1. ACCIDENT INVESTIGATION

(December 2018)

I. POLICY

It is the policy of the Department to respond to accidents involving death, personal injury, hit-and-run, impaired drivers, and disturbances between principals. In addition, the Department will investigate accidents resulting in property damage occurring on roadways if the damage disables one or more vehicles.

When dispatched to an accident scene, officers shall respond without unnecessary delay and in accordance with the response classification assigned by Public Safety Communications (PSC).

Officers shall document initial accident reports within the Delta+ program (ACRS) and in accordance with all policies and procedures contained within the current version of the ACRS User Manual as well as the RMS Report Writing Manual.

II. CHECKLIST

The first officer to arrive at the scene of a motor vehicle accident shall:

- Immediately check for injuries, provide first aid and summon medical assistance. Although injured parties may refuse medical attention, officers shall request an ambulance in instances where they suspect serious injury
- Identify hazardous materials, dangerous conditions, or fire threats. Officers shall request assistance and protect the public from those threats or conditions when possible. When hazardous materials are involved, officers shall comply with the procedures detailed in **VOLUME II, CHAPTER 33, HAZMAT & RADIOACTIVE MATERIALS**
- Locate witnesses
- Preserve evidence, pending a determination of investigative responsibility, for processing and analysis
- Protect involved persons and property from further injury or damage through the positioning of the police vehicle, direction of traffic, or using flares or other warning devices
- Restore traffic flow around accident scene, relieve congestion, remove involved vehicles and debris from the roadway as quickly as possible, unless investigative or rescue considerations require they be left in place. If a driver requests that a vehicle be left at the scene, officers shall ensure the vehicle is legally parked and secured
- Ensure safekeeping of property for accident victims who are incapable of caring for their property
- Give the parties the Call For Service Number (Starting with "PP") and inform them that the accident report will be available at any District Station after 72 hours. Copies of the accident report may be purchased for ten dollars by money order at the station, by mail from the Records Section, or online for fifteen dollars at www.crashdocs.org

III. DEFINITIONS

ACRS: Automated Crash Reporting System

Critical Injury: Any injury where death is expected or medical personnel believe it is probable

Delta+: An electronic portal via Maryland State Police used to access ACRS

Fatal Accident: Any traffic accident in which the victim dies of injuries sustained in the accident and death occurs within 30 days

Motor Vehicle Accident: To make the incident an *accident*, worthy of an ACRS report, the following conditions must be met:

- Motor vehicle in transport,
- Unintentional, and
- Property Damage (PD), Personal Injury (PI) or Fatal (F)

Personal Injury: Any injury that is visible or obvious, or for which an involved person is transported by ambulance

IV. FORMS

- Case Record
- Impound Record
- Vehicle Accident Letter (English/Spanish) (PGC Forms #2301/2301A)
- Victim's Representative Notification Form
- State of Maryland Motor Vehicle Crash Report
- State of Maryland Information Exchange Form

V. PROCEDURES

1. Accident Scene Duties

Officers shall review and comply with the duties detailed in section **II. CHECKLIST**. Officers may request assistance from other officers, the fire department, government agencies, or utility companies to carry out these duties.

On accidents with serious injury, officers shall contact the appropriate hospital prior to the end of watch to determine the status of injured parties to ensure that notification to the Collision Analysis and Reconstruction Unit (CARU) is not required. Officers should be aware that the Health Insurance Portability and Accountability Act of 1996 (HIPAA) prohibits healthcare providers from releasing certain patient information.

Investigations

After the scene is stabilized, officers shall examine the facts of the accident to determine whether an investigation and accident report are required. They shall base their determination on:

- Interviews of witnesses and drivers
- Observations of vehicles and the accident scene
- Other physical evidence
- Status of vehicle registration and driver's licenses

Officers shall assist involved parties in exchanging driver's license, registration, and insurance information. They shall also take time to answer questions.

Officers shall initiate a computer check on all drivers and vehicles involved in an accident even if the involved parties display valid vehicle registration and drivers licenses. If the computer system is not in service, and the license and registration validity cannot be verified, officers shall complete an ACRS report and any other required supplement reports.

An investigation and accident report within ACRS are required for motor vehicle accidents involving:

- Buses with passengers (other than drivers) or any bus without passengers owned by WMATA or a government agency

- Collisions between a train and motor vehicle
- Collisions with buildings regardless of whether damage to the building is evident. Officers shall request notification to a County building inspector via PSC
- Damage to electrical, natural gas, water, or commercial utilities
- Damage to street signs and other government fixed assets
- Departmental accidents
- Fatal accidents
- Government vehicles or accidents alleged to have been caused by these vehicles, including vehicles of municipal, county, bi-county, and federal agencies, WMATA, or volunteer fire companies. Maryland State Police (MSP) shall investigate all accidents involving State vehicles
- Injury, visible or obvious, or for which a person involved is transported by ambulance
- Must appear traffic offenses whether or not a citation is issued, and unregistered motor vehicles
- Issuance of a citation
- Property damage occurring on a roadway that results in disabling damage to a motor vehicle, other than flat tires
- Vehicles with valid temporary tags or transporter stickers (Note: Vehicles bearing dealer tags and recycler tags are considered registered.)

Investigations and reports are required even if vehicles have been moved before the officer's arrival. However, if any of the vehicles have left the general vicinity and cannot be examined by the officer, and information has been exchanged between the involved drivers, the incident may be cleared as CODE 309 (no report written, information exchanged), provided:

- No building was struck
- No damage occurred to electrical, natural gas, water, or commercial utilities
- No government vehicle or County-owned fixed asset was involved
- No fatality or critical injury occurred
- No person at the scene requires ambulance transport
- No vehicle was impounded
- No hazardous materials were spilled

Officers may issue traffic citations when probable cause of a traffic law violation exists. When officers issue citations, they shall summons all involved witnesses.

2. Accident Occurred or Discovered Earlier

An officer shall not be dispatched to investigate an accident that occurred on, or was discovered on a previous date, assuming the delay in reporting the accident to police renders any investigation to be valueless.

3. Parties/Vehicles Left Scene

Response of an officer is optional for accidents where all involved vehicles and persons have left the scene and there is no indication that debris or site damage poses a public hazard.

For hit and run allegations occurring on a previous date, employees shall tell the caller they may file an ACRS report with any District Station desk officer.

4. Determination of Investigative Responsibility

Usually, patrol officers will be the first units dispatched to investigate accidents. When appropriate, other personnel shall be

requested to conduct the accident investigation:

- Accidents involving critical injury or death, (including Departmental accidents) shall be investigated by an accident reconstructionist (CARU). Supervisors approve all requests for an accident reconstructionist and may request their call-out when none are on duty
- A supervisor shall investigate accidents involving PGPD vehicles, except that CARU investigates fatal or critical injury accidents
- Maryland State Police (MSP) investigates accidents involving State government vehicles. If MSP is unavailable, patrol officers will investigate the accident

An accident reconstructionist may be requested to assist with any accident in which the topography of the scene, equipment defects, or other unusual circumstances are believed to be factors.

When a disagreement arises regarding a reconstructionist's response, the decision of the reconstructionist prevails, unless overruled by a Command Officer.

5. Fatal Accidents

On accidents resulting in death, the investigating officer is required to provide the decedent's family member, or a representative, a Victim's Representative Notification Form, to request notification of a hearing resulting from the accident. The form is located on the Department's I:drive.

Death of Victim Within 30 Days of Accident

When an individual dies within 30 days of an accident not investigated by CARU, the investigating officer shall:

- Immediately notify the OIC, CARU
- Provide CARU with copies of reports and other available documents associated with the accident
- Submit a Case Record documenting the death and the date and time of notification to the OIC, CARU

CARU shall perform duties stipulated by their SOP for fatal accidents, provided the time delay has not rendered such performance impractical.

6. Uniform Crime Reporting Procedures (UCR)

UCR procedures require a traffic death resulting from violation of traffic laws be classified as manslaughter. However, it is not necessary for anyone to be charged with a traffic violation, only that a violation occurred. Motor vehicle fatalities will be cleared as follows:

- When a violating driver or pedestrian are the only fatality the case is cleared unfounded
- When a violating driver or pedestrian is killed, but other fatalities also occur, the case is cleared exceptionally
- When a violating driver or pedestrian is not killed, but other fatalities do occur, the case is cleared by arrest

Notification of the clearance is made as follows:

- When a case can be cleared immediately as unfound or exceptional, this information will be placed on the report
- When clearance is determined as unfounded or exceptional after submission of the report or when a case is closed by arrest, this information will be placed on a supplemental accident report

If an accident reconstruction is completed, the reconstructionist shall enter the proper clearance on the reconstruction report.

A motor vehicle involved fatality is not to be document within RMS as a Case Report. The reconstructionist is to ensure that the reconstruction report is added as an attachment to the applicable Case Folder (as a .pdf) once the reconstruction report has been approved by a supervisor.

7. Snow Emergencies

Response by officers to accidents during snow emergencies is required when any of the following exist:

- The accident is a hit-and-run
- There is damage to County property
- A public hazard exists from debris or site damage
- Injuries are involved
- Vehicles are inoperable

If any of these conditions exist, officers shall be dispatched to the scene.

8. Accident Reports Optional

Subject to the requirements in this section, accident investigations are optional in the following cases:

- Single-vehicle property damage accident in which the vehicle is not disabled and publicly-owned property is not involved
- Property damage accident occurring on private property, regardless of the extent of damage
- Property damage accidents occurring on public roadways not resulting in disabling damage to any involved vehicle

Procedures

Officers shall respond to the scene and determine:

- Vehicle registration
- Validity of drivers' licenses
- VIN plates against registration documents and plates
- Wanted status of drivers and vehicles

If discrepancies exist, officers shall investigate the accident, complete an ACRS report, and take proper enforcement action.

When not formally investigating the accident, officers shall not make judgments concerning fault or issue citations.

When an ACRS report is not written, officers shall instruct the parties to exchange driver's license, registration, and insurance information. Officers shall provide the participants with a Vehicle Accident Letter in English or in Spanish.

Officers participating in the Maryland State Police Delta+ E-Tix program shall complete the State of Maryland Information Exchange

Form through Delta+ and provide printed forms to all parties involved.

Officers will identify owners of damaged property, notify them of the damage, and give them information regarding the vehicle operator.

When an officer initially declines to write an accident report in accordance with the provisions of this directive, he or she is not required to write a report on a later date because of new information, provided that the facts known to the officer at the time of the initial decision did not require an investigation.

Exceptions are:

- An individual dies of injuries sustained in the accident (CARU)
- It is later determined that an involved party fraudulently or incorrectly identified himself with the intent to commit a hit-and-run

In these instances, officers shall complete a ACRS report and any required supplementary reports.

9. Report Submission

Officers shall complete ACRS reports for all traffic accident investigations except for accidents which meet the criteria listed in section **8. Accident Reports Optional** of this chapter.

Officers investigating traffic accidents involving criminal offenses (e.g., stolen vehicle used in a robbery) shall not report the criminal offense on the ACRS report. Instead, officers shall use a Case Record to document the criminal offense and include "See ACRS report for further information" in the narrative. Officers will include the unique ACRS report number within the Other Jurisdiction Case Number field within the administrative tab of the same Case Report.

When a vehicle is impounded as a result of an accident, officers shall complete and submit an Impound Record for each vehicle impounded in addition to the ACRS Report. Impounded vehicles are never documented as a Case Report. ***See:*** **VOLUME II, CHAPTER 35. IMPOUNDS & VEHICLES,** and **VOLUME I, CHAPTER 33. RECORDS & REPORTS.**

10. Photography

Officers will ensure that they photograph vehicles, physical evidence, and the accident scene for accidents involving government vehicles (including volunteer fire companies and WMATA vehicles) or a fatal or critical injury accident.

Digital photographs will be attached to the ACRS report in the applicable section within the report and in accordance with the most current ACRS Report Writing Manual.

If a digital photograph contains evidentiary matters, the image will also be uploaded to DIMS in accordance with **VOLUME II, CHAPTER 46. PROPERTY & EVIDENCE.**

11. Notification to Risk Management

When an accident involves the following circumstances, the investigating officer shall instruct the parties to directly contact the County's insurer, listed on the County Government Accident Claims Instruction Form:

- Accidents involving a non-departmental County owned vehicle or alleged to have been caused by a non-departmental County owned vehicle (***See*: VOLUME I, CHAPTER 8. DEPARTMENTAL ACCIDENTS** for additional information)
- Damage to County-owned signs or other fixed assets. "Prince George's County Government" shall be noted as the T/A in the PERSONS section

Officers shall forward a copy of the ACRS Report to the Risk Manager, Bureau of Administration and Homeland Security, before the end of shift. If the report is not completed by the end of the shift, officers shall forward a copy of the partially completed report with a notation that the report is incomplete.

12. Hit and Run Accidents

Investigator's Duties

Officers handling hit and run accidents shall attempt to identify the striking vehicle and the vehicle's driver. They shall make reasonable efforts to collect physical evidence and develop investigative leads.

When a suspect description is available, a lookout shall be broadcast from the scene.

When investigative leads are developed, officers shall automatically conduct a follow-up investigation. Leads requiring an automatic follow-up include, but are not limited to:

- Suspect registration information
- Eyewitness identifications of suspects
- Physical evidence suitable for forensic examination

When the striking vehicle's registration information is known, the investigating officer shall document all efforts to contact the registered owner in the ACRS report. Officers shall include any explanations or relevant statements the owner may have offered. Officers shall document all follow-up activities regardless of whether an arrest occurs.

All Hit and Run accidents shall be documented within ACRS. RMS is not to be used to document vehicular accidents except for situations detailed within section **8. Accident Reports Optional**

Arrests of Suspects

Full custody arrests of hit-and-run suspects are authorized, but not required. Officers may issue citations, or they may apply for a warrant.

13. Follow-Up Investigations

With supervisory approval, officers may continue investigations outside of their assigned area, as well as extend their investigations to subsequent tours of duty. Examples necessitating a continued or extended investigation include:

- Collecting additional evidence
- Obtaining witness statements
- Preparing reports
- Testing vehicles and safety equipment
- Duties associated with accident reconstruction.

In unusual circumstances, officers may enlist the assistance of technical experts during a follow-up investigation. They may include physicians, mechanics, surveyors, and engineers. Except for vehicle inspections, requests for these arrangements shall be approved in advance by the

investigating officer's Commander/Manager and in writing by the Fiscal Management Division, if the specialist is to be paid.

14. Mechanical Defects Inspections

When an investigating officer suspects a mechanical defect or failure caused or contributed to a fatal or critical injury accident, he or she shall impound the vehicle. Before the end of the following business day, the investigating officer shall contact the OIC, CARU to determine whether CARU or MSP Automotive Safety Enforcement Division (ASED) will conduct an inspection. When an ASED inspection is to be conducted, the OIC, CARU shall arrange for the inspection. They shall ensure the investigating officer receives the results.

15. Suspension of Follow-Up

Supervisors may authorize officers to cancel or suspend follow-up investigations when the investigation is unlikely to result in prosecution for violations of traffic or other criminal laws. Investigations shall not be continued merely to improve any party's civil or insurance claim. When deciding whether to authorize suspension of investigative activity, supervisors shall consider whether:

- Investigative leads exist and whether they are of meaningful quality
- Staffing and workload factors provide opportunities for follow-up work
- Physical or forensic evidence is likely to identify the suspect vehicle or driver
- Severity of injuries and property damage justify the continued commitment of law enforcement resources
- Suspect vehicle's registration address is geographically close enough to the County to make further investigation practical
- Witnesses can identify the suspect driver in court

16. Aircraft, Boat, or Train Accident

Aircraft Accidents

MSP investigates aircraft accidents within the County. Officers responding to aircraft accidents shall preserve the scene and take life-saving action.

Officers who perform significant assistance such as rendering rescue and first aid services or collecting evidence shall complete a Case Record, and list the disposition as "Not a Crime/Other Service".

Boating or Drowning Accidents

The Maryland Natural Resources Police (MNRP) investigates boating accidents on County waterways and those controlled by public agencies. Such accidents occurring on privately owned bodies of water are investigated at MNRP discretion. Officers responding to boating accidents shall:

- Take appropriate life-saving action
- Preserve the scene
- Notify MNRP
- Standby pending the arrival of an MNRP officer.

If the MNRP officers cannot or will not respond, officers shall conduct a basic investigation and submit a Case Record, and list the disposition as "Not a Crime/Other Service".

MNRP officers have legislated authority to investigate fatal boating accidents or accidental drownings on waters owned or

controlled by public agencies. However, in any water-related incident involving a death, officers shall notify the Homicide Unit regardless of the MNRP response status.

The Homicide Unit shall conduct an investigation, or assist MNRP, following consultation with MNRP officials. The Homicide Unit shall investigate drownings in swimming pools. There will be no notification to MNRP.

Train/Motor Vehicle Accidents

Investigation of train accidents involving a motor vehicle shall be conducted in accordance with the ACRS reporting system, which does not define trains as motor vehicles. Since the train information will not be included in the vehicle fields of the report (e.g., Unit #1, Unit #2) the following information shall be placed in the narrative:

- Name and addresses of passengers who are visibly injured or who inform officers of an alleged injury. Identities of uninjured passengers need not be included
- Names and assignments of engineers, brakemen, conductors, and other crew members
- Train company name, engine number, and the specialized name or schedule number for the train

The train may be detained at the scene while preliminary investigation and rescue efforts are in progress. Investigating officers shall allow the train to depart as soon as those efforts are complete. When necessary, officers may request a member of the crew or a company representative to remain behind for additional interviews.

Officers shall notify the National Response Center (NRC) through PSC in the event of:

- An evacuation of the train or surrounding community
- Fuel leakage
- A grade crossing accident involving death or injury
- A hazardous material spill
- A train derailment

Officers shall also prepare a Case Record for a motor vehicle accident involving a train.

Pedestrian/Train Accidents

A Homicide investigator shall investigate accidents in which a pedestrian is struck and killed by a train.

The Regional Investigation Division investigates non-fatal train/pedestrian accidents to determine whether foul play or attempted suicide is involved.

The first officer on the scene of such accidents shall take appropriate life-saving and protective action. Additionally, officers shall preserve the scene pending the arrival of the investigator. The investigating officer shall detain witnesses and involved persons. The train shall not leave the scene.

Unless directed otherwise by the investigator, officers shall submit a Case Record, when applicable, and list the disposition as “Not a Crime/Other Service”. Other reports and notifications shall be the responsibility of the investigator. No ACRS Report will be submitted in pedestrian/train incidents.

The inter-agency agreement with WMATA stipulates that PGPD will investigate deaths and serious injury accidents on WMATA property. Therefore, provisions of this

section apply to Metro train accidents, including deaths of persons contacting the electrified third rail. ***See*: VOLUME II, CHAPTER 15. CONCURRENT JURISDICTION & EXTRA-JURISDICTIONAL INCIDENTS IN THE COUNTY,** section **4. Mutual Aid Agreements, *Washington Metropolitan Area Transit Authority (WMATA)***

Notifications to federal agencies are required for train/pedestrian accidents.

Train Derailment

The railroad and appropriate federal transportation officials investigate accidental train derailments not involving a struck motor vehicle or pedestrian. The PGPD shall render rescue services, crowd, traffic control, and other assistance, as needed.

Officers shall notify the NRC through PSC of all derailments. Officers shall submit a Case Record, and list the disposition as "Not a Crime/Other Service" indicating:

- Date/time of notification to NRC
- Name of person making notification
- Name of the NRC official who received notification
- Names of the federal officials and the agencies to which they are affiliated that responded to the scene
- Name of the engineer and senior company officials at the scene
- Name of the railroad, the train's specialized name or schedule number, engine or locomotive number
- Services performed or actions taken by Departmental personnel

When deaths have occurred, officers shall notify the medical examiner and federal investigators to determine the agency responsible for death reports. The Homicide Unit shall be notified and respond to the scene if federal officials are not responding.

If the derailed train is a WMATA train and a death report is to be prepared by the local police agency, a PGPD officer shall create a Case Record, and list the disposition as "Not a Crime/Other Service".

When evidence exists that a derailment occurred other than by accident, the incident shall be treated as a crime scene. When deaths occur, officers shall notify a Homicide Investigator and the investigator shall respond. Authority for the investigation may eventually transfer to a federal agency (e.g., FBI) if appropriate.

17. Organ Donor Victims

As soon as possible following the death of an individual involved in an accident, the investigating officer shall determine, either through visual inspection or computer inquiry, whether the deceased's driver's license designates them as an organ donor. If the deceased's driver's license indicates they are an organ donor, and the body is still at the accident scene, the investigating officer shall arrange for it to be transported to a medical care facility as soon as investigative and evidentiary considerations allow.

Investigating officers shall ensure that the staff at the hospital is aware of the organ donor status of all critically injured or deceased individuals. They shall also ensure that the hospital will make notifications to transplant agencies. Officers shall note the names of the staff members notified, and the date and time of notifications in the Case Record, and list the disposition as "Not a Crime/Other Service". Officers are not expected to contact agencies personally,

although they may contact them when the hospital's response is inadequate.

18. Traffic Direction

Officers shall provide manual traffic direction as assigned or necessary to provide efficient traffic flow. Normally, only uniformed employees trained in the use of standard signals and gestures will direct traffic. Employees shall wear traffic safety vests when directing traffic.

Manual traffic direction includes the use of highway flares or temporary traffic control devices such as cones. When necessary, officers may enlist the assistance of the Department of Public Works & Transportation (DPWT) or the State Highway Administration (SHA) to:

- Operate electronic signal boxes
- Provide temporary traffic control devices

Those agencies may provide temporary traffic control devices when traffic direction may be required for more than one hour. A supervisor shall request their assistance.

Employees with traffic box keys may phase lights to flash or turn them on or off. Only DPWT or SHA personnel should reprogram electronic signals.

19. Evaluating Equipment & Staffing Needs

Officers will evaluate the area requiring traffic direction by considering the following:

- Traffic count
- Visibility
- Environmental conditions
- Number of lanes available to traffic
- Complexity of traffic flow
- Speed limit

A minimum of two officers shall provide direction at any intersection where two of the roadways have three or more through lanes.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 61.2.1, 61.2.2, 61.2.3, 61.2.4, 61.3.2, 82.2.1, 83.1.1, 83.2.6
- Maryland Criminal Procedure §11–914

References:

- RMS Report Writing Manual, Available at I:/Public/Manuals and Documentation/Premier One RMS/ RMS User Guide
- ACRS Report Writing Manual, Available at I:/Public/Manuals and Documentation/ACRS/ACRS Manual 03-2017

MOTOR VEHICLE CRASH MATRIX (June 2018)

The following chart provides basic guidelines for the completion of an Automated Crash Report (ACRS)

	Roadways	Roadways – Occurred or Discovered Earlier	Private Property (Includes Parking Lots)	Buses with passengers (other than drivers)	Government Vehicles & School Busses	Government Vehicles - Involved with Deer	Commercial Utilities	Train	Building
Property Damage Only (Non-Disabling)	No Report	No Report	No Report	ACRS	ACRS	ACRS	ACRS	ACRS	ACRS
Property Damage Only (Disabling Damage)	ACRS	ACRS	No Report	ACRS	ACRS	ACRS	ACRS	ACRS	ACRS
Hit & Run (No Striking Vehicle Information)	ACRS	No Report	No Report	ACRS	ACRS	N/A	N/A	N/A	ACRS
Hit & Run (Striking Vehicle Information Available)	ACRS	ACRS	No Report	ACRS	ACRS	N/A	ACRS		ACRS
Personal Injury	ACRS	ACRS	ACRS	ACRS	ACRS	ACRS	ACRS	ACRS	ACRS
Critical Injury or Fatal	CARU	CARU	CARU	CARU	CARU	CARU	CARU	CARU	CARU

2. ALARMS
(June 2017)

I. POLICY
(County Code, Sec. 9-211-213)

Officers shall respond to alarm calls subject to the provisions of this directive.

County Code regulates responsibility for the proper operation and serviceability of alarm systems. It also mandates the imposition of sanctions against those operators having systems that malfunction excessively or are frequently operated negligently.

II. CHECKLIST

Officers shall use caution when responding to any alarm call. Due to the high volume of these calls, complacency may erode the use of sound officer safety tactics. In addition to other officer safety tactics, the following should be considered when approaching the target location:

- Do not rush to the target location
- Park away from the target location and approach on foot
- Attempt to approach the location in a manner that prevents being seen by suspects
- Watch for fleeing suspects and vehicles during the approach

III. DEFINITIONS

False Alarm: Departmental response to the activation of an alarm for which the responding officer finds no evidence of a criminal offense or attempted criminal offense. False alarms include negligently or accidentally activated signals; signals which are the result of faulty, malfunctioning or improperly installed or maintained equipment; or signals purposely activated to summon the police in non-emergency situations. Response to an alarm that is cancelled by the alarm user or alarm company prior to the officer's arrival is not a false alarm.

IV. FORMS

- Case Record
- False Alarm Notification (PGC Form #4451)
- Business Alarm User Permit Registration Form (FARU Form #102)
- Residential Alarm User Registration Form (FARU Form #103)

V. PROCEDURES

1. False Alarm Notification Pamphlet

Alarm users must register their systems with The Prince George's County Revenue Authority, False Alarm Reduction Unit (FARU) before using them. Failure to register an alarm system is a violation of County Code Sections 9-132 and 134, and is punishable by fine, civil citation, or the denial of police response to future alarms.

