Offenders* tab will be used to document:
 1. All persons who have been identified by a victim as responsible for an offense and warrant/summons procedures have been explained so that the victim may pursue criminal charges; and
 2. All person who have been identified by a Department member, and arrest or charges (e.g., a physical arrest, an application for statement of charges, etc.) will be pursued; and
 3. Unidentified suspects where any description information is known.

NOTE: Unknown fields will be completed using data entry standards for unknown information. This will not create a master name record.
 4. A minimum of one "Unknown" suspect for all criminal incidents where no suspect has been identified and no arrestee is associated with the report.

NOTE: All fields will be entered as "unknown".
- A person may not be entered as a suspect for an offense when:
 1. Warrant/summons procedures have not been explained to the victim; and

2. There is not enough information to proceed with an arrest or charges.

NOTE: The *Others* tab will be used to document persons who do not meet the criteria for entry as a suspect, but have been identified as a possible suspect or person of interest in a case. In these cases, "Yes" will be selected from the *Investigative* field.

- Suspect information must be entered for all known and unknown suspects.
- If no descriptive information is available on a suspect, no suspect has been identified, or the incident is non-criminal in nature, the *Suspect* section of the *Offenders* tab will remain closed. Additional information may be entered in the *Narrative* tab.
- The *Arrestees* section of the *Offenders* tab will be used to document persons arrested or charged (e.g., via a physical arrest, warrant or summons issued, criminal citation issued, civil citation issued, serious traffic (i.e. "Must Appear") citation issued, etc.) in connection with an offense.

NOTE: Information entered via EBooking and imported in the RMS will be pulled into the report, when possible.

- A person may not be listed as both a suspect and an arrestee in a report for the same offense.

NOTE: Upon arresting or charging a suspect for an offense, the arresting/charging officer must remove the person as a suspect and add them as an arrestee.

- Scars, marks, and tattoos will be documented for all suspects and arrestees using the *Scars/Marks/Tattoos* fields, when applicable.
- All applicable selections must be made from the *Burglary/Robbery MO* field for all suspects and arrestees associated with a burglary or robbery offense.
- Each arrestee must be linked to all offenses they were involved with by making the appropriate selections from the *Arrested For* field.
- The appropriate selection will be made from the *Arrested For* field, as follows:
 1. "On-view" - Selected when the subject has been apprehended without a warrant or a previously submitted incident report related to the offense.
 2. "Summons/Cited" - Selected when the offender is charged without being taken into custody (e.g., summons, criminal citation, civil citation, serious traffic (i.e., "Must Appear") citation issued, etc.)
 3. "Taken Into Custody" - Selected when the subject is apprehended based on a warrant or a previously submitted incident report related to the offense.
- The *Armed With* field will be used to document the weapon(s) the subject was armed with at the time of arrest.
- The appropriate selection *Multi-Clearance* field, as follows:
 1. "Count Arrestee" will be selected for the incident resulting in the initial arrest, when multiple cases are cleared by an arrest.
 2. "Multiple Cases Cleared" will be selected for all additional related cases being cleared by an arrest when multiple cases are cleared by an arrest.
 3. "Not Applicable" will be selected when only one case is cleared by an arrest.

8-8.0 VICTIMS TAB

VICTIMS TAB INFORMATION

- Victim Type.
- Victim of.
- Entity Name.
- Addresses.
- Phones.
- E-mails.
- Demographic Information.
- Scars, Marks, and Tattoos.

- Clothing.

GENERAL

- There is no *Victims* tab on a *Supplemental Officer Report*.
NOTE: Victim information must be added/updated on a subsequent version of the initial incident report.
- The *Victim* tab is used to document all victims associated with an incident report.
- There may be multiple victims for any one incident.
- The complainant may not always be a victim.
- “Government” will be selected as the *Victim Type* when a government agency is targeted or suffers a monetary loss in a crime.
- “Society/Public” will be selected as the *Victim Type* for “victimless crimes” and “crimes against society” (e.g., narcotics violations, prostitution, etc.).
- When “Law Enforcement Officer” is selected from the *Victim Type* field and the officer is the victim of an assault or homicide related offense, the *LEOKA Info* section of the *Victims* tab, containing required report information, will be activated.
NOTE: Department members will be listed as victims of assault when assaulted in the course of an arrest, service of an emergency evaluation, etc., regardless of whether assault charges were filed.
- The *Victim Of* field will be used to link each victim to the offense(s) he/she was a victim of.
- When both a victim and an offender are entered in a report, the relationship between the parties must be identified by selecting the relationship that indicates who the victim is to the suspect (e.g., woman is assaulted by her husband, “Victim was Wife” is selected for the relationship, etc.) in the *Relationship* field.
NOTE: An *Offender Relationship* must be listed to describe the relationship between each individual victim and each individual suspect listed in the incident report.
- “Yes” will be selected in the *Cohabitant* field if the victim and the suspect currently reside together.
NOTE: This definition of cohabitant only applies to the *Victims* tab.

8-9.0 WITNESSES TAB

WITNESS TAB INFORMATION

- Name.
- Aliases.
- Addresses.
- Phones.
- E-mails.
- Demographic Information.
- Scars, Marks, and Tattoos.
- Clothing.

GENERAL

- The *Witnesses* tab will be used to document any witnesses related to a report.
- Witnesses can be documented on a Case Report or an Officer Report.

8-10.0 OTHERS TAB

OTHERS TAB INFORMATION

- Entity type.
- Investigative.
- Name.

- Aliases.
- Addresses.
- Phones.
- E-mails.
- Demographic Information.
- Scars, Marks, and Tattoos.
- Clothing.

GENERAL

- The *Others* tab is used to document information on all identified persons or entities other than offenders, victims, and witnesses that are related to an incident.
- *Others* can be documented on a Case Report or an Officer Report.
- Only one selection may be made in the *Entity Type* field for each person added to the *Others* tab. If multiple *Entity Types* are applicable, members will select one *Entity Type* using the following hierarchy, in descending order:
 1. Missing Person.
 2. Served with Protective or Peace Order.
 3. Complainant.
 4. Interviewee.
 5. Parent.
 6. Guardian.
NOTE: Select only if a person is legally appointed to look after the affairs of another, especially those of a minor.
 7. Child.
 8. Other Individual.
 9. Other Entity.
 10. Unknown
- If more than one *Entity Type* applies, additional information regarding the level of involvement and the additional entity types will be documented in the *Narrative* tab.
- “Yes” will be selected from the *Investigative* field when an individual is a possible person of interest and not enough information has been developed to list the person as a suspect on the *Offenders* tab.
NOTE: The subject will be added as a suspect on the *Offenders* tab, if, during the course of the investigation, criteria for entry as a suspect are met.

8-11.0 PROPERTY TAB

PROPERTY TAB INFORMATION

- Property
- Description.
- Status.
- Count.
- Total Value.
- Descriptors (e.g., Manufacturer, Model, Serial Number, etc.).
- Recovered Date/Time.
- Owner.
- Disposition.
- Additional Description.

GENERAL

- The *Property* tab is used to document all property, including all vehicles, related to an incident.

- There is no *Property* tab on the *Supplemental Officer Report*.
NOTE: Property information must be added/updated on a subsequent version of the initial incident report.
- Multiple articles of identical property may be listed in one entry if all information (e.g., brand, description, recovery status, etc.) is the same, documenting:
 1. The total number of identical articles in the *Count* field, and
 2. The total value of all articles included in the *Total Value* field.**NOTE:** Items with serial numbers, vehicle identification numbers (VIN), or owner applied numbers, regardless of whether the number is known, must be entered as non-identical items.
- Serialized property and similar property where any piece of information (e.g., brand, description, recovery status, etc.) is different will be documented as unique articles of property in separate entries.
- Serial number or VIN will be documented in the *Serial Number/VIN* field.
EXCEPTION: Partial serial number or VIN will be documented in the *Other Identifiers* field.
- The *Status* field will be used to capture the property type for each item added to the *Property* tab.
- The *Status* “Relinquished” will be used for property that is voluntarily surrendered to the Police Department (e.g., firearms, ammunition, explosives, etc.) and will not be returned.
- The *Status* “Safekeeping” will be used for property that the Department has taken into temporary custody (e.g., seized firearms, etc.), with the possibility that the property may be returned to the owner at a later time.
EXCEPTION: Evidence and prisoner property.
- The *Status* of “Burned (Includes Damaged Caused in Fighting Fire)” will be used to describe property damaged when an incident is arson related.
- Controlled dangerous substances (CDS) seized will be entered with the status of “Evidence.”
- Property may not be listed as “Lost/Stolen Property.” A determination must be made regarding the facts of the incident and the property documented as either “Lost” or “Stolen” using the *Status* field. Registration plates reported as lost cannot be entered into the National Crime Information Center (NCIC) system.
- Items of the same action type will be entered in consecutive entries, when possible, so that they remain grouped on the incident report.
- Documenting property requiring a Form 15, Property Inventor (i.e. evidence, prisoner property, etc.), on the *Property* tab, is not a replacement for the requirement to complete a Form 15.
- A subsequent version of a Case Report must be completed when property previously entered into the report as stolen has been recovered. The *Status*, *Count*, and *Total Value* fields must be updated to reflect the updated status, number of items recovered, and the total value of property recovered.
NOTE: When the item recovered is a vehicle (e.g., ATV, automobile, bus, motorcycle, scooter, etc.) the *Property* field must also be updated.

DETERMINING PROPERTY VALUE

- The *Total Value* field must be completed for each item of property listed in the report.
NOTE: The Total Value field will be updated in a subsequent version of the Case Report when property is recovered.
- Value refers to the market value of the property or service at the time and place of the crime or incident. If the market value cannot be determined, the cost of replacement will be used.

- The value of any written instrument which creates, releases, discharges, or otherwise affects any valuable legal right, privilege, or obligation will be determined as the amount of economic loss which the owner of the instrument might reasonably suffer by virtue of the loss of the instrument.
- The value of a trade secret which does not have a readily ascertainable market value will be deemed any reasonable value representing the damage to the owner suffered by reason of losing an advantage over those who do not know of or use the trade secret.
- The value of a personal identity item (e.g., state issued identification cards and driver's licenses, etc.) and vehicle registration plates will be twenty dollars.
- When the victim/owner obviously exaggerates the value of a piece of property, common sense and good judgment will dictate a fair market value be placed on the items.
- At times, recovered property is in a condition different from what it was at the time of the theft. The market value at the time of recovery should be used even though it is less than at the time it was stolen.
- The value of controlled dangerous substances (CDS) will be one dollar.
NOTE: The street/market value of the CDS will not be listed in the *Total Value* field.
- Items that have an unknown value will be documented as having a value of one dollar.

8-12.0 NARRATIVE TAB

GENERAL

- The *Narrative* tab is used as a continuation to partial entries in other fields, to explain pertinent information, and to fully describe the incident/investigation for both Case Reports and Officer Reports.
- The *Narrative* tab will include any and all information not fully captured elsewhere in the report.
- Information will not be documented in the *Narrative* tab in lieu of including the information on an applicable tab (e.g. *Offenses* tab, *Offenders* tab, *Victims* tab, *Property* tab, etc.)
- When the name of a victim, suspect, or other pertinent individual is used in the narrative of a police report, they will be referred to by their involvement and last name (e.g., victim Smith, suspect Jones, etc.). In cases where two subjects have the same last name, first names will also be used.
- The names of officers appearing in the *Narrative* tab will appear as described in the Administrative Manual, Article 4 (Written Communication).
- References to RMS or other criminal history information will not be included in the *Narrative* tab, unless "Yes" has been selected from the *Confidential* field on the Elements of the Incident (EOI) tab.

MEMBERS

- Are prohibited from deleting or altering any information previously entered in the *Narrative* in a previous version of an incident report.
NOTE: This includes narrative information added to the report by the member him/herself or by others.
- Ensure narrative(s) entered in subsequent versions of an incident report are:
 1. Entered below existing narrative information.
 2. Separated from previous narrative information using a dashed line separating the old narratives from the new narrative.
- Begin each narrative with the following information:
 1. Rank.
 2. First initial.
 3. Last name.
 4. Identification (ID) number.

5. Date and time the narrative was initiated.
- Who are the primary investigator, will conclude the narrative with the intended:
 1. Baltimore County Case Status (e.g., Open, Closed, Suspended, etc.); and
 2. Case Folder Assignment, if the case is to remain "Open" (i.e., "investigation to continue by this officer," "forwarded to the Burglary Unit for follow-up," etc.).

ADDITIONAL INFORMATION TO BE INCLUDED IN THE NARRATIVE TAB

- A description of how the victim and suspect know each other, if applicable.
- If the parties have lived at the same address for at least 90 days during the past year.
- A description of any sexual relationship that exists or existed in the past year between the parties, if the information becomes known during the investigation.
- A statement documenting if the original call for service was initiated by an employee or representative of any business or organization involved, if applicable.

8-13.0 REPORT DISTRIBUTION

GENERAL

- The *Distribution List* field on the *Narrative* tab will be used to select report distribution recipients and to electronically disseminate reports in a timely manner.
 - Members will refer to Section 13.1, Section 13.1.1, and Section 13.1.2 of this Article, and will distribute reports to all required recipients.
 - Additional report distribution may be required at the discretion of the precinct/division commander and/or supervisors reviewing and approving a report.
 - Reports requiring distribution to entities not listed in the *Distribution List* field will be distributed by the reporting officer.
- NOTE:** Member will advised that the report being distributed per Department policy is not final/official, unless the report being distributed has reached "Workflow Complete."
- Report distribution is not a substitute for notification. Notifications for serious incidents or those incidents requiring notification will be made by contacting the appropriate person(s) via telephone, radio transmission, or the 9-1-1 Police Liaison.
 - Sections, units, and teams receiving distributed reports will establish procedures to ensure that all reports received via report distribution are reviewed and that the required action is taken.

INFORMATION & RECORDS MANAGEMENT SECTION (IRMS)

- Maintains a list of report distribution recipients' electronic mail addresses and alternate contact information.
 - Distributes reports that are not deliverable due to an error, etc.
 - Receives and responds to inquiries regarding report distribution.
 - Handles requests for modifications to distribution addresses, reports requiring distribution, etc. for internal and external report recipients and coordinates related policy and technology changes.
- NOTE:** Department members requesting the above changes will submit a Form 12L, Intra-Department Correspondence, to the IRMS.

8-13.1 REPORTS REQUIRING DISTRIBUTION

GENERAL

- The offenses/incidents listed in the Department's *Reports Requiring Distribution* list require report distribution.
- The *Reports Requiring Distribution* list is available on the Department's Intranet site.

- The Strategic Planning Team (SPT) maintains and updates the *Reports Requiring Distribution* list.

REFERENCE

- Reports Requiring Distribution.

8-13.1.1 REPORTS REQUIRING DISTRIBUTION TO THE BALTIMORE COUNTY DEPARTMENT OF CORRECTIONS (BCDC)

GENERAL

- The following offenses/incidents require report distribution to the Baltimore County Department of Corrections (BCDC).

OFFENSE/INCIDENT
Physical and Sexual Assaults on Staff Members/Inmates
Reports Involving the Public on BCDC Property
Theft on BCDC Property
Incidents Involving Baltimore County Vehicles used by BCDC
Destruction of Property by the Public or Inmates on BCDC Property
Emergencies or Emergency Vehicles on BCDC Property (e.g., Fire, Bomb Threats, Terrorist Attacks, Evacuations, Power Outages, Natural Disasters, etc.)
Confiscated Counterfeit Currency on BCDC Property
Motor Vehicle Crashes Occurring on BCDC Property and Reported to the Police
Security Threat Groups/Gang Related Incidents at BCDC
Confiscations of Controlled Dangerous Substances, Cellular Phones, Cameras, etc.
Escape, Attempted Escape, Walk-Off from BCDC or Gaudenzia DWI Facility
Suicide, Attempted Suicide, or Death of an Inmate from BCDC or Gaudenzia DWI Facility

8-13.1.2 REPORTS REQUIRING DISTRIBUTION TO BALTIMORE COUNTY PUBLIC SCHOOLS (BCPS) - STUDENTS ARRESTED AND/OR CHARGED

DEFINITIONS

- Physical Arrest - a student was charged with a crime and removed from a BCPS property or activity by a member of the Department.
- Non-Physical Arrest - a student was charged by a member, but was not removed from the BCPS property or activity.

NOTE: The above definitions only apply to this manual section.

GENERAL

- The distribution of Case Reports is used to determine the number of BCPS students arrested and/or charged for incidents meeting the required reporting criteria.
NOTE: Selecting distribution to BCPS only allows the tabulation of statistics in the future and does not result in a copy of the Case Report being sent to BCPS.
- Complying with the requirements of this section does not substitute for the notification required by Section 3-5.0, Delinquent Juvenile Cases.

CRITERIA FOR INCIDENTS REQUIRING DISTRIBUTION TO BCPS

- A BCPS student is charged and/or arrested for an incident occurring:
 1. During school hours; or
 2. During an after-hours, school-sponsored activity; or
 3. While the student is being transported in a school vehicle; or

4. At a bus stop.

INCIDENTS THAT WILL NOT BE DISTRIBUTED TO BCPS

- Crimes charged by way of a civil citation.
- Crimes committed on:
 1. BCPS school property by non-BCPS students.
 2. The property of private schools.

MEMBERS

- Distribute Case Reports meeting the required reporting criteria to:
 1. "BCPS Student Phys Arr" - when a physical arrest occurred.
 2. "BCPS Student Non-Phys Arr" - when a non-physical arrest occurred.

REFERENCE

- Field Manual, Article 3, Juvenile Procedures.

8-14.0 CORRECTIONS TO INCIDENT REPORTS GENERATED WITHIN THE RMS

GENERAL

- All corrections to Case Reports and *Other Jurisdiction* Officer Reports are to be submitted by way of a subsequent version of the Case Report and *Other Jurisdiction* Officer Report. **NOTE:** Data fields will be updated as needed, and an explanation of the correction will be documented in the *Narrative* tab. Corrections to narratives will be documented by adding an additional narrative in the *Narrative* tab. The previous narrative may not be altered in any way.
- Corrections to *Supplemental* Officer Reports will be made by completed a new *Supplemental* Officer Report containing the updated information and an explanation of the correction in the *Narrative* tab.
- Corrections to CC numbers must be made by rewriting the report using the correct CC number. **NOTE:** The procedures for reports created in error must also be completed for the report created under the incorrect CC number.
- Incidents requiring NIBRS/UCR reporting that are reporting via an Officer Report in error must be rewritten on a Case Report. **NOTE:** The procedures for reports created in error must also be completed for the Officer Report created in error.

REPORTS CREATED IN ERROR

- Initial Case Reports and *Other Jurisdiction* Officer Reports created in error must be completed and submitted containing:
 1. Completion of all required fields on the *Administrative* tab and *Elements of the Incident (EOI)* tab.
 2. "Not a Crime/Other Service" selected in the *Disposition* field on the *Administrative* tab, when the *Disposition* field is available.
 3. The following in the *Narrative* field:
 - a. The rank, first initial, last name, and identification (ID) number of the member documenting the narrative.
 - b. The date and time the narrative was documented.
 - c. The text, "Report not needed. Created in error."
- Subsequent versions of Case Reports and *Other Jurisdiction* Officer Reports created in error must be completed and submitted containing:
 1. No changes to data fields as entered in previous versions of the report.

2. The following in the *Narrative* field:
 - a. The rank, first initial, last name, and ID number of the member documenting the narrative.
 - b. The date and time the narrative was documented.
 - c. The text, "Report not needed. Created in error."
- *Supplemental Officer Reports Created in error* must be completed and submitted containing:
 1. Completion of all required fields on the *Administrative* tab and *Elements of the Incident (EOI)* tab.
 2. The following in the *Narrative* field:
 - a. The rank, first initial, last name, and ID number of the member documenting the narrative.
 - b. The date and time the narrative was documented.
 - c. The text, "Report not needed. Created in error."
- Failure to complete and submit reports created in error will result in delinquent reports being attributed to the member.

8-15.0 DETECTIVE NOTES

DETECTIVE NOTES

- Used by investigative units/teams to document confidential information and investigative activities.
- May not be used in lieu of completion of a required Case Report or Officer Report.
NOTE: Refer to Field Manual, Article 8, Section 1.3.1, for reporting requirements for confidential incidents.
- Will be generated within the appropriate Case Folder, when information contained within the Detective Note is related to an existing case.
- Require one step approval (i.e., approval at the supervisor level).
- Are not available for all members to view in the Records Management System (RMS).
NOTE: Only specified units/teams will be granted access to Detective Notes. Members assigned to each unit/team with access to Detective Notes only has access to Detective Notes completed by members assigned to their unit/team.
- Members requiring access to complete a Detective Note for a team/unit to which they are not permanently assigned (i.e., members temporarily detailed or on loan to an investigative unit) may call the Technology Section (TS) for temporary access.
NOTE: The TS must be notified for each day the member requires access. Approval will be required by the unit/team supervisor or unit commander. The member given temporary access will no longer be able to see the Detective Notes they complete, once their permissions have been removed.
- Are subject to discovery and must be shared with the State's Attorney's Office, when required in accordance with Field Manual, Article 4 (Arrest, Custody, and Court.)
- May be used to generate statistics regarding team/unit activities and investigations.

8-16.0 INVESTIGATIVE MEMOS

INVESTIGATIVE MEMOS

- Used to document information of potential investigative value, for forwarding to other members/teams/units.
- May not be used in lieu of completion of a required Case Report or Officer Report.
- Will be generated within the appropriate Case Folder, when information contained within the Investigative Memo is related to an existing case.
- Require one step approval (i.e., approval at the supervisor level).

- Are marked “Confidential” but are visible to all members with access to the Records Management System (RMS) and are subject to discovery.

MEMBERS

- Complete all required fields.
- Place related names and/or locations in the *Person/Location* field.
- Place the following in the *Narrative* field:
 1. All text relevant to the person/location listed in the Investigative Memo.
 2. The name of the member(s)/team(s)/unit(s) to which the Investigative Memo will directed.

SUPERVISORS

- Review and approve Investigative Memos.
 - Use the *Notification* button to select the intended recipients of the Investigative Memo, as listed by the completing member in the *Narrative* tab.
- NOTE:** This will distribute the Investigative Memo to the intended recipients, upon approval.

8-17.0 RMS CONTINGENCY PLAN

GENERAL

- A manual (non-electronic) contingency plan has been established to facilitate a thorough, coordinated, and consistent police reporting process in the event that the Records Management System (RMS) becomes unavailable.
- A member experiencing connectivity and/or technical problems with the RMS should contact the Office of Information Technology (OIT) Help Desk, who will initiate a response by the Technology Section (TS).

DEFINITIONS

- Account Error - occurs when an individual member is unable to access the RMS on any computer (mobile or desktop) while other members can.
 - Single Computer Malfunction - occurs when the RMS is not accessible or functioning properly on a single computer (mobile or desktop), but is accessible and functioning properly on others.
 - Multiple Computer Malfunctions - occurs when the RMS is not accessible or functioning properly on a more than one computer (mobile or desktop), but is accessible and functioning properly on others.
- NOTE:** This malfunction may apply to more than one command, facility, or computer type (i.e., desktop computers, mobile data computers), but not the entire Department.
- System Wide Malfunctions - occurs when the RMS is not accessible or functioning properly on any computer in the Department.
 - System Wide Maintenance - occurs when the RMS is unavailable in order to perform an upgrade, maintenance, or similar technical service.

TECHNOLOGY SECTION COMMANDER

- Notified by the OIT of all multiple computer malfunctions, system-wide malfunctions, and system-wide maintenance related to the RMS.
 - Responsible for coordinating the Department’s response with the OIT during periods of malfunction.
 - Or designee, will authorize and implement the RMS Contingency Plan after evaluating the outage/malfunction with the OIT.
- NOTE:** An isolated outage/malfunction may not justify the use of the RMS Contingency Plan. The decision will be evaluated on a case-by-case basis.

- Notifies commanders of multiple computer malfunctions, system-wide malfunctions, and system-wide maintenance and provides instructions (e.g., use of contingency forms, etc.).
- Notifies affected members when the RMS Contingency Plan is no longer in effect and that the recovery process may begin.

DEPARTMENT MEMBERS

- Use contingency forms that are approved by the Department only when authorized to do so by the Technology Section (TS) Commander, or designee.
- Complete all applicable RMS contingency forms.
- Complete all applicable fields on the contingency forms to allow correct data entry into the RMS once the system is restored.
- Distribute copies of contingency forms, via fax or other means, in accordance with this manual.
- Submit all contingency forms, regardless of if they have been completed, to their supervisor prior to the end of their tour of duty.
- Submit a manual Incident Summary form to their supervisor prior to the end of their tour of duty for all reports requiring an Incident Summary.
- Refer to the specific sections of this manual for required report information when supplemental tabs are not available due to system malfunction/outage.
EXCEPTION: The supplemental tab for Firearm Disposition will be submitted upon RMS restoration and does not require the completion of a contingency report.
- Retain original RMS contingency forms as part of their investigative notes after the data has been entered into the RMS.
NOTE: Copies of contingency forms will not be forwarded to the Information & Records Management Section unless otherwise instructed by the TS Commander.

SUPERVISORS

- Review and approve all contingency forms.
NOTE: Refer to Section 1.4 of this article for reports requiring approval prior to the end of the officer's tour of duty.
- Collect all contingency reports, regardless of if they are completed or approved, and Incident Summary forms and submit them to the shift commander prior to end of their tour of duty.

SHIFT COMMANDERS

- Retain the contingency forms completed by their shift/unit and store them in a safe location where they are accessible to other supervisors.
- Review and approve contingency forms.
NOTE: Refer to Section 1.4 of this article for reports requiring approval prior to the end of the officer's tour of duty.
- Collect all Incident Summary forms and assign a member to complete the Incident Summary manual entry process.

PRECINCT/SECTION COMMANDERS

- Ensure that the RMS Contingency Plan is implemented correctly within their command.
- Maintain an adequate supply of contingency forms within their command.
- Are responsible for ensuring that the recovery process is implemented correctly within their command, including that data from all contingency forms is entered into the RMS for all contingency reports generated by members of their command.

MALFUNCTION RECOVERY

- Upon notification from the TS Commander that the system has been restored, shift/unit commanders will ensure the reporting officer, or a designee, enters the information from the contingency reports into the RMS as soon as possible, but no later than 72 hours from the time of notification.
- Members will enter the data from the contingency reports into the RMS using the most appropriate options for all tabs and fields based on the information contained in the contingency report forms.
- Members entering Case Reports containing NIBRS/UCR related data will ensure that the initial reporting officer has entered the initial version of the Case Report, before versions with updated information are submitted.
- Members entering information into the RMS who are different from the reporting officer will:
 1. Type the narrative verbatim in the *Narrative* tab.
 2. Type the following at the beginning of the narrative:
 - a. Investigation completed by (name and identification number of the reporting officer) – e.g., “Investigation completed by Officer J. Doe #1234.”
 - b. Report data entered by (name and identification number of the member inputting the data into the RMS) – e.g., “Report data entered by Officer B. Jones #1001.”
 3. Forward the contingency forms to the reporting officer.

NOTE: The reporting officer, not the entering officer, is responsible for verifying the data entered into the RMS from a contingency report form. Discrepancies will be corrected by the reporting officer (i.e., via a subsequent version of the Case Report or via an Officer Report, as appropriate).

REFERENCE

- Field Manual, Article 1 (Investigations).

8-18.0 CITIZEN ON-LINE REPORTING SYSTEM

GENERAL

- Citizen On-line Reporting is an alternative to dispatching an officer to the scene of an incident by permitting citizens to electronically file reports for specific crimes.

NOTE: The system is designed to make filing a police report easier and more convenient for the complainant.
- Calls for service may be diverted to the Citizen On-line Reporting system as part of the 9-1-1 Communications Center call intake process, when the call-taker determines that the call is eligible for on-line reporting and the complainant agrees to participate in the program.
- The Citizen On-line Reporting system will automatically generate a temporary tracking number to acknowledge that a report has been filed and is pending review and approval.

NOTE: The temporary tracking number is not a central complaint (CC) number.

CRITERIA FOR ONLINE REPORTING (ALL MUST BE MET)

- Offense/incident must neither be in progress nor have just occurred within the last 30 minutes for any criminal incident.
- Suspect must be unknown.
- No solvability factors must exist (e.g., witnesses, physical evidence, graffiti, registration number of suspect's vehicle, serialized property, any information which may assist in a suspect being identified).
- Property loss value must be under \$15,000.
- Incident must not consist of bias-based crimes or incidents.

9-1-1 POLICE LIAISON

- Maintains a list of criteria to determine eligibility for calls to be diverted to the Citizen On-line Reporting system.

MEMBERS

- Will not direct a complainant to the Citizen On-line Reporting system, in lieu of responding to a call dispatched or held for delay by the 9-1-1 Communications Center, even if an investigation reveals that the call would have been eligible for on-line reporting.
NOTE: Regardless of the circumstances of the case, the member must file the appropriate report, when a report is warranted.

INFORMATION & RECORDS MANAGEMENT SECTION

- Has the primary responsibility for the proper review, control, maintenance, and retrieval of police documents and information.
- Maintains a list of qualifying incidents for Citizen On-line reporting.
- Responsible for the quality control of all reports submitted.
- Contact victim/complainant as needed for additional information/clarification.
- Contact the victim/complainant if a patrol unit needs to be dispatched because a submitted report does not meet the criteria for on-line reporting.
- Review Citizen On-line reports to ensure they are classified correctly and have received proper disposition codes.
- Assign Citizen On-line reports requiring follow-up investigation to the appropriate commands for completion.

8-18.1 CITIZEN ON-LINE REPORTING SYSTEM - PETTY THEFT SHOPLIFTING PROGRAM

GENERAL

- The Citizen On-line Reporting - Petty Theft Shoplifting Program is an alternative to dispatching an officer to the scene of petty theft shopliftings meeting the established criteria, by permitting authorized retailers to electronically file the necessary police report.
- Retailers must be authorized by the Department to enter reports into the system and ensure their employees are familiar with the requirements of on-line reporting.
- Retailers discovering a theft (not shoplifting) where there is no suspect information or viable evidence for solvability or prosecution may log directly into the general Citizen On-line Reporting system to report petty theft incidents.

CRITERIA FOR PETTY THEFT SHOPLIFTING

CRITERIA	QUALIFIERS	DISQUALIFIERS
Theft Amount	Misdemeanor (Merchandise totaling under \$1,500.00)	Felony (Merchandise totaling \$1,500.00 or more)
Age of the Suspect	Adult (≥ 18 years old)	Juvenile (≤ 18 years old)
Suspect's Level of Cooperation	Passive	Resistant/Flight
Merchandise	Recovered	Not Recovered
Suspect's Identification	Maryland State Issued	No Identification/Non-Maryland Identification
Suspect's Residency	Maryland Resident	Out of State Resident
Organized Retail Theft	No	Yes

Other Contemporaneous Crimes	None	Additional offenses (e.g., Assault, Destruction of Property, Narcotics, Weapons, etc.)
Suspect's History with the Retailer	Identified by the retailer as a first offense	Identified by the retailer as a repeat shoplifter
Special Police Officer (SPO)	Not an SPO apprehension	SPO apprehension

PROGRAM WORKFLOW

- When a suspect is detained by a retailer for a qualified petty theft shoplifting incident, they will initiate a report using the on-line reporting system.
- The report will be screened at the Information & Records Management Section's Inquiry Desk.
- Reports screened and:
 1. Disqualified from the on-line reporting system will not generate a wanted check.
 2. Accepted in the on-line reporting system will generate a local wanted check only.
- If a local check conducted at the time of screening:
 1. Is negative for the suspect, the shoplifting report will continue through on-line reporting procedures.
 2. Indicates a possible local warrant for the suspect, a call for service for a warrant service will be generated, a police response will ensue, and the shoplifting report will continue through on-line reporting procedures.
- The retailer will be notified as to whether the on-line report has been accepted and whether police will be responding.

OFFICERS DISPATCHED TO A RETAILER

- Respond to and verify the identification of the suspect.
- Conduct a wanted person check and verify any outstanding warrants.
- Complete reports for shoplifting incidents which have been rejected by the Information & Records Management Section's Inquiry Desk, and those not eligible for the on-line reporting system.
- Complete the warrant service and investigate any other incident stemming from the call for service (e. g., suspect has contraband, search incident to arrest, etc.) when the petty theft shoplifting report is processed through the on-line reporting system.

DESIGNATED PRECINCT OFFICERS

- Responsible for the training of loss prevention employees at participating retail stores in the use of the On-line Reporting system.
- Address and mitigate any concerns regarding the program.
- Maintain a list of retailers utilizing the system in their precinct.

PRECINCT COMMANDERS

- Designate officers within their command to train employees of participating retail stores.
- Familiarize themselves with the participating retailers in their precinct.
- May disqualify retailers who misuse the system or develop a trend of entering disqualifying criteria.

INFORMATION & RECORDS MANAGEMENT SECTION'S INQUIRY DESK

- Monitors the Citizen On-line Reporting system for retailer-initiated shoplifting incidents and reviews the information submitted by the retailer to determine if the report is eligible for on-line reporting.

- Rejects reports that do not have the required information or that do not meet the on-line reporting criteria.
- Conducts a check of the Baltimore County Local Warrants System using the suspect's information only when on-line reporting criteria are met.
- Initiates a call for service to the 9-1-1 Communications Center for disqualified shoplifting incidents or if an arrest warrant potentially exists for the suspect.
- Notifies the retailer by telephone whether or not the on-line report has been accepted and whether a patrol unit will be responding.

NOTE: The reason for a disqualifying incident or information regarding the existence or non-existence of a possible warrant will not be relayed to the retailer.

VEHICLE OPERATION

Article 9

- 9-1.0 Department Vehicle Types and Uses** [rev. 05/2011]
 - 9-1.1 *Prisoner Transport Wagons* [rev. prior to 1994]
 - 9-1.2 *Motorcycles* [rev. 09/2016]

- 9-2.0 Care and Service of Vehicles During Operation** [rev. 05/2011]

- 9-3.0 General Vehicle Operation** [rev. 05/2011]
 - 9-3.1 *Departmental Vehicle Crashes* [rev. 12/2023]
 - 9-3.2 *Departmental Vehicle Automated Enforcement Device Violations* [rev. 12/2023]
 - 9-3.2.1 Procedures for Violations Captured by Baltimore County [rev. 12/2023]
 - 9-3.2.2 Procedures for Violations Captured by Other Jurisdictions [rev. 12/2023]
 - 9-3.3 *Vehicle Stops* [rev. 12/2022]
 - 9-3.4 *Transporting Flammable Liquids* [rev. prior to 1994]
 - 9-3.5 *Checkpoints and Roadblocks* [rev. 08/2020]

- 9-4.0 Emergency Response** [rev. prior to 1994]

- 9-5.0 Motor Vehicle Pursuits** [rev. 02/2017]
 - 9-5.1 *Motor Vehicle Pursuit Guideline Matrix/Risk Factors* [rev. 02/2017]
 - 9-5.1.1 Motor Vehicle Pursuit Guideline Matrix [rev. 02/2017]
 - 9-5.2 *Motor Vehicle Pursuit Procedures* [rev. 10/2020]
 - 9-5.3 *Tire Deflation Devices (TDDs)* [rev. 10/2020]
 - 9-5.4 *Form 213, Motor Vehicle Pursuit Report* [rev. 08/2020]
 - 9-5.4.1 Form 213 Preparation Instructions [rev. 02/2017]

VEHICLE OPERATION

9-1.0 DEPARTMENT VEHICLE TYPES AND USES

DEFINITIONS

- **Marked** - fully equipped police vehicle with exterior markings and roof emergency lights.
- **Unmarked** - a fleet vehicle, similar to a patrol vehicle, without exterior decals and roof emergency lights. It may be equipped with a siren and emergency light(s).
- **Non-descript** - a vehicle used by the Department that does not look like a fleet or patrol vehicle. It may be equipped with a siren and emergency light(s).

MARKED VEHICLES

- May only be operated by the following non-sworn personnel:
 1. Auxiliary Police.
 2. Police Cadets.
 3. Police Service Officers.
 4. Vehicle maintenance personnel (performance or road tests only).
 5. Forensic Services Personnel.

UNMARKED VEHICLES

- Will not be used for routine precinct patrol duties, except as a last resort when no other vehicles are available.
- May be used by a supervisor, when necessary.
- May be used by precinct personnel for special assignments.

NON-DESCRIPT VEHICLES

- Will not be used for routine patrol duties.
- May be used by supervisors only when marked or unmarked vehicles are not available.
- May be used by any member for special assignments with commander's approval.

9-1.1 PRISONER TRANSPORT WAGONS

PRISONER TRANSPORT WAGONS

- Are used primarily to safely transport prisoners.
- When not engaged in prisoner-related transport activities, are used for patrol efforts in areas that offer the most opportunity for suppressing criminal activity.
- Will not be used as pursuit vehicles.

9-1.2 MOTORCYCLES

MOTORCYCLES

- Are assigned to the Operations Support Section who will ensure that all maintenance and equipment standards are met.
- All motorcycle details will be pre-approved by the Operations Support Section Commander or his/her designee.
- May be used for special events and operations to include, but not limited to, parades, funerals, motorcades, public events, etc.
- Will not be used for or involved in:
 1. Routine patrol (without permission of the Bureau Chief).
 2. Traffic enforcement (without permission of the Bureau Chief).
 3. Roadblock situations.
 4. Off-road situations (without permission of the Bureau Chief).

- 5. Motor vehicle pursuits.
- Will not be operated when unfavorable road and/or climate conditions exist.

MOTORCYCLE OPERATORS

- Must possess a valid Class M license.
- Upon selection, must successfully complete a Department authorized basic police motorcycle operator course.
- Must complete an annual re-certification course as outlined by the Department.
- Will operate motorcycles in accordance with Maryland Motor Vehicle Law and Department Rules and Regulations.
- Are responsible for the proper use and care of the motorcycle, along with all accessories, equipment, and tools assigned to the motorcycle.
- Must be uniformed and wear the prescribed safety equipment (e.g., helmet, boots, eye protection, etc.) when riding.

9-2.0 CARE AND SERVICE OF VEHICLES DURING OPERATION

DEPARTMENT MEMBERS

- Assigned to operate a vehicle, are responsible for the proper use, care, and cleanliness of the vehicle, along with all accessories, equipment, and tools assigned to the vehicle.
NOTE: If vehicles are manned by two members, both members are responsible.
- Must report vehicle damage and defects immediately to a supervisor.
- Contact the Vehicle Operations & Maintenance (VOM) Shop, as soon as possible, for necessary repairs when any mechanical defect/damage occurs during vehicle operation. If the mechanical defect/damage is such that further operation of the vehicle would be unsafe, or may cause further damage, the vehicle will not be driven. The VOM Shop will be contacted for instructions. The VOM Shop can be contacted through the 9-1-1 Police Liaison to determine the severity of damage/defects.
NOTE: When contacting the VOM Shop or 9-1-1 Police Liaison, a descriptive location of the vehicle and an explanation of the damage/defect will be provided. A request can be made to the 9-1-1 Police Liaison to have the tow truck operator switch to a specific police channel so that the requesting member can converse with them directly.
- When reporting body damage (e.g., bumpers, fenders, doors, etc.) which does not affect the efficient and safe operation of the vehicle, will keep the vehicle in service until called to the VOM Shop for repairs.
- Change defective tires upon discovery. The defective tires will then be taken to the VOM Shop for repair/replacement as soon as practical.
- Leave their assigned vehicle with at least one half tank of gasoline at the end of tour of duty.
- Will not leave the vehicle running while refueling.
- Will, when their police vehicle runs out of gas:
 1. Contact the VOM Shop to transport gasoline if there will be no unreasonable delay.
 2. Request that a police vehicle transport gasoline, if the VOM Shop is closed or for some other reason unable to transport gasoline.

REFERENCE

- Administrative Manual, Article 8 (Department Property).

9-3.0 GENERAL VEHICLE OPERATION

DEPARTMENT MEMBERS

- Will drive defensively at all times.

- Will not operate a vehicle in excess of a reasonable and prudent speed for existing conditions.
- Take all reasonable actions to avoid or prevent a crash.
- Ensure the use of furnished restraint systems by all in the vehicle.
- Will not permit other persons to ride in or upon a vehicle under their control, except in the performance of duty.
EXCEPTION: Take-home vehicles.
- Obey all motor vehicle laws and while on patrol, operate at a slower speed but not in a manner that obstructs traffic.
EXCEPTION: Pacing of traffic violators and surveillance of suspects/suspect vehicles.
- Properly park the vehicle, using the parking or emergency brake, and properly turning the front wheels inward when on an incline.
- Avoid parking vehicles in hazardous or restricted areas, when practicable. If this must occur, emergency lights or warning flashers must be used.
- Will not leave the engine of a vehicle running and/or the keys in the ignition while the vehicle is unattended. When it is necessary to leave a vehicle unattended, except in an emergency, all doors will be locked.
EXCEPTION: K-9 vehicles.
- Yield the right-of-way, at all times, to Fire Department vehicles on emergency duty.
- Will not drive over any fire hose unless given permission to properly do so by a member of the Fire Department.
- Will not use a departmental vehicle to tow or push another vehicle, except in extreme emergency.
- Transporting a non-Department member of the opposite sex or a juvenile, will notify dispatch of the vehicle's mileage at the beginning and end of the transport.
- Will not use vehicles for escorting private vehicles to medical facilities.
- Will respond to escort requests by offering to call an ambulance or transporting the person in need of medical assistance.
- Will inform accompanying parties not to follow emergency vehicles and that they must comply with traffic laws.

9-3.1 DEPARTMENTAL VEHICLE CRASHES

GENERAL

- Members must comply with motor vehicle laws while operating police vehicles in both emergency and non-emergency conditions.
- Reports completed in reference to departmental vehicle crashes will not include the home addresses or telephone numbers of the involved members.
NOTE: These reports will be completed using the address and telephone number of the involved member's duty assignment.

INVOLVED MEMBERS

- Immediately notify their supervisors of the crash, regardless of location or duty status.
- May voluntarily give a public safety statement in reference to the circumstances surrounding crashes that result in an unusual occurrence (Refer to Field Manual, Article 12, Section 7.2, Public Safety Statements).
NOTE: Involved members may decline to answer the public safety statement questions.
- Ensure an Automated Crash Reporting System (ACRS) report is completed.
EXCEPTIONS: An ACRS report is not required if:
 1. Damage to the Department vehicle is minor and the vehicle can be driven; and
 2. The crash did not involve another vehicle; and
 3. Damage to any fixed objects struck is very minor or superficial; and

4. Any animals involved in the crash were non-domestic (e.g., deer, etc.).

NOTE: The shift/unit commander will be contacted to decide if an ACRS report is necessary when it is not clear if the above criteria have been met.

- Ensure photographs are taken.
- Will not move any vehicles involved in a crash resulting in injury or more than slight damage unless there is a safety risk or extreme disruption of traffic.
- Contact the 9-1-1 Communications Center for dispatch of a traffic unit if the crash occurred in Baltimore County and resulted in injury or more than slight damage. The traffic unit will investigate, prepare an ACRS report, and take photographs.
- If the crash occurred outside Baltimore County and requires completion of an ACRS report, will:
 1. Contact the appropriate agency.
 2. Request that photographs be taken and a report completed.
 3. Request that copies of the photographs and report be forwarded to the appropriate investigating supervisor.
 4. Arrange for towing, if necessary.
- Complete a Form 46, Police Vehicle Accident/Damage Report (original and two copies), as soon as possible. If off duty, complete the Form 46 upon returning to duty or no later than 72 hours after the crash. Exceptions to the 72-hour rule must be approved by the member's commander.
- Wishing to appeal a case that the Departmental Accident Review Committee (DARC) has ruled at fault and/or preventable may submit a Form 12L, Intra-Department Correspondence, within 30 days of the date of the disposition letter. The Form 12L should indicate why the member feels the findings should be modified.

NOTE: Send the Form 12L to the Safety Officer through the chain-of-command.

SUPERVISORS

- Respond to all departmental crashes involving an injury, death, and/or substantial property damage.
- For departmental crashes resulting in an unusual occurrence:
 1. Notify the shift/unit commander; and
 2. Ascertain what occurred from the member(s) involved and witnesses.

NOTE: The supervisor will not conduct formal administrative interviews of the member(s) involved. They will only ask the involved member(s) the Public Safety Statement questions outlined in Field Manual, Article 12, Section 7.2, Public Safety Statements, when applicable.
- Review and sign the Form 46.
- Submit a Form 12L (original and two copies), to the precinct/section commander summarizing the contents of the Form 46 and providing additional comments.

EXCEPTION: When the crash has been determined to have resulted in an unusual occurrence.

SHIFT/UNIT COMMANDERS

- For departmental crashes resulting in an unusual occurrence:
 1. Notify the precinct/section commander; and
 2. Ascertain what occurred from the member(s) involved and witnesses.