A False Alarm Notification pamphlet shall be completed and left at all alarm locations, after a false alarm response. This procedure shall be followed even if the owner/resident is on the scene.

Officers may provide the business agent with the Business Alarm User Permit Registration Form, or the homeowner with the Residential Alarm User Registration Form, or refer the individual to the Revenue Authority, FARU.

SECTION REDACTED

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 41.2.1, 81.2.13, 82.2.1, 82.2.2

Legislation:

- County Code, Sections 9-211, 9-212, & 9-213

3. ANIMAL COMPLAINTS
(December 2019)

I. POLICY

Officers will respond to calls for sick, wounded, dangerous, vicious, or rabid animals as well as animal bites. Public Safety Communications (PSC) shall direct routine animal complaints to the Prince George's County Animal Management Division.

The Animal Management Division is responsible for impounding animals. Officers will provide reasonable assistance to confine animals pending the arrival of an animal control officer.

II. CHECKLIST

Officers responding to animal bites shall:

- ❑ Complete an Animal Bite Report
- ❑ Notify the owner and quarantine the animal
- ❑ Notify the Animal Management Division and the Health Department within 24 hours
- ❑ Complete a Case Record

Officers destroying rabid, dangerous, or vicious animals shall:

- ❑ Notify their supervisor
- ❑ Notify SIRT
- ❑ Notify the Animal Management Division to remove the carcass, and remain on scene until an animal control officer arrives
- ❑ Ensure that no one touches the animal
- ❑ Ensure that other animals do not touch the carcass
- ❑ Complete a Case Record

III. DEFINITIONS

Animal Restraint Pole: A pole device with a looped end used to humanly capture or restrain a variety of animals

Dangerous or Vicious Animal: Any animal that has attacked, bitten, or injured an individual, or an animal that has shown a propensity to attack human beings without provocation

Pit Bull Terrier: A Staffordshire Bull Terrier, American Staffordshire Terrier, American Pit Bull Terrier, a dog having the predominant appearance of one of the above breeds, or a dog registered at any time as a pit bull terrier

IV. FORMS

- ❑ Animal Bite Reports (PGC Form #Z-6)
- ❑ Animal Control Violation Notice (PGC Form #3419)
- ❑ BlueTeam Module
- ❑ Case Record
- ❑ Void Notice (PGC Form #3378)

V. PROCEDURES

1. Animal Bites

The Prince George's County Health Department monitors animal bites by warm-blooded animals for rabies infection. The Department assists the Health Department by completing Animal Bite Reports and forwarding them to the Animal Management Division and the Health Department within 24 hours.

Officers shall complete an Animal Bite Report when a bite, scratch, or exposure to saliva through an open wound or mucous membrane has occurred; even when the victim or their family owns the animal.

Officers shall attempt to find the animal and ensure that it is quarantined. The owner of the animal shall be served with their copy of the Animal Bite Report. Officers shall notify the owner of the Conditions of Quarantine and complete this section of the form. If the owner refuses to agree to the conditions, and sign the quarantine agreement, the officer shall notify the owner that this will result in the seizure of the animal by the Animal Management Division. The officer shall write, "REFUSED" in the owner's signature line on the form.

The victim shall be provided with their copy of the Animal Bite Report and advised to contact the Health Department.

When the animal owner is known, but the officer believes that the owner will not or cannot comply with the conditions of quarantine, the officer shall immediately contact the Animal Management Division through PSC and stand by for their arrival.

A Supervisor shall review and approve the Animal Bite Report, and ensure that it is transmitted to the Animal Management Division and the Health Department within 24 hours. The Supervisor approving the report shall sign the reverse of the Animal Bite Report. If no fax machine or scanner (email) is available, the Supervisor shall ensure the Animal Management Division and Health Department are notified by telephone. The "Police Department" copy shall be forwarded to the Records Management Section.

Incomplete Animal Bite Reports must be transmitted to the Animal Management Division and the Health Department within 24 hours. Once completed, the report shall be resubmitted.

2. Rabid, Dangerous, & Vicious Animals

Any mammal can contract rabies. Raccoons, bats, foxes, skunks, groundhogs, and unvaccinated cats and dogs are particularly susceptible. In this County, rabies strike raccoons more than other animals. Rabid animals may be aggressive, unusually friendly, paralyzed, or sick. A lack of motor coordination in the rear legs may be a sign of rabies.

The disease may be transmitted to other animals or humans through a scratch or bite that breaks the skin, or other exposure to saliva through open wounds or mucous membranes. An officer or citizen can contract rabies by touching the fur of a rabid animal or by touching an animal that has fought with a rabid animal.

Domestic Animals

Domestic animals may be confined on the owner's premises for the duration of the quarantine period, provided by law, following exposure to a rabid animal. The Animal Management Division may, at their discretion, take the animal into custody.

Officer's Responsibilities

If an officer becomes aware of a dangerous or vicious animal that is contained and poses no immediate threat, the officer shall complete a Case Record. A Supervisor shall ensure the information is forwarded to the Animal Management Division within 24 hours.

Officers responding to calls involving dangerous or vicious animals which pose an immediate threat, and those suspected of being rabid shall attempt to find the animal and contain it without endangering themselves or the public. Once contained,

officers shall notify the Animal Management Division through PSC, and remain on the scene until an animal control officer arrives. Citizens shall be detoured from the area pending their arrival. If the animal cannot be confined and poses an immediate threat to public safety, the officer shall destroy the animal.

If the animal cannot be located, officers shall complete a Case Record that includes a thorough description of the animal and its behavior, and forward it to the Animal Management Division within 24 hours.

Destroying Animals

The preferred method of destroying animals is by the officer's patrol rifle, preserving the head when rabies is suspected. If the patrol rifle is not available, officers may use another authorized firearm. Officers should always ensure they have a safe backdrop before discharging their firearm.

Where an officer discharges a firearm for the purpose of humanely destroying an injured animal, the involved officer will complete a Case Record and enter the incident into the BlueTeam Module, via a Discharge of Firearm Report. A use of force review shall not be conducted.

If an officer destroys an animal for any other purpose, a Use of Force Review shall be conducted. ***See*: VOLUME II, CHAPTER 57. USE OF FORCE**.

Any discharge of a firearm to destroy an animal under this section requires notification to SIRT. A SIRT investigator will determine the level of response by SIRT, if any. If SIRT does not respond, all reports shall be forwarded to SIRT by the reviewing Supervisor.

3. Animal Restraint Poles

Animal restraint poles are designed to aid officers in controlling or capturing animals. With proper use, the device may reduce the risk of injury to officers and animals.

The animal restraint pole should only be used to ensure the safety of the officer and others. Officers should use the device to restrain animals that show signs of aggression. The device should not be used unless absolutely necessary.

The animal restraint pole extends from 4 feet to 6 feet and has a plastic covered loop on one end and a release knob and cable on the other end. The loop is placed around the animal's neck and the cable is pulled to tighten the loop.

Caution should be used when using the device on small animals such as cats or puppies, as too much force could injure the animal's neck. When using the device on small animals, the officer should make every effort to ensure that the loop of the device contains both the animal's head and a front leg. Larger animals may be snared with the loop over the head or other part of the body.

Once the animal is secure within the device, be sure the cable is not too tight so that the animal can breathe properly. The device head (where the cable loop emerges) should be under the animal's neck to prevent choking.

Officers should never drag or lift an animal with the restraint device. The officer should try to work with the animal so it will move on its own, or, secure the head of the animal and carry it.

Officers should use caution when dealing with wild animals or those suspected of carrying rabies.

Prohibited Use of Animal Restraint Pole

The animal restraint pole shall never be used on a human, or in instances that do not relate to animal control.

Officer's Responsibilities

Officers shall maintain care of the animal restraint pole. Therefore, the animal restraint pole should be:

- Cleaned after each use with a mild cleaner and water (NEVER use bleach)
- Inspected after each use for damage to the cable; a device with a damaged cable should be returned to the Training and Education Division (TED) for repair/replacement
- Inspected monthly for damage; a device with damage should be returned to TED for repair/replacement
- Properly stored:
  - In its closed 4 foot position
  - With 4-inch diameter loop left at the end
  - With excess cable placed inside the tubing

Supervisor's Responsibilities

Supervisors should inspect the animal restraint pole monthly for damage. A device with damage should be returned to TED for repair/replacement.

4. Pit Bull Terriers

Ownership Prohibited

(County Code, Section 3-185.01)

County law prohibits the ownership, keeping, and harboring of pit bull terriers in the County. An exception is granted under the law to individuals who possessed a pit bull terrier prior to November 1, 1996, under the following conditions:

- The animal shall be registered by the administrator of the Animal Management Division, and must always wear a tag provided by the administrator
- The owner must pay a $50.00 annual fee to the administrator
- The owner must keep the dog within a building or kennel
- Whenever the dog is removed from the building or kennel, it shall be secured by an unbreakable leash and maintained under the control of an adult

An individual may temporarily hold a pit bull terrier in the County for the purpose of showing the dog in a place of public exhibition, contest, or show sponsored by a dog club or association.

Dogs employed or owned by the County and trained to perform official police, correctional, fire, or search and rescue service are exempt from the provisions of this act.

Violations

Violations of the County Code pertaining to pit bulls are criminal offenses. Any individual found in violation of any provision of this section may be fined up to $1,000.00 or sentenced to not more than six (6) months of imprisonment.

Officers shall not issue criminal citations for violations of this act since the penalties exceed those enumerated for such citations. Officers wishing to place charges against an animal owner in these cases must make a full-custody arrest.

5. Animals Used for Assault

(Section 3-201, Criminal Law Articles)

Persons who intentionally inflict injury upon others by causing an animal to attack them are subject to arrest under the criminal charge of assault. These cases shall be handled by on-scene officers or by Regional Investigators.

6. Assisting Animal Control

(County Code, Section 3-116.01, 3-185.01)

The Animal Management Division has primary responsibility for enforcing animal control laws. When its employees investigate incidents and have probable cause to believe violations have occurred, they may apply for criminal charges. The Department will assist Animal Control officers only after a warrant has been issued.

Other violations of State or County laws and regulations, not amounting to criminal charges, are the responsibility of the Animal Management Division. Their investigative staff has the authority to conduct investigations and obtain arrest or search warrants under State law and the County Code.

In addition to the violations listed below, officers shall refer citizens with animal complaints to the Animal Management Division.

7. Animal Control Violation Notice

Officers may use the Animal Control Violation Notice to cite owners of animals when violations of the County Code are observed. This form contains all animal related offenses, including:

3-134 Excessive noise by animal
3-135 Animal running at large
3-141 Theft of animals
3-145 License required for dog, cat, or ferret
3-180 Cruelty to animals
3-186 Failure to vaccinate for rabies

When an officer receives an Animal Control Violation Notice book, the officer shall complete the receipt record, and forward it to the Records Management Section. Officers shall not lend, borrow, or share violation booklets. Officers shall return unused portions of violation books upon separation from the Department.

Upon issuing a violation notice, officers shall inform the violator that complete information and instructions are printed on the reverse side of the violator's copy. Violators shall be referred to the Animal Management Division for other questions.

If an officer makes an error while writing a violation notice, the officer will complete a Void Notice, and forward the form and Void Notice to the Deputy Chief, Bureau of Patrol.

8. Arrestee in Possession of an Animal

Officers will contact the Animal Management Division to assist with the removal of animals in the possession of an arrested or detained individual when no one

else will take responsibility for it. The notification will be documented in the Case Record.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.1, 1.3.2, 1.3.6, 1.3.7, 41.2.5, 82.2.1, 82.2.2

Governing Legislation:

- Section 3-201, Criminal Law Articles
- County Code, Section 3-101
- County Code, Section 3-116.01
- County Code, Subtitle 3, Section 3-137
- County Code, Section 3-185.01

Reference:

- Special Investigative Response Team SOP

4. ARREST, TRANSPORT, & PROCESSING

(October 2023)

I. POLICY

It is the policy of the Department that the arrest, transportation, and processing of detainees will be made in a manner that maximizes the safety of arresting officers, persons arrested, and citizens.

II. CHECKLIST (N/A)

III. DEFINITIONS

Adult Arrest: Any arrestee age 18 years or older and any juvenile charged as an adult

Arresting Officer: The officer responsible for completing the charging documents and other reports related to an arrest

Body Cavity Search: A physical intrusion and probing into an individual's mouth, nasal passages, ears, anus, genital area, or other body part

Cannabis: Any part of the Cannabis Sativa L plant; including all derivatives, extracts, cannabinoids, isomer acids, salts, and salts of isomers, whether growing or not, with a Delta-9-Tetrahydrocannabinol (THC) concentration greater than 0.3% on a dry weight basis; Also uses the names marijuana, weed, pot, cannabis, hash - that can have psychoactive characteristics and is consumed for medical and non-medical (recreational) purposes

Civil Use Amount (Cannabis): An amount of usable cannabis that exceeds 1.5. ounces but does not exceed 2.5 ounces (i.e., 70.9 grams) or an amount of concentrated cannabis that exceeds 12 grams, but does not exceed 20 grams, or an amount of cannabis products containing Delta-9-Tetrahydrocannabinol (THC) that exceeds 750 milligrams but does not exceed 1,250 milligrams

Custodial Arrest: When a detainee, arrestee, or suspect is brought into custody for the purpose of answering to a criminal charge or adverse civil action

Custody Officer: The officer responsible for the security, custody and safety of a detainee or arrestee

Desk Officer: Usually an officer from the Department of Corrections (DOC) assigned to a Regional Processing Center

Detainee/Arrestee: A person temporarily held in custody for the purpose of processing

Full-Custody Arrest: An arrest that involves an individual being taken into physical custody by a law enforcement officer for the formal placement of criminal charges

Juvenile Delinquent Offender: Any juvenile charged with an offense for which an adult can be charged, but who is subject to the jurisdiction of the juvenile court

Juvenile Non-offender: Any juvenile who has committed an offense for which adults cannot be charged, such as runaway or truancy

Juvenile Status Offender or Non-Offender Processing Areas: Designated unlocked areas outside secured detention areas where juvenile status offenders or non-offenders may be temporarily housed

Other Authority: Governmental entities and agents thereof, entitled by law, court

order or detention authority, to take or relinquish custody of any arrestee or detainee; these include DOC and the U.S. Marshal's Service

Outside Agency: Special police officers (SPOs), law enforcement agencies having jurisdiction within the County

Master Persons Number: A unique number that remains constant for an individual, former PGID Number

Personal Use Amount (Cannabis): An amount of cannabis that does not exceed 1.5. ounces (i.e., 42.5 grams); or an amount of concentrated cannabis that does not exceed 12 grams or an amount of cannabis products containing Delta-9-Tetrahydrocannabinol (THC) that does not exceed 750 milligrams or two or fewer cannabis plants

Positional Restraint Asphyxia: Body positioning that interferes with an individual's ability to breathe and may result in death

Processing Areas: Designated areas used for fingerprinting, photographing, testing, interviews, and completion of arrest documents

Processing Officer: DOC officer assigned to the processing area at regional processing facilities

Regional Processing Facility: Processing area staffed by DOC personnel for the purpose of completing arrest paperwork and arrestee presentment before a District Court Commissioner

Search Incident to Arrest: A thorough examination of an individual's clothing, possessions and immediate surroundings to find weapons or contraband

Secure Areas: Areas designed to physically restrict the movement and activities of persons in custody

Strip Search: The removal of any clothing permitting a visual inspection of the genitals, buttocks, anus, breasts, or innermost undergarments of an arrestee

Squat Search: A search requiring an arrested individual to crouch or squat while the undergarments and other clothing are removed to expose the genital or anal area; permits contraband or other material concealed in the genital or anal area to become visible or dislodged

Temporary Detention Cell or Area: A cell or area within a Division Station that is not designated as a regional processing facility, which is used for interviews, questioning, temporary detention and where all weapons are prohibited

IV. FORMS

- Application for Statement of Charges (Form #DC/CR1)
- Application for Statement of Charges, Continued (Form #DC/CR 1A)
- Booking Record
- Case Record
- Detainee Medical Release Form (PGC Form #5188)
- Detainee Processing Log (PGC Form #5097)
- Maryland Uniform Criminal Citation (Form #DC/CR 45)
- Maryland Uniform Municipal Infraction/Civil Citation (Form #DC28)
- PGPD Fingerprint Card (PGC Form #930)
- Prisoner Property Form (PGC Form #3379)
- Processing Facility Inspection (PGC Form #5098)

- Processing Information Sheet (PGC Form #519)
- Property Record (PGC Form #4360)
- Request for Witness Summons (Form #DC/CR 92)
- Statement of Charges (Form #DC/CR 2)
- Statement of Charges, Continued (Form #DC/CR 2A)
- Statement of Probable Cause (Form #PC DC/CR 4)
- Statement of Probable Cause, Continued (Form #PC DC/CR 4A)
- Statement of Victim/Witness/Suspect (PGC Form # 2998)
- Statement of Victim/Witness/Suspect, Continued (PGC Form # 2998A)
- Uniform Juvenile Civil Citation for Alcohol and Tobacco Offenses (Form #DC 31)

V. PROCEDURES

1. Maryland Uniform Criminal/Civil Citations

Qualifying Offenses for Citations

The use of the Maryland Uniform Criminal Citation is an alternative to a physical arrest. The Maryland Uniform Criminal Citation shall be used for adult criminal charges that involve:

- Any misdemeanor or local ordinance violation that does not carry a penalty of imprisonment
- The civil use amount of cannabis exceeding 1.5 ounces, but not exceeding 2.5 ounces. Officers must conduct a full custody arrest for the possession with intent to distribute or growing or manufacturing cannabis or a cannabis product
- Smoking cannabis in a public area
- Any misdemeanor or local ordinance violation for which the maximum penalty of imprisonment is 90 days or less, except:
  - Violation of a condition of pretrial or post trial release while charged with a sexual crime against a minor
  - Possession of an electronic control device after conviction of a drug felony or crime of violence
  - Violation of an out-of-state domestic violence order
  - Abuse or neglect of an animal

The Maryland Uniform Municipal Infraction/Civil Citation may be used for adult civil violations involving alcoholic beverage and cannabis offenses for individuals between 18 and 20 years of age.

Maryland Criminal Citations shall not be issued:

- For a criminal offense where the punishment exceeds 90 days in jail
- For violations of the Maryland Transportation Article
- For parking violations
- When an officer is not satisfied that the suspect will appear in court as required
- When the suspect refuses to sign the citation
- When the suspect cannot satisfactorily identify themselves

Criteria for Issuing a Citation

In all situations where an officer has reasonable suspicion to believe that a suspect is committing a qualifying offense the officer shall detain the defendant and initiate an investigation.

Officers shall charge a suspect by citation if all the following five (5) criteria have been met:

- The officer is satisfied with the suspect's evidence of identity
- The officer reasonably believes the suspect 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
- The suspect is not subject to arrest for another criminal charge arising out of the same incident
- The suspect complies with all lawful orders by the officer

Assuming the criteria for issuing a citation are met, officers shall not routinely search the subject. However, a frisk may be performed if the officer has articulable suspicion that the suspect may be concealing a weapon.

Detain, Cite, and Release

If the suspect meets all five (5) criteria, the officer shall issue a citation to the individual and release the suspect from the scene.

The officer shall complete a Case Record and a Booking Record code the call 500.

Custodial Citation

The following circumstances shall generally be handled as custodial citations or, if warranted, a full custody arrest may be made:

- Theft Under $100
- Trespass (Private)
- Trespass (First Time, Posted)
- Disorderly/Disturbing the Peace
- Failure to Obey a reasonable and lawful order to prevent a disturbance to the public peace
- Malicious Destruction (under $500)
- Harassment

Assuming the criteria for issuing a citation are met, officers shall not routinely search the subject. However, a frisk may be performed if the officer has articulable suspicion that the suspect may be concealing a weapon.

If the officer is ***not*** satisfied that the suspect meets all five (5) criteria for issuing a citation, the officer may arrest the suspect, conduct a search incident to arrest, and transport the suspect to a processing facility. The suspect shall be charged for possessing any illegal items discovered during the search.

Criteria Satisfied After Processing

Once the suspect has been processed, if the officer determines that the criteria for a citation have been met, the officer shall issue a citation to the defendant and release the suspect from custody.

The officer shall complete a Case Record and a Booking Record, and code the call 700.

The Case Record must:

- Document the circumstance(s) leading to the custodial arrest
- Include results of any frisk
- List any evidence seized
- Include a list of witnesses

Additionally, the officer must explain why the criteria for issuing a citation were not initially met and why the suspect was taken into custody.

Criteria Not Satisfied After Processing

Once the suspect has been processed, if the officer determines that the criteria for a citation have ***not*** been met, the officer must obtain a Supervisor's approval to charge the suspect on a Statement of Charges and then ensure the suspect is presented before a Commissioner.

If evidence is found by the officer that supports additional criminal charges against the suspect, not subject to a citation, the suspect will be charged with all offenses on a Statement of Charges and presented to a District Court Commissioner.

The officer shall complete a Case Record and booking record and code the call with the appropriate 700 series code.

The Case Record must:

- Document the circumstance(s) leading to the custodial arrest
- Include results of any frisk
- List any evidence seized
- Include a list of witnesses

Additionally, the officer must explain why the criteria for issuing a citation were not met and why the defendant was taken into custody.

Full Custody Arrest

If during the investigation or the frisk the officer finds probable cause to arrest for a crime outside the qualifying offenses for a citation, the officer shall make a full custody arrest, and transport the suspect to a processing facility. The suspect will be charged on a Statement of Charges and presented to a District Court Commissioner.

The initial qualifying offenses should be included on the Statement of Charges.

The officer shall complete both a Case Record, and a Booking Record, and code the call with the appropriate 700 series code.

Multiple Citations

Each citation shall reflect only one charge.

If an officer has probable cause to charge a suspect by citation for two (2) qualifying misdemeanor crimes, the officer shall use their discretion and issue a citation for the most serious offense.

If an officer has probable cause to charge a defendant by citation for three (3) or more qualifying misdemeanor crimes, the suspect will be charged on a Statement of Charges and presented to a District Court Commissioner.

Alcohol Violations

(Sections 10-113 through 10-116 of the Maryland Criminal Law Articles)

An individual may not refuse to furnish proof of identification and age upon request of an officer issuing a citation for:

- False documentation
- Misrepresentation of age
- Obtaining alcoholic beverages for underage consumption
- Possession of alcoholic beverages on school property
- Underage possession

2. Civil Violations for Adults & Juveniles

(Maryland Criminal Law Article Sections 10-113 through 10-118)
(Education Article Section 26-103)

Adult Civil Violation

The Adult Civil Violation applies to persons aged 18 through 20 years, when used for alcoholic beverage related offenses.

Juvenile Civil Violation

(Maryland Criminal Law Articles Sections 10-113 through 10-116)

The Juvenile Civil Violation shall be issued to those juveniles violating alcoholic beverage offenses, tobacco offenses, or possession of cannabis offenses.

Issuance of Municipal Infraction/ Civil Citation

Passengers in a motor vehicle possessing an open container of an alcoholic beverage are charged on the same citation for violating the provisions of Section 10-125, Open Container in Passenger Area.

3. Full Custody Arrests

Verifying Existence of Warrants

The Supreme Court has recognized the Police Team concept. If any law enforcement officer holds a warrant, it is deemed held by all.

Civil burdens for arrests in these circumstances lie with the agency generating the warrant. Before officers make an arrest on the strength of a warrant, they must make every reasonable effort, through RMS, Public Safety Communications (PSC) or otherwise, to verify that it is still outstanding.

Arrests by Off-Duty Officers

When off-duty officers in the Personal Car Program make an arrest, they will ordinarily transport the arrestee themselves unless:

- Their assigned cruiser is not available
- They have family or passengers in the cruiser
- An on-duty officer handles the arrest processing

Arrests by Plainclothes Officers

Plainclothes officers shall request the assistance of uniformed officers when serving any arrest warrant, unless the situation dictates otherwise. To minimize the potential for injury, plainclothes officers shall, whenever practical, schedule the time and location of the arrest.

Uniformed officers in marked vehicles shall be assigned to assist plainclothes tactical operations. Only uniformed officers and marked vehicles shall be used to make arrests or effect investigative stops during these operations. Exceptions shall be approved by Supervisors and will only be allowed where no other alternative exists.

For large scale warrant service operations or forced entries, the Special Operations Division shall be contacted for assistance.

Warrantless Arrest in Defendant's Home

The U.S. Supreme Court decision of PAYTON v NEW YORK requires officers having probable cause to make an arrest, to obtain a warrant (where time permits) as opposed to merely responding to the suspect's home and making an arrest based on probable cause. The decision prohibits law enforcement officers from entering a

defendant's home to make a routine arrest without a warrant.

Arrests of Military Personnel

When an officer arrests a member of the military, or a reservist on active military duty, the officer shall contact the military police of the arrestee's service branch in the Washington metropolitan area. The following information regarding the service member shall be provided:

- Name
- DoD (Department of Defense) ID number
- Assigned unit

Arrests of Military Deserters

Desertion from active military duty is a violation of the Uniform Code of Military Justice. It is not a crime for which civil authorities are authorized to make an arrest. Officers will refrain from arresting persons for desertion unless:

- The individual has a criminal warrant on file with NCIC/METERS charging them with desertion or other written documentation authorizing the individual's arrest
- An individual is in custody for other violations and it is discovered that they are a deserter. Military authorities will be notified.