NOTE: The shift/unit commander will not conduct formal administrative interviews of the member(s) involved. They will only ask the involved member(s) the Public Safety Statement questions outlined in Field Manual, Article 12, Section 7.2, Public Safety Statements, when applicable.
- Determine if an ACRS report is required when it is not clear if the criteria requiring a report has been met.

- Review, sign, and forward the Forms 46 and 12L submitted by the squad supervisor to the precinct/section commander.
- Conduct an administrative review of all departmental crashes involving members of their command.
EXCEPTION: Crashes investigated by the IAD as an unusual occurrence.

DISTRIBUTION OF FORMS 46 AND 12L

- Original - Safety Officer.
- First Copy - Bureau Chief/Division Commander.
- Second Copy - Precinct/Section Commander.
- Third Copy - Baltimore County Accidents-Liabilities.
NOTE: Copies sent to Accidents-Liabilities will be sent via e-mail to claims@baltimorecountymd.gov.

INVESTIGATIONS

- Comply with departmental disciplinary procedures and state law.
- Determine if there are any violations of motor vehicle laws or Department policy and procedures.
- The Form 46 is forwarded through the member's commander to the Safety Officer.

SAFETY OFFICER

- Ensures information concerning crashes reviewed by the Critical Incident Review Board (CIRB) are included in members' departmental driving histories.
- Facilitates review of departmental crashes with the DARC.
EXCEPTION: Crashes reviewed by the CIRB in accordance with Administrative Manual, Article 3, Section 5.0, Critical Incident Review Board.
- Notifies the member's commander, in writing, of the:
 1. Preventability/fault classifications of crashes reviewed by the DARC.
 2. Classification of minor damage or major damage, for all preventable, at fault crashes by a sworn member reviewed by the DARC that do not involve injury or death to law enforcement personnel and/or members of the public.
NOTE: This will be used to recommend the appropriate category of discipline in accordance with the Uniform State Disciplinary Matrix, if the sworn member is administratively charged.
- Reviews member's departmental driving history when a crash is classified as at fault and/or preventable.
- Forwards the member's departmental driving record to the member's commander, Training Section Commander, and the Internal Affairs Division (IAD).
- Forwards the member's departmental driving record to the Bureau Chief of the Professional Standards Bureau (PSB) for preventable crashes as follows:
 1. A probationary officer's third preventable crash.
 2. Any member's fourth and subsequent preventable crash.
NOTE: Crashes that were ruled to be preventable by the CIRB will be included when determining the number of prior preventable crashes.
- Coordinates, with the Training Section, the member's attendance at driver training programs, when required.
NOTE: The Safety Officer may delay scheduling a member's attendance at a driver's training program upon request of the IAD Commander, if the crash was reviewed by the CIRB.

DEPARTMENTAL ACCIDENT REVIEW COMMITTEE (DARC)

- Consists of the Safety Officer, a certified driving instructor (selected by the Bureau Chief of the PSB), a certified crash reconstructionist (selected by the Bureau Chief of the Operations Bureau), and a precinct/section commander as designated by the Chief of Police.
- Reviews all departmental crashes to determine preventability, using preventability criteria guidelines, and fault under Maryland law.
EXCEPTION: Departmental vehicle crashes that will be reviewed by the CIRB.
- Classifies all crashes it reviews as:
 1. Non-preventable;
 2. Preventable, not at fault; or
 3. Preventable, at fault.
- Maintains records of members' departmental driving history.
NOTE: This will include a record of initiation of the disciplinary process for all preventable, at fault crashes and record of initiation of the disciplinary process or non-disciplinary corrective action for all preventable, not at fault crashes.

PRECINCT/SECTION COMMANDER ASSIGNED TO THE DARC

- Makes a recommended determination as to whether the crash involved minor damage or major damage for all preventable, at fault crashes by sworn members that do not involve injury or death to law enforcement personnel and/or members of the public.
NOTE: The determination of major damage versus minor damage will be made based on the circumstances of the crash and type and severity of damage to police vehicles and/or other property or vehicles.
- Ensures a BlueTeam entry is initiated and is forwarded to the member's precinct/section commander for all crashes classified as preventable, at fault, where the member is sworn.
- Ensures disciplinary procedures have been initiated by the member's precinct/section commander for all crashes classified as preventable, at fault, where the member is non-sworn.
- Ensures a Form 375, Non-Disciplinary Corrective Action Form, has been initiated by the member's precinct/section commander for all crashes classified as preventable, not at fault.
EXCEPTION: When the disciplinary process is implemented for a preventable, not at fault crash, a Form 375 is not required.

COMMANDERS

- May recommend, after consultation with their chain of command and the IAD Commander:
 1. The member should be placed in a non-line function following a departmental vehicle crash.
 2. When the member will return to regular duty, if the member is placed in a non-line function following a departmental vehicle crash.
NOTE: Recommendations will be presented to the Chief of Police who will determine whether a member will be placed in a non-line function, and will determine when members placed in a non-line function may return to regular duty.
- Review and approve submitted Forms 46 and Forms 12L.
- Ensure damaged vehicles are taken to vehicle operations and maintenance (VOM) for completion of an appraisal within three business days of the crash/incident.
- Monitor damaged vehicles to ensure repairs are made within three months of the crash/incident.
NOTE: Commanders will forward a Form 12L to their division commander detailing the reason for the delay when a damaged vehicle has not been scheduled for repair within one month of the crash/incident.
- Review the classification of preventability and fault assigned to the crash by the DARC or the Chief of Police, upon review of the CIRB's recommendations.

- Take no further action if the crash was classified as non-preventable.
- Take the following action when a crash was classified as preventable (i.e., preventable not at fault or preventable, at fault) and it is the:
 1. First or second preventable crash for a probationary officer or first, second, or third preventable crash for any member - coordinate driver training with the Safety Officer and the Training Section.
 2. Third preventable crash for a probationary officer or a fourth and subsequent preventable crash for any member:
 - a. Coordinate a meeting with the Bureau Chief of the PSB, Training Section Commander, and the Legal Section Commander to review the member's driving performance.
 - b. Determine an action which could include driver training, physical examination, and/or other action.

NOTE: Driver's training is required in accordance with the Uniform State Disciplinary Matrix for three or more at fault crashes within 36 months. However, the aforementioned criteria will be used, separate from discipline, for all preventable crashes, regardless of fault.

- Follows departmental disciplinary procedures upon receipt of a BlueTeam entry (i.e., for sworn members) or receipt of notification (i.e., for non-sworn members) for crashes classified as preventable, at fault.

NOTE: When a designation of a crash is provided by the DARC as having major damage or minor damage, the information will be included in the BlueTeam entry and used to make initial recommendations of discipline in accordance with the Uniform State Disciplinary Matrix.

- Review preventable, not at fault crashes, for a determination of whether discipline will be initiated in accordance with Department disciplinary procedures.

NOTE: The required BlueTeam entry (i.e., for sworn members) or Form 12L (for non-sworn members) will be made, when discipline will be initiated.
- Complete a Form 375, when a crash is classified as preventable, not at fault, and disciplinary procedures will not be initiated.
- Notify the DARC:
 1. Whether non-disciplinary corrective action or disciplinary procedures have been initiated for preventable, not at fault crashes.
 2. That disciplinary procedures have been initiated for preventable, at fault crashes, for non-sworn members.
- May coordinate a meeting with the Training Section Commander, Bureau Chief of the PSB, and the Legal Section Commander to review a member's driving performance if special circumstances exist (e.g., seriousness of the crash, short time frame between crashes).

TRAINING SECTION

- Coordinates driver training attendance with the Safety Officer, when required.

INTERNAL AFFAIRS DIVISION

- Conducts an administrative review of all departmental crashes that result in an unusual occurrence.
- Monitors actions taken regarding departmental crashes.

REFERENCES

- Administrative Manual, Article 2 (Complaints and Misconduct).
- Administrative Manual, Article 3 (Administrative Investigations and Report).
- Field Manual, Article 2 (Traffic Procedures).

9-3.2 DEPARTMENTAL VEHICLE AUTOMATED ENFORCEMENT DEVICE VIOLATIONS

DEFINITIONS

- “**Justified**” - a violation captured by an automated enforcement device where there is a legitimate reason that can be articulated for committing the violation (e.g., responding to an emergency call for service, involved in a pursuit, pacing another vehicle, surveillance of suspects or a suspect vehicle, etc.).
- “**Not Justified**” - a violation captured by an automated enforcement device where there is no legitimate reason that can be articulated for committing the violation.

GENERAL

- This policy will be used to address all automated enforcement device violations (i.e., issued by Baltimore County or other jurisdictions) received by members operating Department vehicles, regardless of the member’s duty status at the time of the violation.
- Automated enforcement device violations will be reviewed and classified as either “Justified” or “Not Justified.”

MEMBERS

- May self-initiate a Form 12L, Intra-Department Correspondence, to document the circumstances of an automated enforcement device violation when they believe a violation occurred or may have occurred.

NOTE: These Forms 12L will be placed in the member’s personnel file at their assigned command for future reference should notification of a violation be received.

- Shall complete a Form 12L detailing the circumstances surrounding an automated enforcement device violation, when requested to do so.
- Do not need to take any further action upon receiving notification that their automated enforcement device violation has been classified as “Justified.”
- Submit a Form 12L to the Police Human Resources Section (PHRS) Automated Enforcement Coordinator if they wish to appeal a violation classified as “Not Justified.”
- **NOTE:** The PHRS Automated Enforcement Coordinator will forward the Form 12L to the precinct/section commander designated by the Chief of Police.
- Complete additional procedures contained in section 3.2.2, for other jurisdiction violations.

POLICE HUMAN RESOURCES SECTION AUTOMATED ENFORCEMENT COORDINATOR

- Receives automated enforcement device violations from:
 1. The County’s contracted vendor (i.e., for violations captured by a Baltimore County program).
 2. Facilities Planning & Fleet Management (i.e., for violations captured by other jurisdictions’ programs).
- Upon receiving violation information:
 1. Records each violation in the automated enforcement spreadsheet for tracking.
 2. Determines which command is responsible for the vehicle involved in each violation.
 3. Forwards each violation to the precinct/section commander of the command where the vehicle is assigned for their review and classification.

NOTE: The PHRS Automated Enforcement Coordinator will ensure that violations are forwarded to commanders in a timely manner to allow members to recall and explain the circumstances surrounding their violations.
- Maintains an automated enforcement spreadsheet to ensure:
 1. Each automated enforcement device violation is classified.
 2. Department members’ violations classified as “Not Justified” are tracked and monitored.
 3. The disciplinary process is initiated for violations classified as “Not Justified,” when a member has had three or more violations within 12 months.

4. Forms 375, Non-Disciplinary Corrective Action Form, are issued, when a member has a first or second “Not Justified” violations within 12 months.

NOTE: The spreadsheet will be updated in coordination with Facilities Planning & Fleet Management and the Automated Enforcement Team.

- Queries the automated enforcement spreadsheet to determine the number of prior “Not Justified” classifications committed by the member in the past 12 months, upon receiving a “Not Justified” classification from a commander.
- Completes a BlueTeam entry and forwards it to the member’s precinct/section commander, upon receipt of a Form 12L indicating that a sworn member has received their third or more “Not Justified” violation in 12 months.

NOTE: This will initiate the Department’s disciplinary process.

COMMANDERS RECEIVING NOTIFICATION OF A SUSPECTED VIOLATION

- Provide a classification to the PHRS Automated Enforcement Coordinator for the violation within five days of receiving a notification.
- Determine which member was operating the identified vehicle at the time of the violation.
- Direct the member who was driving the vehicle to submit a Form 12L citing the circumstances surrounding the violation, so a classification of the violation can be determined.

NOTE: The central complaint (CC) number and call type must be included in the Form 12L, if emergency equipment was activated at the time of the violation.

- Identify any additional information surrounding the violation that may influence the classification of the violation.
- Review all information available and determine the classification of the violation (i.e., “Justified” or “Not Justified”).
- Follow additional procedures contained in:
 1. Section 3.2.1 - for violations captured by Baltimore County; or
 2. Section 3.2.2 - for violations captured by other jurisdictions.

PRECINCT/ SECTION COMMANDER DESIGNATED BY THE CHIEF OF POLICE

- Reviews members’ appeals of violations classified as “Not Justified.”
- Ensures violation classifications are being consistently applied throughout the Department.

9-3.2.1 PROCEDURES FOR VIOLATIONS CAPTURED BY BALTIMORE COUNTY

FACILITIES PLANNING & FLEET MANAGEMENT

- Contacts the Department’s Automated Enforcement Team should they receive an automated enforcement device violation captured by a Baltimore County program.

COMMANDERS CLASSIFYING A BALTIMORE COUNTY VIOLATION AS “JUSTIFIED”

- Send a notification to the Police Human Resources Section (PHRS) Automated Enforcement Coordinator, via a Form 12L, Intra-Department Correspondence, that the violation was justified.

NOTE: No additional actions are required.

COMMANDERS CLASSIFYING A BALTIMORE COUNTY VIOLATION AS “NOT JUSTIFIED”

- Contact the PHRS Automated Enforcement Coordinator to determine the number of prior “Not Justified” classifications the member has received in the past 12 months.
- Initiate Department disciplinary procedures when a violation involves a disregard for public safety.
- Initiate departmental disciplinary procedures for non-sworn members receiving their third or more “Not Justified” violation in 12 months.

- Initiate a Form 375, Non-Disciplinary Corrective Action Form, for any member receiving their first or second “Not Justified” violation in 12 months.
- Send a Form 12L to the PHRS Automated Enforcement Coordinator:
 1. Identifying the member responsible for the violation and whether they are sworn or not sworn;
 2. Describing the circumstances of the incident;
 3. Indicating that the violation was “Not Justified”;
 4. Listing the number of prior “not justified” violations the member had in the past 12 months;
 5. Indicating the date that departmental disciplinary procedures were initiated, if the member is non-sworn and it is the member’s third or more “not justified” violation within 12 months.
 6. Indicating the date that a Form 375 was issued if it is the member’s first or second “Not Justified” violation in 12 months.
- Shall notify the PHRS Automated Enforcement Coordinator when corrective action for any member or departmental disciplinary procedures for non-sworn members have been implemented.

PRECINCT/SECTION COMMANDER DESIGNATED BY THE CHIEF OF POLICE

- Ensures a BlueTeam entry is initiated and forwarded to the member’s precinct/section commander, upon receipt of a Form 12L indicating that a sworn member has received their third or more “Not Justified” violation in 12 months.
NOTE: This will initiate the Department’s disciplinary process.

9-3.2.2 PROCEDURES FOR VIOLATIONS CAPTURED BY OTHER JURISDICTIONS

FACILITIES PLANNING & FLEET MANAGEMENT

- Receives all automated enforcement device violations issued by other jurisdictions involving a Baltimore County Police Department vehicle.
- Forwards violations, along with the identified vehicle’s information, to the Police Human Resources Section (PHRS) Automated Enforcement Coordinator for distribution.
NOTE: Facilities Planning & Fleet Management will ensure that violations are forwarded to the PHRS Automated Enforcement Coordinator in a timely manner to allow members to recall and explain the circumstances surrounding their violations.
- Contacts the appropriate person from the other jurisdiction to request a violation be voided, when a “Justified” classification is received.
NOTE: Facilities Planning & Fleet Management will provide a copy of the Form 12L, Intra-Department Correspondence, completed by the PHRS Automated Enforcement Coordinator to the appropriate contact person.

POLICE HUMAN RESOURCES SECTION AUTOMATED ENFORCEMENT COORDINATOR

- Completes a Form 12L describing the circumstances surrounding the incident and requests the citation to be voided, when a violation is determined to be “Justified.”
NOTE: These Forms 12L will:
 1. Not contain information identifying the member operating the vehicle.
 2. Be sent to Facilities Planning & Fleet Management for forwarding to the issuing jurisdiction.
- Notifies Facilities Planning & Fleet Management of members’ decisions to either pay the fine or request a court appearance, when a violation is classified as “Not Justified.”

PRECINCT/SECTION COMMANDER DESIGNATED BY THE CHIEF OF POLICE

- Ensures a BlueTeam entry is initiated and forwarded to the member's precinct/section commander, upon receipt of a Form 12L indicating that a sworn member has received their third or more "Not Justified" violation in 12 months.

NOTE: This will initiate the Department's disciplinary process.

COMMANDERS CLASSIFYING AN OTHER JURISDICTION VIOLATION AS "JUSTIFIED"

- Send a Form 12L to the PHRS Automated Enforcement Coordinator:
 1. Identifying the member responsible for the violation;
 2. Describing the circumstances of the incident; and
 3. Indicating that the violation was "Justified."

COMMANDERS CLASSIFYING AN OTHER JURISDICTION VIOLATION AS "NOT JUSTIFIED"

- Contact the PHRS Automated Enforcement Coordinator to determine the number of prior "Not Justified" classifications the member has received in the past 12 months.
- Initiate Department disciplinary procedures when a violation involves a disregard for public safety.
- Initiate departmental disciplinary procedures for non-sworn members receiving their third or more "Not Justified" violation in 12 months.
- Initiate a Form 375, Non-Disciplinary Corrective Action Form, for any member receiving their first or second "Not Justified" violation in 12 months.

- Send a Form 12L to the PHRS Automated Enforcement Coordinator:
 1. Identifying the member responsible for the violation and whether they are sworn or not sworn;
 2. Describing the circumstances of the incident;
 3. Indicating that the violation was "Not Justified";
 4. Indicating if the responsible member has chosen to pay the fine or requests to attend court;

NOTES:

1. If the member chooses to pay the fine online, documentation must be attached to the commander's Form 12L indicating that the fine has been paid. If the member chooses to pay the fine via mail, the PHRS Automated Enforcement Coordinator will need to send a portion of the citation to the command for mailing purposes.
 2. If the member chooses to attend court, the PHRS Automated Enforcement Coordinator will need to send a portion of the citation to the command in order for the member to request a court date.
- NOTE:** Commanders should attempt to ensure officers are attending court during their regular tour of duty to avoid unnecessary overtime costs.
5. Listing the number of prior "not justified" violations the member had in the past 12 months;
 6. Indicating the date that departmental disciplinary procedures were initiated, if the member is non-sworn and it is the member's third or more "not justified" violation within 12 months; and
 7. Indicating the date that a Form 375 was issued if it is the member's first or second "Not Justified" violation in 12 months.
- Ensure that a request for a court appearance is submitted within the required time period when the member cannot justify the violation and does not pay the fine.
 - Determine who will represent the Department at a court appearance when a member:
 1. Cannot justify the violation;
 2. Does not pay the fine; and
 3. Does not request a court appearance.

NOTE: The commander will also contact the Internal Affairs Division to determine appropriate action (e.g., discipline, training, etc.).

- Shall notify the PHRS Automated Enforcement Coordinator:
 1. When corrective action for any member or departmental disciplinary procedures for non-sworn members have been implemented.

NOTE: Corrective action or discipline will not be implemented until after payment of the fine or after the court date.
 2. To have the violation classification changed to “Justified” upon receiving a “Not Guilty” finding in court for a member’s violation that was previously classified as “Not Justified.”

NOTE: In these cases, members will not be administratively charged.

MEMBERS RECEIVING “NOT JUSTIFIED” CLASSIFICATIONS OF OTHER JURISDICTION VIOLATIONS

- Shall notify their commander of their decision to either pay the fine or request a court appearance.
- Shall provide their commander with evidence that they have either:
 1. Paid the fine; or
 2. Requested a court appearance within the specified time.
- Are responsible for presenting their case in court, when a court appearance is requested.
- Follow the required guidelines established by the issuing agency and obtain a receipt for their payment, if remitting payment for a violation.

NOTE: A copy of the receipt will be provided to the member’s commander for forwarding to the PHRS Automated Enforcement Coordinator.
- Receiving a “Not Guilty” finding in court shall notify their commander.

NOTE: The member’s commander will notify the PHRS Automated Enforcement Coordinator to have the classification of the violation changed to “Justified.”
- Who do not pay the fine and/or do not appear in court as required will be subject to additional discipline.

9-3.3 VEHICLE STOPS

VEHICLE STOP PROCESS

- Notify dispatch of the stop and appropriate information (e.g., make, tag, model, etc.) and reason (e.g., MVA, investigative, radar).

NOTE: Department members driving non-descript vehicles in plain clothes should refrain from making a vehicle stop unless emergency or extenuating circumstances exist. If a vehicle stop is conducted, they will:

 1. Advise dispatch of the location, direction of travel, description of vehicle to be stopped, and reasons for the stop.
 2. Request the nearest available marked police vehicle to respond.
- Activate emergency equipment.
- Position patrol vehicle in a safe manner behind stopped vehicle.
- Approach stopped vehicle cautiously.

NOTE: On high-risk stops, wait for a back-up unit prior to taking action with the vehicle occupants.
- Communicate with vehicle occupants.

NOTE: On high-risk stops, the patrol vehicle’s public address system should be used.
- Shall, in accordance with Maryland law, at the commencement of the stop:
 1. Display proper identification to the stopped individual; and

NOTE: The following will be considered proper identification:

 1. For uniformed members - wear of a Department uniform that includes:
 - a. A visibly displayed badge and nameplate; and

- b. Department-issued outermost garment (e.g., shirt, jacket, coat, exterior vest carrier, etc.) labeled "POLICE" or displaying the Department's shoulder patches.
2. For non-uniformed members and members wearing uniforms that do not meet the above criteria - display of the member's Department identification card.
2. Provide the following information to the stopped individual, the:
 - a. Officer's name;
 - b. Officer's Department identification number;
 - c. Name of the law enforcement agency the police officer is representing;
 - d. Reason for the stop.

EXCEPTION: When exigent circumstances are present, the aforementioned actions may be delayed until the exigency has passed.

- Take appropriate enforcement action.
- Vehicle occupants should not be placed in the patrol vehicle unless arrested.
- Allow the stopped vehicle to pull away from the scene first, after the enforcement action has been completed.
- A Case Report must be written when serious traffic (i.e., "Must Appear") citations are issued or an arrest is made.

9-3.4 TRANSPORTING FLAMMABLE LIQUIDS

DEPARTMENT MEMBERS

- Will not use police vehicles to transport any flammable liquid.
- In an emergency, when absolutely no other alternative exists, may transport gasoline in a police vehicle:
 1. Only in approved safety containers.
 2. In the trunk with the lid in the raised position.
 3. With the radio and automatic vehicle locator (AVL) turned off. In the event of an emergency, the gasoline will be removed from the trunk before making any radio transmissions.
- When assisting a civilian vehicle that runs out of gasoline, will:
 1. Attempt to resolve the problem without using a police vehicle to transport gasoline.
 2. Only use the police vehicle for gasoline transport if a delay or wait for road service would cause serious danger or discomfort to the civilians.

9-3.5 CHECKPOINTS AND ROADBLOCKS

DEFINITIONS

- Checkpoint - a temporary operation in which law enforcement or other authorized personnel slow and/or stop some or all traffic to inspect individual vehicles and/or interview drivers.
- Roadblock - a restriction, obstruction, or device used or intended for the purpose of preventing free passage of motor vehicles on a roadway in order to effect the apprehension of a suspect and/or protect the safety of the public and encompasses the following:
 1. Traffic Control Roadblock - used to control the ingress or egress of a road to protect the public from potential hazards (e.g., flooding, down power lines, fires, crashes, etc.).
 2. Forcible Stopping Roadblock - used as a last resort to stop a vehicle where the continued manner of operation is creating an imminent threat of serious bodily injury or death.
 3. Tactical Vehicle Apprehension Techniques - the specific positioning of police vehicles used for the immediate apprehension of criminal suspects and/or fugitives.

CHECKPOINTS

- May be used for sobriety, safety equipment compliance, or other education and enforcement activities to reduce violations of the law which have a significant adverse effect on the health or safety of the public.
- Will only be employed with prior authorization of the Bureau Chief of the Operations Bureau, or his/her designee and must follow the guidelines established by the Operations Bureau (e.g., Operations Order).
EXCEPTION: May be authorized by a shift/unit commander during a major incident for the protection and safety of the public (e.g., hostage/barricade, homicide, disaster, etc.).
- The purpose of the checkpoint must be consistent with the constitutional requirements under the Fourth Amendment and subsequent case law.
- May not be used to target only motorcycles for inspection and/or evaluation.
EXCEPTION: Checkpoints established as part of a police search or investigation (e.g., in response to a "Be On the Look Out" (BOLO) for a motorcycle, etc.).

ROADBLOCKS

- The standard use of Forcible Stopping Roadblocks is prohibited by this Department.
EXCEPTION: Forcible Stopping Roadblocks will only be used as a last resort, under exigent circumstances, where the continued operation of the vehicle may cause a greater imminent threat of serious bodily injury or death. Supervisor approval should be acquired if circumstances permit. Justification for this exception rests solely with the member.
- Some specialized units within the Department may receive training in various tactical vehicle apprehension techniques. These units will only utilize techniques that conform to their Standard Operating Procedures (SOPs) and are approved by a supervisor prior to deployment.

REPORTING

- In addition to required incident reports, members will document all Forcible Stopping Roadblocks via a Form 12L, Intra-Department Correspondence, to their supervisor for review and comment. The shift/unit commander will critique the incident and forward the correspondence to the precinct/section commander.
- If unusual occurrence conditions are met, follow Department procedures for administrative investigations.
- Specialized units will follow their respective SOP, for report and review procedures.

REFERENCE

- Administrative Manual, Article 3 (Administrative Investigations).

9-4.0 EMERGENCY RESPONSE

DEPARTMENT MEMBERS

- Only operate Department vehicles in an emergency response mode when both the siren and emergency lights are activated.
- Remain alert for response of other emergency vehicles.
- Must be aware of the laws of this State pertaining to emergency vehicles.
- Exercise due care and caution, and will not operate in excess of a speed reasonable and prudent for existing conditions.

EMERGENCY RESPONSE FACTORS

- Safety of citizens and risk of property damage.
- Severity of the call or incident.
- Degree of danger to another member or the public.

- Proximity to the scene.
- Proximity of other units.
- Locale, road, traffic, and weather conditions.
- Type of police vehicle being used.
- Existence of immediate obligations (e.g., it is more important to continue a prisoner transport than to respond to an unverified bank alarm.).

SUPERVISORS

- Monitor their personnel.
- Have the authority to upgrade or downgrade responses as necessary.
- Control the number of vehicles responding to incidents.

9-5.0 MOTOR VEHICLE PURSUITS

DEFINITIONS

- Motor Vehicle Pursuit - an active attempt by a law enforcement officer using an authorized emergency motor vehicle to stop a suspect motor vehicle whose driver is attempting to avoid apprehension or refusing to stop.
- Risk Factors - separate incidents, conditions, or circumstances when added together may indicate the degree of danger/hazard to the public/police as a result of a pursuit.
- Risk Factor Assessment - a process used to evaluate the degree of danger/hazard of a pursuit based upon the totality of the risk factors present.
- Silent Surveillance - the following of a fleeing motor vehicle at the legal speed limit for the purpose of monitoring the direction of travel and relaying that information.
- Authorized Emergency Motor Vehicle - any police vehicle equipped with both a siren and emergency light(s).
EXCEPTION: Police motorcycles and prisoner transport wagons are not authorized emergency motor vehicles for the purpose of motor vehicle pursuits.
- Alternative Strategies - the use of aircraft, radio communications, other jurisdiction(s), alternate routes, and silent surveillance.

GENERAL

- The policy of this Department is to operate police vehicles primarily with regard for the safety of others by regulating the engagement and performance of motor vehicle pursuits.
- The identification/apprehension of a violator is a secondary concern.
- All pursuits will be conducted in accordance with the Annotated Code of Maryland, the Transportation Article, County law, and departmental procedures.
- Only sworn police officers operating authorized emergency motor vehicles may engage in a pursuit.
- In compliance with Maryland State law regarding emergency vehicles, all vehicle operators involved in a pursuit will engage their vehicle's emergency lights and sirens for the entire length of the pursuit.
NOTE: If the emergency lights or siren must be deactivated at any time during a pursuit, the officer and his/her supervisor will document in the narrative of the Form 213, Motor Vehicle Pursuit Report, the reason(s).

9-5.1 MOTOR VEHICLE PURSUIT GUIDELINE MATRIX/RISK FACTORS

GENERAL

- The decision to pursue a motor vehicle is a process of weighing risk factors of the pursuit against the primary responsibility of preserving life.

- Officers will balance the need for apprehension against the risk created in a motor vehicle pursuit.
- The presence of a high risk factor does not automatically mean a pursuit is high risk (e.g., clear weather, dry roads, school zone, and excessive speed may still be a low or medium risk assessment if traffic is light and school is not in session).
- Combinations of risk factors may raise or lower the risk associated with a pursuit.
- The pursuit matrix below will be used as a guideline prior to engaging in a pursuit and to evaluate continuing a pursuit.

LOW RISK FACTORS	MEDIUM RISK FACTORS	HIGH RISK FACTORS
Clear weather	Light precipitation	Heavy precipitation
Dry roads	Wet roads	Ice/snow covered roads
Light traffic density	Medium traffic density	Heavy traffic density
Daylight	Dark – street lights on	Dark – no street lights
No reckless driving	Additional traffic violations	Leaving roadway/high speed
Pursuit in Baltimore County	Pursuit in another jurisdiction – area familiar to the officer/supervisor	Pursuit in another jurisdiction – area not familiar to the officer/supervisor
Residential/commercial area in off peak hours of use	Residential/commercial area during normal business hours	Residential/commercial area in peak hours of use
Straight/wide roadway – few intersections	Straight roadway – some curves/intersections	Numerous curves/intersections and/or narrow roadway

- All pursuits involving motorcycles will be considered high risk.
- When another jurisdiction requests assistance with a pursuit occurring within or entering Baltimore County and the circumstances of the pursuit are unknown, the pursuit will be considered high risk until the actual risk factors can be obtained.

9-5.1.1 MOTOR VEHICLE PURSUIT GUIDELINE MATRIX

Seriousness of offense	Risk Factors		
	Low	Medium	High
Any felony where an officer has knowledge that serious harm or death has been or will be inflicted if an apprehension is not made.	May pursue	May pursue	May pursue but; discontinue when risks exceed the known threat to public safety by the perpetrator if capture is delayed.
Any other incident where an officer has knowledge that serious harm or death may be or has been inflicted if an apprehension is not made.	May pursue	May pursue	May pursue; discontinue if risks exceed seriousness of offense.
All other criminal acts	May pursue	May pursue; discontinue if risks exceed seriousness of offense.	<u>DO NOT PURSUE/ DISCONTINUE</u>
All other traffic/civil violations where the suspect's identity is unknown	May pursue; discontinue if risks exceed seriousness of offense.	<u>DO NOT PURSUE/ DISCONTINUE</u>	<u>DO NOT PURSUE/ DISCONTINUE</u>
All other traffic/civil violations where the suspect's identity is known	<u>DO NOT PURSUE/ DISCONTINUE</u>	<u>DO NOT PURSUE/ DISCONTINUE</u>	<u>DO NOT PURSUE/ DISCONTINUE</u>

9-5.2 MOTOR VEHICLE PURSUIT PROCEDURES

GENERAL

- The Maryland Traffic Article requires that police personnel engaged in a pursuit are either operating a marked police vehicle, or are attired in a police uniform in order to charge a suspect with fleeing and eluding.
- The final adjudication of a pursuit being in policy or out of policy will be determined by a totality of the circumstances involved.

PRIMARY PURSUIT OFFICER

- Notifies a supervisor immediately.
- Uses the siren and emergency light(s) throughout the entire pursuit.
- Advises the 9-1-1 Communications Center, as soon as possible, of the:
 1. Unit number and description (if unmarked or non-descript).
 2. Initiation and reason for a pursuit (Officer will state "pursuit" or "10-80" on the radio).
 3. Location and direction of travel.
 4. Speed, traffic, and road conditions.
 5. License number and description of wanted vehicle.
 6. Number and description of vehicle occupants.

- Continually updates the dispatcher/supervisor of location, speed, and violations committed by the fleeing motor vehicle, until communications are assumed by a backup officer.
 - Immediately notifies the supervisor and Patrol Shift Commander, prior to continuing a pursuit that has left Baltimore County.
 - May discontinue a pursuit at any time.
 - Reduces active role in pursuing a motor vehicle when:
 1. Employing alternative strategies and/or,
 2. After entering another jurisdiction, another agency's units assume pursuit of the fleeing motor vehicle.
 - Terminates a pursuit if:
 1. A supervisor is unavailable and/or does not acknowledge the pursuit.
 2. Risk factors increase beyond the immediate need for apprehension.
 3. Instructed to do so by a supervisor.
- NOTE:** If the pursuit is terminated, the pursuing officer(s) will return his/her vehicle(s) to a reasonable and prudent speed for existing conditions.
- Will not conduct silent surveillance of a suspect vehicle following a terminated pursuit unless specifically instructed to do so by the Patrol Shift Commander.

BACKUP OFFICERS

- Assume a position to the rear of the primary pursuit officer's vehicle.
- Ensure a supervisor is aware of the pursuit.
- Identify their unit to dispatcher.
- Become a monitor car/assume communications.
- Continually update dispatcher/supervisor of location, speed, and violations committed by the fleeing motor vehicle.
- Will discontinue a motor vehicle pursuit when the primary pursuit officer is instructed to do so by a supervisor.
- May be individually instructed by a supervisor to discontinue a motor vehicle pursuit.
- Will not conduct silent surveillance of a suspect vehicle following a terminated pursuit unless specifically instructed to do so by the Patrol Shift Commander.

AVIATION TEAM

- Upon arrival at a pursuit scene:
 1. Assumes communication duties.
 2. Suggests alternative strategies to the Patrol Shift Commander or pursuit supervisor, if warranted.

PURSUIT SUPERVISOR

- Will be the Patrol Supervisor of the member who initiates the pursuit or the Patrol Supervisor where the pursuit began.

EXCEPTION: Pursuits initiated by members assigned to support teams within a precinct (e.g., Community Action Team, Community Outreach Team, etc.) or the Support Operations Division (K-9 Unit, Tactical Unit, etc.) may be supervised by the pursuing member's team supervisor, if the supervisor immediately assumes command of the pursuit.
- Does not relinquish command of the pursuit, except to a higher authority.
- Terminates any pursuit when risk factors increase beyond the immediate need for apprehension.

NOTE: When terminating a pursuit involving another jurisdiction, the pursuit supervisor will request the 9-1-1 Communications Center notify the other jurisdiction that our Department is terminating involvement.
- Continuously monitors pursuit vehicles and communications for adherence to this policy.
- Ensures the shift commander is immediately notified of any pursuit.

- May authorize more than two emergency motor vehicles to be active in any pursuit.

PATROL SHIFT COMMANDERS

- Notify the dispatcher when they are the initiating member in a pursuit.
- Maintain overall command of all pursuits begun in their precinct, and all pursuits entering the County from other jurisdictions.
EXCEPTION: If the Patrol Shift Commander is taking part in the pursuit, he/she will defer command of the pursuit to the highest ranking member on the radio channel. Upon disengaging from the pursuit, the Patrol Shift Commander will again resume command of the pursuit.
- Terminate any pursuit if risk factors increase beyond the immediate need for apprehension.
- Continuously monitor pursuit vehicles and communications for adherence to policy.
- Authorize the use of alternative strategies, when appropriate.
- Notify the Internal Affairs Division (IAD), when a pursuit results in an unusual occurrence.

PURSUIT RESTRICTIONS

- Only one backup vehicle will be authorized for direct participation in a pursuit. Additional units must be authorized by a supervisor.
- Officers will not engage/participate in motor vehicle pursuits when accompanied by modified duty personnel, professional staff, chaplains, interns, or prisoners.
EXCEPTION: Auxiliary police may occupy vehicles in a motor vehicle pursuit but are excluded from operating them.
- Vehicles with mechanical, radio, or other equipment malfunctions will not be used to engage in a motor vehicle pursuit.
- Members will discontinue a pursuit if the radio system suffers an outage during the pursuit or if the pursuit goes into an area without adequate radio system coverage.
- If the primary/secondary motor vehicle pursuit officer(s) are operating an unmarked police vehicle, they will notify the dispatcher of this fact and relinquish the pursuit to a marked unit at the first opportunity.
- Non-uniformed officers operating non-descript vehicles will not initiate or participate in a pursuit unless exigent circumstances exist.
NOTE: Exigent circumstances must be explained in the narrative section of Form 213.

PUBLIC SAFETY STATEMENTS

- Members may voluntarily give a public safety statement in reference to the circumstances surrounding the incident, when a pursuit results in an unusual occurrence.
NOTE: Involved members may decline to answer the public safety statement questions.
- Supervisors and shift/unit commanders will not conduct formal administrative interviews of the member(s) involved in a pursuit that results in an unusual occurrence. They will only ask the involved member(s) the Public Safety Statement questions outlined in Field Manual, Article 12, Section 7.2, Public Safety Statements, when applicable.

REFERENCE

- Field Manual, Article 12 (Use of Force/Weapon Systems).

9-5.3 TIRE DEFLATION DEVICES (TDDs)

DEFINITION

- Deployment - anytime a member places a TDD in the path of a vehicle.

TIRE DEFLATION DEVICES

- Used as a tool to assist with reducing or ending vehicle pursuits.

- Utilized by placing them in the path of the target vehicle and, upon contact with the tires, releasing hollow spikes into the tire(s) allowing for the air to escape in a safe, controlled manner.
- Allow for the pursued vehicle's speed and maneuverability to be greatly reduced or stopped.

PROCEDURES

- A TDD may be used in a number of applications including, but not limited to:
 1. Stopping the vehicle of a fleeing felon.
 2. Stopping a pursuit vehicle.
 3. Special operations (e.g., tactical, fugitive, warrant, etc.).
 4. Checkpoint locations (e.g., Driving While Intoxicated (DWI), seatbelts, etc.).
- Prior to deploying a TDD, officers must consider the proximity and vulnerability of the public and officers, along with the position of vehicles and property.

PROHIBITED USES OF TDDs

- On motorcycles or vehicles with two or three wheels.
- Within approximately 300 feet of a major intersection.
- On wet surfaces, gravel, or loose pavement.
- On a curve or slope in the roadway.
- In areas of heavy vehicular traffic or pedestrian activity.
- On any vehicle transporting hazardous materials.
- On vehicles that would pose an unusual hazard to the public (e.g., bus, tractor trailer, etc.).
- In a situation that would expose the member or the public to an unreasonable risk of injury or property damage.

CERTIFIED TDD OFFICERS

- Are the only members authorized to deploy TDDs.
- Inspect the TDD daily to ensure the integrity of the device.
- Complete the TDD log book prior to placing the unit in and out of service.
- Must deploy a TDD according to established training procedures and in a location that allows him/her to maintain protective cover from moving vehicles.
- Will not deploy TDDs without supervisor approval.
- Advise dispatch of the location of deployment and any other pertinent information to ensure the safety of pursuing officers.
- Secure the device and scan the area for debris, loose spikes, etc. after a deployment.
- Notify their supervisor to respond to the location, and document the incident as described below in **REPORTING PROCEDURES** if a non-target vehicle has been in advertently damaged.
- Complete all required reports and forward a copy to the Training Section, if applicable.
- Forward Forms 12L, Intra-Department Correspondence, to the Training Section, if applicable.

SQUAD SUPERVISORS

- Ensure that only certified officers deploy the TDD.
- Monitor and assist units in coordinating the deployment of the TDD.
- Approve all deployments (e.g., warrant service, checkpoints, etc.).
- Respond to damaged non-target vehicle or property incidents and ensure that:
 1. Transportation is provided for the occupant(s), when necessary.
 2. A central complaint (CC) number is provided.
 3. Baltimore County Insurance Division information, including the contact number, is provided to the owner or designee for prompt resolution of the incident.

NOTE: The owner will not be advised that the Department will pay for the damages.

4. The vehicle is treated as a disabled vehicle and assistance is rendered at the owner's expense. If the owner cannot make arrangements or the vehicle presents a traffic hazard, it will be removed by a license tow company per policy.
- Review reports and any additional correspondence of all deployments of TDDs for accuracy and completeness.
 - Ensure that a copy of any completed reports or original Forms 12L are forwarded to the Training Section.
 - Inspect TDDs weekly to ensure the integrity of the devices.

SHIFT/UNIT COMMANDERS

- Monitor/review the deployment of the TDDs to ensure policy compliance.
- Review/approve reports and any additional correspondence of all deployments of TDDs for accuracy and completeness.
- Fax a copy of all completed reports (i.e., incident report and/or Form 213, Motor Vehicle Pursuit Report) without delay to the Baltimore County Insurance Division.
- Inspect the TDD log book weekly for proper entry, signature, and maintenance record.
- Upon notification or discovery of a defective or damaged TDD, will ensure that it is taken out of service (log entry), and forward to the Materials & Facilities Management Unit (MFMU) for repair or replacement.

PRECINCT/SECTION COMMANDERS

- Maintain a list of certified members assigned to his/her command.
- Ensure that a TDD log book is maintained which contains date/time (in and out), officer's name and identification number, and designated number.
- Will designate a secure area to store the TDDs and log book (e.g., vault, office, closet, etc.).

REPORTING PROCEDURES

- TDD deployments will be documented as follows:
 1. Form 213 - If the TDD was deployed during a vehicle pursuit, block #31 will be checked "Spike Strips" and the required report information will be explained in the narrative section.
 2. Appropriate incident report - If the TDD deployment was not in conjunction with a vehicle pursuit, and damage occurs to a vehicle or other property, the report will be completed using the offense code "Accidental Damage," or "Other Non-Criminal Incident."
 3. Form 12L - If a TDD deployment occurs and there is no contact with a vehicle (e.g., vehicle drives around the TDD, etc.), a Form 12L will be completed and forwarded to the Training Section.
- The completed documentation (i.e., appropriate incident report, Form 213, or Form 12L) will contain, at a minimum, the following information, if applicable:
 1. Make and model of the target vehicle.
 2. Approximate speed of the vehicle when the TDD was struck.
 3. Road surface type (e.g., asphalt, concrete, etc.).
 4. Approximate distance the vehicle travelled after being "spiked."
 5. Number and position of flattened tires (i.e., R/F, L/F, R/R, or L/R).
 6. Name and identification number of the officer deploying the TDD.
- A copy of all reports, or original Forms 12L, will be forwarded to the Training Section.

TRAINING SECTION

- Trains members in the use, care, and application of the TDD.
- Maintains records of all certified TDD members.
- Retains reports of TDD usage and periodically organizes meetings with appropriate personnel to critique deployment incidents and make recommendations.

- Maintains all original Forms 12L in reference to TDD deployments.

MATERIALS & FACILITIES MANAGEMENT UNIT (MFMU)

- Receives and assigns a tracking number to all TDDs and their corresponding carrying cases.
- Disseminates TDDs to precincts/units and directed by the Bureau Chief of the Operations Bureau.
- Receives damaged or defective TDDs and manages requests for repair or replacement.

9-5.4 FORM 213, MOTOR VEHICLE PURSUIT REPORT

GENERAL

- All pursuits will be recorded on a Form 213, Motor Vehicle Pursuit Report.
- For the procedures regarding the administrative investigation of a motor vehicle pursuit, refer to the Administrative Manual, Article 3 (Administrative Investigations).

FORM 213

- Completed by any officer who initiates a motor vehicle pursuit or if the initiating officer is unable, by another officer involved in the pursuit.
- Completed by the first officer requested to assist in a motor vehicle pursuit initiated by another jurisdiction.
- Prepared in an original and one copy.
- Requires an individual central complaint (CC) number for each pursuit. Other incident CC numbers will not be used for any pursuit report.
- Continued on a Form 12L, Intra-Department Correspondence, if additional space is necessary.
NOTE: The Form 12L must contain the CC number and all information to be added.
- Follow-up information will be documented on the appropriate incident report.

9-5.4.1 FORM 213 PREPARATION INSTRUCTIONS

Block # (Blocks not listed below are considered self-explanatory).

- 7** TIME BEGAN: Time the pursuit began.
- 8** TIME ENDED: Time the pursuit ended.
- 10** REFERENCE ROAD: Closest cross street that intersects with block 9.
- 11** PRECINCT PURSUIT BEGAN IN: Abbreviation of the precinct in which the pursuit occurred. If the pursuit began outside of Baltimore County, indicate "OJ."
- 12** HIGHEST SPEED OF POLICE VEHICLE: Highest estimated speed of the pursuit vehicle.
- 13** DISTANCE OF PURSUIT: In tenths, miles, or both.
- 15** REFERENCE ROAD: Closest cross street that intersects with block 14.
- 16** REPORTING AREA: List the area in which the pursuit began.
- 17** WEATHER: Check the primary weather condition that existed during the pursuit.
- 18-22** For these blocks, check the selection that describes the roadways traveled through and on, surface condition, traffic density, and illumination.
- 24** INCIDENT RELATED CC#: Case number for a related incident (If applicable).
- 27.1** Check all that apply.
- 28** EVENTS TERMINATING THE PURSUIT: If any type of roadblock was used, check the block marked "other" and reflect the type of roadblock in the narrative.
- 29** WAS THE PURSUED VEHICLE STOLEN: "Yes" or "No."
- 32** ACCIDENT INFORMATION: Indicate in the chart the number of persons injured under the column of injury severity.

- 34 INITIATING OFFICER'S INFORMATION: For purposes of this report, do not include time as a police cadet in the "YEARS OF SERVICE" block.
- 35-39 Completed by the primary pursuit officer.
- 40-42 Completed by the primary pursuit officer.
- 41 TOTAL NUMBER OF POLICE UNITS INVOLVED: This will include all units that engaged in the pursuit from the onset to the conclusion of the pursuit.
NOTE: A unit that engaged emergency lights and/or sirens at any time during the pursuit, and engaged in the pursuit of the vehicle is to be included.
- 43 OFFICER'S NARRATIVE: This section will include an explanation of the sequence of events surrounding the pursuit.
- 44 SUPERVISOR'S NARRATIVE: Will be completed by the supervisor in command of the pursuit and will never be left unanswered. **It will include the supervisor's status when the pursuit began, role in the incident, action taken, and supportive facts for the overall assessment. Using the Risk Factor assessment, the supervisor will circle the overall assessment (low, medium, or high) assigned to the pursuit.**
- 45 REPORTING OFFICER: The officer completing the report.
- 47 SUPERVISOR'S SIGNATURE & ID: Required of the pursuit supervisor.
- 48-49 SHIFT COMMANDER'S SIGNATURE & CASE STATUS: Required of the shift commander.
- 50-53 Leave Blank.

REFERENCE

- Administrative Manual, Article 3 (Administrative Investigations).

USE OF FORCE/WEAPON SYSTEMS

Article 12

- 12-1.0 Use of Force Incidents [rev. 12/2023]**
 - 12-1.1 *Form 253 Preparation Instructions* [rev. 12/2022]
- 12-2.0 Handcuffing Procedures [rev. 08/1998]**
- 12-3.0 Use of Less Lethal Weapons [rev. 04/2019]**
 - 12-3.1 *Conducted Electrical Weapon (CEW)* [rev. 12/2022]
 - 12-3.2 *Beanbag Munitions Weapon (BMW)* [rev. 12/2022]
 - 12-3.3 *Expandable Baton (EB)* [rev. 12/2022]
 - 12-3.4 *Use of Pepper Aerosol Restraint Spray (ARS)* [rev. 12/2022]
 - 12-3.5 *Rubber Projectile Launchers* [rev. 12/2022]
 - 12-3.6 *Chemical Projectile Launchers* [rev. 12/2022]
 - 12-3.7 *Diversionsary and Concealment Munitions* [rev. 12/2022]
- 12-4.0 Firearms [rev. 09/2019]**
 - 12-4.1 *Authorized Firearms* [rev. 10/2014]
 - 12-4.2 *Service Firearms* [rev. 10/2020]
 - 12-4.3 *Privately Owned, Department-Approved Firearms* [rev. 10/2020]
 - 12-4.3.1 *Approval/Qualification Process For Off Duty Use of Handguns* [rev. 10/2020]
 - 12-4.3.2 *Approval/Qualification Process For On Duty Use of Handguns* [rev. 10/2020]
 - 12-4.3.3 *Approval/Qualification Process for On Duty Use of Privately Owned Patrol Rifles* [rev. 10/2020]
 - 12-4.4 *Specialized Firearms/Weapons* [rev. 10/2020]
 - 12-4.5 *Shotguns* [rev. 10/2020]
 - 12-4.6 *Patrol Rifles* [rev. 12/2022]
- 12-5.0 Holsters [rev. 10/2020]**
- 12-6.0 Weapon Mounted Lights [rev. 09/2019]**
- 12-7.0 Firearms Discharges [rev. 12/2022]**
 - 12-7.1 *Investigative Responsibility* [rev. 08/2020]
 - 12-7.2 *Public Safety Statements* [rev. 10/2020]
- 12-8.0 Firearms Training and Qualifications [rev. 05/2011]**
- 12-9.0 Firearms Maintenance and Repair [rev. prior to 1994]**
- 12-10.0 Armed Air Travel [rev. 05/2011]**
- 12-11.0 Law Enforcement Officers Safety Act (LEOSA) [rev. 12/2023]**

USE OF FORCE / WEAPON SYSTEMS

12-1.0 USE OF FORCE INCIDENTS

DEFINITIONS

- **Deadly Force** - the amount of force reasonably calculated to cause death or serious physical injury.
NOTE: The use of deadly force is most commonly associated with firearms, but is not limited to such weapons. It may include other less lethal weapons, issued equipment, hands/feet, or any instrument of necessity.
- **De-Escalation** - the use of techniques or tactics in an attempt to defuse a potentially hostile, emotional, or violent situation. De-escalation, may, among other things, be used by members, if circumstances allow, to mitigate the need to use physical force. In the use of force context, the goal of de-escalation is to gain compliance.
- **De-Escalation Techniques** - techniques designed to defuse a situation as described above. These include, but are not limited to: using verbal communication to convey the urgency and necessity of compliance, to transfer a sense of empathy and calm to an agitated person, etc.; building a sense of rapport and understanding with an individual experiencing a crisis; providing time and space to an agitated individual when appropriate; using non-verbal communication skills and active listening skills; on-going assessments of evolving situations; additional/specialized resources and various other techniques as instructed by the Training Section.
- **Force** - any execution of a physical act to control a person, overcome resistance and/or defend oneself or another. Force may entail the use of body parts, issued departmental equipment, or an instrument of necessity.
EXCEPTION: The following physical acts do not constitute a use of force:
 1. Escorting or touching a subject or arrestee with minimal or no resistance to:
 - a. Ensure officer safety or the safety of others; or
 - b. Accomplish a legitimate law enforcement objective (i.e., carry out the duties and responsibilities of a law enforcement officer).
 2. Routine handcuffing/similar restraining (e.g., with flex cuffs, etc.) with minimal or no resistance;
 3. Displays of an officer's authority/ability to use force without the physical use of force (i.e., shows of force).
- **Instrument of Necessity** - an item at hand or in close proximity that can be used immediately without delay (e.g. flashlight, clipboard, etc.).
- **Neck Restraint** - any hold or restraint of the neck which is intended to restrict the flow of oxygen or blood to the brain. Neck restraints include, but are not limited to: strangle holds, choke holds, lateral vascular neck restraints, carotid restraints, and sleeper holds.
- **Serious Physical Injury** - physical injury that creates a substantial risk of death or causes permanent or protracted serious disfigurement, loss of the function of any bodily member or organ, or the impairment of the function of any bodily member or organ.

GENERAL

- It is the policy of the Department that officers hold the highest regard for the sanctity of human life and the dignity and value of all persons. (See Administrative Manual, Article 1, Conduct).
NOTE: Our members receive recruit level and in-service training in the areas of Constitutional policing and the lawful use of force.
- All members must recognize and act upon their duty to intervene and duty to report uses of force that are inconsistent with law and Department policy. (See Administrative Manual, Article 1, Conduct).

- The following documents must be submitted prior to the end of the member's tour of duty for all incidents involving a use of force:
 1. The appropriate incident report.
 2. Forms 253, Use of Force Report.

EXCEPTIONS:

 1. When a pre-printed Use of Force Report Form 12L, Intra-Department Correspondence, is required to be submitted in place of a Form 253 pending statements being made to the investigating Criminal Investigations Bureau (CIB) entity or other investigating unit, the pre-printed Use of Force Report Form 12L must be submitted prior to the end of the member's tour of duty.
 2. When the member is injured during the course of the incident, the required Form 12L or Form 253 will be submitted as soon as practicable.
 3. All related narrative documents (i.e., by the members using force, the members observing (e.g., seeing, hearing, etc.) the use of force, and the members with pertinent information related to the review of a use of force).

EXCEPTIONS: When a:

 1. Pre-printed Use of Force Report Form 12L is submitted in place of the required Form 253 pending statements being made to the investigating CIB entity or other investigating unit;
 2. Member (i.e., member using force, member observing (e.g., seeing, hearing, etc.) the use of force, or member with pertinent information related to the review of a use of force) wishes to speak to counsel prior to completion of the required narrative document(s); or

NOTE: Members will ensure that narrative documents that were delayed to speak to counsel are completed and submitted within 72 hours, when possible.
 3. Shift/unit commander authorizes an extension (e.g., due to staffing issues, overtime issues, etc.) for members who did not use force but observed the use of force or have pertinent information related to the review of a use of force.

NOTE: Members will ensure narrative documents authorized for delay in this manner are completed and submitted within 72 hours, when possible.
 4. Member observes a use of force or obtains information relevant to the review of a use of force while off-duty, they will complete the required narrative document upon returning to duty.
- All uses of force require a:
 1. Supervisory review;
 2. Command level review; and

NOTE: Supervisors and commanders are prohibited from conducting a review of incidents in which they used force.

 3. Review by the Internal Affairs Division (IAD).

EXCEPTION: The IAD is not required to review uses of force that do not require a Use of Force Packet, unless potential use of force policy violations have been identified or the use of force is selected for review as part of the IAD audit
- An administrative investigation will be initiated whenever any of the following occurs:
 1. Injuries to a person through the use of force by a Department member are inconsistent with the amount of force documented.
 2. A use of force complaint has been filed by a member of the public.
 3. A potential use of force policy violation has been identified during the review of a use of force (i.e., the use of force appears to be beyond that which, under the totality of the circumstances, is necessary and proportional to prevent an imminent threat of physical injury to a person or effectuate a legitimate law enforcement objective in violation of sub-section (D) of the Maryland Use of Force statute (i.e., Public Safety §3-524(D)).

USES OF FORCE REQUIRING A USE OF FORCE PACKET

- Force is used involving Department-issued equipment, personal equipment, or an instrument of necessity.
NOTE: For firearms discharges, see Field Manual, Article 12, Section 7.0 (Firearms Discharges).
- A member's body part (e.g., fist, elbow, knee, foot, head, etc.) is used to administer a strike (e.g., defensive, compliance, etc.) to an individual.
- A Department canine intentionally bites or purposefully inflicts injury to an individual the canine team intended to seize.
- An individual in custody has visible or apparent injuries that indicate that treatment may be necessary and the injuries were inflicted due to a police use of force. This includes when treatment is refused.
- Force is used, and a shift/unit commander requests additional investigation of the force beyond the required Form 253 and related incident report/narratives.
NOTE: The taking of photographs solely to document that there are minor injuries (e.g., redness on wrists, rug burn, minor scrapes or scratches, etc.) that do not require treatment or no visible injuries does not require the completion of a Use of Force Packet when the aforementioned criteria have not been met.

SWORN MEMBERS

- Must communicate to the subject their identity, purpose and intention, unless the circumstances are such that the subject already knows, or unless such communication cannot be reasonably made.
NOTE: Verbalization should continue throughout the incident when reasonable.
- Shall take reasonable steps to gain compliance and de-escalate conflict without using physical force, when time, circumstances, and safety allow.
NOTES:
 1. Reasonable alternatives are those that are able to achieve the same ends safely and effectively.
 2. This does not require the member to jeopardize their own safety by pursuing alternatives that are not reasonable under the totality of the circumstances (e.g., the amount of time the member has to make a decision, the immediacy of the threat facing the officer, etc.).
 3. Members should consider whether a lack of compliance is a deliberate attempt to resist or is caused by an inability to comply.
- Utilize de-escalation techniques along with their training (e.g., Integrating Communications, Assessment, and Tactics (ICAT), etc.), when safe and practical to do so, to ensure they:
 1. Are communicating, re-assessing the situation, and using the best tactics to defuse or stabilize a situation safely so that more time, options, and resources may be available to gain voluntary compliance and/or reduce or eliminate the need to use force; and
 2. Use the least amount of force necessary and proportional to safely control a situation.
- Are not required to confront an adversary without having an advantage.
NOTE: Officers need the ability to disengage, or escalate to a higher force option, to escape injury and/or maintain control.
- May not use force against a person unless, under the totality of the circumstances, the force is necessary and proportional to:
 1. Prevent an imminent threat of physical injury to a person; or
 2. Effectuate a legitimate law enforcement objective (i.e., carry out the duties and responsibilities of a law enforcement officer).
NOTES:
 1. Force is not necessary unless there is no reasonable alternative to using force that, under the totality of the circumstances, would safely and effectively achieve the same legitimate ends.

2. When determining whether to use force or continue using force, officers shall take into consideration all information known regarding the subject and circumstances, including the severity of the crime, the threat posed by the individual to the safety of the officer or other people, and whether the subject is trying to flee or resist arrest.
- Must evaluate the immediate circumstances and use only the force necessary and proportional for the situation.

NOTES:

1. The sworn member will continually assess the situation and change their response as the situation changes.
 2. Certain factors and circumstances surrounding a confrontation (officer vs. subject) will impact the use of force decision. Specific factors and circumstances include, but are not limited to:
 - a. Differences in age, gender, size, fitness, or skill level.
 - b. The presence of multiple subjects.
 - c. The proximity of a weapon.
 - d. Disability or injury to the officer.
 3. This does not mean that the sworn member must utilize the exact same type, degree, or amount of force as a subject.
- Will not use deadly force, unless deadly force is necessary and proportional to protect others and/or the members themselves from imminent danger of death or serious physical injury and the other alternatives:
 1. Have been exhausted; or
 2. Are unreasonable in light of the circumstances.
 - Are prohibited from the use of neck restraints unless the use of deadly force is permitted as stated above. Justification for the use of a neck restraint rests solely with the member.
 - Shall fully document all force they use and all uses of force that they observe (e.g., see, hear, etc.) or have pertinent information related to the review of by placing a written narrative detailing their observations and/or involvement in the incident in an appropriate incident report (i.e., Case Report or Officer Report).

NOTES:

1. This includes when a member observed or has information pertinent to the review of a use of force by a:
 - a. Department member that occurred outside of the State of Maryland; or
 - b. Law enforcement officer from another jurisdiction that occurred in the state of Maryland.

NOTE: When an Incident Report is not being completed, an *Other Jurisdiction Officer Report* shall be written.

2. Members will ensure that "Yes" remains selected in the *Use of Force Completed (Form 253)* field, when an updated version of a Case Report is completed.

NOTE: This will assist the IAD with tracking Forms 253.

SWORN MEMBERS USING FORCE

- Shall cease the use of force as soon as:
 1. The person on whom the force is used:
 - a. Is under the sworn member's control; or
 - b. No longer poses an imminent threat of physical injury or death to the sworn member or to another person; or

2. The sworn member determines that force will no longer accomplish a legitimate law enforcement objective (i.e., the duties and responsibilities of a law enforcement officer).
NOTE: Sworn members are reminded that in addition to the above provisions outlined in the Maryland Use of Force Statute, they are required to cease the use of force when they have determined that, under the totality of the circumstances, the force is no longer necessary and proportional to prevent an imminent threat of physical injury to a person or effectuate a legitimate law enforcement objective (i.e., carry out the duties and responsibilities of a law enforcement officer).
- Shall render basic first aid to persons injured as a result of police action and promptly request appropriate medical assistance.
NOTE: Aid:
 1. Shall be consistent with the member's training and rendered when safe and feasible to do so.
 2. Will include a request for emergency medical assistance for any person in police custody with an obvious injury or complaint of injury.
 - Immediately notify their supervisor of all uses of force.
NOTES:
 1. If the use of force occurred within another jurisdiction, the member will immediately notify the Baltimore County 9-1-1 Communications Center for notification of the member's commander and their on-duty shift/unit commander via the 9-1-1 Police Liaison.
 2. If the member does not have an on-duty supervisor, the on-duty supervisor for the command in which they are working will be notified.
 - May voluntarily give a public safety statement in reference to the circumstances surrounding uses of force that result in an unusual occurrence (Refer to Field Manual, Article 12, Section 7.2, Public Safety Statements).
NOTE: Involved members may decline to answer the public safety statement questions.
 - Complete and submit a Form 253, prior to the end of their tour of duty to document all force used (i.e., uses of force that require a Use of Force Packet and uses of force that do not require a Use of Force Packet), as defined by this policy.
EXCEPTIONS: Uses of force:
 1. Involving firearms discharges by a member will be documented as described in Field Manual, Article 12, Section 7.0, Firearms Discharges.
 2. Other than a firearms discharge, that results in serious physical injury or death and where an entity of the CIB or another investigating unit is conducting a criminal investigation, will be documented as described below.
 3. Where the member is injured during the course of the incident will be reported as soon as practicable.
 - Using force, other than a firearms discharge, that results in serious physical injury or death, and where an entity of the CIB or another investigating unit is conducting a criminal investigation, will:
 1. Submit a pre-printed Use of Force Report Form 12L, prior to the end of their tour of duty.
NOTE: No further information or details of the incident will be included in the Form 12L.
EXCEPTION: When the member is injured during the course of the incident, the pre-printed Use of Force Report Form 12L will be submitted as soon as practicable.
 2. Not write any statements or complete any administrative forms until after being interviewed by the investigating CIB entity or other investigating unit.
EXCEPTION: Information to be included in the pre-printed Use of Force Report Form 12L.

3. Remain in the clothing they were wearing at the time of the use of force until a supervisor of the investigating CIB entity or member of the other investigating unit arrives to ensure photographs of the member's appearance are taken.
EXCEPTION: When there are extenuating circumstances (e.g., the member sustains injuries requiring removal of clothing for immediate medical attention, because the clothing has been contaminated and is a bio-hazard, etc.) photographs will be taken using a BWC handheld device prior to removal, if practicable.
 4. Complete the Form 253 within 30 days of the incident, when possible, after they have made all statements to the investigating CIB entity or other investigating unit.
- Place a written narrative detailing de-escalation, use of force actions, and justifications in the appropriate incident report, and not in the Statement of Charges and/or attached to the Form 253.

NOTES:

1. All sworn members using force shall ensure their narrative includes a full explanation of:
 - a. Any attempts to de-escalate the situation and/or the reasons that de-escalation techniques were not appropriate (i.e., the reason they were not reasonable in light of the circumstances of the incident).
 - b. The imminent threat of physical injury the use of force was aimed at preventing and/or the legitimate law enforcement objective (i.e., duties and responsibilities of a law enforcement officer) force was used to achieve.
 - c. The circumstances used to determine that the use of force was necessary and proportional.
NOTE: Relevant items to document include information known regarding the subject and circumstances, including the severity of the crime, the threat posed by the individual to the safety of the officer or other people, and whether the subject is trying to flee or resist arrest.
 - d. The reason(s) the use of force was ceased (e.g., the subject was under the member's control, the subject no longer posed an imminent threat of physical injury or death to the member or to another person; the member determined the force would no longer accomplish a legitimate law enforcement objective, the force was no longer necessary and/or proportional, etc.).
 2. Sworn members will obtain the names, identification numbers, and employing agencies of law enforcement officers from other jurisdictions observing their use of force, when practicable and will include the information in their Incident Report.
- Ensure that "Yes" has been selected from the *Use of Force Completed (Form 253)* field in the Case Report documenting the incident.
NOTE: If "Yes" is not selected, the sworn member using force must create an updated version of the Case Report to change the selection to "Yes."
 - Submit appropriate incident and medical injury reports detailing the incident.
NOTE: Medical injury reports must be completed for all injuries, even if medical treatment is refused.

SUPERVISORS

- Ensure notification is made to the shift/unit commander for all uses of force.
- Shall respond to the scene of any incident during which an officer under their supervision used force that resulted in serious physical injury or death.
NOTE: When the member's supervisor is unavailable to respond, they will ensure an appropriate supervisor is assigned to respond in their place.

- For all use of force incidents, gather and review all known recordings (e.g., body worn camera footage, security footage, etc.), prior to review and endorsement of the Form 253 and related documentation.
- NOTES:** Supervisors will:
1. Not seize recording devices used by citizens except as described in Field Manual, Article 7, Section 14.0, Photographs.
 2. Ensure that a sufficient portion of the videos are viewed to accurately make an assessment of whether the use of force was properly documented and whether there are potential use of force policy violations.
- Create a case folder in the Digital Evidence Management System (DEMS) and place into it any body worn camera (BWC) system data that captures the use of force.
 - Ensure required Forms 253 and/or Forms 12L documenting a use of force are submitted prior to the end of the officer's tour of duty.
 - Ensure required narrative documents have been completed.
 - Review and endorse:
 1. Forms 253; and

NOTE: Forms 253 containing a completed supervisory and command level review must be submitted through the officer's chain of command to the IAD within 14 days from the date of the incident, unless an extension has been granted by the IAD Commander. It will not be sent until the gathering and review of all recordings, narratives, etc. has been completed.
 2. Related narrative documents.
 - If potential use of force policy violations are identified during the review/investigation:
 1. Consult their shift/unit commander; and
 2. Complete a Form 12L.

NOTE: A copy of the Form 12L will be attached to the Form 253.
 - Ensure that "Yes" has been selected from the *Use of Force Completed (Form 253)* field in the most recent version of the Case Report, prior to approving a Form 253.

NOTE: This will assist the IAD with tracking Forms 253.
 - For all uses of force that result in an unusual occurrence (i.e., uses of force resulting in serious physical injury or death), will:
 1. Not conduct formal administrative interviews of the member(s) involved. They will only ask the involved member(s) the Public Safety Statement questions outlined in Field Manual, Article 12, Section 7.2, Public Safety Statements, when applicable.
 2. Notify the shift/unit commander of the unusual occurrence.

SHIFT/UNIT COMMANDERS

- Immediately notify the precinct commander of the precinct where the incident occurred, and if different, the commander of the member involved when a use of force requiring a Use of Force Packet has occurred.
- If force results in death or whenever death is imminent, notify the:
 1. HMPU.
 2. Forensic Services Section (FSS).
 3. Precinct commander and member's commander.
 4. 9-1-1 Police Liaison.
 5. IAD.
 6. Legal Section.

NOTE: During non-business hours have the 9-1-1 Police Liaison notify the above commands.
- If force results in serious physical injury, contact the Bureau Chief of the CIB via their chain of command for a determination regarding which section or unit within the CIB will complete the criminal investigation, when a criminal investigation is required.

- For all uses of force that result in an unusual occurrence, will:
 1. Not conduct formal administrative interviews of the member(s) involved. They will only ask the involved member(s) the Public Safety Statement questions outlined in Field Manual, Article 12, Section 7.2, when applicable.
 2. Complete unusual occurrence procedures as outline in Administrative Manual, Article 3, Section 1.0, Unusual Occurrences).
- When the use of force requires a Use of Force Packet, ensure photographs of the officer(s) and suspect(s) injuries and/or impact areas are taken, regardless of whether an injury is visible.

NOTES:

1. If an injury is:
 - a. Visible, the photographs will be taken by the FSS, unless the FSS is in Restricted Response Mode.
 - b. Not visible, the shift/unit commander will decide if the photographs will be taken by a member of the FSS or a member of their command.
 2. If photographs cannot be readily obtained, the shift/unit commander will ensure:
 - a. Reasonable attempts are made; and
 - b. An explanation for the lack of photographs is documented in the Use of Force Packet.
- Ensure required Forms 253 and required narrative documents have been completed.
 - Review and endorse Forms 253, upon review of recordings, reports, and related narratives.

NOTES:

1. The shift/unit commander will ensure that a sufficient portion of the videos are viewed to accurately make an assessment of whether the use of force was properly documented and whether there are potential use of force policy violations.
 2. Forms 253 containing a completed supervisory and command level review must be submitted through the officer's chain of command to the IAD within 14 days from the date of the incident, unless an extension has been granted by the IAD Commander. It will not be sent until the gathering and review of all recordings, narratives, etc. has been completed.
- When the incident requires a Use of Force Packet, prepare a written summary including statements made and recorded in the original incident report by the:
 1. Officer using force.
 2. Witnesses and other officers.
 3. Victim, when applicable.

EXCEPTION: Written summaries for uses of force that were unusual occurrences will not be completed.

- Complete a Form 12L, if potential use of force policy violations are identified during the review of Forms 253 and related documentation and attach it to the Form 253.

EXCEPTION: When a Use of Force Packet is required, the policy violations will be included in the required written summary.
- Complete a BlueTeam entry, if:
 1. A Form 12L has been completed (i.e., by the supervisor or the shift/unit commander) to document a potential use of force policy violation; or
 2. Potential use of force policy violations have been included in the written summary for a Use of Force Packet.
- When the use of force requires a Use of Force Packet, complete and forward the packet to the member's commander, ensuring it includes the following:
 1. Written summary.
 2. Completed Form 253.
 3. All photographs of the officer(s) and suspect(s) injuries and/or impact areas or reference numbers to obtain photographs from the FSS.
 4. Form 273, Sick or Injured Person Medical Report.

5. Prisoner Incarceration Log.
6. Form 91, Daily Summary Report.
7. Prisoner medical records and/or authorization for release of medical records from the prisoner.
8. Completed police reports, including the Form 166, Arrest Report.

PRECINCT/SECTION COMMANDER

- Reviews the written summary and police reports of the incident for accuracy and completeness.
- Reviews and endorses Forms 253 upon review of recordings, reports, and related narratives.

NOTES:

1. The precinct/section commander will ensure that a sufficient portion of the videos are viewed to accurately make an assessment of whether the use of force was properly documented and whether there are potential use of force policy violations.
 2. Forms 253 containing a completed supervisory and command level review must be submitted through the officer's chain of command to the IAD within 14 days from the date of the incident, unless an extension has been granted by the IAD Commander. It will not be sent until the gathering and review of all recordings, narratives, etc. has been completed.
- Forwards approved pre-printed Use of Force Forms 12L to the IAD.
 - Reviews completed Use of Force Packets and attaches written documentation of the review. **EXCEPTION:** Written documentation for uses of force that were unusual occurrences will not be completed.
 - If violations are present, consults with their division commander/bureau executive officer and the IAD to determine what investigative action is warranted. **NOTE:** A Form 12L and a BlueTeam entry will be initiated if the use of force appears to be in violation of Department policy. If a BlueTeam entry was previously completed by the shift/unit commander documenting a potential use of force policy violation, the precinct/section commander will provide additional documentation on a Form 12L and attach it to the existing BlueTeam entry.
 - Forwards all completed Use of Force Packets and all Forms 253 where a BlueTeam entry was initiated to their division commander/bureau executive officer for review.
 - Forwards all Forms 253 that do not require a Use of Force Packet and/or a BlueTeam entry to the IAD within 14 days from the date of the incident, unless an extension has been granted by the IAD Commander.
 - If force results in death or serious physical injury:
 1. Places the member in a non-line function.
 2. Refers the member to the appropriate psychological services caregiver. **NOTE:** The above actions will be documented in the appropriate report.
 3. May recommend return of the member to regular duty:
 - a. When deemed appropriate, after consultation with their chain of command and the IAD Commander;
 - b. After the member obtains a release from the Department-approved psychological services caregiver;
 - c. After the member completes a physical health examination at the County's Designated Health Care Provider; and
 - d. After the member completes post critical incident training specific to the incident (e.g., firearms training/tactics, etc.), if needed. **NOTE:** Recommendations will be presented to the Chief of Police who will determine when members placed in a non-line function may return to regular duty.
 - Contact the IAD for instruction, if a non-sworn member uses force.

DIVISION COMMANDERS/BUREAU EXECUTIVE OFFICERS

- Review completed Use of Force Packets and attach written documentation of the review.
EXCEPTION: Written documentation for uses of force that were unusual occurrences will not be completed.
- Forward completed Use of Force Packets and Forms 253 where a BlueTeam entry was completed to the IAD within 14 days from the date of the incident, unless an extension has been granted by the IAD Commander.
NOTE: If the use of force investigation identifies serious policy violations or concerns, the division commander/executive officer will forward the completed investigation to their bureau chief for review prior to forwarding it to the IAD.

TRAINING SECTION

- Ensures members are properly trained regarding:
 1. The proper application and use of force;
 2. When a police officer may or may not draw a firearm or point a firearm at a person;
 3. Enforcement options that are less likely to cause death or serious physical injury;
NOTE: Includes scenario-based training, de-escalation tactics and techniques, and reasonable alternatives to decrease physical injury.
- Ensures that the mandates of this Department and the Maryland Police Training and Standards Commission (MPTSC) will be followed for the courses of instruction, and met by each member in order to use any Department-issued weapon.
- Maintains a record of members who are qualified with authorized Department weapons and establishes courses of instruction.
- May be consulted by commanders for questions regarding use of force/weapon systems training/tactics in relationship to an incident.

INTERNAL AFFAIRS DIVISION (IAD)

- Reviews all use of force complaints.
- Maintains statistics on complaints involving the use of force and use of force incidents.
- Advises the Chief of Police of use of force complaints and use of force statistics on a regular basis.
- Is authorized to initiate investigations concerning the use of force by Department members.
- Reviews Forms 253 when:
 1. A Use of Force Packet is required; and/or
 2. Potential use of force policy violations have been identified by the member's command and an entry has been made in BlueTeam.
- Reviews all Use of Force Packets.
- Forwards a copy of all Forms 253 to the State's Attorney's Office for discovery purposes.
- Conducts administrative investigations for uses of force that result in an unusual occurrence in accordance with Administrative Manual, Article 3 (Administrative Investigations and Reports).
- Conducts a quarterly audit of a minimum of 10 Forms 253 that did not require IAD review. The audited Forms 253, related documentation, and identified recordings will be reviewed by the IAD to ensure that the use of force has been properly classified at the command level as not requiring an IAD review because:
 1. It does not require a Use of Force Packet; and
 2. No use of force policy violations occurred.

BUREAU CHIEF OF THE CRIMINAL INVESTIGATIONS BUREAU (CIB)

- Determines which section or unit within the CIB will complete the criminal investigation, when a criminal investigation is required in reference to a use of force that did not involve the discharge of a departmental firearm or a privately owned, Department-approved firearm.

REFERENCES

- Administrative Manual, Article 1 (Conduct).
- Administrative Manual, Article 2 (Complaints and Misconduct).
- Administrative Manual, Article 3 (Administrative Investigations and Reports).

12-1.1 FORM 253 PREPARATION INSTRUCTIONS

Block # (Blocks not listed below are considered self-explanatory).

- 5** The Original Call Title is what the call was dispatched as and the Type of Incident is what is being reported under Maryland law (e.g., burglary, robbery, etc.).
- 8** Reporting Area number.
- 9** If no address is available, list the closest cross reference (e.g., wooded area 200ft south of 415 Main Street, etc.).
- 13** Animal Type: Dog, Cat, etc. Force Option: Conducted Electrical Weapon (CEW), Baton, etc. Result: No Injury, Death, etc.
- 15** The reason that force was used in this incident.
- 16** Indicate whether de-escalation techniques were attempted.
NOTE: Ensure any attempts to de-escalate the situation and/or the reasons de-escalation techniques were not appropriate are fully explained in the incident report.
- 17** List only the force options that you used. "Other" could be a body part (e.g., knee, head, etc.) or an instrument of necessity (e.g., flashlight, pen, etc.). List all that apply.
- 18** Same as 17.
- 26A** "Behavior" is the subject's appearance based on your training, knowledge, and experience. If CEW risk considerations are present (e.g., pregnant, elderly, etc.) they must be listed under "other."
- 26B** Threatened force - Could be verbal, gestures, furtive movements, stance, etc.
Physical force - Could be grabbing, pushing, attacking, etc.
Other non-compliant - Could be passive resistance, ignoring commands, fleeing, etc.
- 26D** Subject injured - If yes, describe the injury and include if it is visible or non-visible.
Was First Aid Administered - Water for pepper aerosol restraint spray is considered first aid. Check all that apply and list the first aid administered and explain what was performed (e.g., ice bag, bandage, etc.).
- 26-27** Digital photographs of injuries and/or impact areas must be taken of both the subject and officer regardless of whether an injury is visible, when a Use of Force Packet is required.
- 28** Supervisory and Command Review - The supervisor must list the total number of Forms 253 that were submitted for the incident and the total number of members using force. The shift/unit commander must indicate if a Use of Force Packet is required. The precinct/section commander will indicate whether the Form 253 requires division commander/bureau executive officer review.
- 29** Division Commander/Bureau Executive Officer Review - Will be completed when a Use of Force Packet was required or a BlueTeam entry was initiated to document potential use of force policy violations.
- 30** IAS Review - Will be completed when a Use of Force Packet was required, a BlueTeam entry was initiated to document potential use of force policy violations, or an IAD audit was conducted.

12-2.0 HANDCUFFING PROCEDURES

GENERAL

- This section applies to investigative detention, arrest, emergency evaluation, and any other appropriate situation.

- Authorized restraining devices include: handcuffs, flex cuffs, leg irons, belly belts, and leg bars.

OFFICERS

- Will use discretion regarding whether or not to handcuff and the manner of handcuffing (e.g., leg irons/flex cuffs, hands in front, etc.) based on the following:
 1. Individual's age, sex, and physical condition.
 2. Nature of arrest/custody/detention and the effect on officer/individual security.
 3. Individual's attitude and mental condition.
 4. Past criminal record and other contributing circumstances.
 5. Type of security at destination.
 6. If Pepper Aerosol Restraint Spray (ARS) is used.
- Will, if practical, handcuff the individual in the following manner:
 1. Approach the individual from the rear side.
 2. Place the individual in a tactically inferior cuffing position.
 3. Cuff hands together behind the back.
 4. Double lock the handcuffs.
 5. Search the individual.
- Who use ARS will monitor the individual's physical condition for adverse effects.
- Will monitor all restrained individuals to ensure respiratory function.

NOTE: Chemical impairment, restraint position, and pre-existing health conditions contribute to breathing difficulties.

12-3.0 USE OF LESS LETHAL WEAPONS

LESS LETHAL WEAPONS

- Are not intended, nor reasonably likely to result in death or serious physical injury.
- Include but are not limited to:
 1. Conducted Electrical Weapon (CEW).
 2. Beanbag Munitions Weapon (BMW).
 3. Expandable Baton (EB).
 4. Pepper Aerosol Restraint Spray (ARS).
- Prior to the carry or use of any less lethal weapon the officer must successfully complete a course of training certification designated by the Training Section for each assigned weapon.
- Officers will follow Department policy, procedures and training requirements when deploying a less lethal weapon.

12-3.1 CONDUCTED ELECTRICAL WEAPON (CEW)

DEFINITION

- Conducted Electrical Weapon (CEW) - is a less lethal weapon system designed to use propelled wires or direct contact to conduct energy to affect the sensory and/or motor functions of the central nervous system.

GENERAL

- Only sworn Department personnel who are currently certified in the use of the CEW are authorized to carry and deploy this weapon.
- Recordings created via a CEW that was camera-equipped will be treated the same as BWC system recordings.
- Access to CEW data will be in accordance with Field Manual, Article 16, Section 2.1 (Access to Body Worn Camera (BWC) System Recordings and Audit Trails).

CERTIFICATION PROCESS

- The Bureau Chief of the Professional Standards Bureau (PSB) will determine the sworn assignments within the Department which require CEW certification.
- Members in assignments which require CEW certification must successfully complete a CEW training class conducted by the Firearms Training Team (FTT) and certified by the Maryland Police Training and Standards Commission (MPTSC).
- Annual training will be required to maintain certification and the authority to possess and/or carry the CEW.

NON-CERTIFIED OFFICERS

- Requesting a CEW will broadcast their unit number, location, and a brief description of the circumstances involved.
NOTE: The precinct shift commander will ensure that adequate CEW-equipped personnel are directed to the scene.

CERTIFIED OFFICERS

- May not modify their departmentally issued CEW or related equipment in any way.
- Ensure they comply with the Department's body worn camera policy as directed in Field Manual, Article 16.
- In uniform, will carry a CEW when engaged in patrol functions, other regular field operations, and uniformed secondary employment.
- In plain clothes, will carry a CEW as directed by their shift/unit commander.
- Ensure their CEW is loaded with cartridges as instructed by the Training Section.
- Are responsible for ensuring their CEW's battery is adequately charged.
- Respond to CEW requests by non-certified officers while on duty, as directed by their shift/unit commander.
- Must utilize their assigned CEW.
NOTE: Failure to use the assigned CEW will result in:
 1. Audit trail errors attached to BWC videos captured via an automatic activation.
 2. CEW data assignment errors.
- Discovering that they possess another member's CEW will immediately notify their supervisor who will contact the Technology Section (TS) for instructions.
- Carry the CEW in the appropriate manner, when equipped.
- Must wear the CEW on the side opposite of their handgun.
NOTE: The use of a thigh holster for the CEW is prohibited.
- Perform all required checks prior to placing the CEW in service.
- Ensure the CEW is placed in a secure location when not in use.
- Ensure that the precinct shift commander is aware of any CEW requests and broadcast their estimated time of arrival (ETA) to the requesting unit.
- Notify their supervisor when a CEW is used to gain compliance without discharge.
- Ensure that each situation meets the deployment criteria and that supervisor approval is obtained prior to discharging the CEW, unless exigent circumstances exist.
- Immediately notify the shift commander of the precinct in which the discharge occurred, and their supervisor, when a subject is exposed to any mode of CEW discharge (i.e., struck by probe(s) and/or drive stunned).
- Immediately notify their shift/unit commander of any unintentional discharges.
NOTE: Unintentional discharges occurring off duty will be reported to an on duty shift/unit commander, if the members' commander cannot be reached.
- Report unintentional discharges, via a Form 12L, to the precinct/section commander.

- Visually inspect the secured subject's contact site, after discharging the CEW.
NOTE: Probes penetrating the skin are considered impaled objects and will only be removed by qualified personnel at a medical facility. Probe wires may be cut at the base of the probes prior to transport.
- Request an Emergency Medical Services (EMS) unit for all incidents in which a subject is exposed to any mode of CEW discharge, and advise them:
 1. Of the number of CEW discharges and the number of probe injuries.
 2. If unusual physical or psychological conditions have been observed or known to pre-exist.
 3. If the subject appears to be under the influence or has a known history of use/abuse of alcohol or drugs.
- After using their CEW to gain compliance without discharge, document the following information, when the appropriate incident report is written:
 1. The member's use of the CEW;
 2. The justification for use of the CEW;
 3. The type of compliance (i.e., dot compliance and/or arc compliance) obtained; and
 4. The serial number of the CEW.
- Complete the following documents after discharging their CEW:
 1. Form 253, Use of Force Report.
NOTE: A Form 253 is required even if the subject is not struck by the probes upon discharge.
 2. Form 273, Sick or Injured Person Report.
EXCEPTION: When the subject was not exposed to any mode of CEW discharge (e.g., probes missed and drive stun mode was not used, etc.).
 3. The appropriate incident report documenting:
 - a. The member's use of the CEW;
 - b. The member's justification for use of the CEW;
NOTE: The immediate threat posed by the subject must be articulated in the report.
 - c. The name and identification number of the supervisor authorizing the use, when applicable.
 - d. The serial numbers of both the CEW and the cartridge(s).
- Download all CEW data to the digital evidence management system (DEMS):
 1. Prior to the end of their tour of duty, when the CEW is used to gain compliance without discharge or a subject is exposed to any mode of CEW discharge.
 2. At a minimum of every 30 days, when only required checks are conducted.
- Contact the TS upon downloading data to the DEMS when the CEW is used to gain compliance without discharge or a subject is exposed to any mode of CEW discharge and provide:
 1. Their name and identification (ID) number;
 2. The serial number of the CEW;
 3. The central complaint (CC) number;
 4. The category for the data;
NOTE: Refer to Field Manual, Article 16 (Body Worn Camera Program) for categories and related retention periods.
 5. The type of compliance (i.e., dot compliance or arc compliance), if applicable.
 6. The date and approximate time the CEW was used.
NOTE: This will allow the TS to ensure the CEW data has been properly tagged and retained as evidence.
- Upon discovering a CEW malfunction, at any time, will immediately report the issue to:
 1. Their supervisor; and
 2. The TS by placing an Office of Information Technology (OIT) service ticket.

DEPLOYMENT CRITERIA AND RISK CONSIDERATIONS

- The CEW may only be used as a method of control against a subject (e.g., arrestee, person in crisis requiring an emergency evaluation, etc.) being taken into custody who poses an immediate threat to the safety of officers or others.
- Consideration must be given to a subject's mental status when determining if the CEW is the most appropriate method of gaining control of the individual, given the elevated risks of CEW use on persons with mental illness.
- An immediate threat must be articulated for each individual CEW cycle used on a subject.
- Officers must continually assess risk factors as the situation evolves, and follow training procedures for the use of the CEW on subjects who are:
 1. Running.
 2. In a flammable/explosive environment.
 3. Known to be pregnant.
 4. Obviously frail or infirm.
 5. Handcuffed or flex cuffed.
 6. Children.
 7. Elderly.
 8. Physically handicapped.
- Members need to be aware of elevated risks of multiple CEW uses, and consider the use of available alternate methods of control, should an immediate threat continue to exist after three consecutive CEW cycles.
- CEW discharges from multiple CEW devices on a subject are discouraged, unless exigent circumstances exist. In the event that multiple CEWs are being used on a subject, members will not knowingly cycle the CEWs at the same time.
- The CEW may be used to stop a threatening animal.

CEW PROHIBITIONS

- Aiming at the subject's head, neck, groin area, or chest area near the heart, unless exigent circumstances exist.
- Use in drive stun mode for pain compliance only, unless exigent circumstances exist.
- Discharging from a moving vehicle.
- Use on a subject that is behind the wheel of a motor vehicle or operating any vehicle, unless exigent circumstances exist.
- Use on a subject that is on an elevated surface or other location where a fall may cause substantial injury or death.
- Use on subjects wading in water, where the environment poses a potential drowning risk.
NOTE: This does not prohibit the use of a CEW on subjects standing on wet surfaces (e.g., use in the rain, etc.).
- Use while off duty.
EXCEPTION: While working uniformed secondary employment or acting in the capacity of a law enforcement officer.
- Use which is inconsistent with training procedures.
- Use on passive subjects who do not pose an immediate threat to the safety of officers or others.
- Use on subjects who are only a danger to themselves, where there is no immediate threat to officers or others.

SUPERVISORS

- Ensure that only certified officers carry and deploy the Department-issued CEW.
- Respond immediately to all incidents of CEW deployment or anticipated discharge.

- Ensure an EMS response and transport of all subjects exposed to any mode of CEW discharge to a medical facility where medical screening of the subject will be conducted and probes removed.
- Ensure that the Forensic Services Section (FSS) responds to take photographs of the incident scene, probe penetration marks, drive stun marks, and any secondary injuries. The FSS will collect expended cartridges with probes (handle as biohazard sharps), and other pertinent evidence.
- Ensure a Form 253, a Form 273, and the appropriate incident report are completed, when required.
- Ensure certified officers download CEW data and contact the TS when the CEW is used to gain compliance without discharge or a subject is exposed to any mode of CEW discharge.

SHIFT/UNIT COMMANDERS

- Ensure members issued a CEW are carrying the CEW in accordance with the policy provided in this section.
- Respond to the scene any time a subject has been exposed to any mode of CEW discharge.
- Contact the Homicide/Missing Persons Unit to conduct an investigation whenever a CEW has been discharged and a fatality occurs.
- Comply with all policies and procedures directing administrative investigations as stated in the Administrative Manual, Article 3.
- For cases involving an unintentional discharge:
 1. Notify the member that their departmental authority to carry a CEW is suspended;
 - NOTE:** The CEW suspension will remain in effect until the CEW is determined to be functioning properly and the member's knowledge of the CEW has been demonstrated.
 2. Obtain the CEW in question and transport it to the nearest precinct to be secured;
 3. Ensure the CEW is transported to the FTT for examination on the next regularly scheduled workday; and
 4. Provide a summary of the incident to the FTT and obtain dates and times for the member(s) involved to report to the FTT to demonstrate their knowledge of the CEW.
 - NOTE:** In most cases this should be the member's next regularly scheduled workday.

PRECINCT/SECTION COMMANDERS

- Review all intentional CEW discharges to ensure compliance with the Department's Use of Force Policy.
- Review all unintentional CEW discharges for compliance with the Department's policy documents.
 - NOTE:** Precinct/section commanders will notify the Internal Affairs Division (IAD) Commander when:
 1. An unintentional CEW discharge has occurred; and
 2. The unintentional CEW discharge is not being investigated as an unusual occurrence.
- Appoint a CEW coordinator for the precinct/section.
- May suspend a member's ability to carry a CEW at any time, for cause.
 - NOTE:** Notification of the suspension will be passed up the precinct's/section's chain of command to the Bureau Chief of the PSB.

CEW COORDINATORS

- Maintain a list of assigned CEW certified officers.
- Ensure any defective or damaged cartridges are returned to the FTT for replacement.
- Periodically check the DEMS to ensure certified officers are completing the required CEW function checks.

- Ensure the FTT receives a copy of any correspondence documenting an unintentional or negligent discharge.
- Maintain a supply of replacement cartridges.
- Ensure CEWs relinquished by suspended members are delivered to the Materials & Facilities Management Unit (MFMU) for safekeeping.