Officers are prohibited from accepting a bounty or other gratuity from the Federal Government for arresting a deserter. If an inquiry is made regarding payment of such a bounty, the government representative will be directed to forward such remunerations to the County Government.

Illegal Aliens

Officers shall not initiate arrests merely to determine a suspected alien's status. After an arrest, if illegal immigration status is confirmed by the officer, they shall refer to **VOLUME II, CHAPTER 35. IMMIGRATION PROCEDURES,** to determine the appropriate action(s).

Felony Arrests

Whenever a felony arrest is made, the officer will attempt to contact the appropriate investigative unit, to facilitate an interview of the suspect. A copy of the Booking Record shall be forwarded to the appropriate unit.

4. Warrantless Arrests

When an officer investigates an incident where a suspected felon has been detained by citizens, the officer will examine the probable cause. If it is determined that the detention is lawful, they will obtain a signed statement from the complainant, using the Victim/Witness/Suspect Statement Form.

They will then transport the arrestee to a processing facility and complete the arrest, summoning all witnesses.

Misdemeanor Arrests

(Criminal Procedure Article – Title 2 Subtitle 2)

Before making a warrantless arrest for a misdemeanor not committed in their presence, the officer must have probable cause to believe that the suspect has committed one of the offenses listed below, and unless immediately arrested, the suspect may:

- Not be apprehended

- Cause physical injury or property damage to another
- Tamper with, dispose of or damage evidence

Misdemeanor offenses for which an officer is authorized to make a probable cause arrest without a warrant include the following:

- Manslaughter by vehicle or vessel
- Malicious Burning
- Malicious Mischief
- Theft under $1000 or an attempt
- Giving or causing to be given a false alarm for a fire
- Indecent exposure
- Crimes related to controlled dangerous substances
- Wearing, carrying, or transporting a handgun
- Carrying or wearing a concealed weapon
- Prostitution and related crimes
- Stalking
- Domestic abuse (If the report is made within 48 hours of the incident)

When an officer cannot establish probable cause for an arrest, or the violation is a misdemeanor not listed above, the officer shall:

- Provide the suspect's identity to the accuser or witness and advise them to contact a District Court Commissioner to file an Application for a Statement of Charges
- If identity cannot be determined, provide the accuser with available information and advise them to attempt to obtain a Statement of Charges

Applications for Statement of Charges

Officers filing an Application for Statement of Charges with a Commissioner must be aware of the rights of the involved victim(s). For Additional Information, ***See*: VOLUME II CHAPTER 20. CRIMINAL INVESTIGATIONS, Section 10. Application for a Statement of Charges**

Misdemeanor Arrests by Persons Other than Police Officers or Special Police Officers (SPO)

The law prohibits the issuance of charging documents to citizens. All warrantless arrests must be processed via a charging document prepared by a police officer or SPO.

When an officer is assigned to transport a detainee for persons other than officers or

SPOs, the officer shall examine the probable cause for the arrest and initiate wanted checks on the detainee. The officer shall transport the detainee on receipt of a warrant hit and confirmation.

In all other circumstances, the officer will not take custody of, or transport the detainee, unless the provisions for warrantless arrests listed in the section ***Misdemeanor Arrests*** have been met.

When a detainee cannot identify themself to the officer's satisfaction or is not a Maryland resident, the detainee may be arrested, based on probable cause.

If the officer determines that an arrest is justified, the officer will:

- Obtain a signed statement from the complainant using the Statement of

Victim/Witness/Suspect Form, and scan the form into RMS
- Transport the arrestee to a processing facility and complete the arrest

If the officer decides not to arrest the suspect the officer shall:

- Obtain Supervisory concurrence
- Give the complainant the suspect's identity and RMS number
- Advise the complainant to contact a District Court Commissioner to apply for a Statement of Charges
- Complete a Case Record listing the suspect, circumstances of the incident, and the date and time of the wanted check

If a full custody arrest is not warranted and the suspect is a juvenile, the transporting officer will:

- Obtain Supervisory concurrence
- Comply with applicable provisions of **VOLUME II**, **CHAPTER 38. JUVENILE PROCEDURES,** Section **11. Taking Juveniles Into Custody Without Formal Charges**

Warrantless Arrest for Domestic Violence

The Maryland Criminal Procedure Article provides warrantless arrest authority when an officer has probable cause to believe:

- The victim is the perpetrator's intimate partner or spouse, and
- There is evidence of physical injury

And, unless the perpetrator is immediately arrested, may:

- Not be apprehended
- Cause further injury to the victim or others
- Cause further damage to the victim's property
- Tamper with, dispose of, or destroy evidence

These conditions justify a warrantless arrest as long as a police report was made within 48 hours of the alleged incident.

In such cases, a warrantless arrest should be made. Officers will use professional judgment in deciding whether to arrest. When the above requirements have been met, the preferred response of the Prince George's County Police Department is to make an arrest.

Upon making a warrantless arrest, victims shall be advised to contact the State's Attorney's Office (SAO), Domestic Violence Unit, to obtain information regarding the criminal justice system and identify available County support services.

Gun Possession Prohibitions – Domestic Violence

Amendments to Title 18 of the US Code, Gun Control Act of 1968, it unlawful for any individual convicted of a misdemeanor crime of domestic violence to ship, transport, possess or receive firearms or ammunition. This is true whether or not the state statute or local ordinance specifically defines the offense as a domestic violence misdemeanor.

It also makes it unlawful for any individual to sell or otherwise dispose of a firearm or ammunition to anyone the individual knows or believes has been convicted of such a misdemeanor. This act also applies to all law enforcement officers.

Arrests for Violation of Protective Orders

The following violations of protective orders are misdemeanors under Title 4, Subtitle 5, of the Family Law Article:

- Abusing or threatening the petitioner
- Contacting or harassing the petitioner
- Refusing to vacate or stay away from the petitioner's or family member's residence, school, place of employment, temporary residence, and all surrounding areas

Officers shall arrest, with or without a warrant, an individual whom the officer has probable cause to believe is in violation of a protective order, even if the violation occurs with the petitioner's consent. A full custody arrest shall be made for such violations.

Violations of other conditions of a protective order are not misdemeanors and therefore are not enforceable by an officer. The officer should refer the petitioner to the court for relief. ***See*: VOLUME II, CHAPTER 23. DOMESTIC VIOLENCE, STALKING, & HARASSMENT**

Gun Possession Prohibitions – Protective Orders

The Annotated Code of Maryland prohibits a respondent in a Protective Order from possessing a regulated firearm. An individual that is named as a respondent in a Protective Order, if so ordered by the judge, must surrender all firearms owned or possessed by them. They are also prohibited from purchasing firearms while they are named as a respondent in a domestic violence proceeding.

Arrests Involving Firearms – Fusion Report Form

All gun arrests shall be documented on a 24-Hour Fusion Center Report Form on the day the firearm is seized. This form shall be sent via email to Police_JAIC@co.pg.md.us prior to the end of the shift, for the day of seizure and will include the following information:

- RMS number
- Full description of the firearm to include make, model, serial number (note if serial number is obliterated)
- Location of arrest/recovery
- Identifiers of arrested person(s) and/or owner possessor (as much as known)
- Arresting/Recovering officer's name, ID, and assignment
- Notation in the narrative when Crime Scene Investigation Division (CSID) recovers a firearm causing the firearm information to be unknown to the officer

Notification shall be made to the Teletype Unit for entry into NCIC.

Arrests Involving Firearms – Maryland State Police Gun Center Notifications

Any firearm recovered, regardless of circumstances (i.e., arrests, search warrant, non-arrest, CSID recovery, and safekeeping) requires:

- Immediate notification to Maryland State Police 24-Hour Gun Center at 1-855-677-6486 or via email to Gun.Center@Maryland.gov
- Notification to the Teletype Unit for entry into NCIC
- The recovering officer/investigator to provide the following information to the MSP 24-Hour Gun Center:

- RMS Number
- Location recovered
- Identity of subject in possession of the firearm(s)
- The serial number and all identifiable markings on the recovered firearm(s), if known

- Notification to a Gun Intelligence Investigator through PSC only if the arrestee has indicated a willingness to provide immediate information regarding a firearm-related crime, specifically the illegal trafficking or transfer of firearms. If the subject in custody has not indicated their willingness to provide actionable information, notification will not be made.
- All gun arrests shall be documented on a 24-Hour Fusion Report. This report shall be completed and submitted to Police_JAIC@co.pg.md.us prior to the end of the shift, on the day the firearm is seized and will include the following information:
  - RMS Number
  - Full firearm description to include make, model, serial number, and any unique markings (note if the serial number is missing or obliterated)
  - Location of arrest/recovery
  - Identifiers of arrested person(s) and/or owner/possessor (as much as known)
  - Arresting/Recovering officer's name, ID, and assignment
  - Narrative denoting circumstances of the firearm(s) recovery
  - Notation in the narrative when
  - Notation in the narrative when Crime Scene Investigation Division (CSID) recovers a firearm causing the firearm information to be unknown to the officer. Notification shall be made to the Teletype Unit for entry into NCIC
- Compliance with the applicable provisions of this General Order and **VOLUME II, CHAPTER 47. PROPERTY & EVIDENCE.**

After notification, the MSP 24-Hour Gun Center will promptly respond back to the arresting officer, disclosing disqualifying information on the subject in possession of the firearm, applicable charges to be used, and any immediate information regarding the firearm.

Supervisor's Responsibilities

Supervisors shall ensure that necessary firearm(s) documents and notifications are completed, and firearm information is included in the RMS property tab.

5. Handcuffing Arrestees

All persons taken into custody shall be handcuffed, except as noted. The arrestee shall be secured with their hands behind their back or in front with the handcuff chain passed through the belt. Handcuffs shall always be double-locked unless circumstances require immediate transport of the arrestee.

The handcuffing of disabled or injured persons is discretionary, based on mobility of the individual and apparent escape potential. Whenever officers elect not to employ a restraining device, they may enlist the assistance of other officers for added safety.

Uncertainty surrounding particular situations shall be resolved by the use of a restraining device.

Handcuffing Injured or Ill Persons

When transporting sick or injured arrestees, the decision to handcuff shall be based on the type of injury, demeanor of the arrestee, and safety considerations. When restraining devices could aggravate an injury, officers may forego the use of handcuffs.

When transporting a suspected mentally ill individual, an appropriate restraining device shall be used. Violent arrestees may be handled and secured in the safest and most expeditious manner possible.

Certain Types of Restraint Prohibited

To minimize the chances of positional restraint asphyxia, arrestees will not be "hog-tied" or restrained in a manner that increases the possibility of positional restraint asphyxia. The chances of positional restraint asphyxia increase when:

- The restrained individual's normal breathing is affected, such as when the subject is restrained face up or face down with pressure on the back or chest
- The restrained individual violently struggles against officers' restraint attempts, thus tiring the respiratory muscles
- The restrained individual is intoxicated by CDS or alcohol
- Chemical agents such as OC are deployed and affect normal breathing

Handcuffing Without Full-Custody Arrest

The use of handcuffs is generally restricted to instances where a crime has occurred, or the officer has probable cause to believe a crime has occurred, and a full-custody arrest takes place.

When an officer has articulable suspicion that an individual is involved in criminal activity, the officer may use handcuffs to briefly detain the individual for questioning without making a full-custody arrest.

Handcuffing alone does not constitute a use of force or an arrest. Instead, the following factors determine arrest status:

- Length of the detention
- Investigative activities during the detention
- Whether the suspect is removed to a detention or interrogation area

When investigative measures fail to establish probable cause for an arrest, the officer shall immediately remove the restraints. The officer shall provide persons who are handcuffed, but not arrested, an explanation for the handcuffing.

A use of force review is not required when:

- A full custody arrest is made and transport occurs, but the subject is released without being charged, i.e., handcuffed and released
- An individual is handcuffed for officer safety and released

Handcuff and release incidents shall be documented in a Case Record that details the circumstances of the incident. ***See*: VOLUME II, CHAPTER 58. USE OF FORCE**.

6. Arrestee Transport

Searches of Transport Vehicle

For officer and arrestee safety and security, the transporting officer shall inspect the seating areas of the transport vehicle. This shall be done at the beginning of each shift,

and before and after the transport of an arrestee or civilian passenger. If off-duty, the vehicle shall be inspected before and after the transport.

Non-Invasive Searches & Transport of Arrestee by Arresting Officer

Absent a threat of imminent serious bodily injury to the officer or others, the custody officer shall handcuff and search an arrestee before transport.

If the search reveals any weapons, evidence, contraband, or items that could injure an individual or aid in their escape, the officer shall secure them. If the items are transported in the same vehicle as the arrestee, they shall be secured in the trunk.

Exigent circumstances, such as an unruly crowd, may interrupt the search. If an individual must be transported from an arrest location without being searched, the transporting officer shall transport the arrestee to the nearest safe location where they can conduct a search. The officer shall then search the arrestee and the immediate area of the transport vehicle where the arrestee is seated. The arrestee shall then be immediately transported to a processing facility.

Upon arrival at the processing facility, each officer who accepts custody of an arrestee will search that arrestee again. For these types of searches, arrestees are generally searched by officers of the same sex.

If possible, an officer will have a witness present when searching an arrestee of the opposite sex.

7. Searches & Transports by Officers

Searches

Transporting officers shall search arrestees coming into their custody, regardless of whether they had been previously searched.

If possible, transporting officers will be the same sex as the arrestees. Officers will determine if an officer of the same sex is available to respond to the scene to make the transport. Officers shall not delay transport solely to provide this arrangement. Supervisors shall balance the propriety of such arrangements against staffing considerations and workload at time of transport.

Strip/Squat Searches

Strip/squat searches require the approval of a Supervisor the rank of Sergeant or above.

Strip/squat searches will be conducted professionally and efficiently. They will be conducted in a private area within a Departmental facility that cannot be observed by persons not involved in the search.

Strip/squat searches will be conducted and witnessed by officers of the same sex as the arrestee. The minimum number of officers necessary to safely accomplish the search will be used to conduct these searches. Non-sworn employees will not be used to conduct, assist, or witness a strip/squat search.

A strip/squat search may be approved when the arrestee is the subject of a full custody arrest and the officer has reasonable suspicion, based on articulable facts that the arrestee is concealing:

- A weapon
- Implements to facilitate an escape
- Contraband, evidence, or fruits of a crime

Strip/squat searches shall not be conducted on persons contacted during routine field interviews or stop and frisk situations.

If potential evidence is observed protruding from a body orifice, the search will immediately cease, and the arrestee shall be brought to a hospital for removal of the evidence. Such removal constitutes a body cavity search and the procedures in this chapter governing ***Body Cavity Searches*** shall be followed.

If exigent circumstances exist and the safety of officers or others is threatened, a strip/squat search may be conducted before transport. Before this search, officers must get approval from a commissioned officer. If a commissioned officer is not available in the affected sector, one from another sector shall be contacted for approval.

Commissioned officers shall only approve an exigent search when failure to conduct the strip/squat search before transport would place officers, citizens, or suspects in imminent danger. The approving Commander will ensure that a full custody arrest was made, prior to granting the exception.

Whenever a strip/squat search is conducted, the custody officer shall complete a Case Record, and document the following information:

- Fact that the strip/squat search was conducted
- Name of the officer conducting the search
- Names of the approving Supervisor and witnessing officer
- Reason or basis for the search
- Complete inventory of the items found
- Departmental facility where it was conducted

The Supervisor who authorized the search will notify their chain of command.

Body Cavity Searches

Officers will not conduct body cavity searches. When potential evidence is protruding from a body orifice during a strip/squat search, the search will immediately cease, and the arrestee shall be transported to the closest designated hospital in Prince George's County.

Body cavity searches shall only be conducted by trained medical personnel. The arrestee must be the subject of a full custody arrest and the officer must have reasonable suspicion, based on articulable facts, that the arrestee is concealing any of the following within the arrestee's body:

- A weapon
- Implements to facilitate an escape
- Contraband, evidence or fruits of a crime

Body cavity searches may be conducted incident to a lawful arrest or pursuant to a search warrant. Body cavity searches may be conducted without a search warrant only when the intrusion is minimal. An Assistant State's Attorney should be consulted, if time permits, before a body cavity search is made incident to an arrest.

Searches more than minimally intrusive or those involving a high level of privacy require search warrants. Courts have ruled the reasonableness of any body cavity search will be decided by weighing the individual's

privacy interests against the State's interest in conducting the search.

Transports

The primary transport vehicle for use during normal operations is the cruiser. Arrestees transported in cruisers shall be secured with the vehicle's safety belts and they shall be segregated from public contact during transport.

One officer may transport one arrestee, who will occupy the right front seat. For vehicles equipped with transport partitions, arrestees will occupy the right rear seat.

With two officers aboard, the passenger officer shall sit behind the driver and the arrestee will occupy the right rear seat. If transporting two arrestees, one arrestee will be placed in the right rear seat; a second arrestee shall occupy the right front seat.

For vehicles equipped with transport partitions, both officers shall sit in the front compartment. If there are two arrestees, both will sit behind the partition. Disorderly or violent arrestees shall be transported by two officers when possible.

When transported in police vans, arrestees shall be handcuffed, seat belted (when available), and the vehicle's rear doors will be locked. One officer may transport arrestees by van, enlisting assistance to off-load them. Vans used primarily for arrestee transport should have a safety barrier separating the driver from arrestees.

Arrestees shall be removed from the arrest scene without unnecessary delay and transported directly to the appropriate facility (i.e., police, processing, or hospital). Partially or fully disrobed arrestees shall be removed from the public's view and covered before transport. Disrobed arrestees will not be placed in a transport vehicle with arrestees of the opposite sex.

Officers shall not transport juveniles with adults or males with females unless no other transport vehicle is available. Officers may transport arrestees in this manner when the arrests are a part of the same incident.

Officers will transport juvenile status offenders and non-offenders separately from juvenile delinquent offenders and adult arrestees.

Informing PSC of Transport

When an officer begins an arrestee transport, they shall transmit their mileage and destination to the dispatcher. Upon arrival at the destination, the officer shall transmit "ARRIVAL," followed by the odometer reading. The dispatcher will acknowledge the officer with a time check. Officers will advise the dispatcher whenever a transport is interrupted and again when it is resumed, giving destination and mileage each time.

Security During Transport

Officers are responsible for the security and safety of arrestees in their custody. As such, they shall maintain visual contact with arrestees during transport. Officers shall not routinely divert or delay the transport of an arrestee.

Officers may take emergency police action when arrestees are aboard. Such circumstances include those where the safety of police officers or citizens is jeopardized. When emergency police action is taken, the transporting officer must ensure arrestee safety and minimize escape opportunity.

If an officer is involved in a transport outside Prince George's County, and the duration of such a transport warrants a meal stop, the officer shall select the meal site at random and shall not leave the arrestee unattended.

Essential Medications for Arrestee

Essential medications are those that prevent life-threatening conditions and are required to maintain an arrestee's functional stability. Officers shall comply with an arrestee's request to transport essential medications.

Transporting Sick or Injured Arrestees by Officers

Arrestees shall be transported to a hospital without delay and prior to being taken to a processing facility for processing when the arrestee:

- Exhibits erratic behavior
- Has an alleged or obvious injury
- Has ingested any non-food or non-prescribed substance immediately before arrest

Officers shall transport or shall ensure transportation of arrestees to the closest Prince George's County hospital to avoid custody issues. These hospitals include:

- Luminis Doctor's Community Hospital
- Fort Washington Medical Center
- University of Maryland Laurel Medical Center
- University of Maryland Capital Region Medical Center
- MedStar Southern Maryland Hospital Center

When an arrestee has been evaluated on the scene of an incident by an Emergency Medical Technician (EMT) or Paramedic, and it is determined that no other medical treatment is required, they may be transported directly to the Department of Corrections. The arrestee must be accompanied by a Detainee Medical Release Form completed by the attending EMT or paramedic. The form shall be given to the Regional Processing Officer upon arrival at the facility.

Transport of Arrestee by Ambulance

When arrestees are transported to a hospital by ambulance, an officer shall either follow the ambulance or accompany the arrestee in the ambulance. A decision to accompany arrestees in the ambulance may be based on the following considerations:

- Arrestee's temperament
- Whether the arrestee is ambulatory
- Arrestee's escape risk
- Desire of ambulance personnel

Arresting officers may request that arrestees be transported to a specific hospital, but Fire/EMS personnel have the final authority to determine the hospital.

Security Considerations at Hospitals

At any hospital the custody officer may seek the assistance of the facility's security personnel. For safety and security, they may secure firearms and weapons, and will comply with security procedures unique to the facility. When conflicts exist between such procedures and Departmental regulations, a police Supervisor should be consulted.

When in a hospital outside the County or on a military reservation, the officer will contact security personnel to ensure that lawful custody is maintained.

In all cases, the custody officer in a hospital is responsible for security of the arrestee until formally transferred to another authority. The officer shall, at all times, remain with the arrestee, ensuring the arrestee's security until the transfer of custody to another officer or security personnel.

Hospital Records

Whenever an arrestee is taken to a hospital for treatment, the transporting officer will:

- Provide the admitting authority their name, ID number, agency name, RMS number
- Request that the RMS number be placed on their forms
- Provide the arrestee description and address information
- Provide notification that responsibility for payment of incurred expenses lies with the arrestee, not the Department

When the hospital's records are prepared for the arrestee, the officer shall request the patient instruction copy. This paper will accompany the arrestee when transferred to another authority or given to them when released from custody.

Arrestees Requiring Admission

When an arrestee requires immediate surgery, the custody officer will accompany them to the surgical suite and remain there until evidence has been removed and placed in the officer's custody. For processing instructions regarding evidence, ***See:*** **VOLUME II, CHAPTER 47. PROPERTY & EVIDENCE. 5. Evidence Collection, *Surgically Removed Evidence***
When an arrestee is admitted to a hospital, the custody officer will notify their Supervisor. Security of the arrestee shall be maintained by the custody officer or by officers from the Division or unit involved in the arrest. Individuals arrested for violent or serious crimes will not be released from custody or left unattended at a hospital before a District Court Commissioner conducts an initial appearance hearing. All hospital hearings require the presence of a court-appointed attorney. When an officer requires the services of a District Court Commissioner away from the Commissioner's duty assignment, and a court-appointed attorney, they shall comply with procedures of the District Court Administrative Judge.

When commitments are issued for arrestees at a hospital, the custody officer will notify the Prince George's County Department of Corrections (DOC) to arrange for transfer of custody.

Injury or Alleged Injury by Police

When an arrestee is injured by or alleges their injury is due to a use of force, including the discharge of chemical agents, the officer shall immediately notify a Supervisor. All such injuries shall be photographed before and after treatment. If the injury results in the arrestee being admitted, the Supervisor shall notify the Special Response Section (SRS). SRS shall be responsible for investigating these incidents. ***See:*** **VOLUME II, CHAPTER 58. USE OF FORCE.**

Case Record

Whenever an arrestee is taken to a hospital, the custody officer shall document the following in a Case Record:

- A summary of how the arrestee's injuries were sustained
- Type of medical treatment given

- Disposition of the arrestee

8. Transporting Arrestees By Aircraft

(49 Code of Federal Regulations 1544)

Airline Authority Over Weapons & Arrestees

Airline officials have final authority regarding the transportation of weapons and arrestees aboard commercial aircraft. Officers will comply with airline requests or make alternative arrangements.

Advanced Notification to Transportation Safety Administration (TSA) Prior to Flight

TSA requires officers who are flying armed to submit a message via NLETS at least 24 hours prior to travel. The NLETS message must be sent by PGPD.

Once the NLETS message is received by TSA, an NLETS response message containing a unique eight-character alphanumeric authorization will be sent to PGPD. The authorization will be used for verification at the Law Enforcement Officer check-in position at the TSA screening checkpoint on the day of travel.

Authorization Requirements

The Federal Aviation Administration (FAA) requires officers traveling on official business to have their badge and photo identification in their possession at all times.

Preparation for Flight

Transporting officers will do the following when making a flight with an arrestee:

- Search the arrestee thoroughly before boarding the aircraft
- Contact airline security officials at least one hour before departure
- Introduce themselves to flight attendants
- Deplane after passengers
- Not carry chemical agents aboard aircraft

Arrestee Security Aboard Aircraft

Between the time an officer and arrestee board the aircraft and the time they deplane, arrestees will be:

- Seated in the rear of the aircraft, away from the emergency exit or lounge area, with the officers seated between the arrestee and aisle
- Restrained at the officer's discretion or in accordance with respective airline policy
- Physically escorted at all times

Officers or arrestees will not consume alcoholic beverages.

Transporting Dangerous Arrestee

When transporting a dangerous arrestee, at least two officers will be required. No more than one dangerous arrestee will be transported on any single flight.

Transporting officers will determine if an arrestee is dangerous by considering their demeanor, past actions and propensity for violence.

Trouble Aboard Aircraft During Flight

In the event of trouble aboard the aircraft during the transport, officers will take no action, except:

- When irreversible catastrophe is imminent
- When the officer's assistance is requested by the captain of the aircraft or a member of its crew

9. Arrestee Escapes

Officer's Responsibilities

In the event an arrestee escapes while being transported, the transporting officer shall immediately broadcast a comprehensive radio lookout with the following information:

- Exact location of escape and last known direction of travel
- Escapee's name and full physical and clothing description
- Purported dangerousness of the arrestee
- Nature of the offense for which the arrestee was being transported
- Possible destination information

The officer will determine if air support is warranted and will assist in the search effort.

Supervisor's Responsibilities

The responding Supervisor shall:

- Notify the Shift Commander
- Define the scope of, and coordinate any search effort
- Ensure the custody officer's responsibilities have been carried out
- Notify the custody officer's Supervisor
- Notify PSC at termination of search or of an apprehension

The scope of any search will be determined by examining the danger to the community, nature of the charge, and likelihood that the arrestee may be located later. The Supervisor may decide against a comprehensive search in cases of arrestees charged with minor offenses. The decision shall be documented in a Case Record, which shall be completed by the Supervisor, prior to the end of the shift.

For escapes that occur outside the County a Supervisor shall respond to the scene if feasible. Regardless of whether a response is made, the Supervisor will ensure that:

- All possible cooperation is provided to the other agency
- The custody officer's responsibilities have been carried out
- The custody officer's Supervisor is notified
- Additional information is provided to the other agency as required

The transporting officer's Supervisor will conduct an investigation into the circumstances of the escape.

Required Reports

The transporting officer shall complete and submit a Case Record prior to the end of the shift. If the arrestee is apprehended as a result of follow-up action, the Case Record will be updated.

10. Arrestee Processing Facilities

Officers taking an arrestee to a Division Station processing area, DOC processing facility or juvenile processing center shall comply with the SOP for that facility. Only those rooms or areas designated specifically for processing detainees will be used.

Prior to entering any processing area or facility, officers shall ensure that their weapons are secured in the designated storage facilities.

When a temporary detention cell or interview room is used at a PGPD facility that is not DOC operated, the period of time that an arrestee shall be held without continuous control or supervision by PGPD personnel shall not exceed two hours.

The Commander shall ensure that a copy of the SOP concerning the operation of processing areas and cells is maintained in the processing area. Officers shall be responsible for knowing and complying with specific security considerations contained in the SOP.

In all processing areas, males will be separated from females, and juveniles from adults (unless the juvenile is being charged as an adult). For transgender arrestees, ***See:*** **VOLUME II, CHAPTER 57. TRANSGENDER PERSONS, INTERACTIONS, 5. Prisoners**

Juveniles not being charged as adults should be transported to the Juvenile Processing Center. Juveniles to be charged as adults will be transported to one of the Regional Processing Centers.

Maintenance of Processing Areas & Temporary Detention Facilities

The Division Commander is responsible for the operation of temporary detention and processing areas under their command. They shall ensure that all personnel authorized to monitor temporarily detained individuals in the facility are provided with training on the use of the temporary detention room(s) or area(s) and provided refresher training at least every two years.

Commanders shall ensure that a written emergency evacuation plan is posted conspicuously in the processing areas. The plan shall specify the location of designated emergency exits, with directions to hazard-free areas. It shall also specify the route of evacuation. Officers utilizing processing areas shall be familiar with the fire evacuation routes and the location of the nearest fire extinguishers and fire alarms.

Arresting officers and processing officers shall ensure that no detainees smoke or have in their possession any tobacco products, lighters and paraphernalia.

In addition, Commanders shall ensure that their processing areas are:

- Clean, orderly, and free of obvious fire hazards
- Equipped with current, functional fire extinguishers in easily accessible locations
- Equipped with an adequate supply of bedding and ready-to-eat meals that require no utensils, to be provided to an arrestee, should an emergency or unforeseen circumstances require the arrestee to be held more than eight hours

Furthermore, a written notice must be posted and visible to arrestees, which describes the procedures for accessing emergency medical treatment. The notice shall state that any costs incurred from such services are the responsibility of the individual receiving the services.

Inspection of Facilities

For officer and detainee safety, any room, cell or area occupied by a detainee will be inspected prior to and after use by the custody officer.

Commanders shall ensure that the inspections listed below are documented on the Processing Facility Inspection Sheet and maintained for two years:

- Daily safety and security inspections
- Testing of fire alarms and detectors as required by the County Fire Code
- Weekly sanitation inspection of the processing areas and cells
- Weekly inspections of first-aid kits, ensuring that scissors and other sharp objects are not present in the kits
- Weekly security inspections of the processing area and cells, including a search for weapons and contraband (defective security equipment shall be noted on the Processing Facility Inspection Sheet, and promptly acted on)
- Weekly inspection of fire extinguishers

Any fire extinguisher or alarm found to be inoperable shall be reported immediately by the person finding the deficiency to the Station Property/Supply Clerk or, in the case of the Juvenile Processing Center, a processing officer.

Criminal Arrests to be Processed

All full-custody adult criminal arrestees are to be fingerprinted and photographed.

Traffic Offenses to be Processed

Adults arrested for traffic charges are processed at the officer's discretion.

Regional Processing Facility

On arrival at a regional processing facility, arresting or transporting officers are responsible for supervision and accountability of their arrestee until custody is relinquished to DOC personnel. After taking custody of the arrestee, DOC personnel will obtain fingerprints and photographs and check the wanted status of arrestees.
PGPD officers shall complete the charging documents, including the Booking Record. Upon completion of the charging documents, DOC personnel will present the arrestee to a District Court Commissioner.

Security & Control

All arrestees will be searched before entering a Division Station or DOC operated processing facility.

Temporary Detention/Processing Facilities in Division Stations

For officer safety and to minimize escape opportunities, officers utilizing temporary detention areas, processing and testing rooms, or cells are responsible for the supervision and accountability of their detainee. Prior to entering the facility, the arresting or transporting officer shall ensure that the detainee has been searched.

Officers shall adhere to the direction of any personnel staffing the facility. In addition, processing officers shall ensure that all doors leading to the outside of the processing area are secure and prevent unauthorized persons from entering or exiting. Anyone discovering a situation that could potentially threaten the security of a facility shall immediately report the situation to their Supervisor, or in the case of the Regional Juvenile Processing Center, to an on-duty processing center officer.

All arrestees will be searched before entering a Division Station or DOC operated processing facility.

In addition to any safety precautions required by the Division Station processing areas SOP, prior to entering the processing area, the arresting officer shall ensure that the Station's front desk clerk is notified so that while they are in the processing area, they will, at minimum, be visually

monitored by closed-circuit television (CCTV).

In order to summon assistance, officers will either:

- Possess a police radio, or

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Supervision of arrestees is the responsibility of the custody officer, unless turned over to DOC personnel.

Anytime a detainee occupies a room inside a Division Station processing area used for DUI chemical testing, the detainee shall never be left unattended, and shall always be under the constant, personal, direct supervision of an officer.

When an arrestee is secured in a cell, interview room, or any other locked space within a Division Station temporary detention/processing facility, and the custody officer has ended their direct continuous supervision of the arrestee, the custody officer shall observe the arrestee in-person at least once every 30 minutes. The custody officer shall document these personal observations on a Detainee Log Sheet.

Between the in-person checks every 30 minutes, CCTV cameras and monitors may be utilized by officers to monitor detainees.

Custody officers will be alert for signs of altered consciousness or mental status deterioration. Any uncertainty regarding the arrestee's condition shall be resolved by summoning an ambulance. If necessary, have the individual transported to a hospital.

In processing facilities not operated by the DOC, officers are responsible for the supervision and accountability of their arrestees. They shall ensure that access to water or restroom facilities is provided to an arrestee in a timely manner, keeping officer safety, facility security, and the detainee's well-being in mind. Restroom breaks and the provision of water or any meals shall be documented on the Detainee Processing Log sheet in the area where 30-minute checks are listed.

Removing Restraints at Division Station Processing Area & DOC

Persons brought into processing areas shall be under control at all times, in accordance with the provisions of this directive and the SOP for the respective facility. Officers will not remove restraining devices from arrestees until they are placed into a cell, or they are ready to be processed. Detainees will not be secured or locked into any area or room not specifically designated for processing. If an arrestee is placed in a temporary detention cell, interview room, or processing area by a PGPD officer and the removal of one of the handcuffs is necessary, that handcuff shall only be secured to an immovable object designed and intended for such use (i.e., handcuff ring, processing bench). Officers will not remove restraints from arrestees while at a DOC regional processing facility. This will be the responsibility of the DOC officer.

Arrestee Property & Accountability

All property will be removed from arrestees except the following:

- Clothing being worn (belts and ties removed)
- Shoes (laces removed)
- Eyeglasses/contact lenses

An itemized inventory will be made of any property taken from an arrestee on a Prisoner Property Form. When conducting an inventory of an arrestee's money or valuables, the form will be signed by a witness. The property and the Prisoner Property Form will be placed in an evidence bag, which will be kept in a secure storage area. The Arrestee's valuables or money will not be placed in a narcotics mailbox. The arrestee's property will be the responsibility of the arresting officer or custody officer pending arrestee disposition.

When arrestees are in possession of large amounts of personal property or perishable food products that won't be accepted at DOC, attempts shall be made to contact a relative or friend to take possession of the property. The method of notification and whether or not it was successful should be noted in the Case Record. If no one can take custody of the property, the arresting officer shall place the items in the property room.

Release of Property to Persons Other Than Arrestee

When custody of an arrestee is transferred, the receiving officer will document the transfer on records generated for the arrestee. The officer will receive arrestee property and any documentation (such as medical release forms) from transporting officers.

When an arrestee is released, the Prisoner Property Form will be signed, and DOC keeps a copy of the Form. Release of an arrestee's property to another individual is prohibited unless the arrestee gives written consent to do so.

Detainee Log Sheet

The arresting or custody officer will interview the arrestee and complete the Detainee Processing Log sheet. Separate log sheets will be maintained for adult arrestees, juvenile delinquent offenders, and juvenile status/non-offenders. All areas of the Detainee Processing Log Sheet shall be completed.

If the detainee was under constant personal supervision by the officer, the Detainee Log Sheet will so indicate.

Completed log sheets are forwarded to the Commander's office, where they will be retained for three years, then destroyed.

Whenever arrestees are transported from a temporary detention facility to a regional processing facility, the appropriate paperwork shall accompany the arrestee. This includes medical releases, commitment orders and charging documents.

After completion of the Detainee Log Sheet, the custody officer will search the arrestee's property for photographic identification. The identification should be kept with the arrestee's personal property so that the arrestee can be positively identified upon release or transfer. If no photographic identification is found, the custody officer will take a photo.

Safety & Security Checks of Cells or Rooms at Division Stations

Before and after placing an arrestee into a cell or interview room at a Division Station that is not a regional processing facility, the custody officer shall conduct a check for weapons, contraband, and evidence. Any weapons, contraband or evidence found will

be reported to the Shift Commander and entered into RMS via a Property Sheet.

Being mindful of officer safety, the safety of the facility, and the arrestee's privacy, the arresting officer shall regulate access to the processing area. Only essential persons, i.e., officers, designated staff, and Fire/EMS personnel, are permitted entry. Access of non-essential persons shall be prohibited except in emergencies involving security and safety hazards.

Arrestees Requiring Special Handling

Juvenile offenders shall not be held in secure custody for longer than six hours. This time period begins when the juvenile enters a secure facility and ends when the juvenile is either released or transferred to another authority. If the six-hour limit is exceeded for any reason, the custody officer shall notify the Supervisor, who shall forward a memorandum to the Deputy Chief, Bureau of Patrol, via the chain of command. The memorandum, intended solely to facilitate legally mandated statistical reporting, shall document the juvenile's identity and the reasons why the time limit was exceeded.

Juvenile delinquent offenders held in secure custody at a Division Station shall be completely separated by sight and sound from adult offenders.

Officers shall ensure that juvenile status offenders and juvenile non-offenders are not housed in secure detainee processing areas. The custody officer shall maintain constant supervision of such offenders until their release to parents, guardians or other authority. Juvenile felony offenders charged as adults shall be processed and detained as adult offenders.

Female arrestees shall be separated by sight and sound from male offenders while in cells, and at other times when not under the continuous supervision and control of an officer.

When processing an arrestee at a Division Station, officers shall ensure that arrestees have access to a toilet, washbasin and drinking water.

Arrestees under the influence of alcohol or other drugs, or who are violent or self-destructive, shall be segregated from other arrestees. They shall remain under close observation to minimize the potential for injury to themselves or others. If an arrestee's condition deteriorates, the custody officers shall summon an ambulance, and, if necessary, provide for removal to a hospital.

When an officer becomes aware that an arrestee is suicidal, is an escape risk, or is otherwise a security threat, they shall inform the officer to whom custody is relinquished. The officer relinquishing custody shall request the District Court Commissioner and/or physician be advised so that the information can be included with the custody documents. Officers shall include this information in the Case Record.

Emergency Extension of Detention Period

If emergency circumstances require an extension of the detention period beyond eight hours, arrestees shall have access to bedding.

Meals shall be provided to all arrestees held for extended periods. Three meals shall be provided during each 24-hour period with no more than 14 hours elapsing between each.

Medical Treatment for Arrestees & Administering Pharmaceuticals

Pharmaceuticals (prescribed drugs and non-prescription legal drugs) shall be taken from arrestees, listed on a Prisoner Property Form and stored with the arrestee's other property. When an arrestee exhibits abnormal behavior or physical signs that could be related to the deprivation of pharmaceuticals, the custody officer shall immediately request an ambulance. If the arrestee has prescribed medication for specific, life-threatening conditions, such as chest pains, asthma, or other serious medical condition, the officer may allow the arrestee to take a dose of that medication while awaiting the arrival of the ambulance.

The officer shall first read the medicines instructions to ensure that the arrestee takes the correct dosage. The remaining medication shall be turned over to ambulance personnel. In all other cases, officers shall not administer any medication to an arrestee.

Processing Arrestees Infected With HIV

Known infected arrestees shall be isolated from other arrestees if their behavior is violent, unpredictable, or they are unable to control body fluids. If the arrestee is transferred, the custody officer shall notify the receiving agency before the transfer that the arrestee has an infectious disease. This notification shall be restricted to those with a need to know and shall be documented in the narrative section of the appropriate report.

Respecting Arrestee's Privacy

An officer may supervise arrestees of the opposite sex. Unless an arrestee is suicidal or a security risk, the officer shall respect the privacy of arrestees using toilet facilities or attending to other personal needs. If audio/visual monitors are used in cells with toilet facilities, such monitors shall be controlled to ensure the arrestee's privacy.

Telephone Access by Arrestees

Generally, arrestees may be allowed to call a family member, attorney, or bail bondsman. However, telephone usage by arrestees shall be at the discretion of the custody officer.

Efforts shall be made to ensure privacy in contacts between arrestees and their attorneys. An arrestee's opportunity to make bail is not to be impeded.

Arrestee Visits

The custody officer may authorize arrestee visitation. The visits shall be limited to those persons having an immediate need, such as a bondsman or attorney. Visitor information shall be documented in the Case Record, and in any Visitor Log maintained. All visitors shall be searched.

The custody officer shall inspect all incoming items intended for the arrestee. The custody officer will intercept any cash, negotiable instruments, and contraband. Any property not deemed contraband, received from visitors will be receipted, added to the arrestee's property record, and secured with the prisoner's other property. Any items that are determined to be a safety threat will be seized, noted on a Property Record and placed in Property.

Fire Evacuation, and Fire Suppression for Division Station Temporary Detention/ Processing Areas

Prince George's County law prohibits smoking in any public building. Prior to entering a processing area, all detainees will be searched, and any property taken from them and properly stored.

In non-bomb-related incidents, which may require evacuation, the manual fire alarm(s) located in the hallways may be activated.

In the event of an evacuation, Supervisory and command notifications will be made pursuant to the provisions of the affected Station's SOP. Depending upon the nature of the evacuation, Fire/EMS can be notified either by police radio or processing area red phone. The Fire Department will be required to reset the alarm.

For non-bomb-related evacuations of employees and detainees, upon activation of the alarm, all personnel shall evacuate the facility in adherence with the emergency evacuation map. Personnel shall then proceed to a staging area.

During the evacuation and in any staging area, all detainees must be secured and closely supervised. If possible, detainees should be transported to another Division Station, one of the Regional Processing Centers, or, in the case of a juvenile, the Juvenile Regional Processing Center.

In the event of an actual fire, officers are not expected to engage in fire suppression activities or fight fires within the facility. However, they are expected to be familiar with the basic operation of fire extinguishers, in accordance with their level of training and the activation of appropriate alarm systems.

Booking Documents, Adult Arrests

The arresting officer is responsible for ensuring that all documents related to the arrest are completed and submitted to a Supervisor for approval.

The charging officer will complete the following documents, which are used by the District Court to track adult arrest information:

- Application for Statement of Charges
- Statement of Charges
- Statement of Probable Cause
- Request for Witness Summons

Statement of Charges

Tracking numbers shall be transferred from the statement of charges into RMS.

Master Persons Numbers when fingerprinting

A Master Persons Number is assigned to all arrestees for whom a Booking Record is completed. Officers shall obtain the Master Persons Number and list it with the Livescan fingerprint machine for all Booking Records and criminal citations where the offender is fingerprinted. When the Livescan machine is inoperable, and the officer leaves the processing facility before the arrestee is printed, or an offender is issued a criminal citation in the field, the officer may submit the report to Records without the Number.

Juveniles are required to have a Master Persons number when a Booking Record is written or when they are fingerprinted and photographed.

Federal Bureau of Investigation (FBI) Records

The FBI criminal records history shall be obtained through NCIC via a CJIS terminal. Officers will not directly telephone the FBI.

Metropolitan Police Department (MPDC) Records Check

Information may be obtained by calling the Criminal History Section, Identification and Records Division, MPDC.

Obtaining NCIC Check for Commissioners

Arresting officers shall initiate computer checks on arrival at the processing site to avoid delays caused by slow system response. They will ensure the following checks are performed for all full-custody criminal arrests:

- NCIC/METERS check for wanted status
- NCIC/METERS check for criminal history via CCH summary
- Adult court record check

A paper copy of these checks shall be provided to the Commissioner at time of presentment.

If NCIC/METERS checks are unavailable, officers shall give the commissioner a Report of Unavailability of NCIC/METERS Record Check.

Check for Wanted via Office of the Sheriff for Prince George's County (OSPG)

DOC conducts an OSPG wanted check through a CJIS terminal for each arrestee. If the system is out of service, the officer shall directly contact OSPG.

DOC Regional Processing On View Arrest Form

When an arrestee is processed, a DOC regional processing On View Arrest Form shall be completed. Charging information will be identical to that in the Booking Report. If fingerprints or photographs are the only items submitted, this will be noted on the bottom of the sheet.

Fingerprinting Adult Arrests

Adult arrestees will be fingerprinted using the Livescan system, and when not available, using fingerprint cards.

Arrestees will be requested to sign the Livescan fingerprint card. If the arrestee refuses to sign the card, the printing officer will enter REFUSED in the signature block.

Officers printing arrestees shall sign all fingerprint cards, placing their name, rank and ID number in the spaces provided.

PGPD Fingerprint Card

Fingerprint cards will only be used when the Livescan system is not available. The printing officer will complete all blocks that require arrestee information. The palm prints will be placed on the reverse of the PGPD card.

Maryland State Fingerprint Card

The printing officer will ensure that the tracking label from the charging document that includes the arrestee's name, primary charge, and related cases, is affixed to the front top of the card.

The printing officer will ensure a tracking number label is placed in the top block on the reverse of the card. If additional charging documents are used, a tracking label from those documents will be affixed in the blocks for additional arrest labels. Officers will not affix these labels to the print card until fingerprinting has been completed.

Additionally, officers will complete all non-shaded blocks on the rear of the card in accordance with the Maryland Automated Fingerprint Identification System (MAFIS) Manual. Officers will ensure that the Master Persons Number, FBI number, ORI number and the agency name blocks are completed on the back of the card.

If an arrestee in police custody has more than four Statement of Charges forms, the printing officer will complete the State Supplemental Arrest Information Card (CJIS-006).

FBI Fingerprint Card

The printing officer will complete all blocks that require arrestee information to include the State and FBI number if available.

Deformed, Injured, or Missing Fingers on Arrestees

If the arrestee has any deformed fingers, or any fingers that are cut, wounded or bandaged in such a way as to prevent successful taking of a fingerprint, the officer will not submit an FBI Fingerprint Card. PGPD Livescan and State cards will be completed with an explanation placed in the appropriate boxes as necessary.

If the arrestee is missing a finger, the officer will write either AMPUTATED or MISSING AT BIRTH in the appropriate box of the fingerprint card. If a portion of the first joint is missing, the remaining portion will be printed with the notation, "TIP AMPUTATED," made.

Submission of Fingerprint Cards to the Records Section

When fingerprint cards are used they will be stapled to a copy of the Booking Record before submission to the Records Section. In cases of traffic arrests, the fingerprint cards will be stapled to the citation.

Officers shall submit all fingerprint cards and the Processing Information Sheet before going off duty. Supervisors shall ensure that all cards are completed correctly prior to being submitted to records.

Photographing Arrestees

Arrestees are to be photographed using Livescan. Officers will ensure the correct Master Persons Number is included. A front photo and right profile photo will be taken of the arrestees' face.

Photographing Distinctive Marks

Arresting officers may photograph scars, marks, or tattoos of an arrestee. Such photos may be uploaded to the Case Record in RMS.

Photographing Felony Arrestees

When an arrestee is charged with a felony, a photograph will be taken and forwarded to the appropriate RID or CID Supervisor. The following information will be placed on the reverse of the photo:

- Arrestee name
- Date
- Charge
- RMS Number

11. Uncooperative Arrestees

Arrestees Refusing to be Processed

When an arrestee refuses to be processed, the officer shall note this on all reports and notify the Commissioner. Commissioners cannot make the completion of processing a condition for release.

If an officer believes an arrestee is attempting to avoid identification, the officer may contact the on-duty Assistant State's Attorney (ASA). The ASA may decide to seek a court order requiring the arrestee to submit to processing.

When an arrestee refuses or is unable to provide information for the Booking Record, the officer shall note "Refused" for the name, not "Refused, Refused" or "Unknown, Unknown". Any information that is known shall be entered, such as gender or race in the appropriate RMS drop downs.

Using an Alias to Identify an Arrestee

When an officer cannot establish an arrestee's identity, the arrestee shall be identified as "Unknown" in the Case Record. On the Statement of Probable Cause form, the officer shall state the reasons why the identity of the arrestee could not be established.

Follow-Up Responsibility of Arresting Officers

When an officer books an arrestee as Unknown, the officer shall conduct a follow-up investigation and attempt to identify the arrestee. If the arrestee is not identified within 30 days, officers shall detail the attempts made, as well as the outcome and conclusion of the search, in the Case Record.

If the officer develops additional information in the future, the Case Record shall be updated as necessary.

Arrestee's Age Undetermined

When an officer cannot establish an arrestee's age, the arrestee shall be booked as an adult, unless the officer can assume by observation that the arrestee is a juvenile. When a juvenile is charged as an adult, and is later discovered to be a juvenile, the reporting officer will submit the information in the RMS Case Record.

Charging Adults on a Juvenile Petition

To constitute contributing to the delinquency of a minor, the adult must be contributing to the commission of an act by a minor, which would be unlawful even if the minor were an adult. The State's Attorney's Office (SAO) must charge adults on a Juvenile Petition.

To constitute the offense of contributing to a child in need of supervision, the adult must be contributing to the commission of an act by a minor that is unlawful for juveniles only, such as, possession of alcoholic beverages, or curfew violations.

When an offender is able to provide identification, the officer will not arrest them unless other violations mandate an arrest. The officer shall obtain the offending adults information and respond to the SAO, Juvenile Division, during normal business hours. The officer will complete an affidavit and the SAO will complete a petition. The adult will then be served.

If, however, the offender cannot be identified they will be arrested. The officer will complete a Booking Record and Statement of Charges and present the suspect before a commissioner for bond review. The officer will respond to the SAO, during normal business hours, to complete an affidavit. The SAO will then complete a petition and the adult will be served.

12. Preparing Arrests for Prosecution

Case Screening by SAO

Screening is necessary even though a preliminary hearing will be held. Failure to screen a case in a timely manner cannot be remedied by attending the preliminary hearing. If a felony charge is dismissed because of noncompliance with this subsection, the defendant may be recharged with Supervisory approval.

To schedule a screening appointment, officers shall contact the Screening Division, SAO, within 72 hours after an arrest. Appointments shall be scheduled to occur within fourteen calendar days following the arrest. If the Screening Division cannot accommodate the fourteen-day limit, the appointment shall be scheduled for the next available date. Field Training Officers shall accompany their recruit officers to all screening appointments.

When a juvenile is charged as an adult with a felony, notification must be made to the SAO via procedures above, to avoid dismissal of charges at the preliminary hearing. The court will set a preliminary hearing within fifteen days of arrest for juveniles charged as adults.

Attorneys from the Screening Division screen arrests with Major Crimes and Special Crimes on a regular basis. Officers assigned to investigative sections may use this option in lieu of scheduling an appointment. The case must be screened during the next available screening session at Major Crimes or Special Crimes.

Defendants Charged as Adults

Cases will be screened as follows:

Felonies: Except as provided in the section, ***Certain Cases Not Subject to Screening***, Assistant State's Attorney's will review all felony cases. The Homicide Division, SAO, will screen homicides and police shootings, the Criminal Trials Division, SAO, will screen other cases.

Serious Misdemeanors: Cases shall be screened through the SAO, District Court Division.

Fatal Motor Vehicle Accidents: Cases will be screened by the SAO, Criminal Trials Division.

Defendants Charged as Juveniles

The SAO, Juvenile Division, screens felonies and serious misdemeanors.