NOTE: The CEW Coordinator will ensure that the battery and cartridges have been unloaded from the CEW and that all CEW data contained on the member's battery is uploaded to the DEMS. A spare battery and all assigned cartridges will accompany the member's CEW to the MFMU.

FIREARMS TRAINING TEAM (FTT)

- Trains members in the use, care, and application of the CEW.
- Maintains training records of all certified CEW members.
- Organizes meetings with appropriate personnel to critique deployment incidents, when necessary.
- Receives and assigns CEW cartridges.

TECHNOLOGY SECTION (TS)

- Receives and assigns CEW units and corresponding equipment.
EXCEPTION: Cartridges.
- Conducts periodic audits of CEW system data to ensure accuracy of CEW digital output data.
- Maintains CEW inventory records.
- Conducts CEW maintenance and repairs.
- Provides first line support to CEW field users.
- Ensures CEW data is properly categorized as evidence, upon notification that CEW data has been downloaded due to a CEW having been used to gain compliance without discharge or a subject was exposed to any mode of CEW discharge.
- Ensures a member's assigned CEW is collected, prior to endorsement of a Form 244, Departmental Separation Clearance Form, when a member resigns, retires, or is otherwise terminated from service with the Department.

MATERIALS & FACILITIES MANAGEMENT UNIT

- Stores a member's assigned CEW, cartridges, and a spare battery, when a member has been suspended from duty.
NOTE: The CEW, cartridges, and battery will be returned to the member upon return from suspension, when the training requirements have been satisfied.

INTERNAL AFFAIRS DIVISION (IAD)

- Receives and reviews the submitted Forms 253, and Forms 273.
- Reviews CEW system data.
- Conducts annual data analysis to establish CEW use of force critique data.

REFERENCES

- Administrative Manual, Article 3 (Administrative Investigations and Reports).
- Field Manual, Article 16 (Body Worn Camera Program).

12-3.2 BEANBAG MUNITIONS WEAPON (BMW)

DEFINITION

- Beanbag Munitions Weapon (BMW) - consists of a 12-gauge shotgun that fires a specially designed round. The round contains a projectile consisting of a ballistic-fiber reinforced flexible sock (cloth) filled with #9 lead shot which delivers approximately 100psi of kinetic energy on impact without penetrating a soft target.

GENERAL

- Only sworn Department personnel who are currently certified in the use of the BMW are authorized to carry and deploy this weapon.
- The BMW provides law enforcement personnel with an additional method of controlling subjects who may be dangerous or violent to themselves or others.

SELECTION PROCESS

- Officers requesting certification training will submit a Form 12L, Intra-Department Correspondence, through the chain-of-command, to the precinct/section commander.
- Officers requesting certification with the BMW must maintain qualification with the issued 12-gauge shotgun.
- Officers selected to train with the BMW must successfully complete and maintain satisfactory scores for all established training requirements.

PROCEDURES

- The BMW will be stored unloaded in the precinct armory with an empty chamber and the safety engaged in a case with 10 rounds of 12-gauge beanbag munitions.
- All BMWs, munitions and cases will be of distinctive color and clearly marked "Less Lethal Weapon". The weapon will be strictly dedicated for less lethal use only and will be identified by a distinctive color-coded stock.
- Beanbag munitions will be inspected to ensure they are properly marked. This is to be certain that no round other than beanbag munitions will be used.

CERTIFIED OFFICERS

- Sign out the weapon and munitions at the beginning of their tour of duty.
- Inspect the weapon to ensure that:
 1. The weapon is a designated "less lethal weapon."
 2. All munitions are designated "less lethal."
 3. The weapon is in good condition and properly maintained.
- Deploying the BMW will consider:
 1. The level of force being confronted.
 2. The proximity/access of subject to officers or others.
 3. The departmental use-of-force continuum and safety priorities.
- Must ensure that all personnel on the scene are aware that less lethal rounds are involved in the event; the standard warning to other personnel will be "BEANBAG!"
- Deploying the BMW must have a backup officer present who can provide lethal cover.
- May submit a Form 145A, Request to Carry Non-Departmental Equipment, for approval of privately owned accessories.
NOTE: Refer to the Non-Departmental Equipment Guidelines.
- Immediately notify their shift/unit commander of any unintentional discharges.
- Report unintentional discharges, via a Form 12L, to the precinct/section commander.

DEPLOYMENT CRITERIA

- Shift/unit commanders may authorize the deployment of the BMW only after:
 1. Determining if the situation warrants the use of the BMW.
 2. Considering the safety of the officer, citizens involved, and innocent bystanders.
- When exigent circumstances are present, qualified personnel may deploy the weapon prior to authorization of the shift/unit commander; however, the squad supervisor and shift commander must be notified immediately if the weapon is discharged.
- The BMW may only be used as a method of control against a subject (e.g., arrestee, person in crisis requiring an emergency evaluation, etc.) being taken into custody who poses an immediate threat to the safety of officers or others.
- The BMW may be used to stop a threatening animal.
- Prior to loading the weapon in a deployment situation, the officer will physically inspect each round before loading it into the weapon to ensure that it is a beanbag munitions shell.
- When practical, the officer deploying the BMW will verbally direct/control the efforts to affect the subject's surrender.
- When practical, targeted subjects should be warned of the impending use of the BMW.
- The officer will evaluate the effectiveness of each round that is fired. An immediate threat must be articulated for each individual BMW round that is fired. Compliance and/or incapacitation are the desired goal. Other force options should be considered when rounds are ineffective.

BMW PROHIBITIONS

- Aiming at the subject's head, neck, groin area, or chest area near the heart, unless exigent circumstances exist.
- Use which is inconsistent with training procedures.
- Use on passive subject who do not pose an immediate threat to the safety of officers or others.
- Use on subjects who are only a danger to themselves, where there is no immediate threat to officers or others.

INVESTIGATIONS

- All subjects who are struck by beanbag munitions will be immediately transported to a medical facility for routine examination, regardless of injury. This will be documented in the police report and a Form 273, Sick or Injured Person Medical Report.
- The Forensic Services Section (FSS) will photograph the area of the body struck by the round, even if there are no visible injuries, and collect any pertinent evidence.
- Each use of the BMW will be documented on a Form 253, Use of Force Report.
- The Homicide/Missing Persons Unit (HMPU) will conduct a criminal investigation to determine if a violation of the law has occurred when the weapon causes or contributes to life threatening injury, as determined by the HMPU. Absent life threatening injury or death, all investigations, discharge review, and policy determinations will be the responsibility of the discharging officer's precinct/section commander.

NOTE: When a subject's injury requires more than routine medical treatment and HMPU will not conduct the investigation, the Internal Affairs Division (IAD) will initiate an Unusual Occurrence Investigation as outlined in the Administrative Manual, Article 3.

SUPERVISORS

- Ensure that certified members properly secure the BMW (i.e., locked in a tethered case or secured in a departmentally installed retention device) in their police vehicle until approval is obtained for its deployment.

SHIFT/UNIT COMMANDERS

- Advise the 9-1-1 Police Liaison, upon discharge of a BMW.
- Notify the precinct/section commander immediately, when a BMW is fired at a subject.
- Ensure the completion of the Form 253 and the collection of critical documents and statements from those involved in the occurrence.
- Secure the weapon, impact projectile, and spent cartridge for collection by the FSS.
- In accordance with Administrative Manual, Article 3, if an Unusual Occurrence investigation is necessary, contact the IAD Commander.
- For cases involving an unintentional discharge:
 1. Notify the member that their departmental authority to carry the BMW is suspended;
NOTE: The BMW suspension will remain in effect until the BMW is determined to be functioning properly and the member's knowledge of the BMW has been demonstrated.
 2. Obtain the BMW in question and transport to the nearest precinct to be secured;
 3. Ensure the BMW is transported to the Firearms Training Team (FTT) for examination on the next regularly scheduled workday; and
 4. Provide a summary of the incident to the FTT and obtain dates and times for the member(s) involved to report to the FTT to demonstrate their knowledge of the BMW.
NOTE: In most cases this should be the member's next regularly scheduled workday.

PRECINCT/SECTION COMMANDERS

- May suspend or revoke an officer's BMW certification at any time.
- Review all reports submitted by the shift/unit commander and ensure that case investigation reports and final disposition recommendations are forwarded to the IAD Commander.
- Review all unintentional BMW discharges for compliance with the Department's policy documents.
NOTE: Precinct/section commanders will notify the IAD Commander when:
 1. An unintentional BMW discharge has occurred; and
 2. The unintentional BMW discharge is not being investigated as an unusual occurrence.

INTERNAL AFFAIRS DIVISION COMMANDER

- Determines the need for further action.
- Maintains files of all reports and investigations involving discharges of BMWs.
- Submits an annual report to the Chief of Police summarizing the use of all BMWs.

FIREARMS TRAINING TEAM (FTT)

- Trains selected members in the use, care, and application of the BMW.
- Maintains training records of all certified BMW members.
- Conducts annual cleaning and maintenance of the BMW weapons.

REFERENCES

- Administrative Manual, Article 3 (Administrative Investigations and Reports).
- Non-Departmental Equipment Guidelines.

12-3.3 EXPANDABLE BATON (EB)

DEFINITION

- Expandable Baton (EB) - is a defensive, impact weapon consisting of steel telescoping shafts which lock into place upon full extension.

GENERAL

- Only Department personnel who are currently certified in the use of the EB are authorized to carry and deploy this weapon.

- The EB provides law enforcement personnel with an additional method of controlling subjects in accordance with the Department's Use of Force policy.

OFFICERS

- Are required to attend and successfully complete an EB training class conducted by the Training Section. Testing will include both accumulated knowledge and skills proficiency. Any additional training required to maintain certification and the authority to possess and/or carry the EB will be determined by the Training Section.
- Will not use the EB in any manner inconsistent with Department training.
- Complete a Form 253, Use of Force Report, and forward to their supervisor whenever the EB is used on a subject.
- Are responsible for the cleaning and maintenance of the EB in accordance with the training recommendations.

12-3.4 USE OF PEPPER AEROSOL RESTRAINT SPRAY (ARS)

PEPPER AEROSOL RESTRAINT SPRAY (ARS)

- May be used in accordance with the Department's Use of Force policy.
NOTE: The subject should be warned of impending use, if practical.
- May be used at any time when confronting aggressive animals.

SWORN MEMBERS

- Using ARS will immediately notify their supervisors.
- Offer assistance to any innocent bystanders who may feel the effects of ARS.
- Initiate a Form 12L, Intra-Department Correspondence, explaining the circumstances when an accidental exposure to ARS occurs.
- Summon medical assistance immediately if a subject or arrestee displays an unexpected reaction to ARS.
- In addition to the preceding requirements, if an individual exposed to ARS, whether intentional or not, requires medical treatment or dies:
 1. Alert his/her supervisor of the individual's physical condition.
 2. Treat the ARS canister used in the incident as evidence and handle it according to procedures established in the Evidence Packaging Manual.
 3. Submit a Form 128R, Retention of Property/Evidence, along with the canister. Indicate on the Form 128R that the canister must be held 42 months from the date of the incident. The canister may be disposed of at that time.
- Complete a Form 253, Use of Force Report, and forward to their supervisor.

REPLACEMENT (ARS) CANISTER

- May be obtained from the Materials & Facilities Management Unit or if closed, from the precinct commander, or designee. Officers requesting a replacement canister will:
 1. Submit a Form 121, Procurement and Maintenance Request Form, along with the canister requesting replacement.
 2. If the canister is being held as evidence, submit a copy of the Form 128R, in lieu of the canister.

REFERENCES

- Administrative Manual, Article 2 (Complaints and Misconduct).
- Evidence Packaging Manual.
- Field Manual, Article 5 (Prisoners).

12-3.5 RUBBER PROJECTILE LAUNCHERS

GENERAL

- Only sworn Department personnel who are currently certified in the use of rubber projectile weapons are authorized to carry and deploy these weapons.
- Used in accordance with the Department's Use of Force policy.

MEMBERS

- May only target subjects' extremities (i.e., arms and legs).
- Must pass initial certification, and then yearly re-certification, in order to maintain certification with the launcher.
- Complete a Form 253, Use of Force Report, after discharging a launcher.
- Complete a Form 273, Sick or Injured Person Medical Report, if a subject is struck with a projectile.

12-3.6 CHEMICAL PROJECTILE LAUNCHERS

DEFINITIONS

- Area Denial - an area that is deliberately contaminated with a chemical agent to deny and or make the area uncomfortable for individuals to gather.
- Area Dispersal - a projectile hitting a hard surface three to five feet before the targeted individual(s) or delivering a chemical agent by other means for the purpose of moving an individual, group, or groups of individuals from one location to another.
- Chemical Agents - substances designed to irritate the eyes and mucous membranes (e.g., CS gas, PepperBall, smoke, etc.).
- Direct Impact - launching a less lethal projectile so that it strikes an individual in a specific intended target area.
- PepperBall Projectile Launcher - a less lethal chemical agent delivery system that uses high pressure air to deliver projectiles from a safe distance. It combines chemical agent exposure with kinetic impact pain compliance.

GENERAL

- Members shall, whenever possible:
 1. Issue a verbal warning prior to using launchers/chemical agents on a subject or crowd;
 2. Give clear directions about the location for safe egress for members of the crowd; and
 3. Allow a reasonable amount of time for the subject(s) to comply with the warning.
- Only sworn Department personnel who are currently certified in the use of chemical projectile weapons are authorized to carry and deploy these weapons.
- Used in accordance with the Department's Use of Force policy.
- Chemical agents that are pyrotechnic in nature will only be deployed outdoors where there is no threat of fire. These agents may be used in situations to disperse riotous crowds, civil disorders, etc.
- Only chemical agents of a non-pyrotechnic classification will be deployed inside any structure or vehicle.

EXCEPTION: Tactical Unit deployment as needed.
- At all times, when chemical agents are being contemplated, the effects on barricaded subjects, hostages, innocent parties, and the environment will be considered to minimize danger to everyone involved in the situation.

MEMBERS

- Must pass initial certification, and then yearly re-certification, in order to maintain certification with the launcher.

- Will ensure subjects struck with projectiles from a PepperBall projectile launcher are evaluated by emergency medical services (EMS).
- Complete a Form 253, Use of Force Report, after discharging a launcher.
- Complete a Form 273, Sick or Injured Person Medical Report, if a subject is struck with a projectile or requires medical attention.

12-3.7 DIVERSIONARY AND CONCEALMENT MUNITIONS

GENERAL

- This section applies to items that are manually deployed (i.e., thrown) by the user.
- Only sworn Department personnel who are currently certified in the use of diversionary and concealment munitions are authorized to carry and deploy these weapons.
- The Department utilizes:
 1. o-Chlorobenzylidene malononitrile (i.e., CS grenades).
 2. Flash-bangs.
 3. White smoke grenades.

CS GRENADES

- Are manually deployed munitions utilizing chemicals that can produce temporary irritation or disabling physical effects that disappear within minutes of removal from exposure.
- Prior to being deployed, shift/unit commanders should consider:
 1. Is the intended manner of use lawful?
 2. Will the general public be affected?
 3. Is the minimum dosage necessary being used?
- Are color coded blue.
- Are classified as lachrymators (i.e., skin and respiratory irritants).
- Members deploying the devices will wear Nomex gloves.
- A fire extinguisher will be made available whenever CS grenades are to be deployed.
- In the event of a misfired device, the Hazardous Devices Team will be contacted to respond and dispose of the device.
- Prior to being deployed, members will consider the safety of the landing area:
 1. Outside use only.
 - EXCEPTION:** Tactical Unit deployment as needed. (If a CS grenade is deployed in the interior of a structure, photographs will be taken to document the location and any possible damage to the structure.)
 2. The possibility of starting a fire (e.g., due to grass, leaves, flammable material, etc.).
 3. The proximity of the anticipated landing area of the grenade from where the people are located.
 4. The safety of the officers and citizens involved.

FLASH-BANGS

- Flash/sound diversionary devices (flash-bangs) are utilized when executing high-risk warrants, hostage rescues, creating exterior distractions, and dealing with barricaded subjects by overloading a subject's senses (i.e., sight, hearing, and feel) for a brief period of time.
- Members deploying the devices will wear Nomex gloves.
- A fire extinguisher will be made available whenever flash-bangs are to be deployed.
- In the event of a misfired device, the Hazardous Devices Team will be contacted to respond and dispose of the device.
- When a flash-bang is deployed in the interior of a structure, photographs will be taken to document the location and any possible damage to the structure.

WHITE SMOKE GRENADES

- Will be handled/deployed by trained members only.
- Authorized for use by the Incident Commander, who will:
 1. Determine whether or not the situation will improve with the use of smoke grenades.
 2. Consider the safety of the landing area.
 - a. Outside use only.
 - b. The possibility of starting a fire (e.g., due to grass, leaves, flammable material, etc.).
 - c. The proximity of the anticipated landing area of the grenade from where the people are located.
 - d. The safety of the officers and citizens involved.
 3. Determine the number of grenades needed to accomplish the desired result.
 4. Determine what actions will take place while the smoke is deployed/present.
 5. Identify and provide the target subject(s) with a strategically desired escape route.
- **EXCEPTION:** When exigent circumstances are present, a squad/team supervisor may authorize deployment.
- May be deployed in the following situations:
 1. As a method of handling critical incidents.
 2. For individual protection.
 3. To aid in screening/concealment in a rescue operation.
 4. As a diversionary tactic.
 5. To disperse a crowd.
 6. By chemical weapons officers to determine weather conditions for optimal deployment of CS.
 7. In concert with a verbal warning to demonstrate to crowds that CS is about to be deployed.
 8. With CS grenades to slow the rate that the CS will dissipate.
- Issued to precincts, and stored in the precinct's armory.
- Will be stored and transported with precautions to the temperature limits listed on the canister.
- Will be inspected monthly for:
 1. Proper accountability.
 2. Assurance that the "pull ring" is in place and properly seated in the safety clip.
 3. Any signs of corrosion or damage to the grenade.
 4. Expiration date.
- **NOTE:** The shelf life of white smoke grenades is four years from the date of manufacture. Expired, undamaged canisters will be removed from the armory by Special Response Team personnel.
- Are considered pyrotechnic aerosols and burn at 1600 to 2000 degrees Fahrenheit. Therefore, they will only be deployed outdoors, and where the foreseeable risk of fire is minimal or outweighed by a compelling need to deploy smoke to protect against the threat of imminent loss of life or serious personal injury.
- In the event of a misfired device, the Hazardous Devices Team will be contacted to respond and dispose of the device.
- Usage must be documented:
 1. In the appropriate incident report.
 2. In a detailed Form 12L, Intra-Department Correspondence, by a shift/unit commander.
- **NOTE:** Forms 12L will contain the existing circumstances when deployment was authorized, who authorized the deployment, and the effect deployment had on the situation.
- In a photograph(s) that shows the area around the spent grenade after deployment.

12-4.0 FIREARMS

DEFINITIONS

- Apply only to this article unless otherwise stated.
- Firearms:
 1. Department-issued firearms.
 2. Privately owned, Department-approved firearms.
- Firearms discharge:
 1. Intentional discharge.
 2. Unintentional discharge.
 3. Discharge of a member's firearm by another person.

SWORN MEMBERS

- May only justify use of a firearm by the facts known at the time a decision to use the firearm is made. Facts unknown, no matter how compelling, cannot be considered later when determining if the use of a firearm was justified.
- Must communicate to a suspect their identity, purpose, and intention to fire, unless the circumstances are such that the suspect already knows or unless such communication cannot be reasonably made.
- May discharge a firearm in the performance of their police duties only in the following circumstances:
 1. Self-defense from death or serious injury.
 2. In defense of another person from death or immediate danger of serious physical injury.
 3. When all other reasonable means have been exhausted to apprehend or prevent the escape of a person who is known or believed to have the potential to cause imminent death or serious injury.
 4. When an officer is on foot and a vehicle is being used against the officer, or another person, and the safety of innocent persons would not be jeopardized.
 5. To dispose of or humanely destroy an injured animal.
 6. During training/qualifications at the Department's or any other approved range facility.
- Will not discharge a firearm in the performance of their duties in the following circumstances:
 1. From a moving vehicle.
EXCEPTION: When the occupants of another moving vehicle are using or attempting to use deadly force against an officer and the safety of innocent persons would not be jeopardized (e.g., ricocheting bullets, out-of-control vehicle, etc.).
 2. To fire warning shots.
 3. To call for assistance, except in extreme emergency. Justification for this exception rests solely with the member involved.

12-4.1 AUTHORIZED FIREARMS

SWORN MEMBERS

- Ensure Department-issued firearms and privately owned, Department-approved firearms are kept in a secure place when not in use. Access must be limited to ensure safety.
- Carry their issued firearm at all times while on duty, unless otherwise authorized by their commander or current procedures.
- Conceal their firearms from public view when not in uniform, except when present at crime scenes, assignments at law enforcement facilities where their official police identification is visible and they are readily identifiable as police officers, or when prior approval has been allowed by their commanders.
- May be armed when off duty with their:
 1. Department-issued firearm.

2. Privately owned, Department-approved firearm.

EXCEPTION: Officers who have not completed the Field Training Program unless they were hired under the Lateral Entry Program or are performing a work-related function (e.g., traveling to/from work assignment, court, etc.).

3. Privately owned firearm if they are authorized to possess the weapon by a valid concealed weapons permit or legislation (i.e., Law Enforcement Officers Safety Act of 2004).

12-4.2 SERVICE FIREARMS

SWORN MEMBERS

- Are issued firearms authorized by the Chief of Police.
- Are issued firearms by the Materials & Facilities Management Unit.
- Must be cognizant of the type of people they may be dealing with when at local institutions or hospitals, and, if the circumstances are appropriate, make every effort to secure the firearm to protect themselves and others.
- Are responsible for the condition of their issued firearms and will:
 1. Keep the firearm clean and ready for use at all times.
 2. Not modify any Department-issued firearm.
 3. Obtain repair, maintenance, and adjustments as necessary from a certified Firearms Training Team (FTT) armorer.
EXCEPTION: Tactical Unit special weapons.
 4. Keep firearms loaded with ammunition approved by the Training Section.
 5. Keep a round chambered when carried on duty.
NOTE: Topping-off the magazine by adding an additional round is prohibited.

SUPERVISORS

- Inspect service firearms weekly to ensure they are properly maintained.

REFERENCE

- Non-Departmental Equipment Guidelines.

12-4.3 PRIVATELY OWNED, DEPARTMENT-APPROVED FIREARMS

GENERAL

- Sworn members may carry a privately owned, Department-approved firearm, only after qualifying on a Department-approved course of fire. The member must also meet all Maryland Police Training and Standards Commission (MPTSC) requirements before being allowed to carry the firearm.
- Failure to maintain qualification on an annual/semi-annual basis or meet firearms requirements will result in cancellation of the member's privilege to carry a privately owned, Department-approved firearm.
- Probationary officers not hired under the Lateral Entry Program must complete field training prior to obtaining approval to carry a privately owned, Department-approved firearm.
NOTE: Officers may submit their request during field training, but will only be approved at the completion of field training.
- Firearms must meet all requirements listed in the Non-Departmental Equipment Guidelines to be approved for use, unless the specific firearm was previously approved by the Training Section for the member and the member has continuously maintained certification with that firearm.

- When a member's privately owned, Department-approved firearm is submitted into evidence due to its use during an incident, the firearm will be returned to the member as soon as practicable.

NOTE: When a member's privately owned, Department-approved patrol rifle is being held as evidence, and the member's patrol rifle certification is not suspended or revoked, the Department will issue the member a patrol rifle to use, if one is available.

FIREARMS CRITERIA

- Must meet the specifications listed on the Non-Departmental Equipment Guidelines.

FIREARMS PROHIBITIONS

- Altering or otherwise modifying a Department-approved firearm without the authorization of the FTT.

NOTE: The addition of an approved accessory listed in the Non-Departmental Equipment Guidelines is not considered a modification.

AMMUNITION CRITERIA

- Ammunition type and caliber will be determined and posted by the Training Section with the approval of the Training Section Commander.
- Refer to the Non-Departmental Equipment Guidelines.

APPROVED PATROL RIFLE ACCESSORIES

- Listed on Non-Departmental Equipment Guidelines.
- All approved patrol rifle accessories must be inspected by a member of the FTT prior to use on duty.

EXCEPTION: Pistol Grip Sleeves.

SWORN MEMBERS

- Must be able to demonstrate field disassembly, assembly, and a function check of the firearm.
- Are provided ammunition for qualification, only if the privately owned, Department-approved firearm is of the same caliber as the Department-issued service firearm.
- Keep privately owned, Department-approved firearms in excellent working condition and loaded with ammunition approved by the FTT.
- May have a maximum of two privately owned, Department-approved handguns approved for off duty use.
- May have only one privately owned, Department-approved patrol rifle approved for on duty use.
- Notify their commanders immediately, and in writing, when their privately owned, Department-approved firearm has been lost, stolen, sold, etc.
- Are responsible for all service, maintenance, knowledge, care, and safe and proper storage of all privately owned, Department-approved firearms.
- Working a plain clothes assignment or special detail may carry their privately owned, Department-approved handgun, in lieu of their issued handgun, when the member meets the qualifications outlined in this article and the member's bureau chief approves the request.

TRAINING SECTION

- Develops and maintains the criteria and prohibitions for privately owned, Department-approved firearms and accessories.
- Provides updates to the Non-Departmental Equipment Guidelines, as needed.
- Inspects the mechanical condition of privately owned, Department-approved firearms prior to qualification and ensures that the weapons conform to policy.

- May inspect the mechanical condition of privately owned, Department-approved firearms prior to re-qualification to ensure the firearm conforms to policy.
- Monitors qualifications for passing scores.
- Indicates approval and signs the Form 145, Weapons Request/Registration, if the member has qualified with the privately owned, Department-approved firearm described, or indicates disapproval and notifies the member's commander in writing that the member did not qualify.
- Conducts re-qualification for a privately owned, Department-approved firearm when the member is regularly scheduled for Department issued firearms qualifications.
EXCEPTION: Privately owned, Department-approved patrol rifle re-qualification will be completed on a patrol rifle re-qualification date.
- Maintains a file of approved Forms 145.
- Has final authority for privately owned, Department-approved firearm approval.

TRAINING SECTION COMMANDER

- Provides revisions to the Non-Departmental Equipment Guidelines, as needed.

REFERENCE

- Non-Departmental Equipment Guidelines.

12-4.3.1 APPROVAL/QUALIFICATION PROCESS FOR OFF DUTY USE OF HANDGUNS

GENERAL

- A member's commander may approve the request for a sworn member to carry a privately owned, Department-approved handgun while off duty.

SWORN MEMBERS

- Desiring to carry a privately owned, Department-approved handgun off duty must:
 1. Complete a Form 145, Weapons Request/Registration, to their commander requesting permission to carry an off duty firearm.
 2. Report to the range with the preliminarily approved weapon, and the Form 145, during their scheduled semi-annual qualification, or at a time designated by the Firearms Training Team (FTT) with:
 - a. An approved holster.
 - b. Two magazines.
 - c. Approved ammunition (if required).
 - d. Documented specifications (i.e., manual) for the firearm.
 3. Qualify with the firearm after it has been inspected and approved by the FTT.
 4. Return the Form 145 to their commander for final approval after posting passing scores on Maryland Police Training and Standards Commission (MPTSC) approved day and reduced light firearm qualification courses.
- Failing to qualify with a privately owned, Department-approved handgun may not carry the firearm until qualification mandates are met and their commander approves the Form 145.
- Whose commander has denied their request, may appeal their commander's decision to their division commander.
NOTE: Members whose chain-of-command does not include a division commander will appeal their commanders' decisions to their bureau chief.

COMMANDERS

- Distribute approved and disapproved Forms 145 as follows:
 1. Original - to the Professional Standards Bureau.
 2. Copy - to the member's command file.
 3. Copy - to the FTT.

4. Copy - to the member.

DIVISION COMMANDERS

- Review appeals from members whose commanders have denied their requests to carry a privately owned firearm off duty.

REFERENCE

- Non-Departmental Equipment Guidelines.

12-4.3.2 APPROVAL/QUALIFICATION PROCESS FOR ON DUTY USE OF HANDGUNS

GENERAL

- A member's bureau chief may approve the request for a sworn member to carry a privately owned, Department-approved handgun in lieu of the service handgun while on duty.
NOTE: Members whose chain-of-command does not include a bureau chief will submit their requests to the Bureau Chief of the Professional Standards Bureau.
- Requests to carry a privately owned, Department-approved handgun in lieu of a member's issued handgun will be submitted using a Form 12L, Intra-Department Correspondence.
- A member's authorization to use a privately owned, Department-approved handgun on duty is assignment specific. Members transferred to a new assignment must be approved by their bureau chief to continue their use of the handgun on duty.
- Members will review the Non-Departmental Equipment Guidelines for specifications detailing which handguns will be considered for on duty use.

SWORN MEMBERS

- Desiring to carry a privately owned, Department-approved handgun on duty will:
 1. Submit a Form 12L, and a Form 145, Weapons Request/Registration, through their chain of command to their bureau chief requesting preliminary approval to carry their privately owned, Department-approved handgun, in lieu of their issued handgun.
NOTE: Submitted Forms 12L must include an explanation identifying an operational necessity supporting the member's request.
 2. Report to the range with the weapon, and the preliminarily approved Form 145, during their scheduled semi-annual qualification, or at a time designated by the Firearms Training Team (FTT) with:
 - a. An approved holster.
 - b. Two magazines.
 3. Qualify with the firearm after it has been inspected and approved by the FTT.
 4. Return the Form 145 to their commander for final approval after posting passing scores on Maryland Police Training and Standards Commission (MPTSC) approved day and reduced light firearm qualification courses.
NOTE: Members approved to carry privately owned, Department-approved handguns on duty are required by the MPTSC to fire additional rounds of ammunition for qualification.
- Failing to qualify with a privately owned, Department-approved handgun, may not carry the firearm until qualification mandates are met and their commander and bureau chief approve the Form 145.

COMMANDERS

- Approve submitted Forms 12L with Forms 145 only when the request is supported by an operational necessity.
- Submit approved Forms 12L and Forms 145 to their bureau chief for final approval.
- Provide members with a copy of their approved Form 12L and Form 145.

- Ensure a copy of the Form 12L approved by the bureau chief is attached to each copy of the Form 145.
- Distribute approved and disapproved Forms 145 as follows:
 1. Original - to the Professional Standards Bureau.
 2. Copy - to the member's command file.
 3. Copy - to the FTT.
 4. Copy - to the member.

BUREAU CHIEFS

- Approve or deny requests to carry privately owned, Department-approved handguns on duty.

REFERENCE

- Non-Departmental Equipment Guidelines.

12-4.3.3 APPROVAL/QUALIFICATION PROCESS FOR ON DUTY USE OF PRIVATELY OWNED PATROL RIFLES

GENERAL

- A sworn member's bureau chief may approve their request to carry a privately owned, Department-approved patrol rifle while on duty.
NOTE: Members whose chain-of-command does not include a bureau chief will submit their requests to the Bureau Chief of the Professional Standards Bureau.
- Requests to carry a privately owned, Department-approved patrol rifle will be submitted using a Form 12L, Intra-Department Correspondence.
NOTE: If the member is not currently certified as a patrol rifle operator, the member will indicate that they wish to also participate in the patrol rifle program and carry their privately owned, Department-approved patrol rifle.
- A sworn member's authorization to use a privately owned, Department-approved patrol rifle on duty is assignment specific. Members transferred to a new assignment must be approved by their bureau chief to continue their use of the firearm on duty.
- Should a member's privately owned, Department-approved rifle become unavailable (e.g., sold, damaged, etc.), he/she may continue to participate in the Patrol Rifle program using a Department-issued rifle, if one is available.

SWORN MEMBERS APPROVED TO PARTICIPATE IN THE PATROL RIFLE PROGRAM

- May submit a request to their bureau chief to carry a privately owned, Department-approved patrol rifle while on duty.
- Desiring to carry a privately owned, Department-approved patrol rifle on duty will:
 1. Submit a Form 12L and a Form 145 through their chain of command to their bureau chief requesting preliminary approval to carry their privately owned, Department-approved patrol rifle.
NOTE: If only requesting to participate in the program, only a Form 12L is needed.
 2. Report to the range with the rifle, and the preliminarily approved Form 145, at a time designated by the Firearms Training Team (FTT) with:
 - a. A case with a tether and a lock.
 - b. Three magazines.
 - c. Documented specifications (i.e., manual) for the rifle.
 3. Qualify with the rifle after it has been inspected and approved by the FTT.
 4. Return the Form 145 to their commander for final approval by the commander and bureau chief after posting passing scores on Maryland Police Training and Standards Commission (MPTSC) approved day and reduced light firearm qualification courses.

- Failing to qualify with a privately owned, Department-approved patrol rifle, may not carry the firearm until qualification mandates are met and their commander and bureau chief approves the Form 145.

COMMANDERS

- Submit approved Forms 12L and Forms 145, Weapons Request/Registration, to their bureau chief for preliminary and final approval.
- Forward a copy of all Forms 12L and Forms 145 approved by the bureau chief to the FTT.
- Provide members with a copy of their approved Form 12L and Form 145.
- Ensure a copy of the Form 12L approved by the bureau chief is attached to each copy of the Form 145.
- Distribute approved and disapproved Forms 145 as follows:
 1. Original - to the Professional Standards Bureau.
 2. Copy - to the member's command file.
 3. Copy - to the FTT.
 4. Copy - to the member.

BUREAU CHIEFS

- Approve or deny requests to carry privately owned, Department-approved rifles on duty.

REFERENCE

- Non-Departmental Equipment Guidelines.

12-4.4 SPECIALIZED FIREARMS/WEAPONS

GENERAL

- Specialized firearms/weapons are not standard issued firearms or weapons and require specific selection, training, and certification standards.
- Units requiring the use of a firearm or weapon other than standard issue will submit documentation through the unit commander detailing the reasons, to include:
 1. Description of the firearm/weapon requested.
 2. Approval of the firearm by the Maryland Handgun Review Board and the Training Section.
- Each command level within the requesting bureau will review and comment on the request.
- The bureau chief, after reviewing all documentation, will approve or deny the request.
- If the request is approved, the requesting unit commander will ensure that all weapons training and qualification mandates are met prior to the weapons being issued or exchanged.
- The Training Section will be responsible for the training, maintenance, and certification records of specialized weapons issued to all members not assigned to the Tactical Unit.
- The Tactical Unit is responsible for the training, and maintenance of all specialized weapons assigned to the Unit. A written Standard Operating Procedure (SOP) will be maintained for each type of specialized weapon placed in service by the Tactical Unit and approved through the proper channels.

NOTE: The Tactical Unit will provide its members' weapon qualification dates and scores to the Training Section for forwarding to the Maryland Police Training & Standards Commission (MPTSC).

12-4.5 SHOTGUNS

GENERAL

- Shotguns are issued to most marked patrol units and selected support units and will be inspected:
 1. And cleaned on a weekly basis.
 2. Annually by a Firearms Training Team certified armorer to ensure the firearms are functioning properly.
- The shotgun will be an optional weapon for all sworn members of the Department. Members with recruit status will be trained to use the shotgun during initial firearms training. Upon graduation from the Training Academy, the qualification will become optional.
- This policy will not release non-certified officers from the responsibility of safety. All officers will be given safety briefings at In Service Training, providing instruction on how to safely unload, handle and clean a shotgun.
- Only shotgun-certified officers will deploy the shotgun. However, all officers will inspect the shotgun for safety and security during their daily vehicle inspection to ensure it is properly secured in the electronic rack with the safety on.
- The shotgun will be deployed for situations in accordance with the Department's firearms policy as outlined in this article.

CERTIFIED OFFICERS

- Will qualify on a Maryland Police Training and Standards Commissions (MPTSC) approved course of fire with the shotgun during the calendar year.
- If the weapon is deployed during the shift, will remove the live round from the chamber and load it back in the magazine tube. After ensuring the safety is on, secure the shotgun back into the electronic rack.
- At the end of the tour of duty, will ensure the shotgun is secured in the patrol vehicle.
- Conduct daily inspections on the condition of the shotgun ammunition.
- May submit a Form 145A, Request to Carry Non-Departmental Equipment, for approval of privately owned accessories.
NOTE: Refer to the Non-Departmental Equipment Guidelines.

SHIFT/UNIT COMMANDERS

- Maintain a list of shotgun-certified officers assigned to their shift/unit.
- Ensure that shotguns are cleaned on a weekly basis.
- Monitor the deployment of the shotgun by officers assigned to their shift/unit.

PRECINCT/SECTION COMMANDERS

- Maintain a current list of shotgun certified officers in their command, obtained from the Training Section.
- Maintain a record of all shotguns and ammunition issued to his/her command and ensure the weapons and ammunition are properly stored, inspected and maintained.
- Establish a proper storage area and protocol for weapon accessibility.

TRAINING SECTION

- Provides all training required for entry-level users of the shotgun and In Service qualifications for established users.
- Maintains all training records of qualified shotgun users and provides qualification information to the MPTSC.
- Repairs, as necessary, all Department owned shotguns and conducts maintenance on an annual basis.

- Provides safety briefings during yearly In Service Training to instruct all officers in the proper methods of unloading and safe handling of the shotgun along with instructions for cleaning the shotgun.
- Suspends the certification of an officer who fails to maintain minimum qualification scores and notifies the officer's commander by telephone followed by written notification. This suspension will be in effect until minimum scores have been achieved.
- Establishes a list of approved accessory items.

REFERENCE

- Non-Departmental Equipment Guidelines.

12-4.6 PATROL RIFLES

GENERAL

- The Department will permit the deployment of a patrol rifle by a certified sworn member to assist officers responding to an incident or situation where the weapon can be utilized in a support position against a suspect(s) who is believed to be a potential threat to officers and the public.
- Only certified, sworn members will deploy the weapon, and will do so consistent with the Department's firearms policy as outlined in this article.
- The patrol rifle is for limited use as defined in this policy. When the Tactical Unit assumes responsibility for the situation, specific instructions will be provided by the Incident Commander to the sworn members who are deployed with their patrol rifles.
- Sworn members approved to participate in the Department's Patrol Rifle Program, may request the approval of their bureau chief to carry a privately owned, Department-approved patrol rifle on duty.

NOTE: Sworn members receiving approval to carry a privately owned patrol rifle will immediately return their Department-issued patrol rifle and associated equipment (e.g., magazines, case, etc.) to the Materials & Facilities Management Unit, if applicable.

SELECTION CRITERIA AND PROCESS

- The bureau chief will determine the number of patrol rifles and certified sworn members assigned to each precinct/section.
- Sworn members requesting certification training will submit a Form 12L, Intra-Department Correspondence, through the chain-of-command to the precinct/section commander.
NOTE: Members will also include a Form 145 if requesting to qualify with a privately owned rifle.
- The precinct/section commander will assess the sworn member's qualifications to participate in the program after consultation with the Training Section Commander, or designee.
- Commanding officers will recommend selected sworn members to their division commander for review. The division commander will make recommendations to the bureau chief. The bureau chief will make the final determination as to which members will be selected for certification training.
- Sworn members selected to train with the patrol rifle must successfully complete and maintain satisfactory scores as prescribed by Maryland Police Training and Standards Commission (MPTSC).
NOTE: MPTSC requires certified officer to successfully complete two courses of fire for qualification (i.e., one during each half of the calendar year).
- The Training Section will issue/assign the Department's patrol rifles to certified, sworn members for deployment as per this policy.

DEPLOYMENT CRITERIA

- Deployment will be at the discretion and approval of the shift/unit commander or higher ranking member and will be deployed only by a sworn member certified for its use. Shift/unit commanders may deploy the patrol rifle for an unplanned, spontaneous field incident, and/or when circumstances exist where they determine the deployment of the patrol rifle would allow for a tactically superior advantage. Considerations for deployment include but are not limited to potential threats of suspects who are:
 1. Believed to be wearing protective body armor.
 2. Armed with, or have immediate access to a weapon.
 3. Situated in a tactically superior position.**EXCEPTION:** When a certified, sworn member encounters an immediate life-threatening situation that meets the deployment criteria he/she may deploy the patrol rifle without prior approval.
- When requesting a patrol rifle, an officer will broadcast his or her unit number, location, and the fact that a patrol rifle is needed.

CERTIFIED SWORN MEMBERS

- Only certified, sworn members are authorized to deploy a patrol rifle in the field. Sworn members who are equipped with the patrol rifle will:
 1. Upon beginning their tour of duty, notify communications that they are available and patrol rifle equipped.
 2. Properly secure (i.e. locked in a tethered case or secured in a departmental installed retention device) the unloaded patrol rifle, three magazines, and 90 rounds of ammunition in their police vehicle until approval is obtained for its deployment.
NOTE: Sworn member using a locked, tethered case will secure it to the vehicle.
 3. Respond to requests for a patrol rifle as needed.
 4. Ensure that each situation meets the deployment criteria and that approval is obtained prior to deploying the patrol rifle at an incident, unless exigent circumstances exist.
 5. Verbally report the deployment circumstances to the shift commander as soon as possible. The details of the incident justifying deployment will thereafter be submitted via a Form 12L through the chain-of-command prior to the end of the member's tour of duty.
 6. Clean, maintain, and properly secure the patrol rifle when not in use.
NOTE: Department-issued rifles will be stored in the assigned precinct/section's armory/vault when not in use.
- Who are promoted to the rank of Corporal may elect to retain their Department-issued patrol rifle at the discretion of their assigned precinct/section commander.
- At or above the rank of sergeant will not be assigned a Department-issued patrol rifle.
NOTE: Sworn members at or above the rank of sergeant may continue to participate in the Patrol Rifle program, but must do so using a privately owned, Department-approved rifle.
- May elect to maintain their certification even if a patrol rifle is no longer assigned to them.
- Who are de-certified or whose certification is suspended or revoked, will return their assigned Department-issued equipment to the Materials & Facilities Management Unit.
NOTE: Members who are de-certified, or whose certification is suspended or revoked, will not possess their privately owned, Department-approved patrol rifle during their tour of duty until their certification has been restored.
- Will ensure they are immediately identifiable as a law enforcement officer by wearing an identifiable outer garment that displays "POLICE" (e.g., issued traffic vest, issued uniform jacket, etc.) prior to deploying a patrol rifle.
NOTE: Non-uniformed members deploying patrol rifles will notify the dispatcher of this fact and relinquish their position to a uniformed patrol rifle operator at the first opportunity.

SHIFT/UNIT COMMANDERS

- Respond to all patrol rifle requests.
- Determine if deployment of the patrol rifle is appropriate.
NOTE: Generally, the shift/unit commander's decision to deploy the patrol rifle will be made at the scene. However, in exigent circumstances, authorization may be given via telephone or police radio prior to arrival.
- Ensure non-uniformed members deploying patrol rifles are replaced with uniformed patrol rifle operators at the first opportunity.
- Make the necessary notifications and documentation if the patrol rifle is discharged.
- Ensure that appropriate documentation is completed.
- Ensure any patrol rifle discharged during a member's tour of duty is inspected by the FTT.

PRECINCT/SECTION COMMANDERS

- May suspend or revoke a sworn member's patrol rifle certification at any time.
- Monitor certified, sworn members' shift assignments within his/her command to ensure adequate patrol rifle certified officer coverage.
- Maintain a current list of sworn members within his/her command who are certified to deploy the patrol rifle (obtained from the Training Section).
- Maintain a record of all patrol rifles issued to his/her command and ensure that the weapons are properly stored and maintained.
- Establish a proper storage area and weapon/accessories protocol for maintenance, accounting and accessibility.
- Of certified, sworn members transferring to other assignments will confirm and advise the new commanding officer, via a Form 12L, that the member is currently certified, approved, and authorized to use the weapon.
NOTE: If the sworn member is authorized to use a privately owned, Department-approved patrol rifle on duty, the:
 1. Current commander will include this information in his/her Form 12L.
 2. Receiving commander will ensure approval of the bureau chief is obtained prior to the sworn member carrying the rifle on duty in his/her new assignment.
- Critique all situations involving the deployment of the patrol rifle for appropriateness.
- Ensure a copy of the Form 12L documenting the deployment is sent to the Firearms Training Team (FTT).

9-1-1 COMMUNICATIONS CENTER

- Broadcasts the need for a patrol rifle and the location of the request.
- Assigns the patrol rifle equipped unit to the call as backup.
- Notifies and assigns the shift commander to respond.

12-5.0 HOLSTERS

DEFINITIONS

- Duty holster - a holster issued by the Department for the issued service weapon for use by any member.
- Administrative holster - a holster issued by the Department for the issued service weapon for use by:
 1. On duty members conducting plain clothes or administrative duties.
 2. Any member while off duty.
- Privately owned pre-approved holster - a holster that has been pre-approved by the Training Section for on duty use by members conducting plain clothes or administrative duties.