Documents Required at Screening Appointment

The investigating officer shall give the screening attorney the following documents, when available:

- Case Record
- Statement of charges
- Arrest warrant
- Commander's log (if requested)
- 911 CD

- CAD
- Property record
- Witness statements (all witness statements should be reduced to writing)
- Defendant(s) statement (written and/or videotaped)
- Translation of all statements made, including the name, address, and telephone number of the person who translated the statement
- Substance of any oral statements from the defendant
- Interview log
- Witness videotape/CD
- Miranda form
- Commissioner/presentment waiver form
- Names and cellular telephone numbers of all officers/detectives and Supervisors who had contact with the defendant during arrest and interview
- Name, address, and telephone number of all victims and witnesses
- NCIC for each defendant
- Voice stress test
- Hospital records for defendant, victims, and witness(es)
- All photographs
- Chain of custody for all property/items recovered
- Informant/confidential source payments
- Videotape from mobile video cameras or body worn cameras
- Fugitive squad logs/reports
- FEU report/test fire certificates
- Evidence report
- DNA report
- Fingerprint report
- All detectives and officer notes
- Photographic array (color) and viewing sheet
- Search warrant(s) and return(s)
- Video surveillance tapes
- A complete and legible copy of the case file

Certain Cases Not Subject to Screening

The following felonies fall within the jurisdiction of the District Court and are excluded from the screening process:

Bad Checks: Section 8-103 of the Criminal Law Articles

Felony Theft Cases: When a felony theft case appears routine and Supervisory approval has been granted, the case need not be screened, but can be sent directly to the District Court.

Cases that require special attention, or those cases when doubt exists about which way the officer should proceed, shall be directed through the SAO, District Court Division.

To decide whether a case should be screened, officers shall consider:

- The defendant's criminal history
- The amount of money or property involved
- The complexity of the case
- Whether it is newsworthy

Multiple Cases, One Defendant

When an adult has committed numerous felonies, but is charged with only some of the crimes, the investigating officer shall notify the SAO of this fact at the time of screening, and supply them with the following:

- Copies of all Case Records
- All documents as required in the section ***Documents Required at Screening Appointment***

When an adult commits multiple misdemeanor offenses, which result in

significant property loss or personal injury, the SAO District Court Division shall be notified. The officer shall supply the SAO with copies of all offense reports upon request.

13. Release or Transfer of Arrestees

Before an arrestee is released or transferred, officers shall confirm the arrestee's identity by checking their identification or photograph secured at the time of processing.

Arrestee Released from Police Custody

When an arrestee is released, the arrestee's personal property will be returned only if it is not contraband and its ownership is not in dispute. The arrestee will be requested to sign the Prisoner Property Form to acknowledge receipt. If the arrestee refuses to sign, the releasing officer shall write "REFUSED TO SIGN." The releasing officer will secure the signature of another employee, who will serve as a witness.

Arrestee Transferred to Other Custody

When an arrestee is transferred, the official accepting custody will sign the OFFICIAL ACCEPTING CUSTODY space of the Prisoner Property Form. The arrestee's property and a copy of the form will then be turned over to that official.

Arrestees transferred to the custody of the DOC will only be permitted the following items:

- Medications, glasses or dentures
- Address book or similar information
- Cash, checks or money orders
- Family pictures
- Legal papers
- Personal clothing worn at the time of the transfer
- Religious materials
- Wallets
- Jewelry

Any item not listed is prohibited and shall be submitted to the Property Section for safekeeping.

Accepting Arrestee from Other Authority

When arrestee custody is accepted from another authority, the officer accepting custody shall:

- Identify the relinquishing officer by name, ID number, and assignment
- Search the arrestee
- Verify the authority to detain the arrestee, court commitment, official documentation, or confirmation by a County officer familiar with the circumstances of the transfer
- Notify OSPG for transport

Arrestee Transferred from Detention Center

Officers removing arrestees from the DOC or other correctional facility are responsible for the custody, security, and safety of that arrestee.

Officers seeking temporary custody of an arrestee from DOC custody shall obtain a court order from the SAO. Once obtained, the officer shall fax a copy of the court order to the DOC Records Section and follow up with a telephone call. The DOC Records Section will arrange to have the arrestee prepared for transport. During non-business

hours, officers shall contact the DOC Shift Commander.

Upon arrival at the facility to pick up the arrestee, officers will ensure that the arrestee is positively identified by checking the individual's identification, photograph, or with DOC staff.

During the transport, officer(s) will have a copy of the court order that authorized temporary custody, along with any other pertinent documents, such as a copy of an arrest warrant to be served on the individual.

When the arrestee is transported from or returned to DOC custody, officers shall ensure that information relating to the arrestee's escape or suicide potential, or other security concern, is recorded and included in the documentation that accompanies the arrestee.

Arrestee Transferred from Regional Processing Facilities

Officers shall ensure that arrestees are interviewed prior to being presented before a District Court Commissioner. Once a commissioner has committed an arrestee to DOC, officers must obtain a court order to remove the arrestee from a regional processing facility.

Persons Arrested by Outside Agencies

If an officer from an outside agency brings an arrestee to a regional processing facility and no officer is available to accept them, the outside agency officer will be directed to remain with the arrestee until an officer accepts custody or the arrestee is transported away from the facility.

Special Police Officers (SPO) shall complete all paperwork associated with their arrests. The arresting officer from an outside agency or SPO may ask the desk officer for assistance to:

- Process the arrestee
- Complete all paperwork associated with the arrest of suspects
- Ensure all booking paperwork is completed

SECTION REDACTED

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.5, 1.2.6, 1.2.8, 22.3.4, 26.1.1, 41.2.4, 42.2.3, 44.2.1, 46.1.3, 61.1.2, 61.1.3, 71.1.1, 71.1.2, 71.1.3, 71.1.4, 71.1.5, 71.1.6, 71.1.7, 71.1.8, 71.2.1, 71.3.1, 71.3.2, 71.5.1, 72.9.1, 72.9.2, 71.9.3, 72.9.5, 72.9.6, 72.9.7, 74.3.1, 74.3.2, 82.2.1, 82.2.2, 82.3.6, 82.3.7, 82.3.8

Governing Legislation:

- Payton v. New York
- Maryland Criminal Procedure, Section 4-101
- Maryland Rules, Sections 4-102 and 4-202
- Maryland Criminal Law Article, Sections 10-113 through 10-116
- Maryland Criminal Law Article, Section 10-125
- Maryland Criminal Law Article, Section 5-601
- Maryland Education Article, Section 26-103

- Title 18 USC 922 (G)(8) - Gun Control Act of 1968, Amended
- Family Law Article, Title 4, Subtitle 5
- Title 49, Code of Federal Regulations (CFR), Section 1544
- Maryland Clean Air Act of 2007
- Maryland House Bill 837, 2022

5. AUTOMATED FINGERPRINT SCANNER

(June 2018)

I. POLICY

The use of the mobile AFIS scanner is intended to provide law enforcement personnel with an automated method of identifying persons who cannot provide other means of identification.

The use of the mobile AFIS scanner should be for law enforcement purposes only and done in a manner consistent with the manufacturer's recommendations and this policy.

Assignment of the mobile AFIS scanners within the agency is made by the Chief of Police or his designee and based on the needs of the Department.

Mobile AFIS Scanners will not be used to assist in identification of an individual to determine immigration status.

An identification of an individual utilizing the Mobile AFIS scanner is a preliminary identification, and must be verified by RAFIS.

The Mobile AFIS scanner must be disinfected after each use with the approved disinfectant.

II. CHECKLIST (N/A)

II. DEFINITIONS

IV. FORMS (N/A)

IV. PROCEDURES

1. Safety

When using a mobile AFIS scanner in the field two or more officers will be present at the stop before the Unit is utilized. This is for the safe handling and control of individuals during the fingerprint scanning phase.

This section applies to the stop and scanning of live individuals. This section does not apply to Evidence Technicians scanning deceased persons for identification.

2. Consent Prior to Scanning

If an individual stopped is not under arrest consent to scan their fingerprints must be obtained. This consent can be verbal or in writing. If the person refuses to allow you to scan their fingerprints, you will not scan their prints unless probable cause for an arrest or search warrant is obtained.

3. Issuance, Configuration and Repair of AFIS Scanners

The issuance and configuration of the MorphoMobile fingerprint scanners will be the responsibility of the Information Technology Division (ITD), specifically the Technology Integration Services (TIS) component. Each scanner will be issued to an individual officer, and that officer's Mobite Data Terminal (MDT) or laptop will have the MorphoMobile application installed. TIS staff will provide training at the time of issuance and computer setup on the functionality of the device and software.

Lost, damaged or stolen scanners as well as malfunctions, connectivity problems and software problems should be reported immediately to TIS by sending an email to police_tech@co.pg.md.us or by calling 301-772-4929.

4. Installed Software

The installed software on the mobile AFIS scanner is to be used for its intended purpose in the field. Employees will not tamper with or modify the installed software on the device. Employees issued the devices will be notified by ITD-TIS when software upgrades or changes are mandated.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Standard Operating Procedures Mobile AFIS Scanners

6. AVIATION OPERATIONS
(December 2018)

I. POLICY

The Aviation Section provides an aerial observation platform to assist patrol units, gather intelligence through surveillance, and act as an airborne command and control platform when needed. Airborne units are force multipliers with capabilities that enhance the likelihood of suspect apprehension while simultaneously enhancing officer safety.

II. CHECKLIST (N/A)

II. DEFINITIONS

Chief Pilot: Responsible for keeping the Commander informed of policy, regulations, guidelines, training, certifications, and aircraft operations. Responsible for conducting the pilot training program, act as liaison with the Federal Aviation Administration (FAA), and other airborne law enforcement agencies' chief pilots. Final selection and "signature" authority for Section Pilots-in-Command.

Federal Aviation Administration (FAA): A Department of Transportation agency responsible for civilian aviation safety and makes rules and regulations regarding all flight in the United States of America, and flight conducted by U.S. carriers in foreign lands.

Forward Looking Infrared (FLIR): A passive thermal imaging camera that displays images based on levels of heat.

Guardian: Call sign and reference for all PGPD helicopters (without any associated number)

Instrument Flight Rules (IFR): A set of rules governing the procedures for conducting instrument flight with reference to aircraft instruments only.

Instrument Meteorological Conditions (IMC): Weather conditions expressed in terms of visibility, distance from clouds, and ceiling less than minima specified for visual flight.

National Transportation Safety Board (NTSB): Responsible for aviation accident investigations and industry safety recommendations based on investigative findings.

Pilot In Command: The individual responsible for the operation and safety of an aircraft during flight. Includes all duties associated with flight of a given aircraft and mission. Ultimate authority for decision to launch a mission related to aircraft and weather conditions.

Tactical Flight Officer: Directs tactical operations of aircraft including, direct liaison with PSC and officers on the ground.

Visual Flight Rules (VFR): Rules that govern the procedures for conducting flight with reference to the horizon and ground references.

Visual Meteorological Conditions (VMC): Weather conditions expressed in terms of visibility, distance from clouds, and ceiling equal to, or better than specified minima.

IV. FORMS (N/A)

V. PROCEDURES

1. PSC Operations

A three color status light located in PSC is used for prompt indication of air support status:

- Red - Indicates Guardian is out of service
- Amber – Indicates Guardian is in service
- Green – Indicates Guardian is in service and airborne

The aircrew will notify PSC for status changes either by telephone or, if airborne, by radio. The aircrew will notify the reason for the Out of Service (i.e., Red Status - weather, maintenance, or end of watch).

PSC supervisors must be notified by channel dispatchers that air support has been requested. Supervisors will ensure all channels have been checked and that the Aviation Section has been telephoned prior to stating Guardian is not available. There are rare cases when air support is available but is not initially contacted. Supervisors should attempt telephone contact of the Aviation Section again if the status shown is Amber. Examples are refueling operations, where radio transmissions are prohibited, or the aircrew is at a public display or event.

2. Aviation Section Response

It is the Aviation Section's standard to select response over non-response on questionable calls for service when requested. This is particularly true when Guardian is already airborne on patrol or in a Green status. When Guardian is in an Amber status and not already airborne it is critical that flight hours are used in the most effective and efficient means. Officers should ensure calls for service would warrant an effective use of air support prior to requesting Guardian. Time since occurrence, extent of suspect lookout information, vehicle information, and confirmation of a crime or incident, are all factors to consider.

3. Inclement Weather

The Commander of the Aviation Section approves weather minimums recommended by the Chief Pilot. These minimums are selected based on FAA regulations, geography of the County and surrounding area, and the IFR equipment available in the aircraft. In order to provide effective service as an observation platform, the aircrew must operate in VMC under VFR. It is not prudent and often not legal to fly in IMC when the mission of the Aviation Section is visual observation.

In order to preserve municipal agreements and ensure the safety of aircrews, when Guardian is out of service due to weather, Officers and PSC will not seek airborne assistance from another agency.

4. Ultimate Authority for Flight

The FAA mandates that the Pilot-In-Command is the person who has the final authority for flight, and is responsible for safe flight operation. The FAA establishes regulations and has the authority to sanction pilots based on their actions and judgment. A pilot's decision to fly is based on the status of an aircraft and weather. No other person, including another pilot, has the legal authority to override a Pilot-In-Commands' decision whether or not to fly.

5. Use of Other Agency Aircraft

The use of other agency's aircraft is only appropriate for times when Guardian One is out of service for reasons other than

weather, such as maintenance. Officers should consider the likelihood of apprehension based on conditions, an established perimeter, and the quality of the lookout needed for an aviation asset to be an effective tool. Officers should avoid requesting aviation support from any agency without assessing the potential effectiveness. An example of a call where aviation support is likely to be unsuccessful, is a citizen robbery in an apartment complex that is over 45 minutes old.

6. Proper Terminology

Proper terminology is critical to avoid misinterpretation by officers, other personnel, and individuals monitoring radio transmissions. In the aviation industry, the term "down" refers to an aircraft that has had an incident, accident, or is missing. The proper terms for aircraft service status are "In Service" or "Out of Service." Officers and PSC dispatchers will avoid using the term "down" for any other reason than to indicate an aircraft accident or landing that was not planned.

7. Procedures for Departmental Aircraft Incident or Accident

In the event of an aircraft incident or accident, it is imperative that accurate information flows to the appropriate individuals in the Department. The Aviation Section Standard Operating Procedures and Incident/Mishap Plan detail the appropriate response and investigation of Departmental aircraft incidents or accidents. Copies of these plans are kept at PSC, Bureau of Patrol, SOD, and the Aviation Section. At a minimum, in accordance with this plan, the following individuals will be notified: Commander SOD, Assistant Commander SOD, Commander Aviation Section, Aviation Section Supervisor, Chief Pilot, Aviation Maintenance Officer, and Aviation Safety Officer.

8. Procedures for Non-Departmental Aviation Accidents in the County

In the event of an aviation accident inside the County, the first officers on the scene will secure the location and render life saving measures as necessary. It is critical that evidence is not disturbed for reasons other than the preservation of life. The Aviation Section will be notified by PSC in order to provide assistance to the investigation and make proper notifications to the FAA and NTSB. The ultimate authority to investigate aviation accidents lies with the FAA and NTSB. The Aviation Section will render assistance and liaison with the FAA and NTSB in order to facilitate their investigation.

9. Small Unmanned Aerial Systems (UAS-Drone) Operations

The Special Operations Division, Aviation Section manages any and all UAS (drone) operations. In order to protect and preserve the Prince George's County manned airborne law enforcement program and its reputation with the FAA and TSA, it is critical that waivers, standard operating procedures, polices, and agreements are established properly.

The Aviation Section is the proponent for training, maintenance, and utilization for Prince George's County. The Aviation Section has a FAA approved, established UAS SOP, training, and maintenance manuals. In addition, UAS operations have been added to the National Capitol Region Coordination Center (NCRCC) Flight

Waiver with the FAA and TSA for Prince George's County.

Training and UAS operations are not limited to members of the Aviation Section. Units selected and authorized to conduct UAS operations by the Chief of Police, may select authorized members for UAS training. Members of those Units will request UAS training through their Chain of Command to the Commander SOD. The Aviation Section will conduct all UAS training, and maintain a list of authorized and flight current operators.

UAS utilization will be for gathering information or evidence from crime scenes where a crime has already occurred. In addition they may be used to look at small or limited, difficult areas where a manned flight may not be useful. UAS operations will not be used in emergency situations. The UAS flight waiver notification requirements with the FAA require a lead time in order to notify other manned flight operations.

Requests for UAS operations will be made to the Commander SOD. Similar to all manned flight operations and waiver activation, final launch authority for any UAS mission or flight will lie with the Chief Pilot.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Federal Aviation Regulations (FAR)
- Aviation Regulations (FAR)
- Aviation Section Standard Operating Procedure
- Aviation Section Incident /Mishap Plan

7. CHAPTER REDACTED

8. BICYCLE PROCEDURES
(June 2018)

I. POLICY

Stolen or recovered bicycles shall be handled in accordance with the below procedures.

II. CHECKLIST (N/A)

III. DEFINITIONS (N/A)

IV. FORMS

- Bicycle Registration (PGC Form #730-M)
- Case Record
- Recovered Property Letter (PGC Form #2746)

V. PROCEDURES

1. Bicycle Registration

When a citizen requests to register a bicycle, the officer shall:

- Complete a Bicycle Registration form
- Issue a Registration Decal and the original copy of the Bicycle Registration Form to the citizen
- Instruct the citizen to place the decal where it is visible and secure on the bicycle
- Forward copies two and three of the Bicycle registration to the Records Section

The officer shall inform the citizen that the registration will be purged three years from the date of registration. Re-registration will be required upon expiration.

2. Reporting Stolen Bicycles

An officer receiving a complaint that a bicycle has been stolen shall complete a Case Record. If the make and serial or permanent identifying number are known, the Teletype Unit shall be notified so that the bicycle can be entered into NCIC/ METERS. When entered into a computerized file, other identifying characteristics may also be included.

3. Recovering Stolen Bicycles

Officers shall check the stolen status of recovered bicycles by serial or other identifying numbers. If a bicycle registration sticker is attached, the officer shall contact the issuing agency to determine ownership. If a Prince George's County registration sticker is attached, the Records Section will be contacted.

Owner information, if available, will be placed in the Case Record. Recovery information shall be supplied to the Teletype Unit, if applicable. Officers shall notify the owner of a recovered bicycle in person, via telephone, or by mail.

4. Release of Bicycles

If the officer is able to contact the owner of a recovered bicycle, and they live in the District where the bicycle was recovered, the officer may deliver it to the owner. The officer shall note the return of the bicycle in the Case Record.

If the owner cannot be contacted or lives outside of the District, the bicycle will be placed in storage.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 82.2.1, 82.2.2, 84.1.1

9. BODY WORN CAMERAS
(January 2023)

I. POLICY

It is the policy of the Department to utilize Body Worn Cameras to enhance police service by accurately documenting events, actions, conditions, and statements made during citizen contacts, traffic stops, arrests, and other incidents. It will be the responsibility of the Internal Affairs Division (IAD) to oversee all usage issues regarding the Body Worn Camera program. Officers issued a Body Worn Camera shall use the device in accordance with the provisions of this policy and all local, state, and federal laws, while on-duty and during any overtime and secondary employment activities.

Body Worn Cameras can provide value to law enforcement by:

- Increasing convictions for criminal and traffic violations
- Increasing officer safety
- Reducing complaints and false accusations
- Providing training materials for annual in-service and remedial training
- Evaluating an officer's performance
- Enhancing public trust in the Department

II. CHECKLIST (N/A)

III. DEFINITIONS

Body Worn Camera (BWC): A camera worn on an individual's person that records and stores audio and video

BWC Coordinator: Personnel assigned by the Chief to oversee BWC duties

BWC Technician: Personnel trained in use, copying, storage, and evidence procedures related to BWCs

Mobile Video System (MVS): A camera system permanently installed inside of a police vehicle designed to capture video and/or audio occurring in front of the vehicle and/or inside of the passenger compartment during situations like prisoner transports. This is different than body worn cameras being worn inside of a vehicle. (***See***: **VOLUME I, CHAPTER 26. MOBILE VIDEO SYSTEM)**

Police Action: Includes, but is not limited to, traffic stops, field stops, calls for service, and providing assistance to stranded motorists and other persons in distress

Shift: the basic hours of work per day, which an employee is scheduled to work on any day, and of which they have been advised in advance

Supervisor: Personnel holding the rank of Sergeant and above, or a Corporal formally appointed in writing as an officer in charge (OIC) of a Departmental component

Tour of Duty: The period of time, including all days which an employee is scheduled to work during their work week, of which they have been advised in advance

IV. FORMS

- BWC Failure to Record Activity/Accidental Recording Notification/Deletion Request Form
- BWC Inspection/Malfunction Report
- BWC Log Sheet drive
- Case Record
- Consent to Search Card
- Consent to Search Form (PGC Form #4622)

V. PROCEDURES

1. Officer's Responsibilities

Prior to being issued a Body Worn Camera (BWC), officers shall successfully complete Departmental BWC training relating to this policy, including:

- Activation and deactivation
- Use, wear, and function
- Reporting and recording classification
- Data uploading, which must be completed before the end of their shift
- Effective notification of recording to persons with special needs or limited English proficiency

Officers shall only wear Department-issued BWCs. The BWC shall be worn center mass, affixed to their uniform shirt or outermost garment. Officers should endeavor to ensure that there are no articles of clothing or other objects that could block or obstruct the BWC while it is in use. If an officer has been issued a BWC, it must be used while on-duty, off-duty working secondary employment, or during any overtime assignment.

Officers shall wear their issued BWC throughout their entire shift and shall maintain the BWC in a constant state of operational readiness. If an officer's BWC fails to properly operate at the start of or at any point during the officer's shift, the officer shall immediately notify their Supervisor. If a Supervisor receives notification that a subordinate's BWC is not operating properly, the Supervisor must document such information prior to the end of their shift. Further, in the event an officer's issued BWC is inoperable, the officer's Supervisor shall direct the officer to immediately respond to ITD or when it is next open for business to obtain a replacement BWC.

Officers shall ensure they begin their shift with a fully charged BWC that does not contain data from a prior shift. Officers shall perform a function test of their BWC, according to the manufacturer's recommendation, prior to beginning each

shift to ensure the following:

- The battery is fully charged
- Adequate storage is available
- When activated, the BWC records both audio and video

Officers will activate their BWC immediately upon being dispatched to a call for service, or upon taking any police action. If an officer is unable to activate the BWC at the initiation of a call for service or police action, activation shall occur at the first reasonable opportunity to do so. When determining whether it is feasible to activate one's BWC, the officer's safety and the safety of others shall be the primary consideration, not merely the ability to record the event at a given time.

All recordings associated with BWCs are the sole property of the Prince George's County Police Department.

If exigent circumstances arise, early cars are permitted to go in service without their BWCs. Officers shall respond and retrieve their BWCs as soon as practicable or have their BWCs brought to them in the field when feasible to do so.

Notice of BWC Recording

When practicable, officers shall inform subjects that they are being recorded at the beginning of the contact (*e.g.*, "Ma'am/Sir, I

am advising you that our interaction is being recorded."). This notification is satisfied even if another individual becomes a party to the communication after the initial notice has been provided.

The BWC must be activated prior to a consent search being conducted of a person, place, or object. The officer must read the consent to search statement aloud, so that it can be recorded. The consent search recording must also include:

- Date
- Name of person giving consent
- Confirmation that they have been given the right to refuse the search
- The type of investigation
- Description of the location of the search

With some exceptions, citizens do not have a reasonable expectation of privacy when talking with police officers during the scope of an officer's official duties, even when the contact is inside a private residence. Officers are not required to initiate or cease recording an event, situation, or circumstance solely at the demand of a citizen. Officers are authorized to withhold the above notification when, in their best judgment, making the notification would be unsafe, impracticable, or if doing so would interfere with the officer's objective (*e.g.,* engaged in a foot pursuit).

Ability to Record

It is lawful for a law enforcement officer in the course of the officer's duties to intercept an oral communication with a BWC if:

- The officer is in uniform or prominently displaying the officer's badge
- The officer is making reasonable efforts to conform with this policy
- The officer is a party to the oral communication
- The officer notifies the individual, as soon as practicable, that they are being recorded, unless it is unsafe, impractical, or impossible to do so
- The oral interception is being made as part of a videotape or digital recording

2. Required Uses

BWCs shall be activated at the initiation of any dispatched call for service, or upon taking any police action. Officers shall use BWCs to record initial interviews of victims, complainants and witnesses.

An officer must activate their BWC in addition to their MVS camera when placing a citizen into the officer's cruiser for any reason. The use of a BWC does not eliminate the required use of the MVS in the cruiser. (***See***: **VOLUME I, CHAPTER 26. MOBILE VIDEO SYSTEM**, Section 2. Required Uses).

The BWC and MVS camera shall remain in operation simultaneously until the citizen is removed from the vehicle. If circumstances require a Case Record to be written, the fact that a BWC was utilized must be appropriately documented.

School Resource Officers issued a BWC shall use the device in accordance with General Order Volume II, Chapter 9, as well as all Local, State, Federal and Prince George's County Public School's laws, rules and/or policies.

Identification During Traffic and Other Stops

Absent exigent circumstances, at the commencement of a traffic stop or other stop, officers must (1) display proper

identification (i.e., badge or work ID) to the stopped individual and (2) provide specified identifying information regarding the officer and the reason for the traffic stop or other stop. Specific identifying information shall

include, but is not limited to:

- Rank
- Last Name
- ID Number
- Duty Assignment
- Agency Name

If the violator is being recorded by MVS or BWC, the officer will advise the violator that they are being audio/visually recorded.