- Privately owned holsters that have not been pre-approved - holsters that have not been pre-approved by the Training Section for on duty use. Prior to use of these holsters on duty, requesting members must obtain the approval of their bureau chief, the Training Section, and their precinct/section commander.

NOTE: Consult the Non-Departmental Equipment Guidelines for the list of privately owned pre-approved holsters and the specifications used to evaluate privately owned holsters that have not been pre-approved for on duty use.

MEMBERS

- Use the Department's issued duty holster while on duty.

EXCEPTIONS:

1. Members conducting plain clothes or administrative duties may:
 - a. Choose to use the Department's issued administrative holster in lieu of the duty holster.
 - b. Obtain approval via a Form 145A, Request to Carry Non-Departmental Equipment, to use a privately owned holster that has been pre-approved for on duty use by members conducting plain clothes or administrative duties in lieu of the duty holster.
 2. Members conducting plain clothes duties may obtain permission to use a privately owned holsters that are not pre-approved for on duty use in lieu of the duty holster if:
 - a. There is a specific operational necessity supporting use of the holster; and
 - b. Use of the holster has been approved by the member's Bureau Chief, the Training Section, and their precinct/section commander.
- Must use an issued holster or a privately owned holster complying with the specifications displayed on the Non-Departmental Equipment Guidelines when qualifying at the Department's range.
 - Are encouraged to contact the Training Section prior to the purchase of any holster they intend to submit for Department approval for on duty use, or for use during qualifications at the Department's range, to ensure it complies with all of the specifications displayed on the Non-Departmental Equipment Guidelines.
 - Submit a Form 145A, Request to Carry Non-Departmental Equipment, to their commander to request permission to use a privately owned pre-approved holster on duty.
 - Submit a Form 12L, Intra-Department Correspondence, with the Form 145A if they are requesting permission to use a privately owned holster that is not pre-approved for on duty use on duty.

NOTE: Submitted Forms 12L must include an explanation identifying an operational necessity supporting the member's request.

- Authorization to use a privately owned holster that is not pre-approved for on duty use is assignment specific. Members transferred to a new assignment must be approved by their bureau chief to continue use of the holster on duty.

COMMANDERS

- Review Forms 145A submitted by members.
- Consult the Non-Departmental Equipment Guidelines or contact the Training Section to determine if a privately owned holster is:
 1. Pre-approved for on duty use.
 2. Not pre-approved for on duty use.
- May sign Forms 145A and approve the use of holsters that are pre-approved for on duty use without additional authorization from their bureau chief or the Training Section.

- May only sign Forms 145A and approve the use of holsters that are not pre-approved for on duty use, after the use of the holster has been approved by the member's bureau chief and the Training Section.
EXCEPTION: A member's precinct/section commander may allow the use of a holster that is not pre-approved for on duty use, and has not been approved by the member's bureau chief and the Training Section, when exigent circumstances exist. Precinct/section commanders allowing the use of a holster that is not pre-approved, and has not been approved by the member's bureau chief and the Training Section, must submit a Form 12L to their bureau chief providing an operational necessity, justification for allowing the on duty use of the holster, and an articulated duration of the particular use.
- Review Forms 12L to ensure the members' requests to use privately owned holsters that are not pre-approved on duty are supported by an operational necessity.
- Submit approved Forms 12L to the bureau chief for final approval.
- Ensure copies of Forms 12L authorizing on duty use of privately owned holsters that are not pre-approved for on duty use are attached to all copies of the associated Form 145A.
- Distribute approved Forms 145A as follows:
 1. Original - to the Professional Standards Bureau (PSB).
 2. Copy - to the member's command file.
 3. Copy - to the requesting member.

BUREAU CHIEFS

- May authorize the on duty use of a holster that is not pre-approved by the Training Section for on duty use.
NOTE: Requests submitted by members whose chain-of-command does not include a bureau chief will be reviewed by the Bureau Chief of the PSB.
- Review Forms 12L to ensure members' requests to use holsters that are not pre-approved on duty are supported by an operational necessity.
- Indicate approval or disapproval on the Forms 12L, and return to the submitting commander.

REFERENCE

- Non-Departmental Equipment Guidelines.

12-6.0 WEAPON MOUNTED LIGHTS

GENERAL

- Do not eliminate the need for a member to carry a primary flashlight.
- Enhance a member's ability to identify and engage a target when the member has justification/reason to have their weapon drawn/deployed.
- Assist members in firing precise shots in low-light conditions.

MEMBERS

- Will not draw/deploy firearms with weapon mounted lights solely due to a need for illumination.
- May use weapon mounted lights only after completing a weapon mounted light course provided by the Training Section.
- Will only use weapon mounted lights issued by the Department on the issued semi-automatic pistols.
- Will not make modifications to the issued weapon mounted light (e.g., adding a pressure activated switch, reactivation of strobe mode, etc.).
- Are not required to use weapon mounted lights on their pistols.
- Ensure the weapon is unloaded and made safe prior to installing or removing the weapon mounted light.

APPROVED USES OF WEAPON MOUNTED LIGHTS

- Situations in which the use or display of the firearm is authorized by the Department's use of force policy.

PROHIBITED USES OF WEAPON MOUNTED LIGHTS

- For illumination during non-threat activities (e.g., examining a driver's license, looking into a vehicle, general searching, etc.).

WEAPON MOUNTED LIGHT ACTIVATION

- Will not be completed by using the strong hand index finger.
NOTE: Using the index finger of the strong hand may lead to an unintentional discharge.

12-7.0 FIREARMS DISCHARGES

GENERAL

- Firearm discharges must be reported to the Department and to the law enforcement agency having jurisdiction (i.e., for incidents occurring outside of Baltimore County) for all discharges of:
 1. Any firearm by a member occurring while the member is on duty or acting in an official capacity as a law enforcement officer.
EXCEPTION: Firearm discharges occurring during authorized training sessions, unless serious physical injury, death, or substantial property damage occurred.
 2. A departmentally issued or departmentally approved, privately owned firearm by a Department member or other person.
EXCEPTION: Firearm discharges occurring during lawful hunting, target practice, and authorized training sessions, where no death, injury, or property damage occurs.
 3. A privately owned, but not departmentally approved firearm by a member or other person, where criminal charges may result against the member.
 - Members may document, via a Form 12L, Intra-Department Correspondence, any non-reportable firearm discharge where property damage is incurred, or where the member feels it is in their best interest to have the incident documented (e.g., if the incident may result in civil liability, a complaint to the Department, etc.).
 - All reportable firearm discharges will undergo a criminal investigation and an administrative investigation by the entities having investigative responsibility.
EXCEPTION: Humane destruction of animals cases, unless the administrative review by the shift/unit commander indicates that violations of law have occurred.
 - When a firearm discharge occurs in another jurisdiction the:
 1. Local law enforcement agency is responsible for the criminal investigation.
 2. Department is responsible for the administrative investigation.
 - Firearm discharges by a commissioned law enforcement officer of any agency occurring within Baltimore County will undergo a criminal investigation by the Baltimore County Police Department to determine if violations of the law have occurred, regardless of any administrative investigations being conducted by the other jurisdiction.
EXCEPTION: Cases involving member of the Maryland State Police (MSP), as governed by the Memorandum of Understanding.
- NOTE:** Information on firearms discharges contained in the remainder of this article refers to criminal investigation procedures and responsibilities. For administrative investigation procedures and responsibilities, refer to Administrative Manual, Article 3.

MEMBERS

- Immediately notify the shift commander of the precinct wherein the discharge occurred, after a reportable firearm discharge.

NOTE: If the discharge occurred within another jurisdiction, the member will immediately notify the local law enforcement agency and the Baltimore County 9-1-1 Communications Center, for notification of the member's commander and their on-duty shift/unit commander via the 9-1-1 Police Liaison.

- Are subject to the laws of the jurisdiction where the firearm discharge occurred.
- Who discharge a firearm to dispose of any animal posing an immediate threat to the safety of humans or to humanely destroy an animal which is injured, will:
 1. Make reasonable attempts to contact the animal's owner or a veterinarian before using the discretion to humanely destroy the animal.
 2. Weigh the totality of the circumstances against the potential hazards associated with a firearm discharge.
 3. Obtain the shift/unit commander's approval when possible and advise him/her of all relevant factors known (e.g., location, lighting, traffic, background, etc.).
 4. Complete a Form 229A, Officer's Firearms Discharge Report for Humanely Destroyed Animals, immediately after the humane destruction of an animal.
- May voluntarily give a public safety statement in reference to the circumstances surrounding the firearm discharge (Refer to Field Manual, Article 12, Section 7.2, Public Safety Statements).

NOTE: Involved members may decline to answer the public safety statement questions.

- Involved in an intentional firearm discharge will:
 1. Submit the discharged firearm and associated magazines to a supervisor at the scene, prior to the arrival of the Homicide/Missing Persons Unit (HMPU) or Forensic Services Section (FSS), if practical.
 2. For discharges that were a use of force resulting in injury or death to a person, the discharging member will submit a pre-printed Use of Force Report Form 12L, prior to the end of their tour of duty.

NOTE: No further information or detail of the incident will be included in the Use of Force Report Form 12L.

EXCEPTION: When the member is injured during the course of the incident, the Form 12L will be submitted as soon as practicable.
 3. Not write any statements or complete any administrative forms until after being interviewed by the HMPU detectives or other investigating unit conducting the criminal investigation.

EXCEPTION: The information to be included in the pre-printed Use of Force Report Form 12L.
 4. Remain in the clothing they were wearing at the time of the shooting until a HMPU supervisor or member of the other investigating unit conducting the criminal investigation arrives to ensure photographs of the member's appearance are taken.

EXCEPTION: When there are extenuating circumstances (e.g., the member sustains injuries requiring removal of clothing for immediate medical attention, because the clothing has been contaminated and is a bio-hazard, etc.) photographs will be taken using a BWC handheld device prior to removal, if practicable.

EXCEPTION: Humane destruction of animals where no unusual occurrence took place.

- Complete an original and three copies of a Form 253 when:
 1. Discharging a firearm while on duty or acting in the official capacity as a law enforcement officer; and
 2. The firearm was discharged to address a threat to the safety of the member or another individual (i.e., Use of Force).

NOTE: For discharges involving injury or death to a person, members will complete the Form 253 within 30 days of the incident, when possible, after they have made all statements to the HMPU or other investigating unit.
- Complete a Form 12L to document all other firearms discharges (e.g., unintentional discharge, to call for assistance, etc.).

EXCEPTION: Humane destruction of animals where no unusual occurrence took place will be documented on a Form 229A.

REPORTING OFFICER

- Confers with the supervisor of the investigating unit to determine the appropriate offense code(s) and any special reporting requirements.
- Lists pertinent information about the member involved in the *Narrative* tab of the report and not in the *Offenders* tab.
- Documents efforts to contact the animal's owner in the *Narrative* tab of the incident report, when discharging a firearm at any animal posing an immediate threat or attacking an officer or other person.

SUPERVISORS

- Ascertain what occurred from the member(s) involved and witnesses.

NOTE: The supervisor will not conduct formal administrative interviews of the member(s) involved. They will only ask the involved member(s) the Public Safety Statement questions outlined in Field Manual, Article 12, Section 7.2, Public Safety Statements.
- Recover discharged firearms, and all associated magazines, from members who have intentionally discharged their weapons prior to the arrival of the HMPU and FSS, if practical. If a member possessed multiple firearms at the time of discharge (i.e., patrol rifle or shotgun), all firearms and magazines/ammunition in the member's possession at the conclusion of the incident will be recovered.

EXCEPTION: Humane destruction of animals where no unusual occurrence took place.
- Allow discharged firearms and associated magazines to remain with the member if it is impractical to recover the items at the scene.

NOTE: The items will remain with the member until the supervisor can accomplish the recovery (e.g., at the precinct, at the hospital, etc.).
- Clearly identify each recovered weapon and its associated magazines.

NOTE: Each recovered weapon will be collected separately and labeled with the name and identification number of the member it was taken from.
- Leave weapons in the condition that they were recovered (i.e., unfired rounds will not be removed and weapons will not be unloaded).
- Maintain an exact chain of custody for recovered weapons that includes the recovering supervisor's name.
- Secure recovered firearms and magazines in the locked trunk of a police vehicle, if practical, until the HMPU or FSS personnel arrive to take custody of the items.
- Ensure any items dropped or discarded by a member during a shooting (e.g., magazine, etc.) remain undisturbed at the scene for collection by the FSS.
- Recover discharging members' gun belts and/or holsters, if there is damage that is indicative of the member being in a physical struggle, or there is another evidentiary reason.

SHIFT/UNIT COMMANDERS

- When practical, respond to the scene, prior to giving approval for the use of a firearm for the humane destruction of an animal.
- Ensure that the 9-1-1 Communications Center has been notified, when a reportable firearm discharge occurs.
- Respond to shooting scenes in Baltimore County and ensure that the scene is secure, evidence (including police vehicles/equipment) is preserved in its original position, and witnesses are available for interviews by the investigating unit.
- Immediately notify the precinct commander of the precinct where the incident occurred, and if different, the commander of the member involved, upon notification of a reportable firearms discharge by a member.
EXCEPTION: Humane destruction of animals where no unusual occurrence took place.
- Notify the involved member of his/her right to legal counsel.
- Ascertain what occurred from the member(s) involved and witnesses.
NOTE: The shift/unit commander will not conduct formal administrative interviews of the member(s) involved. They will only ask the involved member(s) the questions outlined in Field Manual, Article 12, Section 7.2, Public Safety Statements.
- For cases involving an intentional discharge:
 1. Ensure that the supervisor or the FSS technician responds to the scene and inspects the firearms of all members involved in the incident.
 2. Arrange an escort to the precinct for any member(s) whose firearm is held by the FSS for comparison examination.
EXCEPTION: Humane destruction of animals where no unusual occurrence took place.
- For cases involving an unintentional discharge:
 1. Notify the member that their departmental authority to carry that type of firearm (e.g., handgun, shotgun, specialized weapon, etc.) is suspended.
NOTE: The firearm suspension will remain in effect until the firearm is determined to be functioning properly and the member's knowledge of the firearm has been demonstrated.
 2. Obtain the firearm in question and transport to the nearest precinct to be secured.
 3. Ensure the firearm is transported to the Firearms Training Team (FTT) for examination on the next regularly scheduled workday.
 4. Obtain dates and times for the member(s) involved to report to the FTT to demonstrate their knowledge of the firearm.
NOTE: In most cases this should be the member's next regularly scheduled workday.
- Ensure the Peer Support & Wellness Team (PSWT) is contacted for all intentional firearms discharges, and applicable unintentional firearms discharges.
EXCEPTION: Intentional discharges of firearms for the humane destruction of animals.
- Ensure that all members present when the shooting occurred are separated, but not isolated, until interviewed by the investigating unit(s).
NOTE: Discharging members will be taken to the precinct or other Department facility, given space separated from other involved members, and have a non-involved (i.e., someone who was not at the scene when the shooting took place) member or supervisor with them at all times to address their needs. The non-involved member may be from the same command, a PSWT member, Fraternal Order of Police (FOP) representative, etc.
- Encourage members involved in the incident to contact their families, before extensive media coverage begins.
- Assign an officer not involved in the incident to write the incident report, when an incident report is required (i.e., for all firearms discharges except humane destruction of animals where no unusual occurrence took place).

- Ensure the Materials & Facilities Management Unit (MFMU) provides the discharging member with a replacement duty firearm prior to the end of the member's tour of duty, unless the member is hospitalized and unable to receive the firearm, or the member's authority to carry that firearm is suspended.
- Review the Form 253 or 229A for accuracy and forward to the precinct/section commander.

PRECINCT/SECTION COMMANDER

- Reviews all reports submitted by the shift/unit commander.
- Ensures that all reports are forwarded to the IAD Commander.

MATERIALS & FACILITIES MANAGEMENT UNIT

- Provides the discharging member with a replacement duty firearm prior to the end of their tour of duty, unless the member is hospitalized and unable to receive the firearm, or the member's authority to carry that firearm is suspended.

FORENSIC SERVICES SECTION

- Responds to the scene of intentional firearm discharges.
EXCEPTION: Humane destruction of animals where no unusual occurrence took place.
- Takes custody of firearms discharged during incidents.
NOTE: If a member possessed multiple firearms at the time of the discharge (i.e., patrol rifle or shotgun), all firearms and magazines/ammunition in the member's possession at the conclusion of the incident will be recovered.
- Renders firearms safe for packaging.
- Conducts a count of unspent rounds.
- Photographs the member(s) involved in the discharge.

HOMICIDE/MISSING PERSONS UNIT

- Directs the recovery of discharged firearms by the FSS at shooting scenes.
EXCEPTION: Humane destruction of animals where no unusual occurrence took place.

PEER SUPPORT & WELLNESS TEAM (PSWT)

- Responds to all police involved firearms discharges to provide support (e.g., emotional, etc.) to involved members and their families whether or not they have discharged their weapons.
NOTE: It is not the goal of the PSWT to discuss the details of the incident with any members involved as conversations with PSWT members are not statutorily protected.
- Advises members who have discharged their firearms of the process to return to duty.
- As policy allows, assists involved members in all stages of the process to provide support at the request of the involved member(s).

12-7.1 INVESTIGATIVE RESPONSIBILITY

GENERAL

- Upon notification of a firearm discharge, the shift/unit commander will review the available information and circumstances surrounding the incident to determine:
 1. If the incident could result in criminal charges; and
 2. The unit with responsibility for the criminal investigation.
- The unit with criminal investigation responsibility will conduct a complete investigation to determine:
 1. If any violations of law have occurred.
 2. The appropriate criminal charges, when applicable.

- The Bureau Chief of the Criminal Investigations Bureau (CIB) will be consulted for any firearm discharge in which responsibility for the criminal investigation is not explicitly defined by this policy.

HOMICIDE/MISSING PERSONS UNIT (HMPU)

- Responsible for the criminal investigation of reportable firearms discharges occurring within Baltimore County involving:
 1. An injury or death.
 2. A member who is on duty or acting in an official capacity as a law enforcement officer.
EXCEPTION: Animal cases and unintentional discharges where no injury or death results.
- Responsible for the criminal investigation of firearm discharges occurring in Baltimore County by a commissioned law enforcement officer of any other jurisdiction resulting in injury or death.
EXCEPTION: Cases where the criminal investigation is being handled by the Maryland State Police (MSP), in accordance with the Memorandum of Understanding.

VIOLENT CRIMES UNIT

- Responsible for the criminal investigation of intentional firearm discharges occurring within Baltimore County by a commissioned law enforcement officer of any other jurisdiction where no injury or death results.
EXCEPTION: Cases where the criminal investigation is being handled by the MSP, in accordance with the Memorandum of Understanding.

SHIFT/UNIT COMMANDER

- Conducts an initial evaluation and review of all reported firearm discharges and:
 1. Refers the investigation to the unit responsible for the criminal investigation, or
 2. Conducts the investigation if he/she has investigative responsibility.
- Responsible for the criminal investigation of:
 1. Reportable firearms discharges in animal cases.
EXCEPTION: Humane destruction of animal cases, when the administrative review indicates that no violations of Department policy or law have occurred.
 2. Reportable firearms discharges where no injury or death occurs, but criminal charges may result and an entity of the CIB or another jurisdiction is not responsible for the investigation.
 3. Criminal investigation of unintentional firearm discharges occurring within Baltimore County by commissioned law enforcement officers of other agencies where no injury or death results.
EXCEPTION: When the criminal investigation is being handled by the MSP, in accordance with the Memorandum of Understanding.

UNIT WITH INVESTIGATIVE RESPONSIBILITY

- Conducts a thorough criminal investigation.
- Reviews all written statements by members and witnesses.
- Notifies the IAD to respond to the scene, when necessary.
- Initiates criminal charges, if warranted, after consultation with the State's Attorney's Office.
- Prepares an updated version of the Case Report if criminal charges are placed against the member involved.
- Submits a complete report of the criminal investigation to:
 1. CIB - Persons Crimes Section Commander.
 2. Commander responsible for the administrative investigation, and if different, the commander of the member involved.

3. The State's Attorney's Office.
 4. IAD Commander.
- Submits an updated version of the Case Report once the investigation is no longer active and confidential. The updated version of the Case Report will include any updated and pertinent information (e.g., victim, suspect, vehicle, etc.).

REFERENCE

- Administrative Manual, Article 3 (Administrative Investigations and Reports).

12-7.2 PUBLIC SAFETY STATEMENTS

PUBLIC SAFETY STATEMENTS

- Are time sensitive statements used to ascertain what occurred from members involved in or witnessing a firearms discharge or other unusual occurrence.
- Obtained by the first shift/unit commander or supervisor arriving at the scene.
NOTE: Shift/unit commander and supervisors shall not deviate from the questions listed below when obtaining public safety statements.
- Ensure:
 1. Consistency of information gathered; and
 2. Protection of the involved officers' rights.
- Are limited to the details of the incident that pertain to matters that effect public safety.
- Are gathered without any Miranda advisement.
- Must be given voluntarily (i.e., involved members can decline to answer the public safety statement questions).
- Are not interviews or part of the administrative investigation.

PUBLIC SAFETY STATEMENT QUESTIONS

- Did you fire your weapon, and what direction did you fire?
- Approximately (i.e., not exact) how many rounds did you fire?
- Did the suspect fire their weapon? If so, what direction?
- Approximately (i.e., not exact) how many rounds did the suspect fire?
- Are you aware of anyone who is injured? If so, what is their location?
- Are you aware of the location of any unsecured weapons? If so, where are they?
- If any suspects are outstanding, what are their descriptions?
NOTE: If there are outstanding suspects, the following questions will be asked:
 1. What was their direction/mode of travel?
 2. How long have they been gone?
 3. What type of weapons did they have?
 4. What other safety risks are known about the outstanding suspects?
- Are you aware of any witnesses? If so, where are they located?
- Does any evidence need protection? If so, where is it located?

NOTE: The responding shift/unit commander or supervisor should use the circumstance of the incident to determine which of the Public Safety Statement questions are appropriate to ask of each of the involved members to ensure the public is safe.

12-8.0 FIREARMS TRAINING AND QUALIFICATIONS

SCHEDULING

- Firearms Training Team (FTT) personnel will determine the number of personnel scheduled for training/qualifications each day in the interest of safety and accommodations.
- Members unable to attend on the scheduled day will advise their supervisor of the circumstances involved. Supervisors will reschedule the member for the next available date.

TRAINING

- Firearms training will consist of classroom instruction, range practice, and skill/knowledge drills, as determined by the FTT personnel.
- Mandates of this Department and the Maryland Police Training and Standards Commission will be followed for the courses of instruction and met by each member in order to use any Department-issued and/or privately owned, Department-approved firearm.

QUALIFICATION PROCESS

- Each member must qualify and attain a level of proficiency established by the Department.
- Members who fail to qualify will:
 1. Be required by FTT personnel to immediately notify their commander. FTT personnel will follow up with written notification.
 2. Relinquish the firearm upon request and be temporarily assigned to a non-line function.
 3. Attend remedial training arranged by FTT personnel and the member's commander.
 4. After remedial training and attainment of the established level of proficiency, be re-tested in order to carry the firearm.
 5. Should a member fail to qualify the first time, completion of qualification is required within 30 days.
- Any member unable to qualify after all avenues of retraining have been completed will be considered incompetent to carry a firearm. The Chief of Police may then pursue, but is not limited to, any of the following:
 1. Reassignment of the member to a non-line function if a physical impairment prevents the member from qualifying.
 2. Utilization of alternatives to retain the member as an employee, if such impairment is temporary.
 3. Termination of employment.

CHANGE OF ISSUED FIREARM

- An officer changing an issued firearm must demonstrate proficiency with the firearm, prior to reporting to duty with the new firearm, if the make and model of the new firearm is different from that which the officer is qualified to carry. FTT personnel will set the qualification requirements.

NOTE: Qualification with a newly issued firearm does not satisfy the semi-annual qualification requirement.

12-9.0 FIREARMS MAINTENANCE AND REPAIR

GENERAL

- When requesting maintenance or repair of Department-issued firearms, members will:
 1. Prepare an original and two copies of a Form 169, Firearms Maintenance Request (top half only).
 2. Sign the form and obtain their commander's approval.
 3. Transport the firearm and the Form 169 to the Firearms Training Team (FTT).
NOTE: If a firearm becomes defective while on the range, a member will complete the Form 169 as prescribed and have a FTT member approve the form. All other applicable procedures will then be followed.
- Repair procedures also apply to privately owned firearms damaged while being carried on-duty when the following criteria are met:
 1. The member has obtained authorization to carry the firearm on duty, per current procedures.
 2. The damage is not a result of the member's misuse, abuse, or negligence.

FTT PERSONNEL

- Acknowledge receipt of the firearm, sign all copies of the Form 169 and describe the firearm loaned.
- Return the original of the Form 169 to the submitting commander.
- Upon completion of maintenance or repairs, complete the bottom portion of the Form 169, noting what work was performed.
- Contact the submitting member or commander to advise of the firearm being ready and return the second copy of the Form 169 for the submitting commander's files.

12-10.0 ARMED AIR TRAVEL

GENERAL

- Sworn members conducting departmental business who are required to carry their firearm during air travel must meet the requirements of the Transportation Security Administration (TSA).

PROCEDURES

- Department members conducting official law enforcement duties requiring them to fly in aircraft while armed will do the following:
 1. Complete the Federal Aviation Administration (FAA) approved "Flying While Armed" training given by the Training Section.
 2. Submit a Form 12L, Intra-Department Correspondence, to their commander stating the purpose for travel, complete flight information, destination, and any pertinent information.
 3. Receive written approval from the commander.
 4. Submit the request for authorization, via telex message, to the National Law Enforcement Telecommunications System (NLETS).
NOTE: This telex request must be made through the Information & Records Management Section.
 5. Receive the NLETS message from the TSA, including a unique alphanumeric identifier for verification at the airport on the day of travel.
 6. Check in with the airline ticket counter on the day of travel, identify him/herself and present a copy of the NLETS message with the unique alphanumeric identifier.
 7. Receive the Person Carrying Firearms (PCFA) forms provided by the airline and proceed to the Armed Law Enforcement Officer (LEO) Screening Checkpoint.
 8. Provide the unique alphanumeric identifier from the NLETS message at the Armed LEO Screening Checkpoint, display his/her badge, credentials, boarding pass, a second form of government photographic identification (e.g., driver's license, passport, etc.) and required airline paperwork to the TSA officer.
 9. Complete the LEO log book and proceed to his/her boarding gate.
 10. Provide the PCFA forms at the boarding gate and inform the gate agent of his/her presence and status.
 11. Board the aircraft when directed and comply with instructions/directions from the flight crew.

12-11.0 LAW ENFORCEMENT OFFICERS SAFETY ACT (LEOSA)

DEFINITIONS

- Qualified Law Enforcement Officer - an employee of a governmental agency who:
 1. Is authorized by law to engage in or supervise the prevention, detection, investigation or prosecution of, or the incarceration of any person for any violation of law, and has statutory powers of arrest;
 2. Is authorized by the agency to carry a firearm;

3. Is not the subject of any disciplinary action by the agency which could result in suspension or loss of police powers;
 4. Meets standards, if any, established by the agency which require the employee to regularly qualify in the use of a firearm;
 5. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
 6. Not prohibited by federal law from receiving a firearm.
- Qualified Retired Law Enforcement Officer - an individual who:
 1. Separated from service in good standing from service with a public agency as a law enforcement officer;
 2. Before such separation, was authorized by law to engage in or supervise the prevention, detection, investigation, or prosecution of, or the incarceration of any person for, any violation of law, and had statutory powers of arrest;
 3. Before such separation, served as a law enforcement officer for an aggregate of 10 years or more; or separated from service with such agency after completing any applicable probationary period of such service, due to a service-connected disability, and determined by such agency;
 4. During the most recent 12-month period, has met, at the expense of the individual, the standards for qualification in firearms training for active law enforcement officers, as determined by the former agency of the individual, the state in which the individual resides or, if the state has not established such standards, either a law enforcement agency within the state in which the individual resides or the standards used by a certified firearms instructor that is qualified to conduct a firearms qualification test for active duty officer within the state;
 5. Has not been officially found by a qualified medical professional employed by the agency to be unqualified for reasons relating to mental health and as a result of this finding will not be issued the photographic identification required; or has not entered into an agreement with the agency from which the individual is separating from service in which that individual acknowledges he or she is not qualified for reasons relating to mental health and for those reasons will not receive or accept the photographic identification required;
 6. Is not under the influence of alcohol or another intoxicating or hallucinatory drug or substance; and
 7. Is not prohibited by federal law from receiving a firearm.

GENERAL

- The Law Enforcement Officers Safety Act (LEOSA), Chapter 44, Title 18, United States Code permits both qualified law enforcement officers and qualified retired law enforcement officers to carry a concealed firearm in any state and the District of Columbia without a permit or license.

NOTE: This does not supersede or limit the laws of any state that:

 1. Permits private persons or entities to prohibit or restrict the possession of concealed firearms on their property; or
 2. Prohibit or restrict the possession of firearms on any state or local government property, installation, building, base, or park.
- Individuals carrying under LEOSA are required to carry their agency issued identification card.

NOTE: The identification card carried by retired qualified law enforcement officers must indicate, or be accompanied by, a certification outlining the individual's qualification within the past year to carry under LEOSA.
- LEOSA exempts qualified law enforcement officers from state laws prohibiting the carry of concealed firearms.

- Members receiving inquiries from retired/separated officers of this Department about qualifying for the LEOSA, will direct them to the Firearms Training Team (FTT).

ACTIVE SWORN MEMBERS WHO ARE QUALIFIED LAW ENFORCEMENT OFFICERS

- May carry the Department-issued service firearm or an approved off-duty firearm.
- Must carry their Department-issued identification card when carrying a firearm.
- Must be currently qualified and complete required firearms training designated by the FTT.
- Who carry a firearm outside of Maryland have no police powers and will be subject to federal, state and local laws, which may prohibit the carrying of a firearm on certain public and private property.
- Are reminded that the Baltimore County Police Department is not civilly liable for any actions taken by the member in another state.
- Who are served with any interim, temporary or a final protective or peace order must notify a supervisor immediately and not wait until the officer's next scheduled shift.
- Who have their police powers suspended cannot carry a firearm. Personnel who are the subject of any disciplinary action may not carry a firearm under the provisions of the LEOSA.
NOTE: Disciplinary action is defined as when the member's police powers have been suspended. The disqualification will continue until the member's police powers have been reinstated.
- Who are encountered by an investigating officer/agency from another state or jurisdiction and are questioned about their status as a qualifying officer for the LEOSA, will advise that their employment status can be verified by contacting the Public Safety Building Security Desk.

RETIRED/SEPARATED SWORN MEMBERS WHO ARE QUALIFIED RETIRED LAW ENFORCEMENT OFFICERS

- Contact the FTT to initiate procedures for complying with the LEOSA.
- May qualify with any weapon approved for an active sworn member.
- Are responsible for providing ammunition for their firearm, when qualifying for LEOSA through Baltimore County.
NOTE: No other expense will be incurred by the member.
- Will be issued an identification card that allows them to comply with LEOSA requirements.
NOTE: The FTT will coordinate with the Police Human Resources Section (PHRS) to ensure that an appropriately labeled "Separated" ID card is authorized for issuance to separated members who will be carrying under LEOSA, but do not qualify for retirement.

INVESTIGATIVE PROCEDURES

- Officers encountering an individual carrying a concealed firearm and claiming exemption from prosecution under the LEOSA, will:
 1. Have the individual produce a current law enforcement agency photographic identification verifying their status as an active or retired law enforcement officer.
 2. If the individual is a retired officer, they must also produce verification of qualification within the last 12-month period with the type of firearm they are carrying.

JURISDICTIONAL ASSISTANCE AND AUTHORITY

Article 13

13-1.0 Assistance Requests [n/a]

- 13-1.1 *Routine Other Jurisdiction (OJ) Assistance Requests [rev. 04/2005]*
- 13-1.2 *Maryland State Police (MSP) Helicopter [rev. 10/2007]*
- 13-1.3 *Maryland State Police (MSP) Amber Alert Plan [rev. 01/2014]*
- 13-1.4 *Maryland State Police (MSP) Blue Alert Program [rev. 01/2014]*
- 13-1.5 *Maryland State Police (MSP) Silver Alert Program [rev. 04/2019]*
- 13-1.6 *Maryland State Police (MSP) Yellow Alert Program [rev. 04/2019]*

13-2.0 Mutual Aid Agreements [rev. 08/1998]

13-3.0 Memorandums of Understanding [n/a]

- 13-3.1 *Maryland State Police (MSP) [rev. 11/2010]*
- 13-3.2 *Maryland Transit Administration (MTA) Police [rev. 08/2020]*
- 13-3.3 *Maryland Department of Natural Resources, Forest, Park and Wildlife Services (DNR) [rev. prior to 1994]*
- 13-3.4 *Maryland Transportation Authority (MDTA) Police [rev. 04/2018]*

13-4.0 Statewide Law Enforcement Authority [n/a]

- 13-4.1 *Extra-Jurisdictional Authority [rev. 10/2003]*
- 13-4.2 *Drug Kingpin Act [rev. 08/2020]*

JURISDICTIONAL ASSISTANCE AND AUTHORITY

13-1.0 ASSISTANCE REQUESTS

13-1.1 ROUTINE OTHER JURISDICTION (OJ) ASSISTANCE REQUESTS

9-1-1 POLICE LIAISON

- Obtains information concerning location and the type of routine assistance needed from the requesting jurisdiction.
- Notifies the closest precinct shift commander or requested support unit supervisor for approval to send assistance.
- Notifies the Bureau Chief of the Operations Bureau, or designee, if the request requires assistance from multiple precincts and/or multiple support units.
- Dispatches the needed units when the request is approved.

SHIFT COMMANDER/SUPPORT UNIT SUPERVISOR

- Approves request for routine assistance and authorizes the deployment of resources.
- Notifies the precinct commander and the Bureau Chief of the Operations Bureau, or designee, regarding the type of assistance provided as soon as it is reasonable.

BUREAU CHIEF OF THE OPERATIONS BUREAU

- Notifies the Chief of Police, at a reasonable time, whenever assistance is provided under this section.

REFERENCE

- [Maryland Annotated Code, Criminal Procedures, § 2-102.](#)

13-1.2 MARYLAND STATE POLICE (MSP) HELICOPTER

GENERAL

- A Maryland State Police (MSP) car will act as a monitor.
- The senior officer at the scene will determine when to cancel helicopter support.

SQUAD SUPERVISORS

- May request helicopter support and the MSP monitor vehicle through the 9-1-1 Communications Center.
- Advise the 9-1-1 Communications Center of the location and type of support required, and the County monitor vehicle's number and location.

13-1.3 MARYLAND STATE POLICE (MSP) AMBER ALERT PLAN

DEFINITIONS

- For the purpose of this section, the following words have the following meanings:
 1. Abduction - a child who is missing involuntarily from the person(s) having caretaking responsibilities for the child and an eyewitness states that the child was taken by a person or persons for whom there is a physical description, a vehicle description (if one is involved), and a direction of travel from the point last seen. If no eyewitness is available, there exists articulable evidence that the child's disappearance was involuntary.

2. Child - a person under the age of 18, who is the subject of a missing person report filed with a law enforcement agency in this state and whose whereabouts are unknown.

AMBER ALERT PLAN

- Uses the Emergency Alert System (EAS) to alert the public as quickly as possible of victim and suspect descriptions in serious child abduction cases.
- Is activated statewide by the Maryland State Police (MSP) upon request and determination that the established criteria exists.
- Distributes information on these cases via television, radio, Dynamic Message Signs (DMS), and broadcast on the Highway Advisory Radio (HAR) network.
- Is self-canceling if a child has not been recovered within 24 hours.
NOTE: Updated alerts may be broadcast if significant new information that may result in the location of the abductor and/or the child has been developed.

ACTIVATION CRITERIA (ALL MUST BE MET)

- Law Enforcement has verified that a child has been abducted as defined above;
- The circumstances surrounding the abduction indicate that the child is in serious danger of bodily harm or death;
- A description of the child, abductor, and suspect vehicle exists in enough detail to believe that an immediate alert would be helpful; and
- The abductor and/or child are believed to be in the broadcast area.

NOTE: Child abduction by a non-custodial parent is not a case which would routinely meet the criteria unless the investigating agency can articulate a reasonable suspicion that the parent intends to physically harm the child.

INVESTIGATING OFFICERS

- Verify that the activation requirements have been met.
- Ensure that reports are faxed to the MSP Headquarters Duty Officer as soon as possible after requesting activation of the Maryland Amber Alert Plan.
- Complete a report on all instances, verified or not, of reported child abduction.

NOTE: These procedures are in addition to those in the Field Manual, Article 3, regarding critical missing and abducted children.

SHIFT COMMANDERS

- Upon confirmation of the activation criteria, request the activation of the plan by contacting the MSP Headquarters Duty Officer.
NOTE: If the shift commander is unsure whether a particular situation meets the activation criteria, he/she shall make an inquiry with the MSP Headquarters Duty Officer.
- Provide the MSP Headquarters Duty Officer with callback information and a point of contact.
- In addition to all required Department notifications, notify the Public Affairs Section.
- Contact the MSP Headquarters Duty Officer to cancel the alert when the subject of the alert has been located.
- In the event another law enforcement agency activated the alert and the child is located in Baltimore County, make notification to the activating agency and the MSP Headquarters Duty Officer.

REFERENCE

- Field Manual, Article 3 (Juvenile Procedures).

13-1.4 MARYLAND STATE POLICE (MSP) BLUE ALERT PROGRAM

DEFINITION

- For the purpose of this section, the following phrase has the following meaning:
 1. Law Enforcement Agency - a state, county or municipal police department or agency, or a sheriff's office.

BLUE ALERT PROGRAM

- Uses the Emergency Alert System (EAS) to notify the public as quickly as possible when specific criteria are met involving a person who is suspected of killing or seriously injuring a law enforcement officer.
- Provides a description of the fugitive, a description of his/her vehicle, and a direction of travel to be displayed on overhead Dynamic Message Signs (DMS) and broadcast on the Highway Advisory Radio (HAR) network.
- Is active for four hours and can be extended based on the necessity of the investigation.

ACTIVATION CRITERIA (ALL MUST BE MET)

- The fugitive's whereabouts are unknown.
- The fugitive is suspected of killing or seriously injuring any law enforcement officer of any law enforcement agency, regardless of the officer's duty status, as long as the fugitive knew or should have known the person injured or killed was a law enforcement officer.
- The fugitive poses a serious threat to the public and other law enforcement officers.
- The fugitive is travelling in a vehicle and there is enough descriptive information about the vehicle to issue an alert.

INVESTIGATING OFFICERS

- Verify that the activation requirements have been met.
- Notify their supervisor to respond to the scene.
- Complete the appropriate report, whether verified or not.

SHIFT COMMANDERS

- Upon confirmation of the activation criteria, request the activation of the plan by contacting the MSP Headquarters Duty Officer.
NOTE: If the shift commander is unsure whether a particular situation meets the activation criteria, he/she shall make an inquiry with the MSP Headquarters Duty Officer.
- Report all known information to the MSP Headquarters Duty Officer.
- Provide the MSP Headquarters Duty Officer with callback information and a point of contact.
- In addition to all the required Department notifications, notify the Public Affairs Section.
- Contact the MSP Headquarters Duty Officer to cancel the Blue Alert when the subject of the alert has been located.
- In the event another law enforcement agency activated the alert and the offender is apprehended in Baltimore County, make notification to the activating agency and the MSP Headquarters Duty Officer.

13-1.5 MARYLAND STATE POLICE (MSP) SILVER ALERT PROGRAM

DEFINITION

- For the purpose of this section, the following phrase has the following meaning:
 1. Cognitive Disorder - a mental disorder that affects cognitive functions such as memory processing, perception and problem solving (e.g., Alzheimer's Disease, dementia, etc.).

SILVER ALERT PROGRAM

- Directs the Maryland State Police (MSP) to coordinate a notification plan to be activated when certain criteria are met involving a missing person with a cognitive disorder.
- Is activated statewide by the Maryland Emergency Management Agency (MEMA) upon request from the MSP Silver Alert Coordinator.
- Allows the MEMA to issue an alert to all Maryland police departments, media outlets, and 9-1-1 centers. Media outlets shall be contacted directly by the investigating agency if new information becomes available.
- Provides procedures for the State Highway Administration (SHA) to provide a description of the missing person, a description of his or her vehicle and a direction of travel to be displayed on overhead Dynamic Message Signs (DMS) and broadcast on the Highway Advisory Radio (HAR) network.
- Remains active for four hours and can be extended based on the necessity of the investigation.

ACTIVATION CRITERIA (ALL MUST BE MET)

- The missing person suffers from a cognitive disorder such as Alzheimer's Disease or dementia.
NOTE: There is no age requirement for the activation of the Silver Alert.
- The person's disappearance poses a true threat to his or her health and safety.
- The missing person must be travelling in a vehicle and there must be enough descriptive information about the person and the vehicle for police to issue an alert.
- The investigating police agency has already activated a local alert by contacting media in the area.
- The missing person has been entered into the National Crime Information Center (NCIC) database.

NOTE: If the preceding criteria are not met, standard missing person's procedures will be followed.

INVESTIGATING OFFICERS

- Verify that the activation requirements have been met.
- Notify their supervisor to respond to the scene.
- Complete the appropriate report, whether verified or not.
- Ensure a telex is sent to the Information & Records Management Section within 90 minutes of receiving the call for a missing person for whom a Silver Alert will be activated.

NOTE: These procedures are in addition to those in the Field Manual, Article 1, regarding missing persons.

SHIFT COMMANDERS

- Request the activation of the plan by contacting the MSP Headquarters Duty Officer upon confirmation of the activation criteria.
NOTE: If the shift commander is unsure whether a particular situation meets the activation criteria, he/she shall make an inquiry with the MSP Headquarters Duty Officer.
- Provide the MSP Headquarters Duty Officer with callback information and a point of contact.
- Notify the Public Affairs Section in addition to all the required Department notifications.
- Contact the MSP Headquarters Duty Officer to cancel the Silver Alert when the subject of the alert has been located.
- Notify the activating agency and the MSP Headquarters Duty Officer in the event another law enforcement agency activated an alert and the subject is located in Baltimore County.

INFORMATION & RECORDS MANAGEMENT SECTION

- Ensures missing persons are entered into the National Crime Information Center (NCIC) system within two hours of receiving the call when a Silver Alert will be activated.

REFERENCE

- Field Manual, Article 1 (Investigations).

13-1.6 MARYLAND STATE POLICE (MSP) YELLOW ALERT PROGRAM

DEFINITIONS

- Missing Suspect - an individual whose whereabouts are unknown; who is suspected of a violation of the Transportation Article relating to failing to remain at the scene of a traffic crash that might result in serious bodily injury or death; and whose vehicle is able to be described to include any information about the vehicle's registration plate.
- Serious Bodily Injury - an injury that creates a substantial risk of death; causes serious permanent or serious protracted disfigurement; causes serious permanent or serious protracted loss of the function of any body part, organ, or mental faculty; or causes serious permanent or serious protracted impairment of the function of any bodily member or organ.

YELLOW ALERT PROGRAM USE

- To apprehend a missing suspect for a hit and run crash that might result in:
 1. Serious bodily injury.
 2. Death.

NOTE: If the missing suspect or vehicle has not been located within 24 hours the alert is self-cancelling.

ACTIVATION CRITERIA

- Sufficient descriptive information is known about the missing suspect's vehicle to enable law enforcement and the public to assist in the suspect's apprehension.

ACTIVATION PROHIBITION

- When releasing information to the media/public would compromise the integrity of an investigation.

INVESTIGATING OFFICERS

- Verify the activation criteria have been met.
- Notify their supervisor to request activation of the program.
- Complete the appropriate report whether a Yellow Alert is utilized or not.

SHIFT COMMANDERS

- Request the activation of the Yellow Alert Program by contacting the MSP Headquarters Duty Officer, upon confirmation of the activation criteria.
- Provide the MSP Headquarters Duty Officer with callback information and a point of contact.
- Notify the Public Affairs Section, in addition to all other required Department notifications.
- Contact the MSP Headquarters Duty Officer to cancel the Yellow Alert when the subject of the alert has been located.
- Make notification to the activating agency and the MSP Headquarters Duty Officer, in the event another law enforcement agency activated the alert and the subject is located in Baltimore County.

REFERENCE

- Field Manual, Article 2 (Traffic Procedures).

13-2.0 MUTUAL AID AGREEMENTS

GENERAL

- The Baltimore County Police Department (BCOPD) presently has Mutual Aid Agreements with the Harford County Sheriff's Office and the Police Departments of Baltimore City, Anne Arundel County, Howard County, and the Maryland Transportation Authority.
- If the BCOPD Chief of Police or the highest-ranking official in a jurisdiction with a Mutual Aid Agreement or their designee, feels that an emergency exists for which insufficient resources are available, then assistance may be requested by the jurisdiction where the emergency exists.