An officer's failure to comply with the requirements (1) may be grounds for administrative disciplinary action against the officer and (2) may not serve as the basis for the exclusion of evidence under the exclusionary rule.

Officers may not prohibit or prevent a citizen from recording the officer's actions if the citizen is otherwise acting lawfully and safely.

3. Exceptions

Deactivation of a BWC may be appropriate when a victim, witness, or another person wishes to make a statement or share information but refuses to cooperate unless recording ceases, and, in the officer's discretion, the need for cooperation from the person outweighs the need to record the information. Officers shall give a verbal justification prior to the deactivation of the BWC and document the reason(s) for deactivation in any subsequent reports related to the incident. Officers then may turn off the camera to obtain the statement. Officers may also turn off the camera any time recording an incident reasonably could risk the safety of a victim or witness, confidential informant, an undercover officer, or another person.

Use of Force Reviews with Supervisor

Deactivation of a BWC should be conducted prior to an involved officer providing any description of events to the reviewing Supervisor. Both the involved officer and the reviewing Supervisor shall give a verbal justification prior to the deactivation of the BWC, i.e., "BWC is being temporarily deactivated for the purpose of a use of force review" and document the reason for deactivation in any subsequent reports related to the incident. Following the involved officer's description of events to the reviewing Supervisor, both the involved officer and the Supervisor shall immediately reactivate their BWC's.

4. Prohibited Activities

Officers shall not participate in the following activities:

- Destroying, disseminating, editing, altering, modifying, tampering with, or otherwise using BWC recordings without the written permission of the Chief of Police or their designee. Officers who tamper with BWC recordings shall be subject to an internal investigation, discipline to include termination and possible criminal prosecution
- Removing, dismantling, duplicating, or tampering with any hardware or software component or part associated with BWCs or related applications
- Copying, re-recording, self-recording, or downloading a BWC recording, to an unauthorized device, without written

approval from the Chief or their designee
- Sharing BWC recordings, or copies of these recordings, outside the scope of the officer's official duties
- Deleting any BWC recordings
- Using Departmental BWC equipment and recordings for personal use
- Recording conversations of officers without their knowledge during routine, non-enforcement related activities
- Recording gratuitous or obscene images, such as the effects of extreme violence or injury, unless necessary for evidentiary documentation or unavoidable within the officer's course of duty
- Recording a particular person based solely on the person's race, color, religion, national origin, sex, age, marital status, personal appearance, sexual orientation, gender identity or expression, homelessness status, any physical or mental disability, political affiliation, or any other protected class as provided under State or Federal law.
- Recording in places where a reasonable expectation of privacy exists, such as hospital rooms, locker rooms, or restrooms, unless the activation is required for the performance of official duties
- Intentionally or willingly recording confidential informants or undercover officers
- Using any other electronic device or other means to intentionally interfere with the capability of the BWC
- Posting recordings to any social media site, unless approved by the Chief or their designee
- Searching without cause for policy violations in order to initiate disciplinary actions against an officer
- Recording inside of the Prince George's County Department of Corrections facilities and/or Regional Prisoner Processing sites
- Recording inside of Prince George's County or Federal Courthouse facilities
- Watching another officer's BWC recording without permission from the officer's Supervisor or the IAD Commander

Exceptions include:

- Commanders and Supervisors who are authorized to review officers' BWC recording for oversight or training purposes
- Detectives when the BWC recording is related to criminal investigations in which they are participating and reviewing other officers' recordings is necessary to thoroughly and effectively complete the investigation and/or subsequent prosecution and
- Technical staff and other employees who are required to review recordings in order to carry out their employment duties

5. Failure to Record Activity

Officers failing to record activities shall document such omissions on the BWC Failure to Record Activity Notification Form and shall forward it through their chain of command to the BWC Coordinator. If an officer fails to record activity due to a BWC malfunction, they shall immediately report the malfunction to a Supervisor. Failure to Record Activity Notification Forms citing inoperable or malfunctioning equipment must be accompanied by completed BWC Equipment Inspection/ Malfunction Reports. Officers shall submit notification forms to their Supervisors prior to the end of their shift.

The affected officer's Supervisor and Commander/Manager shall review and sign the BWC Failure to Record Activity Notification Form before forwarding them through their chain of command to the BWC Coordinator.

Failure to Record Activity Notification Forms shall be maintained by the BWC Coordinator for three years and six months.

6. Accidental Recordings

In the event of an accidental activation of the BWC in which the resulting recording has no investigative or evidentiary value, an officer must submit a Body Worn Camera Recording Deletion Request to their immediate Supervisor. On this form, the officer must clearly state the circumstances surrounding the accidental activation. If the recording is known to include bathroom usage, nudity, or other compromising situations, it should be reviewed by a same sex officer. Approved requests shall be forwarded through the Chain of Command to the Chief of Police for final approval. Upon the Chief's final approval, the BWC Coordinator shall review all accidental recordings and determine whether or not the recording had an official purpose. Recordings deemed by the BWC Coordinator to hold no official purpose shall then be deleted.

A copy of the Body Worn Camera Recording Deletion Request shall be maintained by the BWC Coordinator for three years and six months.

7. BWC Deactivation

Once recording with a BWC has been initiated, an officer shall not deactivate the BWC until one of the subsequent acts has occurred; further, when appropriate, the officer shall verbally state one or more of the following:

- The event or encounter has fully concluded
- The officer has left the scene and anticipates no further involvement in the event
- The officer is no longer engaged in a related enforcement or investigative activity
- An involved person refuses to cooperate unless recording ceases, and in the officer's discretion, the need for cooperation outweighs the need to record the information
- To protect the safety of a victim or witness, undercover officer, informant, or another person.

Use of Force Reviews with Supervisor

Deactivation of a BWC should be conducted prior to an involved officer providing any description of events to the reviewing Supervisor. Both the involved officer and the reviewing Supervisor shall give a verbal justification prior to the deactivation of the BWC, i.e., "BWC is being temporarily deactivated for the purpose of a use of force review" and document the reason for deactivation in any subsequent reports related to the incident. Following the involved officer's description of events to the reviewing Supervisor, both the involved officer and the Supervisor shall immediately reactivate their BWCs.

8. BWC Recording Classification

Officers shall use the classification mechanism on the BWC System to tag recordings with one of three designated classification options: (1) traffic stops and

other officer-initiated action (C1); (2) calls for service (C2); or (3) accidental recording and deletion requests (C3). Officers are responsible for designating all BWC data to correspond with the classification set included in this section prior to the end of their shift.

Classification C1 - Traffic Stops and Officer-Initiated Action:

Any police-initiated action in which an officer stops a vehicle for a moving or equipment violation, or any field stop or other police-initiated action in connection with a suspected violation of criminal law. In addition, any incident in which an officer is flagged down to handle any potential crime in progress or welfare check while on routine patrol.

Classification C2 - Calls for Service:

All calls for service assigned to any officer, including but not limited to routine calls for assistance and calls in which a crime is reportedly in-progress.

Classification C3 - Accidental Recording and Deletion Requests:

In order for any recording to be deleted, a formal request must be forwarded through the chain to the Chief of Police. A deletion of the recording shall be considered only upon the authorization of the Chief of Police. ***See:*** **Section 15. Deletion of BWC Recordings**

9. Supervisor's Responsibilities

Supervisors must ensure that officers utilize BWCs according to policy guidelines.

Supervisors shall periodically conduct random reviews of BWC recordings to ensure that all devices are functioning correctly. Supervisors are required to conduct at least one (1) monthly inspection/review of each BWC utilized by an officer under their respective command.

During the review, Supervisors will ensure that:

- The BWC is operating properly and accurately records both audio and video
- A BWC Inspection/Malfunction Report is completed
- Officers' performance complied with Departmental training and policy
- They randomly select at least one (1) audio and video transmission to review for each assigned officer.
- The Chief of Police or their designee may authorize additional reviews/audits at any time

If an officer is involved in an incident that requires the Special Response Section (SRS) to respond to the scene, the Supervisor shall ensure that the BWC is turned over to the appropriate SRS investigator for processing and uploading.

Supervisors of officers who have been assigned BWCs with cruisers that do not have docking stations, must sign-in and sign-out those officer's BWCs on the BWC Log Sheet. In the event that a Supervisor determines, as a result of operational necessity, that a field roll call is warranted, the Supervisor can deliver the BWCs to these officers in the field as soon as practicable. At the end of the shift, Supervisors may collect the officers' BWCs in the field and return them to the docking station after completing the BWC Log

Sheet. Before ending their shifts, Supervisors will ensure that all BWCs utilized by their personnel are docked for data upload and re-charging.

10. Review of Recordings

The review of digital data may be made by:

- A Supervisor, for the purpose of:
  - Conducting an investigation
  - Monitoring a subordinate's professional conduct and/or performance
  - Training
  - Incident Critique
  - Policy Review
  - When deemed to be in the best interest of the public, the Department, or the officer
- Officers of the Internal Affairs Division (IAD) in official capacity
- Officers of the Crime Scene Investigation Division (CSID) for investigative purposes
- PGPD Training and Education Division, for training purposes
- State's Attorney's Office, State Attorney General's Office, United States Attorney's Office or other prosecutorial entity in official capacity
- Office of Law
- Inspector General
- The President of the FOP 89 or their designee in official capacity as union representative
- Members of the public pursuant to MPIA requests
- Maryland State Attorney General's Independent Investigation Division (IID), for investigations concerning officer-involved fatalities

Officers may view their own video recording, or another officer's recording, to assist in:

- Writing complete and accurate reports involving critical incidents
- Court preparation
- Review of prosecution evidence
- Statement of charges

Officers who are involved in a use of force, in-custody death, or are the subject of a criminal or administrative investigation shall be allowed to view their assigned BWC recording related to the incident or investigation prior to completing and submitting any required reports and being interviewed by the appropriate investigative unit, in accordance with IAD investigative procedures. The viewing will only be allowed at the conclusion of the criminal investigation and prior to their administrative interview.

The ability of an officer to cross-review any other officer's BWC recording shall be determined by the officer's Supervisor, or the Commander, IAD.

Supervisors must review the BWC recordings of an officer when:

- An officer is injured during the performance of their duties
- There is a use of force by the recording officer or another officer
- The Supervisor receives a complaint against an officer during the shift.

In the above instances, the Supervisor shall ensure the immediate upload of the officer's BWC once the Supervisor has completed the necessary reports and no longer needs the recording to assist in the preparation of any required reports.

Additional Considerations

- A BWC recording of a constitutionally protected activity may not be used to

identify persons present at the activity who are not suspected of being engaged in illegal activity or in need of assistance
- Stored BWC video and audio data may not be
  - used to create a database or pool of mugshots
  - used as fillers in photo arrays
  - searched using facial or voice recognition software (this does not prohibit using recognition software to analyze the recording of a particular incident when a supervisory law enforcement officer has reason to believe that a specific suspect or person in need of assistance may be the subject of a particular recording)
- As long as the reviewing of a BWC recording, as determined by the Attorney General or local States Attorney, does not impact the integrity of an investigation or negatively impact a criminal investigation, the recording may be reviewed by medical or mental health professionals consulted by the law enforcement agency for the limited purpose of addressing the officer's medical or mental health needs resulting from a critical incident

11. BWC Technical Responsibilities

The Information Technology Division in coordination with the Public Safety Communications Mobile Technology Center is responsible for:

- Maintaining and troubleshooting the BWC units
- Completing minor repairs to BWCs
- Arranging for the warranty and non-warranty repair of the BWC units
- Repairing or replacing BWC components (cameras, docking stations, etc.)
- Maintaining BWC equipment repair and maintenance records
- Training officers on the proper use of BWC units

The Internal Affairs Division is responsible for:

- Maintaining a record of assigned BWCs and related equipment
- Updating software and system settings as necessary
- Maintaining access to uploaded recordings from all BWCs
- Retaining an unedited original version of stored BWC recordings
- Maintaining security and access control of all BWC recordings
- Maintaining a log anytime BWC recording is viewed, for what length of time and by whom, as well as any copying or editing

12. Retention, and Security of BWC Recordings

The Department shall archive BWC recordings according to the following retention schedule:

- BWC recordings and transmissions that are not evidence are retained three years and six months
- BWC recordings and transmissions that are evidence and not related to a homicide are retained five years
- BWC recordings and transmissions capturing evidence in a homicide are retained seventy-five (75) years

Access to BWC recordings shall not be shared with any member of the media unless

authorized by the Chief of Police or their designee.

13. Release of BWC Recordings

BWC Recordings of Officer-involved Death or Potential Death of Citizens

The Maryland Attorney General's Independent Investigation Division (IID) will lead the investigation of all alleged officer-involved deaths or potential deaths of citizens, to include shootings, pursuits and in-custody deaths. BWC recordings that potentially captured any aspect of such encounters, including recordings from before and after the incident shall be secured and turned over to IID personnel. Release of BWC recordings for incidents investigated by IID, will be at the discretion of IID.

Department Release of BWC Recordings

Barring unforeseen circumstances or circumstances beyond the Department's control, the Chief of Police may within five (5) business days after a serious use of force, excluding IID investigated incidents, publicly release the names and BWC recordings of all officers who committed the serious use of force.

A serious use of force may include, but is not limited to:

- All firearm discharges by an officer with the exception of range and training incidents, and discharges at animals
- All uses of force by an officer resulting in a serious physical injury
- All head strikes with an impact weapon
- All uses of force by an officer resulting in a loss of consciousness, serious disfigurement, disability or impairment of the functioning of any body part or organ
- All incidents where a person receives a bite from a Prince George's County Police canine
- All uses of force by an officer involving the use of neck restraints or techniques intended to restrict a subject's ability to breath

The release of a BWC recording of a serious use of force incident shall occur at either a news conference, or media availability session, with a subject matter expert and the Chief of Police or their designee and a member of the Media Relations Division present to provide context and a chronology of the event. BWC recordings may also be released on an online platform. BWC recordings will not be released for commercial, non-law enforcement, or non-journalistic purposes.

In consultation with the State's Attorney's Office, the Department will attempt to make notifications 24 hours prior to the public release of BWC recordings of a serious use of force incident, when possible, to:

- Civilian subject(s) of police action, or next-of-kin, if deceased, or parent/ guardian, if subject is a juvenile,
- Legal counsel representing subject
- Involved employees readily identifiable
- Bureau and/or Division Commanders,
- FOP 89 and other unions, as appropriate, and
- Other official agencies involved in such incident or investigation to include the prosecuting authority

Prior to the release of BWC recordings, consideration will be given to privacy rights, including an assessment of whether BWC recording depicts:

- The interior of residences and other places where there is a reasonable expectation of privacy
- Intimate images
- Images of a member of the service or private citizen receiving medical attention
- Images of a serious physical injury or a deceased individual, and/or
- The location of a domestic violence program

Any public release of BWC recordings may be redacted in order to:

- Comply with federal, state, or local law governing disclosure of records or existing Department procedures
- Protect confidential sources and witnesses
- Protect a person's right to a fair trial,
- Protect the identity of victims of sex crimes, domestic violence and juveniles,
- Protect the privacy, life or safety of any person, and/or
- Avoid undue trauma due to explicit or graphic content

In the interests of transparency, BWC recordings of a critical incident may be shared without redaction with the media, subject to the privacy considerations listed above, as authorized by the Chief of Police.

Public release of BWC recordings may be delayed, or in some cases, the Department may forego public release, in order to:

- Comply with a court order or restraining order preventing release of such recordings, or
- Comply with federal, state, or local law governing disclosure of records or existing Department procedures.

14. BWC Recording Redaction and Reproduction

- All Maryland Public Information Act (MPIA) requests for production of BWC recordings will be sent to the Office of Law.
- 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 (involving officer misconduct), the Department will share BWC recordings with the prosecuting authority by the end of the next business day. In the event that SRS opens an investigation of a use of force incident by an officer, the BWC recording shall immediately be provided to the prosecuting authority.
- BWC recordings requested by the public under the Maryland Public Information Act (MPIA) or subpoenaed by any party will be categorized as:
  - Publicly Releasable - Released to any member of the public subject to public redaction requirements
  - Person In Interest Releasable - Releasable to a Person in Interest subject to individual redaction requirements
  - Non-Reasonable - Recordings that cannot be released at the time of the request in accordance with legal requirements NOTE: The prosecuting authority/legal counsel 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, except 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, a BWC recording 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 recording posted to the Department's public-facing, official website will be provided.

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, except where prohibited by law
- Has final authority regarding duplications, redaction, release, and deletion of BWC recordings

Public Release

Public release of BWC recordings in accordance with this policy may be delayed, redacted, edited, or in some cases, the Department may forego public release, in order to:

- Comply with federal, state, or local law governing disclosure of records or existing Department procedures
- Protect confidential sources and witnesses
- Protect the rights of the accused (i.e., protect the right to a fair trial)
- Protect the identity of victims of sexual assault, victims of domestic violence, and juveniles
- Protect the privacy, life, or safety of any person; and
- Protect the location of victims and/or witnesses

Absent a Formal Request

Absent a formal request, the Chief of Police may release videos of:

- Any high-profile incident that garners significant public interest or concern and/or
- Any incident in which the Chief of Police determines the release of BWC recordings will help enforce the law, preserve the peace, protect people, and/or maintain order
- Positive actions/interactions involving Department members

Release of BWC recordings will always:

- Be done in consultation with the prosecuting authority and/or legal counsel

EXCEPTION: When videos are unilaterally released by the Chief of Police for public safety.
- 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

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 the BWC recording 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 the BWC recording before it is publicly released.

Prior to the release of BWC recordings, consideration will be given to privacy rights including an assessment of whether the BWC recording depicts:

- Interior places of residences and other places where there is a reasonable expectation of privacy
- Intimate or graphic images
- Images of a person receiving medical attention
- Images of a serious physical injury or a deceased individual
- The location of a domestic violence program
- Information that might reveal the identity of a victim of a sexual assault
- Images of juveniles and/or
- Any other images/information that should not be released, as directed by the Chief of Police.

BWC recordings will not be released for commercial, non-law enforcement, or non-journalistic purposes.

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 recordings will be posted to the Department's public-facing, official website for 30 days, after which it may be removed.

The posted BWC recording:

- May include redactions of faces or other identifying information of involved parties
- May be a reflective sample and/or compilation of available BWC recordings; and
- Will be subject to all restrictions noted in this policy.

15. Deletion of BWC Recordings

All request for deletion of BWC recordings will be forwarded through the chain of command to the Chief of Police. The Chief of Police may consult with the prosecuting authority, legal counsel, and any other entity that the Chief deems appropriate.

16. Practitioners Steering Committee (PrSC)

The Practitioners Steering Committee (PrSC) was formed as an advisory committee to oversee the purchase and use of public safety body worn cameras. In addition, the committee is in place to ensure that the major financial investment in this program is managed correctly and to avoid unnecessary spending while maintaining appropriate inventory. The committee consists of operational and technical representatives appointed by the Directors from each participating agency as well the

Sheriff and State's Attorney's Office (Appointing Authorities).

The purpose of the PrSC is to advise the appointing authorities on matters pertaining to the purchase, implementation, use, and management of BWCs.

The PrSC will meet on a bi-weekly schedule. Normally the meeting will occur on the second and fourth Thursday of each month at 1530. Normally, the meetings will occur online via "Microsoft Teams," but may also be held in person. There may be a situation that will require an emergency meeting, if so that meeting will be set by the Chair of the PrSC.

Committee members include representatives from:

- Police Department
- Office of the Sheriff
- Department of Corrections
- Office of Homeland Security/Public Safety Communications
- Office of Information and Technology
- State's Attorney Office
- FOP 89
- The Chair of PrSC may add additional members at their discretion

VI. AUDITS

As directed by the Chief of Police, the Internal Affairs Division and the BWC Coordinator will conduct regular audits of BWC recordings. The Inspector General may conduct audits as they deem appropriate.

VII. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Annotated Code of Maryland, Public Safety Article, § 3-511
- Annotated Code of Maryland, Courts and Judicial Proceedings Article, § 10-402 (c)(11)
- Maryland Public Information Act, Annotated Code of Maryland, General Provisions Article, § 4-101, et seq.
- Maryland Annotated Code, State Government Article, § 6-602
- Senate Bill 71

10. CHAPTER REDACTED

11. RESPONDING TO CALLS FOR SERVICE & ESCORTS
(May 2025)

I. POLICY

The Department's goal is to respond quickly and safely to all calls for service. Employees shall drive with due care, exhibit exemplary driving behavior, and wear their seatbelts while operating Departmental vehicles. Employees shall respond to calls consistent with the provisions of this directive. Only vehicles equipped with emergency equipment shall operate priority.

II. CHECKLIST (N/A)

III. DEFINITIONS

Escort: Accompanying of a vehicle, leading or following, in order to provide for its safe and timely movement

Priority Response: When the driver of an emergency vehicle operates the vehicle with its emergency equipment (lights and siren) activated to respond to an emergency or pursue a violator/suspected violator of law; when operating priority, the driver of an emergency vehicle is authorized to disregard certain provisions of the Vehicle Law (pursuant to Section 21-106 of the Maryland Transportation Article)

Routine Response: A non-emergency response in which the operation of the police vehicle is in conformance with all traffic laws

Interested Party: A health care practitioner or other interested person who has sufficient information regarding another individual's health-related condition or circumstance that represents a safety concern

Qualified Request: An oral or written request that includes credible information regarding a specific safety concern (e.g. medical, psychological, or other risk factors)

Wellness Check: An in-person visit by a law enforcement officer concerning the well-being of an individual

IV. FORMS (N/A)

V. PROCEDURES

Responses to calls for service are classified as priority or routine. The first officer on the scene of an incident will notify the PSC dispatcher if a change in response classification is appropriate.

Employees who are advised to cancel their response shall do so immediately. Any employee unable to immediately notify PSC of their presence on an incident scene shall do so as soon as practical.

1. Classifications & Dispatch Status

All life-threatening calls will receive a priority response classification and a primary dispatch status.

The following shall receive a priority response:

- Major incidents in-progress or that have just occurred
- Incidents when a suspect may be on the scene

Examples are, officer-in-trouble calls, homicides, robberies, sex offenses, suicides, and hit-and-run accidents with injuries.

The PSC Supervisor may assign a unit from an adjacent Sector or Division to handle a call for service when delays occur.

Employees receiving calls for service at a Division Station will prioritize the call based on the conversation with the complainant. If the employee has any doubt concerning the exigent nature of the incident, the doubt will be resolved in favor of the higher priority.

Initial Response to Priority Incidents

Primary units are those officers assigned to the call; their response shall be directed by PSC. Other employees will respond routine as backup, unless directed otherwise.

The first officer to arrive on scene shall immediately notify PSC if changes in response classification or additional units are necessary. PSC will determine which units will respond and their response classification.

When an on-scene officer advises that additional officers are not required, those officers shall not respond to the scene and will go in service.

This Section Redacted

2. Priority Response

(Transportation Article, Sections 21-106 & 21-405)

Although the Department does not place a speed restriction on employees when they are responding priority, it is vital that they arrive safely at the scene of an incident in order to render assistance. As a result, employees shall exercise due care and operate their vehicles in a reasonable manner.

Employees responding priority to an incident shall activate their emergency lights and siren and ensure that the mobile video recording equipment and body worn camera are activated, if available.

Employees operating priority shall consider the following when deciding whether or not certain police privileges allowed during a priority response are applicable:

- The urgency of the incident
- Public and employee safety
- Environmental factors

Officers shall not deviate from provisions of the vehicle law beyond the extent necessary to respond safely to an incident and are responsible for their actions.

Whenever any employee operates priority, they shall inform PSC as soon as possible. Priority response may be initiated prior to notification if justified by the circumstances.

Employees responding priority shall not proceed through any intersection or against the direction of traffic signals or traffic control devices without first slowing or stopping. Employees shall ensure that they do not drive with reckless disregard for the safety of other road users. Employees shall ensure that they are in a clear position to see that no other vehicles or pedestrians will be encountered. Employees shall not enter any controlled intersection at a high rate of speed.

Under no circumstances shall an employee operate their vehicle at a speed so great as to render the vehicle uncontrollable, thereby endangering their life or the lives of others.

Officers shall notify the dispatcher prior to commencing any escort.

The Motors Unit is available to provide guidance to commercial escort companies.

Funeral Escorts

SOD will accept funeral escort requests for police employees (retired, active duty, line of duty deaths). Other funeral escort requests will be evaluated on a case-by-case by the Commander, SOD.

Priority Response Escorts

Priority escorts of non-emergency vehicles are prohibited. If a medical emergency exists officers should, notify PSC to request Prince George's County Fire/EMS to respond and treat and/or transport the person in medical distress.

Shift Commanders may authorize a priority escort of emergency vehicles described in the Maryland Vehicle Law Section 11-118 or other vehicles actively transporting lifesaving materials in emergencies.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 41.2.1, 41.2.2, 61.3.3, 81.2.5, 81.2.7

Governing Legislation:

- Transportation Article, Sections 11-118, 19-103, 21-106 & 21-405
- Courts & Judicial Proceedings Article 5-639

Reference:

- Court of Special Appeals ruling in the case *Mayor and City Council of Baltimore v. Michael Lee Hart* (September 2005)
- Public Safety Communications SOP
- Special Operations Division, Motors Unit SOP
- Prince George's County Police Department Funeral Protocol

12. CANINE OPERATIONS
(September 2022)

I. POLICY

The policy of the Prince George's County Police Department is to utilize canine teams to assist officers in the performance of their duties. When utilized, canine teams will operate in accordance with constitutional provisions and federal, state, and local laws.

The Canine Section provides 24-hour coverage.

II. CHECKLIST (N/A)

III. DEFINITIONS

Apprehension: When a canine team is involved in an arrest, an apprehension is defined as follows:

- ***Seizure:*** When a canine makes physical contact with a subject
- ***Non-Seizure:*** When a canine's presence alone is instrumental in the arrest of a subject

Contact: Any touching of a person by a canine, including, but not limited to, nudging, pawing, biting (including subject's clothing), which may or may not require medical treatment; contact does not include playful or non-aggressive behavior

Canine Handler: An officer who has been certified by a canine trainer to deploy and control a canine

Canine Team: A handler and their assigned canine that has been trained and certified to perform patrol and/or detection functions

Deployment: The use of a canine team to conduct a:

- **Search:** The use of a canine's senses (sight, sound, and/or smell) for the purposes of criminal apprehension, detection, or locating articles
- **Track:** The use of a canine's senses, predominately the sense of smell, in an attempt to locate an individual

Detection: The deployment of a canine team for the primary purpose of using the canine's sense of smell to detect items such as CDS or explosives

Force: Any physical coercion used to effect, influence, or persuade an individual to comply with an order from an officer

Handler-Controlled Methodology: Command-driven approach by which the canine handler is in total control of their canine and gives the canine all commands and direction; canine is not permitted to contact/seize unless commanded to do so

Imminent Danger: Danger that is pending, although not necessarily immediate or instantaneous

Injury: Physical contact between a person and a canine that results in a wound or puncture to the body

Necessary: Absolutely needed, required or logistically unavoidable

Proportional: Corresponding in size, degree, or intensity, or correct or appropriate in size, amount, or degree when considered in relation to something else

Section Commander: A lieutenant responsible for the day-to-day operation of the Canine Section

Shift Supervisor: A sergeant, responsible for the scheduling and management of on- duty handlers

Trainer: A sworn Departmental employee that is MPCTC certified as an instructor, appointed by the Canine Commander

IV. FORMS

- Case Record
- Booking Record

V. PROCEDURES

1. Training

The Prince George's County Police Department carefully selects, trains, and provides continuing training to members of the Canine Section. Each team is certified to a mandated standard of performance and is recertified annually in criminal apprehension and detection techniques. Teams that fail re-certification are removed from service until such requirements are fulfilled.

2. Deployment

Prior to requesting canine, a perimeter shall be established and maintained. Officers may request the services of a canine team without supervisory approval.

If a PGPD canine team is not available, a Supervisor may request the assistance of a canine team from an outside agency. The requesting Supervisor shall not request an outside agency's canine team if the deployment requirements are in violation of PGPD's canine deployment policy.

If an outside agency's canine team deploys in contradiction of PGPD's canine policies, the on scene primary officer will ensure that he or she advises the outside agency's canine team that they are in violation of PGPD's canine deployment policy. This notification shall be documented in a Case Record.

The handler will decide whether or not to deploy the canine when it is necessary and proportional under the totality of the circumstances and based on the capabilities of the canine. In addition, except where specified in the Canine SOP, the handler will determine whether or not to make a warning announcement based on their assessment of the tactical situation. Once deployed, the canine handler has tactical control over the incident scene. All on-scene personnel shall adhere to the canine handler's direction.

Deployment for criminal apprehension shall be approved by a Canine Supervisor. This requirement does not apply when exigent circumstances exist. Supervisory approval is not needed for missing person or detection searches.

When a conflict arises with an on-scene Supervisor regarding the deployment of a canine, or when a Supervisor's request conflicts with the Canine SOP, the handler shall not deploy the canine and shall immediately notify a Canine Supervisor.

When a Canine Supervisor denies the deployment of a canine, only the Commander, SOD may override the Supervisor's decision.

Instances Where Seizures are Permitted

- The suspect poses a risk of imminent danger or officers or others
- The suspect is actively eluding officers after having committed a serious crime as defined in the Canine SOP
- Other reasonable alternatives to apprehend the suspect have been exhausted, or would clearly be ineffective under the circumstances

Additional situations for which canine deployment may be appropriate include, but are not limited to:

- Capture of non-compliant suspects who are armed or reasonably believed to be armed or pose a risk of imminent danger to officers or others
- Searches for suspects wanted for crimes specified in the Canine SOP; examples include: assault, carjacking, murder, rape, and robbery
- Where deployment of a canine would maximize officer safety (i.e., searches that would normally be conducted without a canine)
- Building searches when the suspect is reasonably believed to be armed, suspected of violent offenses, and/or known to be violent
- Missing persons
- Detection searches

Canine teams shall not be used to apprehend individuals who have only committed traffic offenses.

Generally, canines shall not be deployed in searches for known juvenile offenders or persons known or reasonably believed to be mentally ill.

The exception is if the individual is reasonably believed to have committed a crime of violence, is armed with a dangerous weapon, or poses a risk of imminent danger to officers or others.

3. Assistance by Patrol Officers

Before initiating any search or track, the canine handler should select a patrol officer to assist the team as back-up. Excluding exigent circumstances, the handler may request assistance from an adjacent Sector or another canine handler.

The canine handler will brief the patrol officer regarding their responsibilities as back up, including but not limited to:

- Positioning with the team
- Providing cover
- Arrest procedures (including searches and handcuffing)
- Maintaining communications with the perimeter and dispatcher

If the canine team makes an apprehension without back up, officers on the perimeter may be required to assist with the handcuffing of the suspect.

The handler can terminate the back-up officer's involvement in the search if the officer inhibits the performance of the canine team.

All prisoner processing and arrest procedures resulting from canine apprehensions shall be the responsibility of the officer that requested canine assistance.

When a handler observes criminal activity, the handler will request that a patrol officer respond and assist. If an arrest is required,

the patrol officer shall make and process the arrest. If a handler must affect an arrest prior to the arrival of a patrol officer, the patrol officer shall assume custody of the prisoner and process the arrest.

Under no circumstances shall a prisoner be transported in a canine vehicle if the canine is also in the vehicle.

4. Searches and Tracks

Searches by canines are generally conducted off lead. All tracks shall be conducted on lead.

Building Searches

Building searches shall not be conducted unless the owner, occupant, or other responsible party has been contacted and verifies that no one is authorized to be in the building.

Model homes can be searched if:

- There are signs of forced entry, and
- There is property value inside other than major appliances, and
- Contact is made with the owner or the responsible party to verify that no one is authorized to be in the model home

Abandoned properties shall not be searched when renovation tools are the only property of value inside.

Before conducting any building search, a minimum of three officers, in addition to the canine handler, shall be present to secure the building and assist with the search.

School Searches

Per the Canine SOP, before entering a school with their canine, a handler shall ensure that a loud canine warning is given from the exterior.

Once inside the school, the canine handler shall give a second warning. The handler will wait a reasonable amount of time after the second warning to give innocent persons the opportunity to leave the school and/or give suspects the opportunity to surrender. After searching a county school, the handler will ensure that PSC makes notification to School Security personnel in accordance with the Canine SOP.

5. Seizure Procedures

When a canine apprehends a suspect by seizure, the handler will remove the canine as soon as it can be done safely.

6. Reporting and Investigation of Canine Incidents

(Canine Section SOP)

Canine Handler's Responsibilities

The canine handler shall immediately notify their Supervisor or another Canine Supervisor of the following:

- Canine deployments
- Canine-related injuries
- Canine-related seizures
- Incidents where an individual alleges injury from a Departmental canine

Canine Supervisor's Responsibilities

Per the Canine SOP, the on-duty Canine Supervisor shall respond to the scene of all apprehensions, canine deployments

resulting in contact between the canine and the suspect, or allegations of inappropriate use of force involving a canine handler. The on-duty Canine Supervisor shall immediately notify Public Safety Communications and the Commander, Canine Section of the incident. The Canine Supervisor shall ensure that the injured person is transported to a medical facility for treatment, enter the details of the incident into the BlueTeam module (***See:*** Volume II Chapter 58. Use of Force), and complete reports outlined in the Canine SOP. The on-duty Canine Supervisor shall forward a copy of the completed reports to the assigned Special Response Section (SRS) investigator and the Commander, Internal Affairs Division prior to the end of the tour of duty. The Supervisor shall also forward copies through the chain of command to the Deputy Chief, Bureau of Patrol.

Patrol Officer's Responsibilities

If a canine apprehension results in an injury, the arresting officer shall transport the injured person to a medical facility for treatment and complete a Booking Record. The arresting officer shall be responsible for custody of the prisoner.

Public Safety Communications Responsibilities

PSC shall notify SRS and the appropriate District Commander, of incidents involving canine-related injuries.

Special Response Section Investigator's Responsibilities
(SRS SOP)

A SRS investigator shall respond to the scene of all canine seizures that cause serious injury or hospital admission and determine investigative responsibility.

In addition to on-scene investigations, SRS will also examine and evaluate the Canine Section's Use of Force Reviews for all canine seizures and apprehensions.

The purpose of SRS's investigations and evaluations is to determine whether the apprehension was made in conformance with Departmental policy and applicable laws.

All investigations shall be completed in accordance with the current SRS SOP.

7. Record Keeping and Statistical Reporting
(Canine Section SOP)

To ensure compliance with Departmental regulations, statistics shall be maintained on activities conducted by Canine Section officers.

The Commander, Canine Section shall ensure compliance with record-keeping requirements as detailed in the Canine SOP.

The Commander, Canine Section shall forward the required reports to the Commander, SOD and the Deputy Chief, Bureau of Patrol.

The Deputy Chief, Bureau of Patrol shall prepare quarterly and annual reports for the Chief of Police on the Canine Section's statistics.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.3, 1.3.6, 1.3.7, 12.1.4, 41.1.4, 41.2.5, 46.1.5
- Consent Decree between the United States Department of Justice and Prince George's County, Maryland, January 22, 2004

Governing Legislation:

- Special Operations Division, Canine Section SOP
- Special Response Section SOP
- Maryland Annotated Code, Public Safety §3-514

13. CHILD ABUSE, CHILD NEGLECT, & VULNERABLE ADULTS

(October 2023)

I. POLICY

Officers shall investigate reports of child physical and sexual abuse and neglect, and similar allegations involving vulnerable adults. They shall coordinate their efforts with the Department of Social Services. Protection of the child or vulnerable adult is the primary goal in these cases.

In accordance with Maryland's Infant Safe Haven Law, it is the policy of the Department to provide a safe haven for newborn infants that have been abandoned. The Department shall involve and cooperate fully with the Department of Social Services to protect these children.

II. CHECKLIST (N/A)

III. DEFINITIONS

Abandoned Child: An individual under the age of 18 years of age that has been intentionally or unintentionally left by their parent(s), guardian, or custodian and lacks the proper care and attention required

Adult Protective Services (APS): The division of the Department of Social Services that is responsible for assisting vulnerable adults by providing services to protect their health, safety, and welfare

Child Advocacy Center (CAC): Child-friendly facilities where professionals, including social workers, local law enforcement investigators, medical and mental health professionals, prosecutors, and victim advocates, work together as a team to respond to reports of child abuse and provide essential services. Services may include forensic interviews, prosecution, medical and mental health treatment, and advocacy services.

Child Pornography: Obscene matter or a visual representation or performance that depicts a minor engaged as a subject in sadomasochistic abuse or sexual conduct

Child Protective Services (CPS): The division of the Department of Social Services that is responsible for protecting children that appear to have been abused or neglected and assisting parents/guardians in providing proper care and attention to their children; CPS has the authority to remove a child from the home and place them in foster care

Developmental Disability: A chronic disability that is attributable to a physical or mental impairment as opposed to mental illness; for the purposes of this General Order, the disability must result in an inability to live independently

Exploitation: Any action that involves the misuse of the victim's funds, property, or person

Family Member: A relative by blood, adoption, or marriage

Household Member: A person who lives with or is a regular presence in the home at the time of the abuse

Intellectual Disability: A developmental disability evidenced by significantly reduced intellectual functioning and impairment in the behavior of a person

Internet Crimes Against Children (ICAC) Task Force: A cooperative effort among national law enforcement agencies to increase the effectiveness and efficiency of investigations and prosecutions of technology-facilitated child sexual exploitation and internet-based child exploitation

Neglect: Willful deprivation of food, clothing, medical treatment, rehabilitative therapy, shelter or supervision

Newborn: *Per Maryland's Infant Safe Haven Law* – an infant that is 10 days old or younger

Forensic Interview: An interview of a suspected child sexual abuse victim conducted by forensically trained interviewer of the Child Advocacy Center

Parental Abduction: Occurs when a non-custodial parent, or relative on behalf of that parent, removes, carry away, or harbors a child under the age of 16, with the intent to deprive the lawful custodian of the child; and/or fails to return the child to their lawful custodian after a demand for their return has been made

Physical Child Abuse: Any non-accidental physical injuries to a child resulting from cruel or inhumane treatment or a malicious act that was committed by any parent or legal guardian, family or household member, or other person who has permanent or temporary care or custody or responsibility for the supervision of the child

Responsible Adult: *Per Maryland's Infant Safe Haven Law* – an individual, 18 years of age or older, who may reasonably be expected to provide proper care to a newborn left in their custody and who is willing and able to immediately take the newborn to a designated facility

Safe Haven Designated Facility: *Per Maryland's Infant Safe Haven Law* – a hospital, State Police Barracks, or local police department

Self-Neglect: The inability of a vulnerable adult to provide for their physical and mental health

Sexual Child Abuse: Any act that involves sexual molestation or exploitation of a child by any parent or legal guardian, family or household member, or other person who has permanent or temporary care or custody or responsibility for the supervision of the child

Unharmed: *Per Maryland's Infant Safe Haven Law* – when there is no evidence of physical injury or failure to provide proper care and attention to a newborn

Vulnerable Adult: An adult, 18 years of age or older, who lacks the physical or mental capacity to provide for their daily needs

IV. FORMS

- Case Record

V. PROCEDURES

1. Child & Vulnerable Adult Abuse Section (CVAA)

The Child and Vulnerable Adult Abuse Section investigates the following:

- All physical and sexual abuse and exploitation where the victim is less than 18 years of age, and the act has been committed by one of the following:
  - Parent

- Person with care and custody of the child (e.g., teacher, babysitter)
- Regular household member
- Family member by blood, marriage, or adoption

- All cases involving the physical or sexual abuse of vulnerable adults
- All cases of parental abduction and custody disputes that rise to the level of a criminal offense
- All cases of child abandonment
- Severe cases of neglect
- Internet Crimes Against Children (ICAC) Task Force

When a child dies or is likely to die because of suspected abuse, the Homicide Unit is responsible for the investigation. An officer responding to any child death (except traffic fatalities) shall contact the Homicide Unit immediately.

All sexual and physical assaults committed against children by household or family members, or custodians, shall be investigated by CVAA.

Third and fourth degree sexual assaults committed by individuals other than those mentioned above will be investigated by the Sexual Assault Unit. Physical assaults committed by individuals other than those mentioned above are investigated by the Division investigation unit.

2. Child Neglect Cases

Child neglect cases involve children in need of assistance or supervision when the parent/guardian is unable or unwilling to care for the child. Child neglect includes when a child is:

- Abandoned or unattended
- Without adequate supervision
- Suffering from malnutrition
- Without proper shelter
- Unlawfully kept out of school
- A chronic runaway or truant
- Emotionally disturbed due to domestic or mental health issues in the home

Juveniles who are runaways or truants may be victims of neglect. Under certain circumstances, neglect cases may rise to the level of criminal child abuse. Officers can obtain guidance concerning these matters from CVAA.

Officer's Responsibilities

Officers responding to reports of child neglect shall:

- Notify and brief their Supervisor prior to leaving the scene
- Notify Child Protective Services (CPS)
- Complete a Case Record

Officers shall document the following in the report:

- The circumstances and conditions constituting neglect
- The source of the information, such as personal observations or statements made by the child, parent, or others
- The name of the CPS worker contacted and the date and time of the notification

In cases involving abandoned/unattended children or children without adequate supervision, the officer shall contact CPS concerning placement of the child. The officer shall not place the child in the care or custody of individuals identifying themselves as neighbors, friends, or relatives unless authorized to do so by CPS.

Supervisors shall carefully review all cases involving children to ensure that CPS has been notified.

3. Physical Child Abuse Cases

To classify an incident as child abuse, an injury must have occurred to the child. As these injuries may not be visible, guidance should be sought from CVAA.

Officer's Considerations

Officers should consider:

- Injury location; Bruises on a small child's elbows and knees are normal. Bruises on backs, thighs, or genitals are not normal
- How many injuries; Many injuries at various stages of healing may indicate a history of abuse
- A delay in requesting treatment
- The injury appears older than the reported date
- There are no witnesses to the "accident"
- Someone other than the parent/caregiver brings the child for medical treatment
- Stories of the child and/or parent are inconsistent with each other

Physical child abuse is:

- Non-accidental
- May include burning, pinching, punching, throwing, shaking, biting, or striking of a child with an instrument or weapon
- Physical discipline of a child should not automatically be considered abuse. It may be considered abusive based on the object used, severity, and/or injuries suffered

In all cases, the officer shall:

- Notify and brief their Supervisor prior to leaving the scene
- Determine if the situation warrants the immediate removal of the child; if removal of the child is necessary, reasonable force may be used
- Notify CPS
- Notify CVAA
- Complete a Case Record

When completing the Case Record, the officer shall document the date and time of the notifications to CVAA and CPS and the name of the individuals notified.

Authority for Taking a Child into Custody

A child may be taken into custody:

- Pursuant to court order
- By a law enforcement officer pursuant to an arrest
- By a law enforcement officer who has reasonable grounds to believe that the child is in immediate danger from their surroundings and removal is necessary for their protection
- By a law enforcement officer who has reasonable grounds to believe that the child has run away from their parents, guardian, or legal custodian

Assisting CPS with the Removal of a Child

CPS workers have legal authority to enter households and take custody of abused or neglected children. They may act before the issuance of any court orders. Normally, CPS does not require police assistance.

In cases when household occupants deny entry or when violence or physical resistance is anticipated, CPS may request police assistance. A Supervisor shall authorize the assistance.

In most cases, the officer shall limit their actions to providing protection for the CPS workers as they perform their duties.

In cases where CPS requests an officer to force entry, they may do so if there is probable cause to believe that the child is in immediate danger, and entry has been or is being denied by household occupants.

An officer who forces entry under these circumstances shall notify their Supervisor and document their actions in a Case Record. The circumstances that led the officer to force entry and the name of the CPS worker shall be included in the report. ***See:*** **VOLUME II, CHAPTER 31. FORCED ENTRY, HAZARD, & NEXT-OF-KIN NOTIFICATIONS**, for additional procedures.

An officer shall not assume custody of a child nor direct the CPS investigation.

4. Injured Children

Officers shall immediately contact a CVAA Sergeant or Investigator when dispatched to incidents that involve an injured child, who has suffered from an injury or incident related to the any of the following:

- Any child who is classified as a working code/unresponsive or is receiving CPR
- Injury to a child who cannot disclose what occurred (typically 8 years and under)
- Suspected physical child abuse
- Child admitted to the hospital
- Burn
- Fracture
- Stitches
- Staples
- Trauma or injury requiring medical attention
- Falls from windows
- Strangulation with corroborating evidence
- Any incident in which notification to CPS is required
- Any allegation of assault that takes place on school property in which a person with care and custody is alleged to have assaulted a student

Officers should remain on scene until contact is made with a CVAA member to determine if a scene walkthrough will be conducted. If an RMS report is needed, officers should gather the information of all persons who were present when the incident took place.

CVAA main number is 301-772-4930. For incidents reported between 2300-0700, officers shall contact the on-duty CVAA investigator through PSC.

5. Sexual Abuse of a Child

Officers Responsibilities

To determine if an offense has occurred, officers shall conduct an initial, minimal facts, interview with the suspected victim, if they are available. Officers shall use the child's terms to describe the incident and not attempt to use proper anatomical terms with the child.

If an officer believes that an offense has occurred, they should not attempt to conduct an in-depth interview with the child. The Child Advocacy Center (CAC) will conduct a forensic interview. CAC staff are specifically trained to interview children and prevent further traumatization.

In all cases, the officer shall:

- Notify and brief their Supervisor prior to leaving the scene

- Determine if the situation warrants the immediate removal of the child; if removal of the child is necessary, reasonable force may be used
- Notify CPS
- Notify CVAA
- Complete a Case Record

When completing the Case Record, the officer shall document the date and time of the notifications to CVAA and CPS and the name of the individuals notified.

6. Child Pornography

Production or distribution of child pornography is a felony offense and possession of child pornography is a misdemeanor offense. Both offenses shall be reported to CVAA.

Investigators may ask the officer to verify the material. Officers shall not make or send copies, or request that others do so.

In all cases, the officer shall:

- Notify and brief their Supervisor prior to leaving the scene
- Determine if the situation warrants the immediate removal of the child; if removal of the child is necessary, reasonable force may be used
- Notify CVAA

7. Abandoned Children

An officer responding to the scene of an abandoned child shall:

- Ensure that the child is transported to a medical facility for evaluation and treatment
- Notify the Sector Supervisor
- Complete a Case Record prior to the end of their shift
- Notify CVAA and document the notification in the Case Record
- Notify CPS and document the notification in the Case Record

Maryland's Infant Safe Haven Law

Maryland's Infant Safe Haven Law provides the mother of a newborn the opportunity to safely abandon her unharmed child within 10 days after the birth. A mother who does not express an intent to reclaim the newborn shall be protected from criminal prosecution and civil liability if she takes the child to a designated facility or leaves the child with a responsible adult who is willing to accept the child.

The responsible adult receiving a newborn must take the child to a designated facility as soon as possible.

Upon receiving an abandoned newborn, the designated facility is required to confirm that the individual abandoning the child is either the mother of the child or has the mother's authorization to relinquish the child.

Within 24 hours of receiving an abandoned newborn, the designated facility shall contact the Department of Social Services. The Department of Social Services is responsible for the long-term care of the child.

Newborn Brought to PGPD Facility

Employees shall take custody of any newborn brought to a PGPD facility to be relinquished in accordance with the Infant Safe Haven Law.

The newborn shall be closely examined to ensure the infant appears to be unharmed. An ambulance shall be requested to respond

and transport the newborn to a medical facility.

The employee shall make immediate notification to the following:

- Sector Supervisor
- CVAA
- CPS

Reporting Requirements

The individual relinquishing the newborn is not required to answer any questions. However, the receiving employee shall make every effort to determine if the individual relinquishing the newborn is the child's mother or has the mother's authorization to relinquish the child. The employee shall also attempt to obtain information regarding the newborn's medical history or any known risk factors.

A Case Record shall be completed when a child is relinquished under the Infant Safe Haven Law. The employee shall include the following information, if available:

- The identity of the individual relinquishing the child and their relationship to the child
- The identity of the child's parents
- The newborn's date of birth or age
- The newborn's place of birth
- Any known medical history
- The reason that the newborn is being abandoned

If possible, photographs shall be taken of the child.

A Case Record shall be completed for abandoned child cases. A copy of the Case Record shall be transmitted to the CVAA prior to the end of the shift. If fax equipment is inoperable, the copies may be sent via Departmental mail.

8. Parental Abduction and Custodial Disputes

A parental abduction occurs if a child is under the age of 16 and a parent or other relative who knows that another person is the lawful custodian of the child takes any of the following actions:

- Abduct, take, or carry away the child from the lawful custodian
- Detain the child for more than 48 hours after the lawful custodian demands return of the child, after having lawful possession of the child
- Harbor or hide the child, knowing that possession of the child was obtained by another relative in violation of custodial rights
- Act as an accessory to violations of custodial rights

In all cases, the officer shall:

- Verify a served custody order is in place for the involved child(ren)
- Notify and brief their Supervisor prior to leaving the scene
- Determine if the situation warrants the immediate removal of the child; if removal of the child is necessary, reasonable force may be used
- Notify CVAA

CVAA investigates cases of parental abduction that rise to the level of a criminal offense.

For additional information or cases involving adults ***See*: VOLUME II, CHAPTER. 39. KIDNAPPING, ABDUCTION, & AMBER ALERT**

9. Vulnerable Adult Abuse Cases

Allegations of vulnerable adult abuse shall be investigated, and the investigations shall be coordinated with Adult Protective Services (APS). An officer responding to a report of vulnerable adult abuse shall notify CVAA and APS.

The officer shall complete a Case Record to include the following:

- The name and address of the person responsible for the care of the vulnerable adult
- The caregiver's relationship to the vulnerable adult
- The whereabouts of the vulnerable adult
- The nature of the vulnerable adult's incapacity
- A description of the abuse, neglect, self-neglect, or exploitation
- The name of the APS worker contacted and the date and time of the notification
- The name of the CVAA investigator contacted and the date and time of the notification

The officer shall determine if the immediate removal of the vulnerable adult is necessary due to conditions that present a substantial risk of death or serious physical harm to the individual. If removal is necessary, the officer shall contact APS for assistance and placement of the vulnerable adult. CVAA may be contacted for guidance when dealing with these incidents.