MUTUAL AID ASSISTANCE RESPONSE

- Mutual Aid Assistance requests directed to the BCOPD Chief of Police or the highest-ranking official in another jurisdiction, must be made by the highest-ranking official in the jurisdiction where an emergency exists. If the requested party agrees, personnel and/or equipment may be sent to the requesting party.
- Officers will report to the senior police officer in charge or designee.
- The officer-in-charge or designee will coordinate radio communications with outside personnel.
- The officers from the assisting jurisdiction should be assigned to non-line functions, including but not limited to processing arrestees, transporting of prisoners, assisting in the operations of detention centers, non-line security functions, and non-line traffic control.

OJ ASSISTANCE INCIDENT SUMMARY REPORT

- Communicated via a Form 12L, Intra-Department Correspondence.
- Submitted to the Bureau Chief of the Operations Bureau within 48 hours when emergency assistance is either sent to or requested from another jurisdiction.
- Includes:
 1. Type of incident/emergency.
 2. Date, time, and location of incident/emergency.
 3. Reason for the request and action taken.
 4. Type of assistance received/rendered.
 5. Arrests made or injuries sustained.

REFERENCE

- Respective Mutual Aid Agreements.

13-3.0 MEMORANDUMS OF UNDERSTANDING

13-3.1 MARYLAND STATE POLICE (MSP)

GENERAL

- The Maryland State Police (MSP) and the Baltimore County Police Department (BCOPD) are coordinating resources to provide efficient and effective law enforcement services to the citizens of Baltimore County.

CRIMINAL ENFORCEMENT

- The BCOPD has the primary responsibility for all criminal investigations occurring within Baltimore County, except when:
 1. An offense is witnessed by the MSP or the MSP is the first to discover evidence of a crime occurring on an interstate route, Maryland Route 695, and all related interchanges.

2. An MSP member, in the performance of his/her duties, is involved in a shooting or uses deadly force resulting in serious injury or death.
3. The accused is a member of the MSP and the alleged criminal misconduct is reported to have occurred while they were on duty.

TRAFFIC ENFORCEMENT

- The MSP has primary responsibility for traffic enforcement on interstate routes, Maryland Route 695, and their respective interchanges.

TRAFFIC CRASHES

- The MSP will investigate traffic crashes occurring in Baltimore County when a crash:
 1. Occurs on an interstate route, Maryland Route 695, and all related interchanges.
 2. Involves a vehicle owned or leased by MSP.
 3. Involves a vehicle owned or leased by the State of Maryland and the operator or a representative of the state requests the investigation be conducted by the MSP, unless there would be an unreasonable delay.
- The BCOPD will investigate traffic crashes occurring in all other areas of Baltimore County.
- The BCOPD will investigate traffic crashes occurring on an interstate route, Maryland Route 695, and all related interchanges in Baltimore County when a crash:
 1. Involves a vehicle owned or leased by BCOPD.
 2. Involves a vehicle owned or leased by Baltimore County and the operator or County representative requests the investigation be conducted by the BCOPD, unless there would be an unreasonable delay.
- If either MSP or BCOPD witness, or is the first to arrive at the scene of a traffic crash, the agency with primary responsibility shall respond and conduct the investigation, unless impractical.
NOTE: MSP and BCOPD members are not relieved of their duty to address traffic issues and to render aid for situations upon which they arrive or witness.

CATASTROPHIC EVENTS

- The BCOPD has primary responsibility to provide law enforcement related emergency services for catastrophic events occurring within Baltimore County (e.g., natural disasters, airplane crashes, train crashes, floods, etc.).

CAMPUS POLICE SUPPORT

- The BCOPD has the primary responsibility to provide immediate law enforcement emergency support services to the campus police at the University of Maryland, Baltimore County and Towson University.

STATE INSTITUTIONS

- The MSP will be the primary responding agency and conduct follow-up investigations to all calls for service on State of Maryland property to include the Spring Grove Hospital Center and other areas under their control, the Rosewood Hospital Center, the Charles H. Hickey Jr. School, and state parklands.

ANTICIPATED SPECIAL EVENTS

- Within Baltimore County, MSP, and BCOPD command staff will coordinate respective activities to effectively apply available resources.

13-3.2 MARYLAND TRANSIT ADMINISTRATION (MTA) POLICE

GENERAL

- The Maryland Transit Administration Police has primary responsibility, within Baltimore County, on MTA/MARC transit property, stations, buses, trains, parking lots, and within fenced-in track areas between stations.
- Baltimore County Police Department (BCOPD) has concurrent jurisdiction with the MTA Police.
- BCOPD has primary responsibility for investigations of:
 1. Homicide, murder, and manslaughter.
 2. Rape.
 3. Shootings and stabbings.
 4. Robbery, abduction, and carjacking.
 5. First and second degree arson and threat of arson.
 6. All other crimes of violence as cited in the Maryland Annotated Code, Criminal Law Section 14-101(a).
 7. Traffic crashes involving death or serious bodily injury.
 8. Weapons of Mass Destruction (WMD) involving, but not limited to chemical, biological, radiological, and nuclear devices.

ENFORCEMENT

- When an arrest is affected, it will be made by the officer first observing the unlawful act or the first officer on the scene.
- Completion of arrest forms and related documents will be the responsibility of the arresting officer.

PRISONERS

- The MTA will transport their prisoners to the local facility for processing.
EXCEPTION: The BCOPD will provide a prisoner transport vehicle when required.
- Prisoners will be incarcerated in BCOPD facilities, in accordance with Maryland law and local ordinances.
- BCOPD desk officers will be responsible for the fingerprinting and photographing of prisoners arrested by the MTA.
- Persons arrested by MTA personnel will be transported to their bail hearing by the MTA.
EXCEPTION: When circumstances arise beyond the control of the MTA (e.g., delayed bail hearing, etc.), the BCOPD will transport the prisoner at the discretion of a BCOPD shift commander.

MEDICAL ATTENTION

- The MTA will be responsible for medical attention for their prisoners:
 1. Prior to detention in a BCOPD facility.
 2. During detention in a BCOPD facility, if the medical problems are unrelated to the detention.
- When a BCOPD supervisor feels an MTA prisoner has a possible mental disorder, the MTA will have the prisoner evaluated in accordance with BCOPD procedures, prior to detention in a BCOPD facility.
- All other medical needs of MTA prisoners will be met by existing BCOPD procedures.

SEARCH WARRANTS

- The BCOPD provides assistance in securing and executing MTA Police search warrants when requested.

EVIDENCE

- All evidence and property recovered by the MTA Police will be submitted to the BCOPD Evidence Management Unit. MTA Police are responsible for the transportation of evidence and property on a daily basis.
- The BCOPD Forensic Services Section (FSS) will be responsible for the testing of evidence collected by the MTA Police and processing crime scenes located in Baltimore County. This will be at the discretion of the FSS, subject to prior or immediate commitments of equipment and/or personnel.

MOTOR VEHICLE LAW

- The MTA Police have the authority to enforce traffic laws within Baltimore County.
- The MTA Police are responsible for the towing or removal of vehicles on MTA property.

REFERENCE

- Respective Memorandums of Understanding.

13-3.3 MARYLAND DEPARTMENT OF NATURAL RESOURCES, FOREST, PARK AND WILDLIFE SERVICES (DNR)

DNR

- Has law enforcement authority over all property within and contiguous to the boundaries of the Patapsco Valley, Gunpowder Falls, and Soldiers Delight State Parks.
- Has primary police responsibility on the above state park lands and facilities.
- May request Baltimore County Police Department (BCOPD) assistance, when necessary.

ENFORCEMENT

- When an arrest is effected, it will be made by the officer first observing the unlawful act or the first officer on the scene.
- Completion of arrest forms and related documents will be the responsibility of the arresting officer.
- DNR will utilize the BCOPD juvenile process.
- DNR will handle prosecution for violations of motor vehicle laws in accordance with their established procedures.
- Arrests made outside of state park properties/facilities will be processed through BCOPD facilities in accordance with BCOPD rules and regulations.

PRISONERS

- DNR will transport their prisoners to the local facility for processing and assist in processing as necessary.
EXCEPTION: The BCOPD will provide a prisoner transport vehicle when required.
- Prisoners will be incarcerated in BCOPD facilities, in accordance with Maryland law and local ordinances.
- Prisoner property will be held for safekeeping by officials of the detention facility where the prisoner is incarcerated, in accordance with BCOPD procedures.
- Persons arrested by DNR personnel will be transported to their bail hearing by the DNR.
EXCEPTION: When circumstances arise beyond the control of DNR (e.g., delayed bail hearing, etc.), the BCOPD will transport the prisoner, at the discretion of a BCOPD shift commander.

MEDICAL ATTENTION

- DNR will be responsible for medical attention for their prisoners:
 1. Prior to detention in a BCOPD facility.

2. During detention in a BCOPD facility, if the medical problems are unrelated to the detention.
- When a BCOPD supervisor feels a DNR prisoner has a possible mental disorder, the DNR will have the prisoner evaluated in accordance with BCOPD procedures, prior to detention in a BCOPD facility.
 - All other medical needs of DNR prisoners will be met by existing BCOPD procedures.

COURT

- DNR and BCOPD personnel will appear in court as necessary to testify in any matter resulting from joint police action.

FORENSIC SERVICES

- Evidence collection, preservation, presentation, and disposition is the responsibility of the agency with primary police responsibility for the incident.
- All firearms officially coming into possession of DNR will be examined by the Maryland State Police (MSP) Crime Laboratory.
- The BCOPD will not provide personnel or equipment for the testing and identification of suspected controlled dangerous substances.
- Subject to prior or immediate commitments of equipment and personnel, the BCOPD will provide forensic services upon request.

WARRANTS/SUMMONSES

- DNR executes court summonses or subpoenas directed to them.
- DNR secures and executes arrest and search warrants as necessary to discharge their official duties.
- Unserved DNR arrest warrants will be retained by the DNR Communications Center.
- When requested, the BCOPD will assist the DNR in securing and executing search warrants.

DEATH/INJURY NOTICES

- In the event of serious injury or death on DNR property, the notice of the next-of-kin will be made by the police agency with primary police responsibility.

CROWD CONTROL

- In the event of major demonstrations that threaten to disrupt normal operations or pose a danger to life and/or property on DNR property, the BCOPD will assist in providing law enforcement services, upon request by the DNR.

VEHICLE TOWING

- DNR will be responsible for towing or otherwise removing vehicles from DNR property.

FACILITIES

- DNR and BCOPD will make facilities available to each other for report writing and other necessary police functions.

13-3.4 MARYLAND TRANSPORTATION AUTHORITY (MDTA) POLICE

GENERAL

- The Maryland Transportation Authority Police have the primary responsibility, within Baltimore County, for all requests of police services, enforcement of traffic laws, investigation of all traffic crashes, and investigation of all crimes on MDTA and Maryland Port Authority (MPA) properties.
- MDTA police are responsible for conducting follow-up investigations of all incidents occurring on their properties. Members of the Baltimore County Police Department (BCOPD) agree to assist the MDTA police in follow-up investigations upon request to the extent possible. The precinct commander of the precinct closest to the location of the incident will be the point of contact for assistance requests.
EXCEPTION: All crimes enumerated under BCOPD of this section.
- MDTA and BCOPD shall have concurrent jurisdiction in specified areas. The first agency at any incident scene shall provide the necessary law enforcement services. Specified areas consist of:
 1. I-895 from mile marker (mm) 145 to I-95 mm 63.4.
 2. I-95 from mm 61 to mm 63.4.
 3. I-95 from mm 49 to mm 50.
 4. Exit 4 (I-895) to MD Rte. 295.
 5. Exit 44, Broening Hwy. to the Baltimore County line.
 6. I-695 from mm K43.7 north to the crossover at mm K42.9.
 7. Exits 42 and 43, Bethlehem Blvd. and Peninsula Expressway (connects entrance and exit ramps).

BCOPD

- Has primary responsibility for investigations of:
 1. Homicide, murder, and manslaughter.
 2. Rape.
 3. Robbery, abduction, and carjacking.
 4. All other crimes of violence as cited in the Maryland Annotated Code, Criminal Law Article, § 14-101.
- The MDTA points of contact are the Tunnel Command, Francis Scott Key (FSK), and Port Detachment Commanders, as applicable.

REFERENCE

- Respective Memorandums of Understanding.

13-4.0 STATEWIDE LAW ENFORCEMENT AUTHORITY

13-4.1 EXTRA-JURISDICTIONAL AUTHORITY

BCOPD

- Supports the use of extra-jurisdictional police powers granted by law. For these purposes, an emergency is defined as a sudden or unexpected happening or unforeseen combination of circumstances, that calls for immediate action to protect the health, safety, welfare, or property of an individual from actual or threatened harm or from an unlawful act.

PROHIBITIONS

- Enforcing the provisions of the Maryland Vehicle Law.

- Serving arrest warrants, unless in conjunction with the lawful exercise or jurisdiction under this authority.
NOTE: Members of the Warrant/Apprehension Task Force have arrest authority only to serve arrest warrants outside of Baltimore County, provided that a Memorandum of Understanding has been signed by the other jurisdiction. Other Department members do not have this authority. However, other members can still go outside Baltimore County to serve arrest warrants, but only with the aid of the other jurisdiction's police officers and providing the other jurisdiction's police officers actually make the arrest.
- Using personal vehicles, except in extreme circumstances.
- Using equipment unauthorized by the Department.
- Using extra-jurisdictional authority to facilitate or solicit secondary employment activities that would require or place the member in a position to make arrests for a prospective employer.

OFFICERS

- Refer to the Criminal Procedures, Title 2, for the provisions and limitations of this authority.
- Acting under extra-jurisdictional authority must:
 1. Abide by Department rules and regulations.
NOTE: A violation of a departmental rule or regulation does not and is not intended to, abrogate the legality of any law enforcement action taken pursuant to the authority granted by law.
 2. Be serving in a full duty capacity, without restrictions or limitations.
EXCEPTION: Life or death situations.
 3. Be carrying their badge and identification card and be suitably armed, unless circumstances dictate otherwise.
 4. Notify the 9-1-1 Police Liaison as soon as possible.

9-1-1 POLICE LIAISON

- Notifies the following:
 1. Commander of the officer exercising the authority.
 2. Commander of the MSP barracks having concurrent jurisdiction.
EXCEPTION: When the action takes place in Baltimore City.
 3. The law enforcement agency with primary jurisdiction where the action took place.

REFERENCE

- [Maryland Annotated Code](#).

13-4.2 DRUG KINGPIN ACT

GENERAL

- The Drug Kingpin Act grants statewide law enforcement authority to local officers when expanded police powers outside of Baltimore County are needed in an investigation related to the State Narcotics Law.

ROUTINE REQUESTS

- Only officers essential to the investigation will be included in the statewide authority application.
- Officers requesting this authority will submit a Form 12L, Intra-Department Correspondence, to their commander. The document will contain the:
 1. Name, rank, assignment, and identification numbers of all officers requesting expanded police powers.
 2. Complete name, date of birth, sex, and race of principal suspects.
 3. Justification for statewide authority.

4. Proposed investigative techniques that will be used.
 5. Type of drugs involved in the investigation.
 6. Jurisdictions involved in the investigation.
- If the officer's commander approves the request, the document will be forwarded to the Vice/Narcotics Section (VNS) Commander.
 - The VNS Commander will review the request and initiate the appropriate Maryland State Police (MSP) Forms for the statewide authority if justification exists. The forms will be forwarded to the Bureau Chief of the Criminal Investigations Bureau (CIB) for review prior to submission to the MSP.
 - The Superintendent of the MSP may either approve or disapprove the request.
 - All requests for statewide authority are to be for specifically identified cases only and for a specified period not to exceed six months.
 - Renewals must be filed in accordance with the above procedures and must contain a reference to the MSP control number.
 - Upon approval, it will be the responsibility of the requesting agency to make all notifications as required under the Maryland Annotated Code.
 - Upon conclusion of the investigation, a report will be made to the MSP detailing the results of the investigation. The investigating officer will submit a Form 12L detailing the results of the investigation. A copy of this document will be forwarded to the VNS Commander. The VNS Commander will complete the appropriate MSP final report on the investigation.

EMERGENCY REQUESTS

- Emergency use of the statewide law enforcement authority will be permitted upon notification and approval by a Narcotics Unit supervisor.
- Emergency requests can be made by telephone when time limitations would preclude making a written request.
- If statewide authority must be used by an officer in an investigation prior to receiving written authorization, the officer will notify the precinct/unit commander and the VNS Commander.
- The VNS Commander will notify the MSP Superintendent immediately upon receiving notification of an emergency request.
- The investigating officer will submit a Form 12L containing the information under "Routine Requests" within 24 hours.
- The VNS Commander will complete and forward the appropriate report to the MSP within 48 hours after using statewide authority.
- The Bureau Chief of the CIB will be notified of the incident when the report is submitted.

OUTSIDE AGENCY PROCEDURES

- Officers making an arrest in another jurisdiction must notify the agency responsible for the area where the arrest is made.
- Arrests made by other agencies inside Baltimore County under statewide authority will be referred to the Narcotics Unit officer in charge when they contact the BCOPD. When contacted, a:
 1. BCOPD Narcotics Unit officer will determine who is responsible for collection of evidence based upon the facts of the case.
 2. Baltimore County central complaint (CC) number will be drawn and the appropriate incident report completed (i.e., a Case Report, if Baltimore County is pursuing charges, or an Officer Report if the charges will be pursued by the outside agency) the appropriate offense codes. The report will include suspect data and property seizure information when applicable and will be made regardless of who seized the property.
- BCOPD officers will adhere to Department rules and regulations when acting under statewide authority.

REFERENCE

- [Annotated Code of Maryland.](#)

PUBLIC INFORMATION

Article 14

14-1.0 Media Access [rev. 08/2020]

- 14-1.1 *Investigation Information* [rev. 12/2022]
- 14-1.2 *Arrest and Charging Information* [rev. 12/2022]
- 14-1.3 *Special Considerations* [rev. 08/2020]
- 14-1.4 *Incidents Involving Public Affairs Section Notification* [rev. prior to 1994]

14-2.0 Maryland Public Information Act (MPIA) Requests [rev. 12/2022]

- 14-2.1 *Responding to Maryland Public Information Act (MPIA) Requests* [rev. 12/2022]
- 14-2.2 *Reasons for Denial of a Maryland Public Information Act (MPIA) Request*
[rev. 12/2022]
- 14-2.3 *Maryland Public Information Act (MPIA) Redactions* [rev. 12/2022]
- 14-2.4 *Maryland Public Information Act (MPIA) Fiscal Considerations* [rev. 12/2022]
- 14-2.5 *Maryland Public Information Act (MPIA) Requests Related to Alleged
Misconduct by a Police Officer* [rev. 12/2022]

PUBLIC INFORMATION

14-1.0 MEDIA ACCESS

PUBLIC INFORMATION

- Will be handled in accordance with the Maryland Public Information Act (MPIA).
- Inquiries from public media sources should be referred to the Public Affairs Section.
- Except as specifically restricted herein, includes telex messages, incident reports (i.e., Automated Crash Reporting System reports, Case Reports, and Officer Reports), and arrest reports of a routine nature.
NOTE: All restrictions should be considered carefully.
- Will be made available upon request to accredited news media representatives.

POLICE DEPARTMENT

- Will inform the citizens and media of the events and activities that affect the community in order to foster a relationship of mutual trust, cooperation, and respect.
- Does not issue press cards.
- Treats freelance writers and photographers as the general public.
- Is responsible for releasing information when the Baltimore County Police Department has primary jurisdiction in a multi-agency incident.

PUBLIC AFFAIRS SECTION

- Is responsible for discussing Department policy and for making official comment on sensitive matters.
- Comments on Internal Affairs Division investigations.
- Provides factual information to the media and coordinates requests for information between the media and Department personnel.
- Releases news as necessary at their discretion.
- Arranges for and assists at news conferences.
- Plans, develops, writes, and distributes positive image-building, explanatory, and other informational releases and/or articles about programs, activities, and Department members.
- Assures coordination occurs when information impacts another agency.
- Refers special requests considered to be background, statistical, documentary, or of a special nature to the appropriate Department member. That member will be notified as to the pending inquiry or interview.
NOTE: Department members receiving such requests will promptly notify the Public Affairs Section.
- Sends a full explanation of specific acts violating departmental policy to a reporter's employer when privileges are denied.
- Will be referred to when validity of media credentials is questioned.
- Publishes the departmental newsletter and other resources to the public.

MEDIA

- Has access to all members but will not be allowed to interfere with the police mission.
- Problems will be referred to the officer in charge, supervisor, precinct commander, or the Public Affairs Section Commander.
- Representatives experiencing difficulty gathering information under the above provisions will be referred to the Public Affairs Section Commander.

DEPARTMENT MEMBERS

- Who know the facts of a case/investigation will release information promptly, impartially, courteously, and objectively as circumstances allow.

- Who do not know the facts of a case/investigation will make every effort to assist in referring the inquiry to the proper Department authority.
- Will not prejudge information for its news value.
- Will adequately and courteously explain denial of information (e.g., privacy rights, safety, etc.).
- Will not withhold, delay, or selectively release information to favor a particular media representative or agency. However, specific inquiries made independently may be honored at the time of inquiry.
- Are authorized to give information to known media representatives over the phone. Members will attempt to establish and verify the identity of unknown media callers by returning the call or contacting the appropriate news agency.

COMMANDERS

- Will forward newsworthy information concerning major operations (e.g., planned raids, multiple arrests, etc.), promotions, projects, programs, and other activities to the Public Affairs Section, in writing, in advance of effective dates. If there is an urgent need to release the information, notification will be made by telephone.
- Are encouraged to allow Department facilities to be used by the media for recording interviews, news stories, and documentaries when appropriate and requested.
- Will designate one member, preferably a desk officer, on each shift to handle media information requests with regard to events occurring in the precinct.
- Will inform the Public Affairs Section of major changes in operations, procedures, and personnel.

14-1.1 INVESTIGATION INFORMATION

RELEASABLE INFORMATION

- Type or nature of incident.
- Location, date, time, injuries sustained, damages, and description of how incident occurred.
- Amount, type, and value of property taken.
EXCEPTION: Federal investigations (e.g., bank robbery, etc.).
- Victim's identity and general address (hundred block only).
EXCEPTION: See "Information Release Prohibitions" in this subsection and in section 14-1.2, Arrest and Charging Information.
- Requests for aid in locating evidence, complainants, victims, witnesses, missing persons, or suspects (race may be released as descriptive information in such cases).
- Number of officers or people involved and length of the investigation.
- Name of officer in charge of the case, the officer's supervisor, and his/her division/unit assignment, in accordance with Article 7 of the Administrative Manual and the Memorandum of Understanding between Baltimore County and the Fraternal Order of Police.
EXCEPTION: Undercover officers.

INFORMATION RELEASE PROHIBITIONS

- Identity of a sex crime victim, adult or juvenile, or related information which may divulge the victim's identity.
- Identity of a juvenile suspect, defendant, or respondent in any case.
EXCEPTION: Upon approval of the Legal Section, as permitted by law.
- Identity of any critically injured or deceased person prior to notification of next-of-kin.
EXCEPTION: When notification has been attempted but is not possible within a reasonable time as determined on a case-by-case basis by the shift/unit commander on duty or the Public Affairs Section.

- Specific cause of death, until determined by the State Medical Examiner.
 - Investigative and evidentiary information regarding a criminal case.
 - Contents of suicide notes.
 - Personal opinion not founded on fact.
 - Unofficial statements concerning personnel or Internal Affairs Division matters.
 - Home addresses and telephone numbers of Department members.
 - Witness names, addresses, and phone numbers.
 - Medical Records, without approval from the Legal Section.
 - Crime scene film, digital, or video images.
- EXCEPTION:** When in the opinion of the primary investigating unit's commander release of such information will assist with the investigation.

14-1.2 ARREST AND CHARGING INFORMATION

RELEASABLE INFORMATION

- The accused adult's name, age, description, residence, employment, and marital status.
 - Substance or text of the charge as contained in the complaint, warrant, indictment, or information.
 - The name, age, and address of a juvenile suspect, defendant, or respondent, upon approval of the Legal Section, as permitted by law.
 - The fact a juvenile was taken into custody and substance of the charge.
 - Identity of the investigating and arresting officers, agency, and length of the investigation, in accordance with Article 7 of the Administrative Manual and the Memorandum of Understanding between Baltimore County and the Fraternal Order of Police.
- EXCEPTION:** Undercover officers.
- Circumstances immediately surrounding the arrest, including:
 1. Time and place of arrest.
 2. Pursuit information, if applicable.
 3. Resistance and injuries sustained as a result.
 4. Possession and use of weapons by suspect or police.
 5. Description of items or contraband seized.
 - Amount of bond, scheduled court dates, and place of detention.
 - Chronological arrest book information, which is open to inspection.
- NOTE:** The information may generally be released at the time of or immediately following arrest or formal charging.

INFORMATION RELEASE PROHIBITIONS

- After the incident, but prior to arrest or during investigation:
 1. Suspect's identity or location except that the existence of the suspect may be acknowledged without further comment.

EXCEPTION: After a warrant has been obtained, a suspect may be identified to assist in apprehension.
 2. The results of any investigative procedure (e.g., lineup, etc.). However, the fact that tests were performed may be acknowledged without further comment.
 3. Information which, if prematurely disclosed, would significantly interfere with an investigation or apprehension. This includes unchecked leads, specifics of method of operation (MO), and details known only to the police or suspect.
 4. Identity of a victim/witness, if such disclosure would prejudice an investigation to any significant degree or if it would place the victim/witness in clear personal danger.
- After arrest and formal charging:
 1. Prior criminal record, character, or reputation of defendant.

2. Existence or contents of confessions, admissions, or statements made by the defendant or failure to make such.
3. Results of defendant's tests or the defendant's refusal or failure to submit to any tests.
4. Identity, credibility, character, statements, or expected testimony of victims or witnesses.
5. Opinions about the defendant's guilt or innocence, the merits of the case, or what is expected to be used in court.
6. Possibility of a guilty plea, plea-bargaining, or other dispositions.
7. Reports, transcripts or summaries of proceedings from which the media and public have been excluded by judicial order or in accordance with the Maryland Public Information Act (MPIA).

14-1.3 SPECIAL CONSIDERATIONS

CRIME/INCIDENT SCENE ACCESS

- With regard to general access:
 1. Courtesy will be extended to media representatives actively covering the incident.
 2. Closer access will be provided for media personnel, equipment, and vehicles than for the general public, provided it does not interfere with the police mission or general traffic flow or unless a danger of personal injury exists.
- With regard to direct access:
 1. Department members cannot grant third parties (e.g., members of the media, etc.) permission to enter the private property of others. The Department's right to enter private property to process crime scenes, search for additional victims/suspects, etc., is only valid for the time necessary to accomplish the law enforcement purpose. This right cannot be transferred to persons who are not necessary to accomplish the Department's official business.
 2. Permission must be obtained from owners or their representatives prior to allowing third parties access to private property.
 3. Media access is allowed after all known evidence has been processed and the on-site investigation is completed.
- The officer in charge will designate a media information area in hostage/barricade incidents. This area may be moved closer to the scene when safe.

RECORDING/TELEVISIONING/PHOTOGRAPHING

- Is allowed in public places as long as it does not interfere with police operations.
- Is allowed on private property as long as permission was granted by the owner or representative.
- Members may:
 1. Facilitate or assist the media as long as it does not jeopardize or compromise the investigation or prosecution.
 2. Take protective action (e.g., covering a body) and provide a courteous and logical explanation for such action.
- Of suspects/accused at incident scenes or other public places is permissible. Members will not pose:
 1. The suspect/accused for photographs, telecasts, or interviews.
 2. With the suspect/accused or agree on a prearranged time and place to be photographed, televised, or interviewed.

PHOTOGRAPHS/MUGSHOTS

- May be released, when appropriate (e.g., consent of investigator or supervisor, discretion of the Public Affairs Section), to help locate an individual who is charged or sought by the authorities.

- Including film, digital image, and video tape, will not be released of a subject in custody.

INTERVIEWS

- With the media by persons in police custody are prohibited.

FIRE SCENES

- Media access is controlled by the fire official in command.
- Ranking officers will confer with fire officials and assist in establishing an observation point for the media.
- Decisions governing media mobility rest with the judgment of the fire official in command.

CONFIDENTIAL/INTERNAL INVESTIGATIONS

- Confidential intelligence or investigative information from the Criminal Investigations Bureau, Criminal Intelligence Section, or Vice/Narcotics Section will not be released except by express permission of the respective commanders, Bureau Chief of the Criminal Investigations Bureau, Chief of Police, or their designees.
- Sensitive or investigative information from the Internal Affairs Division will not be released except with permission from the Chief of Police or designee.
- Released internal investigation information will conform with state law as it concerns the rights of police officers.

SUICIDES

- The fact that a suicide occurred may be acknowledged, along with factual information describing how it occurred.
- The fact that a suicide note exists may be acknowledged without further comment.
- The victim's name, age, sex, occupation, and general address may be released after notification of next-of-kin.

REQUESTS BY CITIZENS FOR INFORMATION RESTRICTION

- When a citizen requests that information on an incident not be released or reported to the media, members will explain that police reports are generally considered public information and accessible to the media. Members will explain that such a request will be noted in the official incident report, but that the media will make the decision whether or not to publish unrestricted information. Members may also notify the Public Affairs Section of such requests when advisable.

14-1.4 INCIDENTS INVOLVING PUBLIC AFFAIRS SECTION NOTIFICATION

INCIDENTS REQUIRING PUBLIC AFFAIRS SECTION NOTIFICATION

- Homicides.
- Burglaries and thefts in excess of \$50,000.
- Disasters resulting in loss of life or extensive property damage.
- Fatalities resulting from fire, drowning, or electrocution.
- Traffic, aircraft, or train crashes where fatalities occur.
- Deaths of persons in custody.
- School bus crashes involving any injuries.
- Missing children under 10 years of age.
- Missing persons when foul play is suspected.
- Extensive searches.
- Strikes, riots, disorders involving groups of people.
- Shootings involving citizens or police officers.
- Bomb threats or where a device is found.

- Hostage/barricade incidents where life is threatened or endangered.
- Any incident involving persons who, by their position in society, are of interest to the public.

OFFICER-IN-CHARGE

- Ensures that confirmed, official accounts of events are reported.
- Contacts the 9-1-1 Police Liaison at the earliest possible moment (generally within two hours) with an oral summary. Information should include who, what, when, where, why, and other non-restricted supporting data.
- Answers inquiries made by any media representative who responds to a scene.

9-1-1 POLICE LIAISON

- Obtains necessary information from the officer-in-charge on the scene.
- Prepares a written news release, in narrative form and in simple, easily understood language.
- Releases all non-restricted information.
- Forwards copies of releases to the Public Affairs Section.
- Directs media representatives to the proper precinct, section or Department authority when more detailed information is requested than is available.

PUBLIC AFFAIRS SECTION

- Determines the type and extent of action/coordination by the Section on a case-by-case basis.
- Notifies the 9-1-1 Police Liaison as to the extent of the Section's direct involvement in an incident.
- Assists officers needing advice, counsel or a Public Affairs Section representative at an incident scene.

14-2.0 MARYLAND PUBLIC INFORMATION ACT (MPIA) REQUESTS

DEFINITIONS

- Maryland Public Information Act (MPIA) request - any written request for access to public records made, or received, by the Department in connection with the transaction of public business (e.g., a computerized record, correspondence, drawings, maps, recordings, etc.).
- Person in interest - the subject of a record, or in some cases, that person's representative.
NOTE: Members conducting investigations and complainants are not considered a "person in interest."
- Technical infraction - a minor rule violation by a Department member solely related to the enforcement of an administrative rule that:
 1. Does not involve an interaction between a member of the public and the Department member;
 2. Does not relate to the Department member's investigative, enforcement, training, supervision, or reporting responsibilities; and
 3. Is not otherwise a matter of public concern.

GENERAL

- It is the Department's policy to ensure compliance with the MPIA as contained in Maryland Annotated Code, General Provisions Article, § 4-101 et. seq.
- This section, and related subsections:
 1. Establish an overarching Department policy for compliance with the MPIA; and
 2. Set out procedures under the MPIA for filing and processing of requests made to the Department for the inspection and copying of its public records.

- Department entities (e.g., bureaus, divisions, sections, units, etc.) may maintain specific standard operating procedures (SOPs) addressing the processing of MPIA requests.
- Any person may request to inspect or copy the Department's public records.
- The MPIA, or any other law, may prevent the disclosure of one or more public records to an applicant.
- If considered "in the public interest," all or any portion of a record may be authorized for release by the:
 1. Chief of Police, or designee;
 2. The custodian of the record (i.e., authorized Department members who are designated to create, maintain, and distribute, or who have physical custody and control of a Baltimore County Police Department record); or
 3. Bureau Chief of the Criminal Investigations Bureau.
- The Legal Section will ensure the procedures for filing a MPIA request are prominently posted in a public location.
NOTE: These procedures must include an explanation of how to obtain records related to misconduct by a police officer.

DEPARTMENTAL POINTS OF CONTACT

- Commands (i.e., bureaus, divisions, sections, units, and teams) within the Department will assign dedicated points of contact who are responsible for searching for, collecting, and providing records upon request from the:
 1. Legal Section;
 2. Information & Records Management Section (IRMS);
 3. Public Affairs Section; or
 4. Technology Section's Video Management Team (VMT).
- Commanders shall:
 1. Communicate with the Legal Section whenever there are changes in the assigned point of contact for their command.
 2. Upon written request, advise the Legal Section, the IRMS, the Public Affairs Section, or the VMT of the current, dedicated point of contact for any request.
 3. Immediately notify the Legal Section, the IRMS, the Public Affairs Section, or the VMT, if their command is not responsible for maintaining the requested records.
- Shall notify those fulfilling a request (i.e., the Legal Section, the IRMS, the Public Affairs Section, or the VMT) via a Form 12L, Intra-Department Correspondence, if he or she believes the MPIA request raises concerns regarding release (e.g., the record involves an open police investigation, pending criminal proceeding, or safety concerns, etc.)
NOTE: The Form 12L will include information regarding the scope of permissible disclosures, redactions, or denials of information or documents, and will be attached to the requested records/reports.

RECEIPT OF MPIA REQUESTS

- Occurs in several ways (e.g., e-mail, fax, regular mail, or certified mail, etc.).
- Occurring outside of the Legal Section, the IRMS, the Public Affairs Section, or the VMT, shall be forwarded to the appropriate Department entity (i.e., the Legal Section, the IRMS, the Public Affairs Section, or the VMT) with a Form 12L, detailing:
 1. When the document was received; and
 2. If any action has been taken.
- **NOTE:** See **RESPONSIBILITY FOR FULFILLING MPIA REQUESTS** below for information identifying the appropriate Department entity for a request.

- Requires the Department to provide a written response within 10 business days.
NOTE: Due to the time constraints imposed by law, it is imperative that all members respond promptly, and fully cooperate with the Legal Section, IRMS, the Public Affairs Section, and/or the VMT.

RESPONSIBILITY FOR FULFILLING MPIA REQUESTS

- All requests for records or reports will be handled by the IRMS.
NOTE: If the IRMS receives a request involving a juvenile, vulnerable adult, expunged report, or investigative file (e.g., homicides, etc.) they will forward the request to the Legal Section for review.
- All requests for crime statistical information will be forwarded by Legal Section to the Crime Strategies & Analysis Section (CSAS) to be assigned to a statistician.
NOTES:
 1. Prior to providing the requested information, the statistician will prepare a letter and send all of the statistics to the Office of the Chief for review by the Chief of Police and the Legal Section Commander. The statistician's letter will provide instructions telling the requestor how to request any related reports from the IRMS.
 2. Should the statistician's analysis take more than two hours, an invoice will be included in the letter, prior to providing the information.
- All requests for body worn camera data, including the redactions and invoices, will be handled by the Technology Section's VMT.
NOTE: See Field Manual, Article 16, Section 2.2, Body Worn Camera (BWC) System Recordings Redaction and Reproduction, and related subsections for additional requirements related to the release of BWC recordings.
- All requests received from public media sources will be handled by the Public Affairs Section.
- All other MPIA requests will be handled by the Legal Section.
NOTE: The Legal Section will coordinate with the appropriate commands to gather the required information.

PROCESSING OF MPIA REQUESTS BY THE LEGAL SECTION

- All requests will be:
 1. Date stamped.
EXCEPTION: Requests received via e-mail are not required to be physically date stamped.
 2. Logged into the NextRequest system.
 3. Assigned to the appropriate person.
 4. Logged into the MPIA Log Folder on the Section's shared drive. The spreadsheet on the drive will be updated and used to monitor the progress toward fulfilling the requests.
NOTE: The following information will be included:
 1. The date the request was received;
 2. The name of the requestor;
 3. A description of the request;
 4. The central complaint (CC) number for the incident, if applicable;
 5. Victim's name, if applicable; and
 6. Suspect's name, if applicable.
- A file will be created with a label that includes:
 1. The MPIA Tracking Number;
 2. Name of Suspect or Defendant; and
 3. The CC number, if applicable.

- When a request seeks police reports, investigative files, and/or calls for service, a search of the Department's records management system (RMS) will be completed and copies of any corresponding reports and/or documents will be placed in the file.
NOTE: For investigative files, an index should be created to document the number of pages or discs that are releasable and not releasable.
- A search will be completed to determine the status of any related court cases, and any related information on court cases will be placed in the file.
- A review will be completed to determine if photographs were taken.
NOTE: Photographs will only be ordered after it has been determined that the requestor is willing to pay for them.
- Once the file has been compiled, the information will be provided to the requestor or the Baltimore County Office of Law (OOL), if they are handling the request.

PROCESSING OF MPIA REQUESTS FOR CRASHES AND CLOSED CRIMINAL CASES

- When a request is for a crash or a closed criminal case, a letter will be sent to the requestor along with an invoice for the reports and photographs.

PROCESSING OF MPIA REQUESTS FOR CALLS FOR SERVICE AT A SPECIFIC LOCATION

- Requests will be forwarded by the Legal Section to the CSAS to obtain the requested data when:
 1. A request is for calls for service at a specific location or in a specific area; or
 2. The search of the RMS results in a substantial amount of data.**NOTES:**
 1. Once the information is received, a letter and list of all calls will be mailed to the requestor. Should the requestor want any of the listed reports, they will be instructed in the letter to send the list and payment for each report requested.
 2. Should the research take more than two hours to complete, there will be an additional charge for staff time as well as a fee for each report they request.
 3. No statistics will be released prior to approval by the Office of the Chief and the Legal Section.

LEGAL SECTION MEMBERS FULFILLING MPIA REQUESTS

- Log all requests into the County's NextRequest system, as well as the Section's database for tracking, to ensure timely responses to all requests.
- Advise departmental points of contact to provide the requested records/reports within 10 days, when making requests.
- May write a synopsis of the file detailing any concerns and identifying any portions of the records/reports that should be withheld when records are reviewed by the Legal Section, the IRMS, the Public Affairs Section, or the VMT.
- Log all of the time associated with responding to a request, to ensure proper fees are charged.

COMMANDS

- Instruct one of its departmental points of contact to begin a reasonable search for any and all documents related to a request, upon receipt of the request from the Legal Section, IRMS, the Public Affairs Section, or the VMT.
NOTE: There is no duty to create records, only to provide what is available at the time of the request.
- Ensure the assigned departmental point of contact:
 1. Tracks all time expended in searching and preparing the requested records.
 2. Provides the requested records/reports within 10 days.

3. Notifies the Legal Section, the IRMS, the Public Affairs Section, or the VMT in writing, if a request cannot be fulfilled within the 10 day response time.

NOTE: These notifications will be made within a reasonable time, and prior to the expiration of the 10 days.

- Shall not withhold records from the Legal Section, the IRMS, the Public Affairs Section, or the VMT due to a belief that the records should not be released.

REFERENCES

- Field Manual, Article 16 (Body Worn Camera Program).
- Maryland Annotated Code, General Provisions Article, § 4-101 et. seq.

14-2.1 RESPONDING TO MARYLAND PUBLIC INFORMATION ACT (MPIA) REQUESTS

GENERAL

- All MPIA requests will be responded to in writing.
NOTE: This includes when records and/or reports are unavailable.
- The first response to the requester shall:
 1. Provide the records;
 2. Deny the request;
 3. Seek additional information; or
 4. Provide the requestor with an estimate of the costs associated with the request.
- If the Legal Section, the Information & Records Management Section (IRMS), the Public Affairs Section, or the Video Management Team (VMT) cannot fulfill a request within 30 days, it must request a one-time 30 day extension.
- All records released by the Legal Section, the IRMS, the Public Affairs Section, or the VMT will be accompanied by a cover letter detailing what is being released and the basis for any withholdings, redactions, and/or denials.

14-2.2 REASONS FOR DENIAL OF A MARYLAND PUBLIC INFORMATION ACT (MPIA) REQUEST

GENERAL

- The following reasons will be used to determine if MPIA requests may or shall be denied:
 1. Public interest denial;
 2. Intelligence information and security procedures;
 3. Investigatory records;
 4. Sociological information;
 5. Personnel records;
 6. Letters of reference;
 7. Crash reports, unserved criminal charging documents, and traffic citations;
 8. Public employee information;
 9. License plate data;
 10. Shielded criminal and police records;
 11. Medical or psychological information; and
 12. Security of information systems.

PUBLIC INTEREST DENIAL

- The Department may deny the inspection of a public record if it believes that inspection of a part of the record would be contrary to the public interest.
- Denials in this category include, but may not be limited to the following:
 1. Victim and/or suspect of a rape in any degree, as defined in Criminal Law, Title 3, Subtitle 3, Sexual Crimes;
 2. Victim and/or suspect of a child abuse, as defined in Criminal Law, § 3-601, et. seq.;

3. Victim and/or suspect of a sexual abuse of a minor, as defined in Criminal Law, § 3–602, et. seq.;
4. Victim and/or suspect of a human trafficking, as defined in Criminal Law, Title 3, Subtitle 11, Human Trafficking;
5. The address of a victim and/or suspect of a crime;
EXCEPTION: The hundred block and street address may be released in some cases.
6. The identity of a juvenile suspect, defendant, or respondent in any case over which the Juvenile Court has or may have jurisdiction;
7. The identity of any critically injured or deceased person prior to notification of next-of-kin;
8. Specific cause of death information;
9. Address, phone number, and e-mail address of a victim, witness, and/or suspect;
10. Grand Jury subpoena information;
11. Criminal history from the National Crime Information Center (NCIC) or Criminal Justice Information Services (CJIS); and
12. Expunged reports.
NOTE: If released, the expunged person's information and name must be redacted throughout report.

INTELLIGENCE INFORMATION AND SECURITY PROCEDURES

- Maryland law permits the withholding of certain investigatory records and records that contain intelligence information and security procedures.
- The Department may deny the right of inspection of records of investigations it conducted, intelligence information, or security procedures of the Department.

INVESTIGATORY RECORDS

- Maryland law permits the denial of inspection of records by a person, including the person in interest, to the extent that it would:
 1. Interfere with a valid and proper law enforcement proceeding;
 2. Deprive another person of a right to a fair trial or an impartial adjudication (e.g., the results of any investigative procedure (e.g., lineup, etc.)); existence of confessions or statements made by the defendant; defendant's tests results; possibility of a guilty plea; or reports, transcripts, or summaries of proceedings from which the media and public have been excluded by judicial order or in accordance with the MPIA;

NOTE: The above items should be the basis for withholding records, if the case is open and being investigated or when the case is pending prosecution by the State's Attorney's Office (SAO).

 3. Constitute an unwarranted invasion of personal privacy;
 4. Disclose the identity of a confidential source;
NOTE: Confidential source information should be withheld on this basis. The identifying information should be redacted. If no portion of the record can be shown without identifying the source, the record must be withheld.
 5. Disclose an investigative technique or procedure;
NOTE: This exception is rarely used because it applies to techniques or procedures that are not already known by the public.
 6. Prejudice an investigation (i.e., information which, if prematurely disclosed, would significantly interfere with an investigation or apprehension). This includes unchecked leads, specifics of a method of operation (MO), details known only to the police or suspect; identity of a victim/witness if disclosure would prejudice an investigation or place the victim/witness in clear personal danger); or

7. Endanger the life or physical safety of an individual.

NOTE: This applies to plainclothes and undercover police officers, witnesses, and suspects. If there are threats or any reason to believe that the disclosure of the individual's identity or other information will endanger the life or physical safety of an individual, that information must be redacted or withheld. In denying records on this basis, it must be stated, in a particularized manner, what information in the investigation leads the reviewer to believe this information should be redacted or withheld.

SOCIOLOGICAL INFORMATION

- Maryland law allows for the withholding of "sociological information" gathered and maintained by the Department.
- Before releasing police reports that involve crimes of violence as defined by Maryland Annotated Code, Criminal Law Article § 14-101, the following sociological information must be redacted concerning any person named in the report:
 1. Social security number;
 2. Personal address;
 3. Personal phone number;
 4. Any information obtained through a doctor's examination;
 5. Any transcript or information obtained from a high school, college, or other approved educational institution;
 6. Any information regarding marital status or dependents;
 7. Personal relationships, beliefs, values, etc.;
 8. Identity of dependents;
 9. Finances including income, assets, liabilities, and/or debt payments;
 10. Address, occupation, and school status of family members;
 11. Information concerning the support and custody of children;
 12. Religious preference and attendance; and
 13. Names of close associates and relatives unless considered a victim, witness, suspect or may have material information regarding an investigation.

EXCEPTION: If the requester is a "person in interest," as defined by Maryland Annotated Code, General Provisions § 4-101(g), the requester's personal information need not be redacted.

NOTE: See Field Manual, Article 14, Section 2.3, Maryland Public Information Act (MPIA) Redactions, for information specific to redacting records relating to an administrative or criminal investigation of misconduct by a police officer (i.e., investigatory records of the Internal Affairs Division (IAD), hearing records, and records relating to a disciplinary decision).

PERSONNEL RECORDS

- Are defined as documents that directly pertain to employment and an employee's ability to perform a job (e.g., applications, performance ratings, scholastic achievement, and records relating to hiring, discipline, promotion, dismissal, or any other matter involving an employee's status).

EXCEPTION: Records relating to an administrative or criminal investigation of misconduct by a police officer (i.e., investigatory records of the IAD, hearing records, and records relating to a disciplinary decision) are not personnel records and may be released, unless they are records of a technical infraction (i.e., technical infractions are considered personnel records).

NOTES:

1. The Department shall allow the inspection of these non-personnel records by the:
 - a. United States Attorney;
 - b. Attorney General;
 - c. State Prosecutor; or
 - d. State's Attorney for the jurisdiction relevant to the record.

2. The Department shall notify the officer when a record is inspected, but may not disclose the identity of the requestor.
- Are protected; however, such records are available to the person who is the subject of the record and to the officials who supervise that person.
 - The Department shall allow inspection by:
 1. The person in interest;
 2. An official who supervises the work of the individual; or
 3. An employee organization described in Title 6 of the Education Article, of the portion of the personnel record that contains the individual's home address, home telephone number; and personal cellular phone number.

LETTERS OF REFERENCE

- The Department shall deny inspection of letters of reference.

CRASH REPORTS, UNSERVED CRIMINAL CHARGING DOCUMENTS, AND TRAFFIC CITATIONS

- The Department shall deny inspection of a crash report, unserved criminal charging document, or a traffic citation, to:
 1. Any person who requests inspection of records to solicit or market legal services; and
 2. An attorney who is not an attorney of record of a person named in the record.
- When sending a crash report to an insurance company, members will:
 1. Not redact the address of any driver, vehicle owner, or property owner involved in the crash;
 2. Redact all driver's license numbers of all drivers except the insured.

NOTE: If unable to determine who the insured driver is, redact the driver's license number for all persons listed.

PUBLIC EMPLOYEE INFORMATION

- The Department shall deny inspection of the part of a public record that contains the home address or telephone number of an employee of a unit or an instrumentality of the State or of a political subdivision.

EXCEPTION: A request may be granted if:

 1. The employee has given his or her permission for the inspection; or
 2. The Department determines that inspection is needed to protect the public interest.

NOTE: See Field Manual, Article 14, Section 2.3, Maryland Public Information Act (MPIA) Redactions, for information specific to redacting records relating to an administrative or criminal investigation of misconduct by a police officer (i.e., investigatory records of the IAD, hearing records, and records relating to a disciplinary decision).

LICENSE PLATE DATA

- The Department shall deny inspection of the license plate data captured by its automatic license plate readers, except for legitimate law enforcement purpose.

SHIELDED CRIMINAL AND POLICE RECORDS

- The Department shall deny inspection of criminal records and police records relating to the conviction of a crime that have been shielded under Title 10, Subtitle 3 of the Criminal Procedure Article.

EXCEPTION: A request may be granted to those enumerated entities in § 10-302(b) of the Criminal Procedure Article.

MEDICAL OR PSYCHOLOGICAL INFORMATION

- The Department shall deny inspection of the part of a public record that contains:
 1. Medical or psychological information about an individual, other than an autopsy report of a medical examiner; or
 2. Personal information about an individual with, or perceived to have, a disability as defined in § 20-701 of the State Government Article.

EXCEPTION: A request may be granted to a person in interest.

NOTE: See Field Manual, Article 14, Section 2.3, Maryland Public Information Act (MPIA) Redactions, for information specific to redacting records relating to an administrative or criminal investigation of misconduct by a police officer (i.e., investigatory records of the IAD, hearing records, and records relating to a disciplinary decision).

SECURITY OF INFORMATION SYSTEMS

- The Department shall deny inspection of the part of a public record that contains information about the security of an information system.

14-2.3 MARYLAND PUBLIC INFORMATION ACT (MPIA) REDACTIONS

GENERAL

- Any and all redactions shall be made in good faith and must have a legal basis.
- All redactions shall be made by the:
 1. Legal Section;
 2. Information & Records Management Section (IRMS);
 3. Public Affairs Section.
 4. Video Management Team (VMT); or
 5. An outside entity at the direction of the Legal Section, the IRMS, Public Affairs Section, or VMT when technical expertise is needed (e.g., redaction of audio, video, or other technical redactions requiring specialized software/technology, etc.).
- Prior to the release of records relating to an administrative or criminal investigation of misconduct by a police officer (i.e., investigatory records of the Internal Affairs Division (IAD), hearing records, and records relating to a disciplinary decision) the following redactions will be completed:
 1. Medical information of the officer shall be redacted;
 2. Personal contact information of the officer or a witness shall be redacted;
 3. Information related to the family of the officer shall redacted; and
 4. Portions of the records that reflect witness information other than personal contact information may be redacted.

NOTE: Additional redactions of an administrative or criminal investigation of misconduct by a police officer may be made if other provisions of the MPIA apply.

EXCEPTION: Redactions will not be made to records being provided for inspection by the United States Attorney, the Attorney General, the State Prosecutor, or the State's Attorney for the jurisdiction relevant to the record.

14-2.4 MARYLAND PUBLIC INFORMATION ACT (MPIA) FISCAL CONSIDERATIONS

GENERAL

- The Legal Section, the Information & Records Management Section (IRMS), the Public Affairs Section, or the Video Management Team (VMT) may receive payments, associated with the costs the Department incurs in fulfilling MPIA requests.
- The first two hours of staff time for search and review will be completed free of charge.

- The Department will make every effort to accurately estimate all costs associated with a request, in advance, including any necessary staff time beyond the initial two hours.
NOTE: The Department is not bound by the estimate and may charge fees that exceed the estimate, should the actual costs be in excess of the estimate. The requester will be provided justification for any fees charged.
- The Department will charge reasonable fees to search for, prepare, review, and reproduce records that are requested in a customized format.
- The Department will charge the actual cost to search for, prepare, review, and produce records that are in a standard format (e.g., crash reports, incident reports, case files, etc.).
- Generally, advance payment of any fees will be requested prior to processing a request and/or production of records. Payment, in the form of a business or cashier's check, must be made payable to Baltimore County.
NOTE: The Legal Section, the IRMS, the Public Affairs Section, and the VMT will coordinate the deposit of all payments received into the County's General Fund.

FEE WAIVERS

- If the processing of a request is expected to exceed two hours, a fee waiver may be requested.
- If a fee waiver is requested, the Legal Section, the IRMS, the Public Affairs Section, or the VMT shall provide the fee waiver application to the requester, via standard mail or e-mail.
- Upon receipt of a completed fee waiver application, or a detailed request from the requester, the Legal Section, the IRMS, the Public Affairs Section, or the VMT shall consult with the commanding officer of the departmental entity to determine the appropriateness of the proposed fee waiver.
- All requests to waive a fee must be considered and granted if the documents and/or information requested are in the general interest of the public.
- A request to waive a fee may not be denied solely because of the expense the Department would incur in processing the MPIA request and the requester's ability to pay.
- If the Legal Section, the IRMS, the Public Affairs Section, the VMT, and the commanding officer of the command producing the record cannot form a consensus as to whether a fee waiver should be granted, the Chief of Police, or her/his designee, will decide.

14-2.5 MARYLAND PUBLIC INFORMATION ACT (MPIA) REQUESTS FOR RECORDS RELATING TO ALLEGED MISCONDUCT BY A POLICE OFFICER

DEFINITIONS

- Records related to alleged misconduct by a police officer - records relating to an administrative or criminal investigation of alleged misconduct by a police officer (i.e., investigatory records of the Internal Affairs Division (IAD), hearing records, and records relating to a disciplinary decision).
- Witness officer - a police officer who was interviewed, or provided a statement, as part of an administrative or criminal investigation of alleged misconduct by a police officer, and that interview and/or statement was maintained in the Department's Internal Affairs Division file.

GENERAL

- The Department will:
 1. Abide by all laws governing the release of records related to alleged misconduct by a police officer; and
 2. Make all reasonable efforts to provide the public with prompt access to public records without unnecessary delay.

- The policies contained in this section will be followed for requests for records related to alleged misconduct by police officers:
 1. Currently employed by the Department; or
 2. Formerly employed by the Department.
- The Legal Section will maintain a log to track MPIA requests received by the Department for records related to alleged misconduct by a police officer.

NOTES:

 1. The log may be inspected by the public.

EXCEPTION: Maryland law prohibits the release of a requestor's identity to the current or former police officer who is the subject of such a records request.
 2. Entry in this log is in addition to the processing requirements contained in Section 2.0, Maryland Public Information Act (MPIA) Requests, of this article.
- All records related to alleged misconduct by a police officer will be redacted as described in Section 2.3, Maryland Public Information Act (MPIA) Redactions, of this article prior to release.

NOTE: See Field Manual, Article 16, Section 2.2, Body Worn Camera (BWC) System Recording Redaction and Reproduction, for additional requirements in reference to BWC data.
- Receipt or inspection of records by officers (i.e., current or former) and/or their designated representative, must occur at the Public Safety Building.

EXCEPTION: Unless other means are authorized by the Bureau Chief of the Professional Standards Bureau.
- Current and former police officers who choose to identify a designated representative, must do so in writing provided to the Legal Section.

NOTIFICATIONS

- Within two business days of the Department receiving a MPIA request for records related to alleged misconduct by a police officer currently employed by the Department, the Legal Section will send notification of the request to the following:
 1. The police officer who is the subject of the request (i.e., the person in interest); and
 2. The FOP, if the police officer holds a rank of officer through lieutenant.
- Within two business days of the Department receiving a MPIA request for records related to alleged misconduct by a police officer formerly employed by the Department, the Legal Section will begin attempting to send notification to the former police officer who is the subject of the request.

NOTES:

 1. The FOP will also be notified of these MPIA requests. These notifications will allow the Legal Section to determine if the FOP has updated contact information for the former police officer.
 2. All attempts to notify former police officers will be made via e-mail or U.S. Mail.

NOTE: Members are reminded to ensure they continue to provide Baltimore County with their updated and correct contact information when their employment has ended, to ensure these notifications can be made.
- At least five business days prior to the release of records related to alleged misconduct by a police officer, the Legal Section will:
 1. Send notification to the current or former police officer; and

NOTE: Any representative specifically named by the officer (e.g., FOP, attorney, etc.) will also receive notification from the Legal Section.
 2. Provide the police officer or their designated representative, with a copy of the final records to be released.

EXCEPTIONS: In the event the Department intends to release:

 1. Any body worn camera video or data in connection with an MPIA request, the police officer shall have access to the video or data;

2. An unusually large record, the Legal Section will coordinate with the police officer or their designated representative to provide access to the entire record and copies of the portions of the record that the police officer or their designated representative request; and
 3. Records pertaining to two or more police officers as the result of a MPIA request, each officer will only be provided with a copy of their records.
- Within five business days of inspecting the material to be released, the current or former police officer or their designated representative (e.g., FOP, attorney, etc.) may notify the Department of an objection to the release and their intent to file a "reverse MPIA."
NOTE: If a "reverse MPIA" is filed in court, the Department will hold the materials to be released until the action is ruled on, unless prohibited by law.
 - The Legal Section will send notification to witness officers (i.e., current and former) of the pending release.
NOTE: Notification to witness officers is provided as a matter of awareness that the forthcoming release will include their interview and/or statement.
 - The Legal Section shall send notification to the police officer (i.e., current and former), and any designated representative (e.g., FOP, attorney, etc.) when applicable, if the:
 1. Department intends to deny a MPIA request for records related to alleged misconduct by a police officer;
NOTE: See Section 2.2, Reasons for Denial of a Maryland Public Information Act (MPIA) Request for additional information.
 2. Requesting party declines to pay the required fee(s) and a fee waiver has been denied;
 or
 3. Requesting party received the final records to be released.
 - The Chief of Police, or the Chief's designee, may at any time also notify any complainant, civilian witness, or other person potentially impacted by the request for release under the MPIA of a record related to alleged misconduct by a police officer.

REFERENCE

- Field Manual, Article 16 (Body Worn Camera Program).

OUTREACH PROGRAMS

Article 15

- 15-1.0 Crime Prevention and Community Relations [rev. 04/2018]**
- 15-2.0 Victim/Witness Assistance [rev. 12/2022]**
- 15-3.0 Bicycle Patrol [rev. 12/2015]**
- 15-4.0 Citizens on Patrol (COP) [rev. 10/2014]**
- 15-5.0 Police Explorer Program [rev. 10/2014]**
- 15-6.0 Emergency Contact Information [rev. 05/2015]**
 - 15-6.1 Residential [rev. 05/2015]*
 - 15-6.2 Commercial [rev. 05/2015]*
- 15-7.0 Homeless Shelters [rev. 01/2014]**
- 15-8.0 Prescription Drop Boxes [rev. 10/2020]**
- 15-9.0 Security Surveys [rev. 08/2020]**
- 15-10.0 Ride-Along Program [rev. 08/2020]**
 - 15-10.1 Department Members Riding Along Outside Their Command [rev. 04/2018]*
- 15-11.0 Communications with Limited English Proficient (LEP) and Hearing Impaired Individuals [rev. 08/2020]**
- 15-12.0 Transaction Safe Zones [rev. 12/2022]**

OUTREACH PROGRAMS

15-1.0 CRIME PREVENTION AND COMMUNITY RELATIONS

GENERAL

- Crime prevention and community relations are two of the most important services the Department can provide.
- For related crime prevention procedures refer to the Community Outreach Officer's Manual.
- For related Citizens On Patrol (COP) procedures, refer to the Citizens On Patrol (COP) Manual.
- For a detailed job description of duties for members of precinct Community Outreach Teams, contact the Baltimore County Office of Human Resources (OHR).

15-2.0 VICTIM/WITNESS ASSISTANCE

INVESTIGATING OFFICERS

- Provide victims/witnesses with as much information as possible about the incident, including any arrest information.
- Issue victims/witnesses copies of the Maryland Crime Victims and Witnesses Rights and Services Brochure, documenting that it was issued on the *Elements of the Incident (EOI)* tab of the incident report.
- Refer victims/witnesses to appropriate support agencies for services such as counseling, compensation programs, victim advocacy, etc.
- Provide victims with a telephone number and complaint number to report additional information or to inquire as to the status of the investigation.
- Maintain the confidentiality of victims and witnesses consistent with investigative procedures and the public information policy.
- Request response of the Mobile Crisis Team via the 9-1-1 Police Liaison if victims, witnesses, or family members have been traumatized by an incident. This request must be approved by a supervisor.
- Advise victims/witnesses to contact the police immediately if threatened or otherwise intimidated by a suspect involved in the incident.
- Recontact victims/witnesses periodically to determine whether their needs are being met, if the impact of the crime was unusually severe.
- Explain procedures to victims/witnesses regarding their role in prosecution.
- Schedule line-ups, interviews, and other case-related events under police control at the convenience of the victim/witness, when feasible.
- Provide transportation to victims/witnesses, when necessary.
- Keep victims/witnesses separated from persons who may make them feel uncomfortable while in police facilities (e.g., suspects and their relatives, press members, etc.).
- When a written request has been received, provide timely notice to victims of a crime of violence, or the victim's representative as to:
 1. Whether an evidentiary DNA profile was obtained from evidence in the case.
 2. When any evidentiary DNA profile developed in the case was entered into the DNA database system; and
 3. When any confirmed match of the DNA profile, official DNA case report, or DNA hit report is received.

EXCEPTION: When doing so would impede or compromise an ongoing investigation, or the victim's representative is a suspect or person of interest in the investigation.

MEMBERS

- Upon receiving a written request from a victim of a crime of violence, or the victim's representative, for information regarding DNA profiles, forward:
 1. The original written request to the Legal Section.
 2. A copy of the written request to the investigating unit/team, for placement in the case file.

COMMUNITY OUTREACH TEAM OFFICERS

- Assist with follow-up investigations when needed.
- Provide assistance needed to allay the fears and concerns of victims/witnesses.

PRECINCT COMMANDERS

- Administer and coordinates the Department's role in victim/witness assistance.
- Serve as liaison with other bureaus and divisions in facilitating the victim/witness assistance program.
- Facilitate an inter-agency government committee to monitor and address victim/witness assistance issues.

ADMINISTRATIVE & TECHNICAL SERVICES BUREAU

- Ensures the prompt and lawful return of property taken as evidence.
- When possible, uses photographs as evidence in lieu of actual property.
- Ensures the confidentiality of records and files regarding victims/witnesses in accordance with Maryland Law.

TRAINING SECTION

- Provides training regarding victim/witness rights, types of assistance, and legislative changes to the following:
 1. Entrance level recruits.
 2. In service training classes, all ranks.
 3. Non-sworn employees.
 4. Other agencies/employees (e.g., 9-1-1 Communications Center, etc.).

SAFETY OFFICER

- Informs all Department personnel of the Baltimore County assistance options available to employees and family members who become the victim/witness of a crime, sustain a serious injury, or are confronted with a death in the family.
- Informs all newly hired, non-sworn employees about the victim/witness programs available to employees and the public.
- Maintains a Bereavement and Protocol Manual outlining policies and procedures to assist the family after a line-of-duty death.

YOUTH & COMMUNITY SERVICES UNIT

- Maintains a resource file for assistance to victims/witnesses and ensures that the information is available at all times via the 9-1-1 Communications Center or other systems.

15-3.0 BICYCLE PATROL

GENERAL

- Only officers, who have successfully completed the Baltimore County Police Department's Bicycle Officer Training Program, or other comparable training being offered by another agency, will be assigned to bicycle patrol duties, or use bicycle patrol equipment. Training received from other agencies must meet the minimum standards of the Baltimore County program, and have the approval of a Baltimore County Police Department Bicycle Instructor.
- Bicycles may be used during all shifts, and bicycle officers assigned to post units may utilize bicycles at their discretion.
- Police bicycles may be used for:
 1. Traffic enforcement.
 2. Patrol activities.
 3. Designated special events.
 4. Plain clothes activities.

BICYCLE PATROL OFFICERS

- Have the same duties and responsibilities as other patrol personnel.
- Respond to calls for service and handle all related duties.
- Ride in pairs whenever practical.
- Equip their patrol cars with the Department-issued bicycle rack.
- Secure the bicycle to the patrol car rack when not in use.
- On bicycle patrol, will park their cars in highly visible locations that are well lit at night.
- Notify dispatch that they are on bicycle patrol and state their general area.
- On bicycle patrol, will prefix their unit's call number with "Bicycle Patrol."
- Should not use bicycles in extreme weather and/or road conditions.
- Must operate bicycles in compliance with all appropriate laws.
- Adequately secure bicycles to fixed objects when left unattended.

PRECINCT/SECTION COMMANDERS

- Assign bicycle patrol officers to areas where they can be most effective.
- Monitor bicycle patrol activities to evaluate their effectiveness.

COLLISIONS/INCIDENTS

- Minor incidents where no damage/injury results need not be reported.
- Incidents involving damage to any property or the bicycle, the officer's supervisor will initiate an investigation, documenting it on a Form 12L, Intra-Department Correspondence, and forward it to the precinct commander.
NOTE: Tire or rim damage due to hazardous roads does not require an investigation.
- Bicycle crashes involving an occupied vehicle in transit will be documented on an Automated Crash Reporting System (ACRS) report.

COVERT SURVEILLANCE

- Plain clothes officers using patrol bicycles for covert surveillance must fulfill the same qualifications as uniformed officers.

REFERENCES

- Administrative Manual, Article 7 (Personnel Issues).
- Administrative Manual, Article 8 (Departmental Property).
- Field Manual, Article 2 (Traffic Procedures).

15-4.0 CITIZENS ON PATROL (COP)

PRECINCT COMMANDERS

- Encourage and support the formation of Citizen On Patrol (COP) organizations in their precincts.
- Monitor all COP groups operating in their precinct to ensure compliance with applicable laws and the COP Manual.
NOTE: Special attention should be paid to those groups receiving County funding.
- Provide information to COP groups on crime trends and special problems or other applicable information in accordance with the Field Manual, Article 14 (Public Information), and the Maryland Public Information Act (MPIA).
EXCEPTION: As determined by the commander, on a case-by-case basis.
- Maintain and analyze records of COP program activities to determine their effect on the crime rate, calls for service, etc.
- Ensure that Department members do not distribute a COP member's personal telephone number, address, or similar information without the member's consent, or pursuant to a valid subpoena or court order.
- Complete the Grants Review Comment Sheet for each grant application and forward it to the Grants Management Team.

PRECINCT OFFICERS

- Whose posts contain a citizen-patrolled area, will meet periodically with COP members while the precinct officers are on patrol.
- Reinforce COP procedures when coming in contact with COP members.
- Refer individuals seeking membership in a COP program to the appropriate organization or umbrella group.
NOTE: "Umbrella groups" are coalitions or associations of two or more COP groups.
- Help with acclimating new COP members to police patrol.
- Check on the safety of COP members when requested by dispatch.

COMMUNITY RESOURCES TEAM (CRT)

- Maintains a directory of all Baltimore County COP groups based on the rosters submitted by each Community Outreach Team (COT).
- Coordinates the issuance, amendment, and circulation of proposed changes to the COP Manual.

COMMUNITY OUTREACH TEAM (COT)

- Responds to referrals/inquiries from citizens seeking to establish COP groups.
- Maintains a roster of COP groups and leaders in their precincts.
- Issues Baltimore County Police Department Citizens On Patrol brochures and booklets on how to start a COP group.
- Distributes the COP Manual to the COP directors when a group has decided to organize.
- Contacts the CRT when a new group is established and supplies them with the following:
 1. Name of the new COP group.
 2. Name, address, and telephone number of a contact person and an alternate.
- Advises COP directors about the Crime Prevention and Youth Grants Program.
- Serves as the liaison between COP groups and the Grants Management Team.
- Provides assistance and attends the initial community COP meetings.
- Maintains contact with the COP groups and monitors their effectiveness toward fulfilling the COP mission as outlined in the Department's COP Manual.
- Notifies the CRT of any changes in group status or contact information.

- Submits in writing to the CRT proposed amendments to the COP Manual.
- Maintains and analyzes financial records of COP groups awarded a Crime Prevention and Youth Grant.
- Conducts at least one inspection and audit per year of all COP equipment utilized by active COP groups to ensure that all equipment is maintained and in good working order, per the rules of the Crime Prevention and Youth Grants Manual.

COP MEMBERS

- Have the primary responsibility of furnishing accurate descriptions of suspects and vehicles, the location and time of the incident, and suspect activities.
- Provide their base station operator with their current location when contact is made.
- Patrol only in designated areas.
- Encountering any suspicious or criminal activity will maintain an adequate distance to ensure their safety.
- Report promptly to the 9-1-1 Communications Center any of the following:
 1. Suspicious persons or conditions that could indicate criminal activity.
 2. Any criminal incident.
 3. Persons requiring immediate medical attention.
 4. Traffic incidents (e.g., crashes, DUI drivers, etc.).
 5. Any incident that would normally require police involvement.
- May display on a vehicle while on patrol in the community one or more amber flashing lights subject to the following conditions:
 1. The Department has authorized the COP group to display the amber flashing lights in their designated patrol area.
 2. The COP member's amber flashing light will be extinguished at the request of a uniformed law enforcement officer.
 3. The Department may require that a sign meeting specifications set by the Department appear on the COP vehicle that identifies the group conducting the patrol while the amber flashing light is displayed.
- Must give their consent before a Department member can distribute their telephone numbers, addresses, or similar information absent a valid subpoena or court order.

PROHIBITIONS FOR COP MEMBERS

- Taking any overt action other than calling for police when they observe suspicious activity or incidents that may be criminal in nature.
- Operating their vehicles in any manner that would violate any traffic laws of this State or County.
- Engaging in any foot or vehicle pursuit.
- Confronting any suspicious individuals encountered while on patrol.
- Making an apprehension or detaining any individual.
- Divulging to the general public information they receive from police concerning criminal activity.
- Carrying any type of weapon.

COP PROGRAM EQUIPMENT

- Maintained in good working order by COP members.
- Returned in good condition to the COP's respective precinct.
- Repairs are the responsibility of the respective COP organization.

COP PROGRAM COMMUNICATIONS

- Each COP organization should establish a communications base station or have two units on patrol at a time.
- The base station should be at a fixed location when communications are established with mobile units.
- Communications should occur through either the use of cellular phones or two-way radios.
- The base station operator (or mobile unit operators) should ensure that contact is made with each unit at least once every 30 minutes.
- When a mobile unit operator cannot be contacted by another member, the 9-1-1 Communications Center should be notified immediately. In this instance, the mobile unit's last known location will be given to the 9-1-1 Communications Center, along with a description of the operator and vehicle.

CRIME PREVENTION AND YOUTH GRANTS

- Program is administered by the Department under the direction of the Budget Management Section Commander.
- Will be available to eligible COP groups.
- Information is available to all commands via the Crime Prevention and Youth Grants Manual.

SANCTIONS

- May be taken against any COP Group, umbrella group, or individual group member that violates COP rules. Sanctions may include:
 1. Loss of recognition as a COP; prohibiting the group from participating in training opportunities offered by the Department; excluding the group from the distribution of any departmental equipment and/or departmental correspondence regarding crime statistics, departmentally-sanctioned COP operations, etc.
 2. Denial of grant funding from Baltimore County; refusal of future endorsements to any other grant source; recall of equipment purchased with Baltimore County funding; forfeiture of unspent funds.
 3. Initiation of criminal and/or civil proceedings when the infractions violate the law.

REFERENCES

- Administrative Manual, Article 10 (Miscellaneous Administrative Procedures).
- Citizens On Patrol Manual.
- Crime Prevention and Youth Grants Manual.
- Field Manual, Article 14 (Public Information).

15-5.0 POLICE EXPLORER PROGRAM

GENERAL

- The Baltimore County Police Explorer Program is directed by a committee of sworn personnel and chartered annually through the Exploring/Learning for Life Division of the Boy Scouts of America.
- Each precinct is assigned a designated explorer post and meeting area.

MEMBERSHIP ELIGIBILITY

- Must be a citizen of the United States.
- Be at least 14 years of age and not reached their 21st birthday.
- Attending school and maintain a minimum grade "C" average.
- Must have approval and support of parents or guardian.

- Must be a responsible citizen with integrity and moral character.
- Must be of sound health, without any physical impairment that would render them unable to safely perform the duties of the position without possible harm to themselves or others.

EXPLORER MEMBERS

- Upon acceptance into the program are placed on a three-month probation period.
- Are expected to attend regularly scheduled meetings.
- Are governed by the Baltimore County Explorer Program, Rules, and Regulation Manual.

EXPLORER POST/ASSISTANT ADVISORS

- Explorer Post Advisors will be sworn police officers who have completed the mandatory training requirements established by the Exploring/Learning for Life Division of the Boy Scouts of America.
- Assistant Advisors can be sworn or non-sworn personnel. Assistant Advisors must complete all Post Advisor training requirements.
- Must complete the annual Exploring/Learning training to maintain advisor status.
- Notify their immediate supervisor of any activities, travel, and/or any changes to the post or program.
- Notify their supervisor and the Explorer Advisor Coordinator of any explorer personnel issues or infractions that may result in disciplinary actions and/or criminal charges.
- Attend the monthly explorer advisor meeting.
- Complete monthly reports, record all activities, and maintain financial records. All monthly reports will be forwarded to the Explorer Advisor Coordinator.

SUPERVISORS OF POST/ASSISTANT ADVISORS

- Ensure that all position requirements have been completed.
- Ensure required documentation is completed and forwarded to the appropriate location.
- Complete a yearly audit of Post financial records.

EXPLORER ADVISOR COORDINATOR

- Is responsible for maintaining all records of the mandated training requirements established by the Exploring/Learning for Life Division of the Boy Scouts of America.
- Ensures completion of the annual Explorer re-charter, County budgetary requests, and documentation records of the program.
- Works in partnership with the Board of Directors for the non-profit organization, "Friend to Police Exploring," and ensures all fundraising activities are conducted under their authority.

15-6.0 EMERGENCY CONTACT INFORMATION

15-6.1 RESIDENTIAL

FORM 29, VACANT HOUSE FORM

- Completed upon receiving notification of a vacant house from the occupant.
- Used to aid patrol officers in detecting unusual conditions at vacant homes and provides contact information.
NOTE: Officers will inform the citizen that the police will not be able to physically check the home.
- Prepared in duplicate:
 1. Original - precinct file.
 2. Copy - appropriate post car.
- Midnight shift desk officers will remove the outdated Forms 29 from the precinct file on a daily basis and forward them to the appropriate post cars for removal.

15-6.2 COMMERCIAL

NIGHTCARD DATABASE

- Located on the Department's Intranet page.
- Used to maintain contact information (e.g., business name, address, telephone number, emergency contact name and telephone numbers, etc.) for businesses located within Baltimore County.
- Updated or modified using a Form 48, Business Information (Nightcard).
NOTE: Members receiving information in reference to a new business, a closed business, or updated contact information will complete a Form 48 and submit it to the Community Outreach Team (COT) within whose command the business is located.
- Precinct COT supervisors will ensure:
 1. Businesses located within the geographic boundaries of their command are entered into the database.
 2. The database is updated upon receipt of a Form 48.
NOTE: Forms 48 will be destroyed once the database is updated.
 3. The information contained in the database for businesses located within the geographic boundaries of their command is reviewed for accuracy at least once per year.

15-7.0 HOMELESS SHELTERS

DEFINITION

- Homeless Person - any individual within the geographic confines of Baltimore County without shelter or the means to provide shelter, and with no immediate plans to leave the County.

DEPARTMENT MEMBERS

- Provide assistance to homeless individuals brought to their attention.
- May refer to the booklet of services for the homeless provided to each precinct.
- May contact the Department of Social Services (DSS) at any time for referral and assistance.
- When appropriate, may initiate a Field Interview Report (FIR) and a METERS/NCIC check on each homeless person contacted.
- Actively seek out and assist homeless persons in the case of extreme, life threatening conditions. Members will transport homeless persons to the nearest shelter if necessary. The shelter will be designated by the DSS.
- Should only use police facilities for temporary shelters as a last resort. Homeless persons will not be housed in prisoner holding cells.
- Notify their supervisors when assisting homeless persons.

15-8.0 PRESCRIPTION DROP BOXES

GENERAL

- The procedures described in this section are specific to this program and do not supersede or revise other sections of the Department's Field Manual and Administrative Manual. Members receiving medications, property, or found controlled dangerous substances (e.g., while conducting patrol, working at a precinct desk, during a call for service, etc.) will complete the appropriate incident report and package the materials as required by current Department policy.
- The keys for the prescription drop boxes will be kept within the precincts according to established key security procedures.

ELIGIBLE TYPES OF MEDICATIONS FOR DISPOSAL

- Non-narcotic prescriptions.
- Narcotic prescriptions.
- Over the counter medications.
- Herbals.
- Veterinary medications.

INELIGIBLE TYPE OF ITEMS FOR DISPOSAL

- Needles/sharps.
- Biohazard material.
- Illegal drugs (e.g., marijuana, heroin, cocaine, etc.).

DESK OFFICERS

- Request permission from the shift commander prior to opening a prescription drop box.
NOTE: The approving shift commander will assign a supervisor to serve as a witness anytime the prescription drop box is opened, and when its contents are packaged for submission to the Evidence Management Unit (EMU).
- Check the prescription box daily to monitor the volume of its contents, when possible.
- Wear disposable gloves and use due care when emptying the prescription drop boxes due to sharps and leaking/spilled substances.
NOTE: Needles/sharps, biohazards, illegal drugs, and all ineligible items are not to be included in the program and will be handled according to current Department policy.
- Remove the heavy-duty trash bag from the prescription drop box and place the bag into a cardboard box of the size prescribed by the EMU:
 1. During the day shift each Sunday; and
NOTE: Desk officers will not remove the bag if it appears that the trash bag in the prescription drop box is empty.
 2. When the bag appears to be nearing the capacity of the prescribed cardboard box.
- Place a new heavy-duty trash bag into the prescription drop box.
- Draw a central complaint (CC) number for an Assistance Request and assign the call a disposition code of "8" and a situation found code of "E3."
- Follow the packaging procedures as detailed in the Evidence/Property Packaging Manual.
- Contact the Baltimore County Fire Department, Hazardous Materials Unit, in the event of an unknown spill in the prescription drop boxes.

PRECINCT COMMANDER

- May designate members not assigned to the desk to complete the duties assigned to desk officers in this section.
- May amend the day of the week and shift during which the prescription drop box will be emptied.

EVIDENCE MANAGEMENT UNIT

- Collects packaged prescription drop box contents and has them destroyed.
- May consolidate the contents of the prescription drop boxes received and awaiting destruction.

REFERENCE

- Evidence/Property Packaging Manual.

15-9.0 SECURITY SURVEYS

GENERAL

- Security surveys of individual residences and businesses are completed as a service to the community.
- Providing general crime prevention information should not be considered the completion of a security survey.

DEFINITIONS

- Basic Residential and Commercial Surveys - provide basic crime prevention recommendations (e.g., upgrading locks on exterior doors/windows, installing a fence to secure a vulnerable area, install lighting, etc.) for individual homes or small to mid-sized businesses. These are most often completed by Community Outreach Team (COT) and/or Business Patrol Initiative (BPI) officers.
- Comprehensive Surveys - provide comprehensive recommendations for large businesses, government agencies, and communities. These surveys are ideally done during the planning stages of facility building to ensure that Crime Prevention Through Environmental Design (CPTED) is considered during construction. They contain more detail than the surveys completed for residences and smaller businesses, and usually involve a lighting assessment. These surveys are conducted by the Community Resources Team (CRT), or COT officers who have received advanced security training.
- Crime Prevention Through Environmental Design (CPTED) - the proper design and effective use of the built environment, leading to a reduction in the fear and incidence of crime and disorder resulting in an improvement in the overall quality of life of a building, space, or area. This concept utilizes a layered, counter-measure approach that contains: outer perimeter, building exterior, building interior, maintenance, and miscellaneous concerns.

MEMBERS

- Provide general crime prevention information to residents or business owners, as necessary.
- Offer security surveys to any resident or business owner that may benefit from this service, and to victims of residential or commercial burglaries.
- Advise recipients that completed security surveys are strictly recommendations, and do not guarantee the protection of assets, nor presume any departmental responsibility for any recommendations given.
- Include relevant security survey information (e.g., whether a security survey was requested, refused, completed, etc.) on the *Elements of the Incident (EOI)* tab of the incident report, when applicable.
- Forward a copy of the incident report to the precinct COT using the *Distribution List* field on the *Narrative* tab if the victim requests a survey, and an incident report is completed.
- Advise individuals to contact the precinct COT to schedule an appointment for the security survey, if a survey is desired and no incident report is completed.

COMMUNITY OUTREACH TEAM MEMBERS

- Conduct residential and commercial security surveys:
 1. Requested by citizens and business representatives.
 2. Referred by patrol officers and other Department members.
 3. Assigned by the COT Supervisor.
- May conduct self-initiated security surveys.
- Consult with the CRT prior to completing security surveys that involve large businesses, multiple residences, government buildings, and situations that may impact government or require government intervention (i.e., action by the Baltimore County Council).

- Provide the survey recommendations to the person requesting the survey.
- Forward a copy of all completed security survey recommendations to the COT supervisor.

COMMUNITY OUTREACH TEAM SUPERVISORS

- Coordinates and assigns requests for security surveys received by the COT.
- Establishes and maintains a confidential file for all security surveys conducted in the precinct with a one year retention period.
- Ensures the CRT is consulted prior to completion of all security surveys involving large businesses, multiple residences, government buildings, and situations that may impact government or require government intervention.
- Ensure members conducting surveys have received adequate training.

COMMUNITY RESOURCES TEAM

- Conducts security surveys that impact the availability of government services (e.g., street lighting, road service, etc.), involve government buildings, or impact on an entire neighborhood.
- Assists members conducting security surveys, upon request.
- Provides a copy of the survey recommendations to the facility/department head, or person requesting the survey.
- Submits all comprehensive security survey recommendations to the CRT supervisor for review and approval.
- Forwards a copy of all comprehensive security survey recommendations to the Office of the Chief after approval by the CRT supervisor.
- May conduct other security surveys at their discretion.
- Notifies the precinct COT supervisor when conducting comprehensive surveys within their precinct.

NOTE: The CRT will include members of the precinct COT in completion of these surveys, if possible.

15-10.0 RIDE-ALONG PROGRAM

GENERAL

- The following are not considered ride-alongs for the purpose of this section:
 1. Baltimore County Auxiliary Police.
 2. Sworn personnel from other law enforcement agencies conducting joint investigations or operations.
 3. Persons assisting in Department investigations (e.g., witnesses, informants, etc.).
 4. Department members (i.e., sworn members, recruits, cadets, and professional staff).
NOTE: Refer to Section 10.1 of this article for Department members wishing to ride-along outside of their command.
 5. Family members transported in take-home Department vehicles.
- Persons interested in the Ride-Along Program will be provided with a Ride-Along Program Packet and will be instructed to return completed application and waiver forms to the precinct where he/she wishes to ride.
- Ride-alongs are only permitted within the patrol divisions.
- Ride-alongs are not permitted during shift one.
EXCEPTION: Family member ride-alongs, when prior approval has been given by the precinct commander.
- Approved ride-along sessions will:
 1. Be scheduled to begin at least one hour after the start of the assigned shift.

2. Last for a period of approximately four to six hours and will generally be concluded at least one hour prior to the end of the assigned shift.

NOTE: Actual start and end times may deviate based on escorting officer availability and call for service assignments.

PURPOSE OF THE RIDE-ALONG PROGRAM

- Familiarize participants with the complex and unpredictable nature of police work.
- Allow participants to obtain first-hand knowledge of the Department's mission, operations, and policing philosophy.
- Assist in the recruitment of potential employees for the Department.

ELIGIBLE PARTICIPANTS

- Adults.
EXCEPTION: Persons 16 or 17 years of age, if participating in a recognized Police Department or school-sponsored program (e.g., Police Explorers, interns, etc.).
- Persons who are:
 1. A Baltimore County official or employee who has job-related reasons (e.g., 9-1-1 Communications Center, Assistant State's Attorneys, etc.).
 2. A member of the media who requests to accompany and observe members of the Department.
NOTE: This must be arranged by, and verified through, the Public Affairs Section.
 3. An individual who has applied, or is being actively recruited for, employment with the Department.
NOTE: This must be verified through the Employment Section.
 4. A student or faculty of a recognized institution of learning participating for educational or research purposes.
 5. A family member of a Department member, for the purpose of learning about the duties and responsibilities of police work.
 6. An otherwise interested person.
NOTE: Justification for participation must be documented on the Form 95, Ride-Along Application, by a precinct commander or higher ranking member.
- Possess the physical and cognitive ability to immediately respond to verbal commands given by a law enforcement officer and the ability to provide for their own safety in situations where the officer is unable to do so.
NOTE: Applicants may be excluded if their participation would pose a threat to the health or safety of others or themselves.

APPLICATION PROCESS

- Applicants must complete and sign a Form 95 and a Form 95A, Ride-Along Waiver, Indemnification, and Hold Harmless Agreement.
- Forms 95 and Forms 95A for applicants under the age of 18 must be signed by a parent or legal guardian.
- A school guidance counselor may coordinate the completion/submission of the forms between student participants and the Precinct Ride-Along Coordinator.
- Completed and signed Forms 95 and Forms 95A must be submitted to the Precinct Ride-Along Coordinator of the hosting precinct.
- Applications will be reviewed, and approved or denied, on a case by case basis.

PARTICIPATION RESTRICTIONS

- Participation for each individual is restricted to twice per year.
EXCEPTION: Persons participating in a Police Department sponsored program (e.g., Police Explorers, interns, Citizens' Academy, etc.).
- Only one ride-along participant is allowed per police vehicle.
- No more than two participants may be scheduled per shift within the same precinct.
- Participants riding for a second or subsequent time will not be assigned to ride with the same escorting officer.
EXCEPTION: Persons participating in a Police Department sponsored program and family members.

NOTE: Precinct commanders have the authority to exempt an individual from the participation restrictions. A Form 95 and Form 95A must still be completed, and justification for the exemption will be documented on the Form 95.

PROGRAM RULES

- Participants must wear a Department-issued observer identification card, in a visible location, at all times during the ride-along session.
- Participants must be dressed in a manner that reflects the Department's image of professionalism. Extremes in dress such as tube/tank tops, bare backs/midribs, shorts, short skirts, bare feet, sandals, or clothing with obscene language or offensive references are not permitted.
- Participants must wear a seat belt at all times while in Department vehicles.

PARTICIPANT PROHIBITIONS

- Taking part in, or interfering with, an officer's investigation, regardless of the situation.
NOTE: Participants are encouraged to ask questions concerning an incident only after the officer has cleared the scene.
- Possessing the right to exercise any power of arrest.
- Carrying weapons or look-alike weapons of any kind.
EXCEPTION: Sworn law enforcement officers.
- Leaving the police vehicle at any time unless instructed to do so by police personnel.
- Handling any Department equipment, except in an emergency.
- Traveling in a police vehicle during prisoner transport or admittance to prisoner processing or detention areas.
- Accompanying officers on search and seizure and/or arrest warrant service.
- Being intoxicated or under the influence of any illegal or controlled substance.
- Smoking in the vehicle.
- Posting or live streaming information concerning departmental activities on social media or internet sites, as this information may be confidential and sensitive.
- Revealing the names or any other identifying information of victims, witnesses, or alleged offenders, unless required in accordance with law.
- Using any electronic device to conduct audio or visual recordings or to take photographic images during a ride-along session. Participants will immediately turn off or remove any electronic device upon the officer's request. Failure to do so will result in termination of the ride-along session.
EXCEPTION: Members of the media with the approval of the Public Affairs Section and the commander of the hosting precinct.
- Receiving any compensation for participation in the Ride-Along Program, unless as an approved and recognized scholarship, grant, or regular financial assistance.

PRECINCT RIDE-ALONG COORDINATORS

- Review completed Forms 95 and Forms 95A to ensure that the applicant and parent/legal guardian, if applicable, have signed the appropriate sections.
- Conduct a thorough background check on each applicant, to include, at a minimum, METERS/NCIC, the Department's Records Management System (RMS), the Motor Vehicle Administration (MVA), and the Ride-Along Program electronic shared file. Printouts will be attached to the Form 95.
- Determine the participant's eligibility.
- Forward completed Forms 95 and Forms 95A to the precinct commander recommending approval or disapproval to ride-along, after participant eligibility is determined.
- Schedule ride-along sessions, upon approval from the precinct commander.
- Notify applicants or the referring coordinator (e.g., Public Affairs Section, school counselor, etc.) whether the ride-along request was approved or disapproved, and, if approved, provide the scheduled ride-along date and time.
NOTE: A copy of the approved or denied Form 95 and Form 95A will be mailed to the applicant.
- For family member applications, notify the applicant and the related Department member whether the applicant has been approved to ride-along with their family member, or if the ride-along will be scheduled with a non-family member officer.
- Provide shift/unit commanders with the original approved Forms 95 and Forms 95A, and an observer identification card, prior to the start of the shift in which the ride-along session has been scheduled.
NOTE: These cards are issued by the Materials & Facilities Management Unit and maintained at each precinct by their ride-along coordinator.
- Update the Ride-Along Program electronic shared file.
- Ensure that any Form 95 returned with a notation recommending that the participant not be eligible for participating in future ride-alongs (e.g., ride-along terminated for inappropriate behavior, etc.) be promptly forwarded to the precinct commander.
- Maintain a file of all original Forms 95 and Forms 95A, whether approved or disapproved, for a period of three years, including a copy of record checks, and any other related documentation.
- Coordinate the Police Explorers' participation in the program with the Explorer Program Coordinator.

ESCORTING OFFICERS

- Must have completed their initial probationary period with the Department.
EXCEPTION: Officers escorting a family member, with the prior approval of the precinct commander.
- Conduct ride-along sessions according to the rules, requirements, and prohibitions of the Ride-Along Program.
- Review the ride-along program rules and participant prohibitions listed on the Form 95 with participants before the ride-along session.
- Discuss the Department's Mission, Values, and Vision Statement to familiarize the participant with the Department's policing philosophy, as appropriate.
- Drop off the participant at a safe location and make arrangements for the participant to be picked up, when practical, upon dispatch to a high-risk call for service.
NOTE: If a high-risk situation is unavoidable and it is not practical to drop off the participant, the participant shall remain in the Department vehicle or be directed to a safe location (e.g., nearby house or business, etc.). The Department will make every effort reasonable under the circumstances to ensure the safety of the participant.
- Will not engage in a motor vehicle pursuit while accompanied by a ride-along participant.

- Avoid exposing a participant to confidential and/or privileged information, when possible.
- Disclose to a victim/complainant the presence and purpose of the ride-along participant when handling calls for service. Should the victim/complainant object to the presence of the ride-along, the participant will be instructed to return to the police vehicle.
- Have the authority to return a participant to the precinct or facility where the session originated for inappropriate behavior. The reason for recommending termination of the ride-along session will be reported to the shift/unit commander.
- Transport the participant back to the precinct or facility where the session originated at the next convenient opportunity, should the ride-along participant decide to self-terminate their ride-along session at any point.
- Note any compliments, complaints, unusual situations or behavior on the Form 95 and return it to the shift/unit commander at the conclusion of the ride-along session.

SHIFT/UNIT COMMANDERS

- Ensure that the ride-along participant has been approved by the Precinct Ride-Along Program Coordinator and precinct commander.
- Ensure that the participant has completed and signed both the Form 95 and Form 95A.
- Ensure that a background check has been completed.
NOTE: The shift/unit commander may direct a subsequent background check if they deem the time period between the initial authorization and the ride-along session to be significant.
- Designate the member who will serve as the participant's escorting officer, except when prior approval has been given by the precinct commander for the participant to ride with a family member.
NOTE: A member's training and prior assignments should be considered prior to making a selection.
- Ensure that ride-along sessions are conducted in accordance with the participation restrictions, program rules, and participant prohibitions of the Ride-Along Program.
- Suspend or cancel a ride-along at any time if questions arise regarding the participant's eligibility, criminal history, motivation, frequency of participation, etc. Justification for canceling a ride-along session shall be documented on the Form 95 and forwarded to their precinct commander and the Precinct Ride-Along Coordinator.
- Have the option of limiting or canceling the ride-along session, as dictated by the needs of their command, in cases such as special events, crime trends, personnel shortages, etc. Whenever possible, 24-hours notice will be provided to the participant.
- Determine if the ride-along session will be terminated or whether it will continue with another escorting officer when the original escorting officer recommends terminating the ride-along.
- Meet with the ride-along participant, at the conclusion of their ride-along session, if possible.
- Return Forms 95 and Forms 95A to the Precinct Ride-Along Coordinator at the conclusion of the ride-along session.
- Report any unauthorized ride-along via a Form 258, Statement of Incident.

PRECINCT COMMANDERS

- Designate a Ride-Along Coordinator in their command to perform administrative tasks associated with the program (e.g., screening applicants, scheduling, file maintenance, etc.).
- Have the final authority to approve or disapprove ride-along applications.
EXCEPTION: Applicants previously deemed to be prohibited indefinitely by any precinct commander, will not be approved.

- Determine, prior to ride-along scheduling by the Ride-Along Coordinator, if a Department member will be permitted to conduct a ride-along with their family member, or if the approved ride-along will be scheduled with a non-family member officer.
- Determine if an individual is prohibited indefinitely from participating in the Department's Ride-Along Program. This determination will be based on documented facts and applied on a consistent and equitable basis in accordance with the Department's values.
NOTE: Final decisions will be returned to the appropriate Precinct Ride-Along Program Coordinator for entry into the Ride-Along Program electronic shared file.
- May suspend, modify, or otherwise regulate the availability of the Ride-Along Program within their command to meet specific needs (e.g., seasonal or special events, personnel shortages, demands from other programs, crime trends, etc.).
- Determine if the Ride-Along Program will be instituted within non-patrol units (e.g., Community Action Team (CAT), Business Patrol Initiative (BPI) Team, etc.) under their command.

BUREAU CHIEF OF THE OPERATIONS BUREAU

- Provides recommendations for modifications to the Department's Ride-Along Program to the Chief of Police.

15-10.1 DEPARTMENT MEMBERS RIDING ALONG OUTSIDE THEIR COMMAND

GENERAL

- Department members (i.e., sworn members, recruits, cadets, and professional staff) are permitted to ride along with units outside of their command for the purpose of:
 1. Assignment related education/training/observation.
 2. Potential assignment changes (i.e., member intends to apply for a specialized assignment or entrance into the police academy, or is considering a transfer).
- Ride-alongs for recruits assigned to the Training Academy will only be conducted as approved and directed by the Commander of the Training Section.
- Ride-alongs for sworn members, cadets, and professional staff will only be conducted with the approval of the member's unit/section commander and:
 1. In coordination with the Precinct Ride-Along Coordinator for the precinct where the member wishes to ride; or
 2. With the permission of the unit/section commander of a specialized unit/section.
- Members riding along outside of their command will be properly identified by their Department issued uniform, badge, or identification card.
- Non-sworn members and their escorting officers, will review and abide by the program rules and participant prohibitions listed on the rear of the Form 95, Ride-Along Program Application.

15-11.0 COMMUNICATIONS WITH LIMITED ENGLISH PROFICIENT (LEP) AND HEARING IMPAIRED INDIVIDUALS

DEFINITIONS

- Certified interpreter - an interpreter listed on the Court Interpreter "Release List" Registry who has passed an oral interpreter certification examination which tests their language and interpreting skills in three modes (i.e., sight, consecutive, and simultaneous), in addition to meeting the requirements for an eligible interpreter.
- Eligible interpreter - an interpreter listed on the Court Interpreter "Release List" Registry who has, at a minimum, passed a written examination which covers general English vocabulary, legal terminology, and ethics for court interpreters, and may have passed a language proficiency interview in English and foreign languages.

GENERAL

- The Department is committed to ensuring effective communication with limited English proficient (LEP) and hearing impaired individuals (e.g., citizens, suspects, witnesses, victims, etc.).
- Limited English proficient individuals may be able to communicate through the use of:
 1. Members of the general public (e.g., family members, bystanders, etc.).
 2. Google Translate.
 3. On-duty officers who are proficient in the specific language.
 4. The Language Line.
 5. Eligible or certified interpreters on the Court Interpreter “Release List” Registry.
- Hearing Impaired individuals may be able to communicate through the use of:
 1. Writing, gestures, and/or visual aids.
 2. Members of the general public (e.g., family members, bystanders, etc.).
 3. On-duty officers who are proficient in sign language.
 4. Telecommunications Devices (TDD/TTY).
 5. Telecommunications Relay Services (TRS).
NOTE: The TRS system permits persons with a hearing or speech disability to use the telephone system via a text telephone or other device to call persons with or without such disabilities. The Federal Communications Commission (FCC) has adopted the use of the 7-1-1 dialing code for access to the TRS.
 6. Eligible or certified interpreters on the Court Interpreter “Release List” Registry.
- The Maryland Judiciary’s Administrative Office of the Courts maintains the Court Interpreter “Release List” Registry. The registry contains a list of interpreters who have given permission for their contact information to be released to agencies outside of the Maryland courts, and who are eligible interpreters or certified interpreters.
NOTE: This list is provided as a courtesy, the Administrative Office of the Court is not responsible for interactions between Department members and the listed interpreters.

MEMBERS

- Ensure effective communication is established, when encountering LEP or hearing impaired individuals.
NOTE: This applies for all contacts (e.g., traffic stops, interviews, investigations, community service contacts, etc.).
- Utilize demeanor and body language to establish trust, and assure LEP and hearing impaired individuals that assistance will be sought.
- May solicit the assistance of members of the general public (e.g., family members, bystanders, etc.) to provide interpretations for non-criminal matters.
- May not solicit the assistance of members of the general public to provide interpretations in criminal investigation-related matters (e.g., for interviews, interrogations, preparation of charging documents, etc.), unless exigent circumstances exist.
NOTE: Use of family members or friends in these circumstances may be detrimental to a criminal investigation, due to personal involvement, considerations of confidentiality, etc.
- Make every effort to determine the language spoken by a LEP individual.
NOTE: The Language Line’s Language Identification Card may be used. The card contains the message, “Point to your language. An interpreter will be called. The interpreter is provided at no cost to you.” in the languages most frequently encountered in North America.
- May utilize the Google Translate application, for minor information gathering and clarification in time sensitive information gathering, and for basic communications in non-criminal related matters (e.g., for questions such as “Do you need an ambulance?”, “Can I see your driver’s license?” etc.).
NOTE: The Google Translate application will not be used in place of an interpreter for conducting investigations or the taking of statements.

- May utilize the Form 301, Suspect Reference Guide, to assist Spanish speaking witnesses in providing immediate suspect information (e.g., to broadcast a “Be on the Look Out” (BOLO) during an in-progress incident, etc.).
- Attempt to locate an appropriate language interpreter by contacting the 9-1-1 Communications Center to broadcast for an available on-duty officer to interpret for the specific language, when needed and/or required for an investigation.
- Call the Language Line for interpretation, if an on-duty officer is not available to interpret for the specific language and in-depth interpretation is needed and/or is required for an investigation.
- Contact their shift/unit commander:
 1. When the 9-1-1 Communications Center is unable to locate an on-duty member capable of providing the necessary interpretations, and the Language Line is not sufficient to meet the needs of the LEP or hearing impaired individual and/or the investigation.
 2. Prior to arranging for an interpreter in any case where the Form 14, Miranda Rights Waiver, or the Form 266, Waiver or Rights to Prompt Presentment, is implemented, and the subject will or may be charged with a crime, to determine if a court certified interpreter will be used.

PRECINCT/SECTION COMMANDERS

- Ensure that the Language Line phone number and account information is posted and readily available for use by Department members within their commands.

SHIFT/UNIT COMMANDERS

- Determine whether a court certified interpreter should be utilized, in cases where the Form 14, Miranda Rights Waiver, or the Form 266, Waiver or Rights to Prompt Presentment, is implemented, and the subject will or may be charged with a crime.
- May authorize the call-out of an off-duty interpreter or the use of an eligible or certified interpreter on the Court Interpreter “Release List” Registry, when there is no on-duty member capable of providing the necessary interpretations, and the Language Line is not sufficient to meet the needs of the LEP or hearing impaired individual and/or the investigation.

DEPARTMENT MEMBERS SERVING AS INTERPRETERS

- Respond to requests broadcast by the 9-1-1 Communications Center for an interpreter, when on duty and the request is for a language the member is able to interpret.
- Summarize their participation and actions in the appropriate incident report or Detective Note, for interpretations provided during criminal investigations.
- May be summonsed to testify in court in reference to cases in which interpretation was provided.

DEPARTMENT MEMBERS REQUESTING THE USE OF AN INTERPRETER

- Remain present during interviews and interrogations conducted by interpreters.
- Responsible for all duties associated with the contact that are not related to interpretation.
- Summarize the participation and actions of non-Department member interpreters in the appropriate incident report or a Detective Note, when non-Department members are used for interpretations provided during criminal investigations.

NOTE: The document must include all identifying information for the interpreter.

MULTICULTURAL LIAISON

- Available to assist members with Community Outreach Programs and community information requests involving LEP and hearing impaired individuals.
- Is not used for routine language interpretation requests.

9-1-1 COMMUNICATIONS CENTER

- Maintains:
 1. A copy of the Language Line phone number and account information.
 2. An updated list of Department members serving as language interpreters.
 3. A copy of the Court Interpreter "Release List" Registry.
- Issues Countywide broadcasts for an on-duty language interpreter, when an on-duty language interpreter is requested, including:
 1. The location of the request; and
 2. The language requiring interpretation.
- Dispatches a Department language interpreter, when one is available, or notifies the requesting member that a Department language interpreter could not be located.
- Notifies an off-duty language interpreter, when requested by a shift/unit commander.

DIVISION COMMANDERS

- Survey Department members under their command to identify members who are willing to serve as language interpreters, during February of each year.
- Forward updated lists of Department language interpreters assigned to their command to the 9-1-1 Communications Center.

REFERENCE

- Language Line Language Identification Card.

15-12.0 TRANSACTION SAFE ZONES

GENERAL

- The Transaction Safe Zone program provides a safe location at each precinct for members of the public to conduct in-person exchanges of goods or money (e.g., Facebook Marketplace, Craigslist, etc.).
- The designated safe zone at each precinct must be:
 1. Open to the public;
 2. In an area that is video recorded at all times;
 3. In a well-lit location; and
 4. Marked with signage visible to the public.

MEMBERS

- Will not standby in a preventative manner to assist with any transaction.
- Will not conduct National Crime Information Center (NCIC) record checks on any goods, unless the member has reasonable suspicion to believe the item is stolen.
- Will not attempt to negotiate disputes between buyers and sellers unless the incident becomes criminal in nature.

PRECINCT COMMANDERS

- May designate their precinct's Transaction Safe Zone to be used for similar citizen-to-citizen encounters (e.g., child custody exchanges, etc.) at their discretion.

BODY WORN CAMERA PROGRAM

Article 16

16-1.0 Body Worn Camera (BWC) System [rev. 09/2019]

16-1.1 *Body Worn Camera (BWC) Use [rev. 10/2020]*

16-1.2 *Body Worn Camera (BWC) Activation and Deactivation [rev. 12/2022]*

16-2.0 Body Worn Camera (BWC) System Recordings [rev. 10/2020]

16-2.1 *Access to Body Worn Camera (BWC) System Recordings and Audit Trails
[rev. 09/2019]*

16-2.2 *Body Worn Camera (BWC) System Recording Redaction and Reproduction
[rev. 10/2020]*

16-2.2.1 *Formal Requests [rev. 10/2020]*

16-2.2.2 *Absent a Formal Request [rev. 10/2020]*

BODY WORN CAMERA PROGRAM

16-1.0 BODY WORN CAMERA (BWC) SYSTEM

DEFINITIONS

- **Activation** - recording of both audio and video by switching the device from Pre-Event Buffering Mode to Event Mode.
- **Body Worn Camera (BWC)** - an audio-visual recording device (i.e., camera, controller/battery pack, and a connector cable) worn on the person of a Department member.
- **Deactivation** - to stop actively recording the event and return the device to Pre-Event Buffering Mode.
- **Digital Evidence Management System (DEMS)** - a cloud based storage system used to store all BWC recordings.
- **Dock** - a BWC charging and data transfer unit.
- **Event Mode** - actively recording video and audio on the BWC.
- **Mobile Device** - a device connected to the BWC via a wireless connection for the purpose of playback, tagging, and categorizing of system records.
- **Person In Interest** - a person having a greater right of access to a recording than the general public as defined by GP § 4-101.
- **Pre-Event Buffering Mode** - a continuous 30 second video-only (i.e., no audio) recording, which is captured as a part of the full recording once the device is placed in Event Mode (i.e., activated).
- **System Recordings** - audio and/or video captured and uploaded by the BWC.

GENERAL

- The BWC system is a point-of-view style recording system designed to approximate the vantage point of the recording officer.
- The BWC program is designed to benefit the Department, its members, and members of the community by providing recorded material for:
 1. Evidence in court proceedings;
 2. Department training;
 3. Improved complaint resolution; and
 4. Potential public release to enhance public trust in Department activities.
- The BWC system does not live stream system data.

SYSTEM LIMITATIONS

- A BWC does not capture everything that is occurring during an incident (e.g., slight movements or resistance by the subject, or other items that cannot be seen, statements that were not recorded, etc.).
NOTE: System recordings lack the officer's perception of what is taking place.
- The BWC system does not analyze biometric or situational awareness data.

TECHNOLOGY SECTION COMMANDER

- Serves as the Body Worn Camera Program Administrator for the Department.

TECHNOLOGY SECTION (TS)

- Provides first line support to field users of the BWC system.
- Responds to collect BWCs and upload/tag/categorize recordings from members involved in:
 1. Police involved shootings.
 2. In custody deaths.
 3. Other incidents of police activity where death occurs.

4. Any other incident as directed by a bureau chief or higher.
- Manages BWC system user accounts.
 - Manages BWC system and device settings.
 - Ensures the DEMS is configured to:
 1. Enforce security and access controls satisfying County and Criminal Justice Information Services (CJIS) security standards.
 2. Automatically create and track audit and access logs, including all viewing, copying, and editing.
 3. Preserve unedited original versions of stored recordings.

SHIFT/UNIT COMMANDERS

- Notify the TS to respond and collect BWCs from members involved in:
 1. Police involved shootings.
 2. In custody deaths.
 3. Other incidents of police activity where death occurs.
 4. Any other incident as directed by a bureau chief or higher.

16-1.1 BODY WORN CAMERA (BWC) USE

GENERAL

- BWCs will only be used for official purposes.
- BWC devices are individually issued and assigned to members.

MEMBERS

- Only use the BWC system after they have been trained in the use of the system and the Department's BWC policy.
- Only use Department issued recording devices and accessories.
- Will be in uniform or have their badge or the Department's insignia prominently displayed when using a BWC.

NOTE: Articles of clothing containing the word "Police" alone, do not satisfy this requirement.

- Only use the device assigned to them.
- Assigned a BWC will wear the device with the power on, using authorized mounting systems, while engaged in patrol functions or other regular field operations.

EXCEPTIONS:

1. Plain-clothes officers will not wear their assigned BWC when acting in a capacity which requires that their badge or the Department's insignia is not prominently displayed.
 2. Members will not wear their assigned BWC when acting in the capacity of or working with a federal task force performing task-force related duties.
- Will not possess their BWC devices while off duty, unless authorized by their shift/unit commander.
- NOTE:** The shift/unit commander will determine if there is valuable recorded data requiring immediate upload prior to approving a member's request.
- Ensure their BWC is charged, and has sufficient recording space available, prior to their next tour of duty if authorized to possess the device off duty.
 - Discovering that they possess another member's BWC will immediately notify their supervisor who will contact the Technology Section (TS) for instructions.

REPORTING

- Use of a BWC to collect system data (i.e., video and/or audio) is not a replacement for a detailed report.
NOTE: Members will adhere to all Department reporting requirements, regardless of whether BWC system data has been captured of the incident.
- The availability of BWC system data will be documented by:
 1. Selecting “Yes” from the dropdown for the question “Body camera footage available?” on the *Administrative* tab, for incident reports (i.e., Case Reports and Officer Reports) generated within the Records Management System (RMS).
 2. Indicating in the narrative that BWC recordings are available, for reports generated outside of the RMS and for charging documents.
- Members who are assigned a BWC must notify a supervisor, and document an explanation in the incident report, upon becoming aware of a required recording incident that was not recorded.

DEVICE TESTING AND SUPPORT

- Members who are assigned a BWC will perform a BWC function test at the beginning of each shift.
- Members discovering a BWC is malfunctioning, at any time, will immediately report the issue by placing an Office of Information Technology (OIT) service ticket.

16-1.2 BODY WORN CAMERA (BWC) ACTIVATION AND DEACTIVATION

GENERAL

- Policies contained in this section apply only to members equipped with a BWC, and do not place additional requirements on the duties of non-equipped members.
- BWCs should be activated as soon as possible to ensure as much of the incident as possible is captured.
NOTE: If there is immediate danger to the member or others, the BWC should be activated once that immediate danger has been addressed and it has been deemed safe, practical and possible to activate the device.
- BWCs will be automatically activated by the activation/use of BWC integrated equipment/devices (e.g., vehicle emergency equipment, conducted electrical weapon (CEWs), etc.) within signal range.
NOTE: Members must be cognizant of automatic activation of their BWC, and adhere to public notification and deactivation requirements, when applicable.

PUBLIC NOTIFICATION

- Members shall notify individual(s) they are being recorded as soon as possible, unless it is unsafe, impractical, or impossible to do so.
EXCEPTION: Unless otherwise exempted by law.
 - When notification is delayed, it will be given once it is safe, practical, and possible.
- NOTE:** These provisions are satisfied even if another individual becomes a party to the communication after the initial notice has been provided.

REQUIRED BWC ACTIVATION

- Members wearing a BWC will activate the device as soon as possible unless it is unsafe, impractical, or impossible.
- The device will be activated in the following circumstances whether or not they are engaged in a call for service:
 1. Enforcement or investigative activity (e.g., traffic stops, searches, pursuits, arrests, field interviews, stop and frisk situations, etc.).

2. Execution of all search and seizure warrants.
3. Other activities of a potentially confrontational nature.
4. Emergency vehicle operations.
5. Custodial transports.

NOTE: When a prohibited use or deactivation criteria (e.g., interaction with a confidential informant, etc.) is encountered the member will deactivate their BWC. However, in all circumstances, when the prohibited use or deactivation criteria no longer exist, and the required BWC circumstances still exist (e.g., the interaction with the confidential informant has concluded, but the member is still conducting investigative activities, etc.), the member must resume recording.

PROHIBITED USES OF BWCS

- Non-duty related personal activities.
- Within 500 feet of bomb threat scenes.
- During in depth interviews with sexual assault victims beyond the initial call for service assessment.
- Interactions with confidential informants.
- To capture the strip search of an arrestee.
- To capture images that may not be reproduced by law (e.g., child pornography, etc.).
- During court proceedings, unless an on-view incident occurs.
- To capture legally privileged communications (e.g., attorney/client, doctor/patient, etc.).
- Surreptitious recording.

EXCEPTION: Those specifically allowed by law.

- As a replacement for the use of a recorded interview room and/or equipment issued by the Technology Section (TS) specifically for the purpose of recording interviews.

EXCEPTION: When the TS commander has approved the use of a specified BWC for recording interviews.

- Private conversations and administrative activities among Department personnel.
- Outside the state of Maryland.
- During uniformed secondary employment.
- By members who have been:
 1. Deputized by a federal government agency and are acting as a member of a federal taskforce; or
 2. Instructed by a member of a federal government agency taskforce to not record.

NOTE: When a prohibited use of the BWC is encountered during an active recording, members will deactivate their BWC when it is safe, practical, and possible to do so.

DISCRETIONARY BWC USES

- Members wearing a BWC have the discretion to activate the device during any legitimate law enforcement contact if the member believes a recording of an incident would be appropriate (e.g., transports of people of the opposite sex, advising of Miranda rights, etc.).
- In order to preserve the dignity of our citizens, members will exercise good judgement prior to the discretionary use of the BWC during situations where a heightened expectation of privacy exists (e.g., restrooms, locker rooms, etc.).

BWC DEACTIVATION

- When deactivation circumstances exist, the member will deactivate the BWC as soon it is safe, practical, and possible to do so.

- Once recording has been activated, members shall not end the recording until one of the following occurs:
 1. The event or encounter has fully concluded.
 2. The member leaves the scene and anticipates no further involvement in the event.
 3. A supervisor has authorized that a recording may cease because the member is no longer engaged in a related enforcement, investigative, or transportation activity.
 4. When a prohibited activation circumstance is encountered.
 5. When the member's video must be played back in the field.
 6. Required activation circumstances no longer exist, or did not exist, and the member has determined that:
 - a. A heightened expectation of privacy exists and deactivation is necessary in order to preserve the dignity of our citizens (e.g., locker rooms, restrooms, etc.).
 - b. An accidental activation has occurred.
 7. A victim, witness, or other individual wishes to make a statement or share information, but requests not to be recorded or refuses to be recorded.

NOTE: During these situations members may deactivate their BWC in order to obtain the statement or information, and then start recording again when the statement or information has been obtained.
 8. As directed by an instructor during an authorized training session.

TECHNOLOGY SECTION (TS) VIDEO MANAGER

- Sends notification to precinct/section commanders regarding identified BWC deficiencies (i.e., failures to activate BWC).

PRECINCT/SECTION COMMANDERS

- Ensure that deficiencies (i.e., failures to activate BWC) that have been identified by the TS Video Manager for members of his/her command are addressed.

16-2.0 BODY WORN CAMERA (BWC) SYSTEM RECORDINGS

SYSTEM RECORDINGS

- Are the property of the Department.
- Will not be altered or tampered with in any manner.
- Will be uploaded to the Department's DEMS without exception.
- Will not be copied, reproduced, shared, posted, downloaded, or disseminated in any manner unless for an official law enforcement purpose.
- Will only be copied, reproduced, shared, posted, downloaded, or disseminated in any manner absent an official law enforcement purpose when authorized by the Chief of Police or the Technology Section (TS) Video Manager.
- Will not be deleted without authorization from the TS Video Manager.
- Of constitutionally protected activities, may only be used to identify persons present at the activity who are suspected of being engaged in illegal activity, or are in need of assistance.
- May not be:
 1. Used to create a database or pool of mugshots.
 2. Used as fillers in photo arrays.
 3. Searched using facial recognition software.

EXCEPTION: Recognition software may be used to analyze the recording of a particular incident when a supervisor has reason to believe that a specific suspect or person in need of assistance may be the subject of a particular recording.
- Are accessible to members based upon the member's rank and assignment within the Department.

- Will be labeled with the proper identification (ID), title, and category(ies) by the uploading member.

RECORDING MEMBERS

- Are responsible for the timely upload, classification, and tagging of their own recordings.
EXCEPTION: Recording uploads conducted by TS personnel.
- Use the dock for uploads unless otherwise authorized by a supervisor or the TS.
- Use the mobile device for playback, tagging, and categorizing in the field prior to docking the BWC, when practical.
- Categorize as *Restricted* accidental recordings that would jeopardize individual dignity or modesty, and document requests for deletion of such recordings on a Form 12L, Intra-Department Correspondence, submitted through their chain of command to the TS.
- Dock their BWC in their assigned dock at the end of their tour of duty where it will remain until the next use, unless otherwise authorized by a shift/unit commander or higher.

MEMBERS UPLOADING SYSTEM RECORDINGS

- Ensure:
 1. The appropriate central complaint (CC) number is properly (i.e., no hyphens or spaces will be used) entered in the *ID* field.
EXCEPTION: Nine zeroes (i.e., 000000000) will be placed in the *ID* field for recordings that are not associated with a particular incident. Officers will also enter a brief description (e.g., accidental recording, desk officer prisoner check, CEW Spark test, etc.) in the *Title* field in these instances.
 2. Any related CC numbers are entered in the *Title* field (e.g., related incidents, warrants, etc.).
- Are responsible for confirming that information entered and/or imported from the Computer Aided Dispatch (CAD) system is correct.
NOTE: Information that is entered incorrectly may result in difficulty locating the video at a later time, incorrect retention periods, and/or a failure to automatically share information with the State's Attorney's Office.

CORPORALS/SERGEANTS/LIEUTENANTS

- Ensure restricted categories have been appropriately applied.

PRECINCT/SECTION COMMANDERS

- Ensure that deficiencies (e.g., uncategorized recordings, recordings given incorrect categories or incorrect CC numbers, etc.) that have been identified by the TS Video Manager for members of his/her command are addressed.

TECHNOLOGY SECTION (TS) VIDEO MANAGER

- Sends notification to precinct/section commanders regarding identified BWC deficiencies (e.g., uncategorized recordings, recordings given incorrect categories or incorrect CC numbers, etc.).

CATEGORIES AND RETENTION

- All categories that apply to the recording will be selected in the *Category* field.
- Members will select at least one primary category (i.e., 1 to 8) for each BWC recording.
- Additional categories will be selected when applicable.
- Investigators should create a case for a video if:
 1. The offense is upgraded or downgraded to ensure the proper retention period is selected.

2. The jail sentence and/or appeals timeline are found to be longer to ensure the evidence is maintained.
- System recordings will be automatically deleted when the retention period is completed unless held in a case for specific investigatory or judicial purposes.
NOTE: Selection of an incorrect category may cause system recordings to be automatically deleted while they are still needed for specific investigatory or judicial purposes.
 - The Department's categories and retention periods are:
 1. *Miscellaneous and Non-Criminal*
Retention: 18 months.
Use: Field interviews, non-criminal calls, and accidental recordings.
 2. *Routine Traffic*
Retention: 18 months.
Use: Non-jailable and non-arrestable traffic.
 3. *Misdemeanors and Serious Traffic*
Retention: 3 years.
Use: All misdemeanors, jailable and arrestable traffic, and crashes.
 4. *Felony Miscellaneous*
Retention: 10 years.
Use: All felonies not listed in number 5.
 5. *Felony Specified*
Retention: Indefinite.
Use: Homicides, rapes, and first and second degree sex offenses.
 6. *Administrative Investigations*
Retention: 5 years.
Use: Use of force incidents, pursuits, and unusual occurrences.
 7. *CEW Compliance*
Retention: 5 years.
Use: Subject becomes compliant without the discharge of a conducted electrical weapon (CEW).
 8. *Training or Testing*
Retention: 18 months
Use: CEW Spark tests, authorized training, function checks.
 9. *Administratively Restricted*
Retention: 5 years.
Use: A secondary category used to restrict access to a recording. The appropriate primary category must also be selected.
NOTE: When this category is selected, the member will no longer be able to view the recording once it is uploaded, unless they have permission to view restricted recordings.
 10. *Pending Review*
Retention: Indefinite
Use: Technology Section only.
 - Members will notify their corporal, sergeant, or lieutenant when categorizing a recording with a restricted category.

16-2.1 ACCESS TO BODY WORN CAMERA (BWC) SYSTEM RECORDINGS AND AUDIT TRAILS

MEMBERS

- Have access to their own recordings, and recordings shared by other members.
- May access recordings for the following purposes:
 1. Report writing or preparation of other official documents.
 2. Court preparation.
 3. Review of prosecution evidence.

4. Review of victim/witness/suspect statements.
 5. Crime scene observations.
 6. Statement of charges preparation.
 7. Clarifying observations at the scene of an incident.
- Must share recordings with the State's Attorney's Office, upon charging a juvenile suspect.
 - Share their recordings with other members and the State's Attorney's Office upon request to further an investigation or for other official purposes.
 - Are responsible for proper tagging and categorizing of videos to ensure that videos which require sharing with the State's Attorney's Office are automatically shared.

CORPORALS/SERGEANTS

- Have access to all non-restricted recordings.
 - EXCEPTION:** Corporals who are not detectives have access to their own recordings and other members' non-restricted recordings within their command.
- May access recordings for the following purposes in addition to those listed for members:
 1. Complaint investigation and resolution.
 2. Administrative investigations.
 3. Pursuant to an established Performance Enhancement Plan (PEP).
 4. To further collaborative operational needs.
 5. Auditing to comply with the Line Inspection program.
- Are restricted from accessing recordings for the purpose of:
 1. General performance review.
 2. Routine preparation of performance reports.
 3. Searching, without cause, for policy violations to initiate disciplinary action.
- May share recordings with other members, and the SAO as necessary.

LIEUTENANTS

- Have access to all non-restricted recordings and audit trails.
- May access recordings for the same purposes as those listed for Corporals/Sergeants.
- Have the same restrictions as those listed for Corporals/Sergeants.
- May share recordings with other members, and the SAO as necessary.

SWORN EXECUTIVE CORPS MEMBERS

- Have access to all recordings and audit trails, including restricted recordings.
- May access recordings for the following purposes in addition to those listed for Lieutenants:
 1. Identifying training needs.
 2. Incident critique.
- Have the same restrictions as those listed for Lieutenants.

INTERNAL AFFAIRS DIVISION (IAD)

- Have access to all recordings and audit trails.
- May review any recording in the event of an alleged violation of law, or administrative procedure.
- Ensures that members and their representatives are given the opportunity to review all related recordings prior to providing a statement during an administrative investigation.

TECHNOLOGY SECTION (TS)

- May access recordings for the following purposes:
 1. Technical and user support.
 2. Sharing of recordings within the Department beyond those available to field personnel.

TECHNOLOGY SECTION (TS) VIDEO MANAGER

- Has access to all recordings and audit trails.
- May access recordings for the following purposes:
 1. BWC recording system administration:
 - a. Extending retention.
 - b. Sharing of recordings beyond those available to field personnel.
 - c. Reassigning ownership of recordings.
 - d. Selecting/removing a restricted category.
 - e. Pre-deletion review.
 2. BWC policy compliance, including:
 - a. Categorization.
 - b. Titling.
 - c. Tagging.
 3. Recording release requests, including:
 - a. Maryland Public Information Act (MPIA).
 - b. Subpoenas.
 - c. Court Orders.
 4. Redaction and reproduction processing, including:
 - a. *Publicly Releasable*.
 - b. *Person in Interest Releasable*.
 - c. *Non-Releasable*.
 5. Other Departmental needs as directed by the TS Commander or Chief of Police.

LEGAL SECTION

- May review any recording in the event of an alleged violation of law or administrative procedure, or incident that could result in legal liability.

16-2.2 BODY WORN CAMERA (BWC) SYSTEM RECORDING REDACTION AND REPRODUCTION

GENERAL

- All requests for production of recordings will be sent to the Technology Section (TS) Video Manager.
- BWC recording requests will be fulfilled and redacted in accordance with Department guidelines and all applicable laws.
- In the event that a prosecuting authority (i.e., the State's Attorney's Office, the Maryland State Prosecutor, the United States Attorney's Office or any other criminal or administrative prosecuting authority) has received an open criminal case or an Internal Affairs matter referred to them, the Department will share BWC footage with the prosecuting authority by the end of the next business day, after the prosecuting authority notifies the Department of its investigation.
- BWC recordings requested by the public under the Maryland Public Information Act (MPIA) or subpoenaed by any party will be categorized as:
 1. *Publicly Releasable* - Released to any member of the public subject to public redaction requirements.
 2. *Person In Interest Releasable* - Releasable to a Person in Interest subject to individual redaction requirements.
 3. *Non-Releasable* - Recordings that cannot be released at the time of the request in accordance with legal requirements.

NOTE: The prosecuting authority should be consulted for recordings relevant to a criminal or civil proceeding (e.g., recordings that meet the definition of relevance under the Maryland Rules of Criminal Procedure, the Maryland Civil Rules, or the Federal Rules of Civil Procedure, etc.).

- BWC recordings will be released in accordance with the MPIA.
- Videos may be released at the direction of the Chief of Police without receipt of a formal request.
EXCEPTION: When prohibited by law.
- Voluntary release of a video by the Department absent a formal request, does not preclude persons from making formal requests for release of the full video.
NOTE: Formal requests will be handled in accordance with all applicable laws and Department policy.
- At the discretion of the Chief of Police, BWC footage of an incident in its entirety and without redaction may be viewed with the media subject to federal, state, and local laws governing disclosure of records, with the understanding that only the corresponding BWC footage posted to the Department's public-facing, official website will be provided.
NOTE: This is for the purpose of transparency, clarity, and to assist the media in accurate and complete reporting of the incident.

CHIEF OF POLICE

- Has the authority to modify any aspect of this policy to unilaterally release BWC video if immediate release is required for public safety.
EXCEPTION: Where prohibited by law.
- Has final authority regarding duplications, redaction, release, and deletion of BWC recordings.
- Designates a Video Manager within the Department to act on the Chief's behalf.

LEGAL SECTION

- Shall consult with the prosecuting authority on:
 1. The relevance of BWC footage to a criminal proceeding; and
 2. The release, duplications, redaction, and deletion of BWC recordings, when relevant to criminal proceedings.
- Appears in criminal court proceedings in response to subpoena or discovery requests by defense counsel, when necessary.
- Shall immediately refer subpoenas or discovery requests for BWC recordings in civil matters to the County Office of Law.
NOTE: The Office of Law may determine the relevance of the BWC footage to the civil matter, and may coordinate the release, duplications, redaction, and deletion of BWC recordings. The Office of Law shall appear in civil court proceedings in response to subpoena requests by defense counsel, when necessary.
- Handles MPIA disputes regarding criminal matters.
NOTE: MPIA disputes regarding civil matters will be handled by the County Office of Law.

TECHNOLOGY SECTION (TS) VIDEO MANAGER

- Shall preserve, without redaction, any relevant BWC footage in response to a litigation hold letter from the Office of Law for Baltimore County or a private party.
NOTES:
 1. This does not mean that the BWC footage must be released without redaction.
 2. The litigation hold letter must reasonably identify the BWC footage that is relevant to the litigation.
- Shall immediately release any un-redacted BWC footage to the County Office of Law, upon request.

- Shall, upon receipt of a deletion request for an accidental BWC recording that would compromise the modesty or dignity of a member (e.g., an accidental recording during a bathroom break, etc.):
 1. Assign an appropriate TS supervisor (i.e., a supervisor of the same sex as the member whose modesty or dignity has been compromised, when possible) to confirm the nature of the BWC recording.
 2. Consult with the Legal Section regarding the deletion request.
 3. Upon written advice from the Legal Section, execute an immediate deletion when there is no other duty-related reason to retain the BWC recording.
- Shall identify all relevant BWC footage in response to an MPIA request, subpoena, discovery request, or litigation hold letter.
- Shall consult with the Legal Section in making determinations regarding the release, duplication, deletion, or redaction of BWC recordings requiring an elevated review.

NOTE: An elevated review is conducted for recordings of:

 1. Homicide investigations;
 2. Rape/sex offense investigations;
 3. Strategic and tactical operations that may jeopardize future similar operations;
 4. Domestic violence investigations;
 5. Incidents categorized as Administrative Investigations and/or Administratively Restricted;
 6. Incidents requested by subpoena, court order, or notice of claim;
 7. Officer involved shootings;
 8. Uses of force;
 9. All deaths or serious injuries in police custody;
 10. High profile cases as determined by the TS Video Manager, or designee;
 11. Incidents involving multiple police jurisdictions; and
 12. Any other cases as directed by the Chief of Police.
- May consult the Legal Section in making the determination of the release, duplication, deletion, or redaction of any BWC recordings not requiring an elevated review.
- Ensures redaction of information that is treated confidential as a matter of law (e.g., medical or health information, social security number, etc.) in accordance with applicable Technology Section standard operating procedures, prior to release, when redaction criteria are met.

PUBLIC AFFAIRS SECTION

- Coordinates the viewing of non-redacted videos by members of the media, as described above, upon approval of the Chief of Police.

16-2.2.1 FORMAL REQUESTS

TECHNOLOGY SECTION (TS) VIDEO MANAGER

- Receives, reviews, and processes requests for the production of BWC recordings from court orders and subpoenas.
- Receives, reviews, and processes public requests for copies of BWC recordings in accordance with the Maryland Public Information Act (MPIA), MD. Code Ann. Gen. Provis. §§ 4-401 to 601.
- Estimates, collects, and processes fees associated with request fulfillment in accordance with the MPIA, § 4-206.
- Releases authorized and redacted BWC recordings consistent with Department policy and all applicable laws.
- Sends a denial letter, within 30 days of receipt of the request, explicitly stating the reason, if the release of a BWC recording is not authorized.

- Consults with the Legal Section, and other commands and agencies as needed and directed by the TS Commander.
- Ensures confidential information is not visible/audible prior to the release of a BWC recording.
- Authorizes exceptions to the denial and redaction standards as directed by the Chief of Police.

16-2.2.2 ABSENT A FORMAL REQUEST

DEFINITION

- Critical Incident -
 1. An incident involving a use of force by one or more officers that results in the death of or serious physical injury to another;
 2. Any high profile incident that garners a significant public interest or concern; and/or
 3. Any incident in which the Chief of Police determines the release of BWC footage will help enforce the law, preserve the peace, protect people, and/or maintain order.

NOTE: This definition applies only to this section.

GENERAL

- Absent a formal request, the Chief of Police may release videos of:
 1. Critical incidents; and
 2. Positive actions/interactions involving Department members.
- Release of body worn camera footage will always:
 1. Be done in consultation with the prosecuting authority if the video has the potential to impact a criminal trial and/or involves pending criminal charges; and
EXCEPTION: When videos are unilaterally released by the Chief of Police for public safety.
 2. Balance privacy concerns, the need to comply with federal, state, and local public disclosure laws, full transparency, and the defendant's right to a fair trial.
- Public release of BWC footage in accordance with this policy may be delayed, redacted, edited, or in some cases, the Department may forego public release, in order to:
 1. Comply with federal, state, or local law governing disclosure of records or existing Department procedures;
 2. Protect confidential sources and witnesses;
 3. Protect the rights of the accused (i.e., protect the right to a fair trial);
 4. Protect the identity of victims of sexual assault, victims of domestic violence, and juveniles;
 5. Protect the privacy, life, or safety of any person; and
 6. Protect the location of victims and/or witnesses.
- Sworn members who are significantly involved in a critical incident as defined in this section, or in any other incident deemed appropriate by the Chief of Police, shall be afforded the opportunity to review BWC footage before it is publicly released.
- In cases involving a fatal use of force, immediate family members of the decedent, as determined by the Department, will be afforded the opportunity to review BWC footage before it is publicly released.
- Prior to the release of BWC footage, consideration will be given to privacy rights including an assessment of whether the BWC footage depicts:
 1. Interior places of residences and other places where there is a reasonable expectation of privacy;
 2. Intimate or graphic images;
 3. Images of a person receiving medical attention;
 4. Images of a serious physical injury or a deceased individual;
 5. The location of a domestic violence program;

6. Information that might reveal the identity of a victim of a sexual assault;
 7. Images of juveniles; and/or
 8. Any other images/information that should not be released, as directed by the Chief of Police.
- Body worn camera footage will not be released for commercial, non-law enforcement, or non-journalistic purposes.
- NOTE:** This policy is not intended to, and does not create any rights, substantive or procedural, in favor of any person, organization, or party.
- Released BWC footage will be posted to the Department's public-facing, official website for 30 days, after which it may be removed. The posted BWC footage:
 1. May include redactions of faces or other identifying information of involved parties;
 2. May be a reflective sample and/or compilation of available BWC footage; and
 3. Will be subject to all restrictions noted in this policy.

CRITICAL INCIDENTS

- At the discretion of the Chief of Police, after consultation with the prosecuting authority, the Department may publicly release BWC footage within 30 business days of the incident, provided that any initial use of force investigation is completed, and the required notifications have been made.

EXCEPTION: When a non-disclosure period has been granted pursuant to an agreement with the prosecuting authority. The prosecuting authority may request, in writing, a 30-day extension to the Department's release of critical incident BWC footage to the public. In its request, the prosecuting authority should explain, with specificity, how deviating from the standard timeframe for disclosure set forth by the Department is necessary to further the administration of justice. The prosecuting authority's request for an extension will be carefully considered by the Department and the final decision to release BWC footage ultimately rests with the Chief of Police. If the prosecuting authority seeks an additional extension(s), such request(s) should be made in the same manner for each 30-day period, or until the scheduled trial date. If additional trial dates arise, an additional request for extension will be made.
- Release of BWC footage of a critical incident will, at the discretion of the Chief of Police:
 1. Take place at either a news conference or media availability session with a subject matter expert and Public Affairs Section member present to provide context and chronology of the event; or
 2. May be released with written context and without an accompanying live news conference.

POSITIVE ACTIONS/INTERACTIONS INVOLVING DEPARTMENT MEMBERS

- At the discretion of the Chief of Police or designee, the Public Affairs Section may publicly release BWC footage.
- Members aware of footage that may be of interest to the public should notify the Public Affairs Section.

NOTIFICATIONS

- The Chief of Police, or designee will notify the prosecuting authority two business days prior to releasing BWC footage of a critical incident to the public.

EXCEPTION: When the Chief of Police determines that exigent circumstances involving public safety, preserving the peace, and/or maintaining order requires a shorter time period for notice. In these cases, notice must still be provided to the prosecuting authority prior to releasing BWC footage of a critical incident to the public.
- The Chief of Police, or designee will notify the Technology Section (TS) Video Manager and the Public Affairs Section, as soon as possible, when BWC footage is being considered for release.

- The Public Affairs Section will make the following notifications at least 24 hours prior to the release of BWC footage of a critical incident to the public:
 1. Civilian subject(s) of the police action;
EXCEPTIONS:
 - a. If the subject is deceased, the next of kin will be notified.
 - b. If the subject is a juvenile, the parent or guardian will be notified.
 - c. If any of the above parties have retained legal counsel, the legal representative will be notified in lieu of the subject.
 - d. When all reasonable attempts to notify the applicable party have been unsuccessful.
 2. Department members whose BWC footage is to be released;
 3. Department members readily identifiable in the videos and/or significantly involved in the event, as determined by the Chief of Police or designee;
 4. Bureau Chiefs, division commanders, and precinct/section commanders of above listed members;
 5. Baltimore County Fraternal Order of Police; and
 6. Other official agencies involved in the incident or investigation.
NOTE: The Chief of Police has the discretion to make modifications to above notifications (e.g., critical incidents, unrest, etc.).
- The Chief of Police has the authority to modify any aspect of this policy to unilaterally release BWC video if immediate release is required for public safety.
EXCEPTION: Where prohibited by law.