Assisting Adult Protective Services with the Removal of a Vulnerable Adult

If a representative of APS believes that the immediate removal of the vulnerable adult is necessary, they may request assistance from the Department. A Supervisor shall authorize the assistance.

In most cases, the officer shall limit their actions to providing protection for the APS workers as they perform their duties.
In cases where APS requests an officer to force entry, they may do so if there is probable cause to believe that the vulnerable adult is in immediate danger, and entry has been or is being denied by household occupants.

An officer who forces entry under these circumstances shall notify their Supervisor and document their actions in a Case Record. The circumstances that led the officer to force entry and the name of the APS worker shall be included in the report. ***See*: VOLUME II, CHAPTER 31. FORCED ENTRY, HAZARD, & NEXT-OF-KIN NOTIFICATIONS** for additional procedures.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 12.1.4, 41.2.6, 41.2.7, 55.1.3

Governing Legislation:

- Courts and Judicial Proceedings Article, § 5-641
- Code of Maryland Regulations (COMAR) 07.02.27.01, 07.02.27.02, and 07.02.27.03
- 42 USC 629a
- Code of Maryland Regulations, Family Law Sections §9-304, 9-305, 9-307

14. CODE ENFORCEMENT
(June 2018)

I. POLICY

The identification and correction of unsafe or unhealthy conditions is essential to a community's quality of life. The Department will work closely with other County agencies to help ensure a safe environment.

II. CHECKLIST (N/A)

III. DEFINITIONS

Stop Work Order: An order issued by a representative from the County's Department of Environmental Resources which prohibits further work due to code violations

IV. FORMS

- Booking Record
- Case Record
- Condition Report (PGC Form #2003)

V. PROCEDURES

1. Assisting Inspectors with Enforcing Codes

When a County Inspector requires police assistance, he or she shall contact the appropriate District Station and request to speak with a Supervisor. A shift commander or sector supervisor shall verify the need for assistance and arrange for an officer to assist the inspector. If doubt exists regarding the legality of the situation, the States Attorney's Office may be contacted for guidance.

Officers assisting inspectors shall familiarize themselves with the situation and the inspector's duties.

2. Violations of Stop Work Orders
(County Code, Section 4-117(a))

It is a misdemeanor for any person to continue work in violation of a Stop Work Order that has been issued by the Department of Permitting, Inspections, and Enforcement (DPIE).

Officers assisting County Inspectors with violations of Stop Work Orders shall respond to the location and verify that an order has been issued. If an order has been issued, the officer shall advise the individual that continuing to work constitutes a misdemeanor offense and may result in arrest.

Should an officer find evidence which suggests work has continued after issuance of a stop work order, the officer shall obtain the identity(ies) of those believed to have violated the order, and provide the information to the inspector so they can apply for a warrant.

If the individual continues to work in the presence of the officer, an on-scene arrest may be made. When an arrest is made, the officer shall provide the individual's identity and the Booking Record number to the inspector and summons him to court.

3. Violations of Plumbing Regulations

After a Washington Suburban Sanitary Commission (WSSC) plumbing inspector obtains a warrant, he or she shall contact the appropriate District Station and speak to a supervisor to request assistance with serving

the warrant. Only after a warrant has been verified shall an officer accompany the plumbing inspector to the suspect's location. Upon arrival, the officer shall serve the warrant.

After the suspect has been arrested, the officer shall transport them to a processing facility and complete a Booking Record.

4. Violations of Liquor Laws

(Maryland Code, Article 2B)

Officers who observe violations of the liquor laws shall complete a Case Record.

The Records Section shall forward a copy of the Case Record to the Chief Liquor Inspector, Board of License Commissioners. This allows the Board of License Commissioners to monitor establishments that violate the law. If immediate enforcement is required, officers shall take appropriate action.

5. Violations Involving Adult Bookstores

(County Code Section 27-264)

DPIE is responsible for serving notice on property owners who are in violation of provisions of the County Code regarding adult bookstores. This notice directs the property owner to cease the violation.

If the violation has not ceased within 48 hours, DPIE may notify The Homeland Security Division/Vice & Sex Trafficking Investigations Unit and request that they take enforcement action against the violator.

For a first offense, a Vice investigator may verbally direct the individual to stop operating the adult bookstore. This shall be documented in a Case Record.

For a second or subsequent offense, the individual may be arrested. When an arrest is made, the Vice investigator shall provide the individual's identity and Booking Record number to DPIE and summons the DPIE inspector to court.

6. Condition Report

Employees shall use the Condition Report to document environmental hazards. Upon completion, the report shall be forwarded to Records who shall disseminate it to the appropriate agency for follow-up.

The Condition Report may be used for the following:

- Littered lots
- Debris on residential/commercial property
- Junked/unlicensed automobiles on private property
- Grading without a permit
- Sediment leaving site
- Littered roadside
- Mud and debris on road (non-construction related)
- Clogged storm drain
- Littered park

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.5, 74.1.2, 74.3.1, 74.3.2, 82.2.1, 82.2.2

Governing Legislation:

- County Code, Section 4-117(a)
- County Code Section 27-264
- Maryland Code, Article 2B

15. CONCURRENT JURIDICTION, MUTUAL AID AGREEMENTS, & EXTRA-JURISDICTIONAL INCIDENTS

(June 2018)

I. POLICY

The Prince George's County Charter and Subtitle 18 of the Prince George's County Code provide that the Department is responsible for law enforcement in the County, except where otherwise specified by law.

II. CHECKLIST (N/A)

III. DEFINITIONS

Concurrent Jurisdiction: Two or more law enforcement agencies operating in the same geographic area and sharing authority and responsibility

Emergency: A sudden or unexpected event that calls for immediate action to protect the health, safety, welfare or property of a person from actual or threatened harm or from an unlawful act

Home Jurisdiction: Jurisdiction where an officer is normally employed, such as Prince George's County, for a PGPD officer

Host Jurisdiction: Jurisdiction where an incident physically occurs

Host Agency: A law enforcement agency responsible for providing police services in a given jurisdiction

Primary Jurisdiction: The law enforcement agency ultimately responsible for a geographic area and/or incident

Scheduled Transport: Routine deliveries of a prisoner from one facility to another

IV. FORMS

- Case Record

V. PROCEDURES

1. Authority to Enforce Laws

County officers are empowered to enforce all State laws and County ordinances within any area of the County that is not exclusive jurisdiction, as well as within the boundaries of any municipality in the County.

Officers also have statutory authority to enforce certain federal statutes within the County in which the U.S. Congress has provided such authority (concurrent jurisdiction). Many State law references are found in the MPCTC Digest of Criminal Laws.

2. County Boundaries

(County Code, Subtitle 1)

The County is bordered by:

- Washington, DC to the west
- Montgomery County to the northwest
- Howard County to the northeast
- Anne Arundel County to the east
- Calvert County to the southeast
- Charles County to the south
- State of Virginia to the southwest

Southern and Eastern Avenues lie within Washington, D.C. This includes the sidewalk areas measuring between six (6)

and fifteen (15) feet wide on the Maryland side.

Most of the waters of the Potomac River, up to the Virginia tidal shoreline, lie within the County.

3. Geographical Authority

(Prince George's County Code, Section 18-190)

In locations throughout the County where the following agencies have primary jurisdiction, the Department has concurrent jurisdiction:

- Berwyn Heights Police
- Bowie Police
- District Heights
- Edmonston Police
- Fairmont Heights
- Forest Heights Police
- Greenbelt Police
- Hyattsville City Police
- Maryland State Police
- Maryland Transit Police
- Morningside Police
- MNCPPC Police
- Mount Rainier Police
- Seat Pleasant Police
- Town of University Park
- United States Fish and Wildlife
- United States Park Police
- University of Maryland Police
- Upper Marlboro

4. Assisting Other Agencies

Charles County

PGPD may assist Charles County with emergency calls for police service. Either County may request support of the other through PSC.

The requesting County shall provide the:

- Reason for the request
- Location where assistance is needed
- Number of officers needed

PSC shall notify a supervisor the rank of sergeant or above when Charles County makes such requests. Assisting officers shall complete a Case Record documenting the type of incident and their actions.

The responding agency will serve as a backup for the minimum time necessary. Responding officers serve at the discretion of the requesting jurisdiction. The assisting jurisdiction may unilaterally withdraw its personnel after notifying the requesting jurisdiction. When entering Charles County to render assistance, all PGPD officers shall follow the provisions, rules, and regulations of the PGPD's General Order Manual. Officers shall only use deadly force as authorized by Departmental regulations. ***See:*** **VOLUME II, CHAPTER 57. USE OF FORCE**

Officers engaged in the provision of law enforcement services have all immunities from liability, powers of arrest, exemptions from laws, ordinances, and regulations in Charles County as they do in Prince George's County.

City of District Heights

As outlined in a mutual agreement between PGPD and the City of District Heights, PGPD shall:

- Not take telephone reports for calls for service located in District Heights
- Subsequent to a serious crime or major incident, provide technical expertise, including evidence collection and

investigative services upon request of a supervisory officer

Original and follow-up investigations of crimes or incidents occurring within areas under City jurisdiction shall be handled by City Police, except for the below listed crimes, which shall be handled by appropriate PGPD Investigators:

- Homicide
- Rape
- Extortion
- Hostage and Kidnapping
- Confirmed explosive devices

In all cases investigated by PGPD in the City, PGPD will have sole responsibility for the crime scene. The PGPD will keep the City's Police Chief apprised of the case status upon request, and will provide a final written report within 30 days after completion of the case.

City of Laurel

Pursuant to the terms of a written agreement between PGPD and the City of Laurel pertaining to incidents occurring at public schools in the City, PGPD officers will respond to requests for assistance from the City's Police Chief under the following circumstances:

- The City does not have sufficient police personnel or equipment;
- The City does not have sufficient specialized equipment or;
- The City does not have sufficient expertise immediately available to properly handle the emergency.

The City's Police Chief shall make requests for assistance to the PGPD Chief of Police.

City of Mount Rainier

PGPD investigates the following occurring within the City:

- Homicide
- Suspicious Death
- Rape
- Assault with intent to rape
- Armed Robbery handled by CID

Mount Rainier police officers may respond and take initial reports of armed robberies. They shall notify CID and forward appropriate information to include the name of the T/A, suspect description, and M.O.

If a Mount Rainier officer makes an on-scene arrest, they shall charge the arrestee. The assigned investigator shall render assistance.

Hyattsville City

CID shall investigate the following occurring in the City:

- Homicide
- Rape
- Kidnapping
- Bank hostage situations

Hyattsville investigators may accompany CID investigators during all phases of the investigation. The Commander, CID, shall ensure a copy of the completed investigative report is forwarded to the Chief, Hyattsville City Police Department within 30 days of the investigation's completion.

PGPD shall honor requests from Hyattsville City Police to have crime scenes processed by forensic services evidence technicians.

Maryland National Capitol Park (MNCPPC)

MNCPPC has primary police responsibility within parks, to include buildings under the jurisdiction of the commission and that portion of all roads and sidewalks immediately adjacent to park property.

PGPD has concurrent jurisdiction in these areas. When a PGPD officer is required to take immediate action in an area under commission jurisdiction, MNCPPC shall be notified. The Records Section shall forward all records concerning PGPD action to the appropriate MNCPPC commanding officer within seven calendar days.

In areas of the County outside their jurisdiction, MNCPPC officers are authorized to take action when:

- An actual or threatened commission of a criminal act or motor vehicle violation poses an immediate danger to a person's life or limb
- There's an immediate threat of serious property damage
- Failure to take action may result in the escape or evasion from apprehension of a perpetrator

MNCPPC shall immediately notify PGPD of any action taken by them in areas not under their jurisdiction. Follow-up investigations shall be conducted by PGPD.

Pursuant to the provisions of a written agreement executed between PGPD and the MNCPPC, PGPD will investigate all deaths or serious injuries on MNCPPC property. Upon receipt of notification by either agency of such an incident, the agency receiving the notification shall ensure that the other is immediately notified. The MNCPPC Police will dispatch an officer to complete an initial report, which will serve as the source of Uniform Crime Report data. MNCPPC Police officers shall maintain the integrity of the scene until the arrival of PGPD investigators, who shall assume full responsibility of the investigation. Upon arrival of the PGPD investigator, the Park Police investigative supervisor, or designee, shall provide assistance as needed. PGPD shall be afforded access to the crime scene and any information or requested data that may assist the Park Police.

Maryland Natural Resources Police (MNRP)

The Maryland Natural Resources Police (MNRP) investigates boating accidents on County waterways, and those controlled by public agencies. Such accidents occurring on privately owned bodies of water are investigated at MNRP discretion.

Officers responding to boating accidents shall:

- Take appropriate life-saving action
- Preserve the scene
- Notify MNRP
- Standby pending the arrival of an MNRP officer.

If the MNRP do not respond, officers shall conduct an investigation within the limits of their training, documenting such in a Case Record. Assistance from other PGPD units or outside agencies may be obtained with supervisory approval.

If the MNRP officers cannot or will not respond, officers shall conduct a basic investigation and submit a Case Record.

MNRP officers have legislated authority to investigate fatal boating accidents or accidental drownings on waters owned or

controlled by public agencies. However, in any water-related incident involving a death, officers shall notify the Homicide Unit regardless of the MNRP response status. The Homicide Unit shall conduct an investigation, or assist MNRP, following consultation with MNRP officials.

Maryland State Police (MSP)

In accordance with the terms of a Memorandum of Understanding (MOU) executed between PGPD and MSP, the Maryland State Police has primary jurisdiction along the entire length of the following highways within the County, including the adjacent interchanges:

- All Interstate Highways
- US 50
- US 301
- MD Route 3

MSP has primary traffic enforcement responsibility for the portions of the following highways that lie outside Interstate 95:

- US 1
- MD Route 4
- MD Route 5
- MD Route 198
- MD Route 202
- MD Route 214

PGPD has primary enforcement responsibility on State routes and other major highways not listed above, except those patrolled by other law enforcement agencies with primary jurisdiction.

Additionally, MSP investigates any accident involving:

- A Maryland State Police vehicle
- A vehicle owned by the State of Maryland
- A vehicle owned by the Maryland Toll Facilities Police

PGPD shall investigate any accident occurring in the County, which involves County-owned vehicles.

MSP refers all calls for service to PGPD unless the principal specifically requests that MSP respond. In areas where PGPD has primary jurisdiction, officers shall respond to, and investigate, all criminal offenses. MSP shall investigate criminal offenses when:

- An MSP trooper witnesses an offense and makes an on-scene arrest
- A crime other than murder, rape, armed robbery (or attempts) occurs on one of the highways or access ways where MSP has primary jurisdiction

MSP investigates aircraft accidents within the County. Officers responding to aircraft accidents shall preserve the scene and take life-saving action.

Officers who perform significant assistance such as rendering rescue and first aid services or collecting evidence shall complete a Case Record.

PGPD investigates all natural disasters in the County, as well as disasters such as train accidents. The agencies shall share traffic and crowd control assignments as necessary.

PGPD has primary responsibility for providing backup assistance to University of Maryland and Bowie State University police officers. MSP is responsible for long-term commitments and for any planned events for which University of Maryland requests assistance.

MSP has primary responsibility for responding to all calls for service at the Cheltenham Youth Facility. All Part 1 offenses occurring at the facilities shall be investigated by PGPD.

MSP and PGPD are jointly responsible for investigating organized criminal activity and criminal conspiracies affecting either agency. MSP Special Operations Bureau and PGPD investigative components shall exchange information and coordinate investigations as necessary.

MSP and PGPD shall, upon request, exchange monthly statistical reports of all traffic and criminal incidents occurring in the County. This exchange supplements monthly and quarterly UCR information already being distributed.

Maryland Transit Administration (MTA)

PGPD has primary responsibility on MTA transit facilities or rail facilities including, but not limited to MTA vehicles, commuter buses, trains, stations, within fenced-in track areas between stations, and on parking lots located in Prince George's County. PGPD has primary authority to direct, control, coordinate, and will be responsible for all follow-up investigations of the following offenses:

- Homicide, Murder, Manslaughter
- Rape
- Kidnapping
- Robbery, Abduction and Carjacking
- All other crimes of violence as cited in Maryland Code, Criminal law Section 14-101a
- Traffic accidents involving death
- Incidents involving weapons of mass destruction (WMD) involving, but not limited to, chemical, biological, radiological, and nuclear (CBRN) devices
- All attempts, conspiracies, and/or solicitations to commit any of the offenses enumerated above

If the MTA Police are the first to arrive at the scene of an incident involving any of the above-listed offenses, the MTA Police shall notify the PGPD as soon as practical and the MTA Police shall provide initial law enforcement services as necessary, including, but not limited to arrest, filing and proceeding with charges and citations, and aiding in the prosecution, until the arrival of PGPD.

Prince George's County Community College (PGCC)

PGPD will render assistance when requested by the PGCC campus police. In such cases, the campus police shall be subordinate to PGPD officers.

City of Seat Pleasant

In accordance with the terms of the written agreement between PGPD and the City of Seat Pleasant, PGPD shall:

- Respond to calls for service in the City if a City officer is not available or on duty
- Handle calls relinquished by the City if believed to be in the best interests of time, public safety, or other significant considerations
- Take reports via telephone from City residents via the Telephone Reporting Unit similar to other parts of the County
- Subsequent to a serious crime or major incident, provide technical expertise, including evidence collection, investigative services, and accident reconstruction upon request of a supervisory officer

Original and follow-up investigations of crimes or incidents occurring within areas under City jurisdiction shall be handled by City Police, except for the listed crimes or incidents:

- Homicide
- Commercial Robberies
- Rape
- Child abuse, physical or sexual
- Extortion
- Hostage Carjacking and Kidnapping
- Citizen robberies
- Confirmed explosive devices
- In-Custody Deaths
- Natural Deaths
- Contact Shooting- All discharge of firearms by PGPD and any criminal investigations of shootings by City Police Officers in which an individual is struck by a projectile
- Any allegation of misconduct by a PGPD officer
- Fatal Motor Vehicle Crashes
- Any other crime requiring an investigation to acquire closure, i.e., burglaries, first degree assaults, thefts, etc.

Attempts and conspiracies to commit these crimes shall be handled by appropriate PGPD Investigators.

In all cases investigated by PGPD in the City, PGPD will have sole responsibility for the crime scene. The PGPD will keep the City's Police Chief apprised of the case status upon request, and will provide a final written report within 30 days after completion of the case.

Town of Berwyn Heights

In accordance with the terms of the written agreement between PGPD and the Town of Berwyn Heights, PGPD shall:

- Respond to calls for service in the Town if a Town officer is not available or on duty
- Handle calls relinquished by the Town if believed to be in the best interests of time, public safety, or other significant considerations
- Take reports via telephone from Town residents via the Telephone Reporting Unit similar to other parts of the County
- Subsequent to a serious crime or major incident, provide technical expertise, including evidence collection, investigative services, and accident reconstruction upon request of a supervisory officer

Original and follow-up investigations of crimes or incidents occurring within areas under Town jurisdiction shall be handled by Town Police, except for the listed crimes or incidents:

- Homicide
- Rape
- Child abuse, physical or sexual
- Extortion
- Hostage and Kidnapping
- Commercial armed robberies
- Confirmed explosive devices
- All discharges of firearms by PGPD
- Shootings by Town Police officers in which an individual is struck by a projectile (contact shooting)
- Any allegation of misconduct by a PGPD officer

Attempts and conspiracies to commit these crimes shall be handled by appropriate PGPD Investigators.

In all cases investigated by PGPD in the Town, PGPD will have sole responsibility for the crime scene. The PGPD will keep the Town's Police Chief apprised of the case status upon request, and will provide a final

written report within 30 days after completion of the case.

Town of Bladensburg

PGPD investigates the following occurring within the Town:

- Homicide
- Rape

The Bladensburg Police Department has primary responsibility for investigating homicides resulting from official acts of a Bladensburg police officer. PGPD may render assistance upon request.

Town of Edmonston

When a Town Police officer is not available, PGPD officers will respond to calls within the Town, rendering aid as required. The Edmonston Police Officer is the officer in charge until such time as that responsibility is yielded.

PGPD investigators handling cases in the Town shall keep the Town Police informed of the status of ongoing investigations.

Whenever a PGPD officer writes a police report that relates to an incident occurring in the Town, the patrol officer shall indicate in the report that a copy of it is to be forwarded to the Edmonston Police Department.

Copies of reports written by Town Police officers will be forwarded to the PGPD Records Section to be filed.

Town of Fairmont Heights

In accordance with the terms of the written agreement between PGPD and the Town of Fairmont Heights, PGPD shall:

- Provide copies of law enforcement reports, upon request
- Provide all available crime information regarding the Town
- Respond to calls for service in the Town if a Town officer is not available or on duty
- Handle calls relinquished by the Town if believed to be in the best interests of time, public safety, or other significant considerations
- Take reports via telephone from Town residents via the Telephone Reporting Unit similar to other parts of the County
- Subsequent to a serious crime or major incident, provide technical expertise, including evidence collection, investigative services, and accident reconstruction upon request of a supervisory officer

Original and follow-up investigations of crimes or incidents occurring within areas under Town jurisdiction shall be handled by Town Police, except for the below listed crimes or incidents, and attempts and conspiracies to commit them which shall be handled by appropriate PGPD Investigators:

- Homicide
- Rape
- Hostage and Kidnapping
- Use of explosive devices
- Arson
- Robbery

In all cases investigated by PGPD in the Town, PGPD will have sole responsibility for the crime scene. The PGPD will keep the Town's Police Chief apprised of the case status upon request, and will provide a final written report within 30 days after completion of the case.

Town of Forest Heights

PGPD investigates the following occurring within the Town:

- Homicide
- Rape
- T/A robbery

The Forest Heights Police Department investigates confirmed suicides, natural deaths, and street robberies. PGPD may render assistance upon request. PGPD officers responding to crimes in Forest Heights shall ensure that Forest Heights officers are notified. Copies of initial reports by Forest Heights officers are forwarded to the Records Section, and the appropriate unit in CID.

When Forest Heights officers make on-scene arrests involving homicides, rapes, or robberies, investigators shall assume custody and complete the processing of the suspect. Reports shall be forwarded to the Chief, Forest Heights Police Department, at the conclusion of the case. PGPD issues all press releases regarding these investigations.

Town of University Park

Except as provided below, the Town Police shall handle a call for service received by the County that is determined to be located within an area under Town jurisdiction, unless the call is relinquished by the Town to PGPD.

PGPD will handle all preliminary and follow-up investigations for the following crimes or incidents:

- Homicide
- Rape
- Child Abuse, physical or sexual
- Extortion
- Hostage and Kidnapping
- Commercial Armed Robbery
- Contact shootings – all discharge of firearms by PGPD officers
- Criminal investigations of shootings by Town Police officers in which an individual is struck
- Any allegation of misconduct by a PGPD officer

PGPD will keep the Town Police Chief, or designee, apprised of the case status, upon request. If requested by the Town Police Chief, or designee, an Executive Summary prepared by PGPD may be forwarded to the Town Police Chief, or designee, within 30 days after the case is completed. The Executive Summary shall be deemed confidential and used for official law enforcement purposes only. It may not be disseminated without prior notice to the PGPD Chief of Police.

Town of Upper Marlboro

When a Town Police officer is not available, PGPD officers will respond to calls within the Town. Both the Town Police, and the PGPD, will handle calls for service at any school facility located in the Town.

Original and follow-up investigations of crimes or incidents occurring within areas under Town jurisdiction shall be handled by Town Police, except for the below listed crimes or incidents, and attempts and conspiracies to commit them which shall be handled by appropriate PGPD Investigators:

- Homicide
- T/A Robbery
- Rape
- Child Abuse, physical or sexual
- Hostage, Carjacking, and Kidnapping
- Extortion
- Confirmed Explosive Devices

- In-Custody Deaths
- Natural Deaths
- Arson
- Citizen Robberies
- Contact Shooting- All discharge of firearms by PGPD and any criminal investigations of shootings by Town Police Officers in which an individual is struck by a projectile
- Any Allegation of Misconduct by a PGPD Officer
- Fatal Motor Crashes

The Chief of Police will keep the Town Police Chief, or designee, apprised of the case status upon request.

United States Army Research Laboratory (ARL), Adelphi Laboratory Center (ALC) - Federal Property

(Title 50 United States Code, Section 21 – Internal Security Act of 1950)

PGPD responds to calls from designated officials at the ARL-ALC for assistance when officers need backup or when there is a threat to public safety. In those areas around and within the ARL-ALC where PGPD officers normally patrol, or have cause to be, the officers have full authority to take action on violations, or render necessary assistance.

Should a law enforcement situation arise where the need for resources exceeds the capability of the ARL-ALC staff, PGPD may render assistance as required (i.e., Special Operations Division, Emergency Services Team).

United States Fish and Wildlife Service, Patuxent Research Refuge

The Patuxent Wildlife Refuge is a federal reservation on which PGPD officers have law enforcement authority pursuant to the provisions of a written agreement. In accordance with the agreement, PGPD officers:

- Shall respond to calls for assistance from designated officials at the Patuxent Research Refuge when law enforcement situations arise and when there is a need for backup or there is a threat to public safety
- Have full authority to take police action or render assistance in those areas within the Patuxent Research Refuge where PGPD officers might normally patrol, or have cause to be
- May render assistance, if requested by designated officials at Patuxent, when a law enforcement situation arises.
- Shall permit the use of detainee processing facilities when a Patuxent officer makes an arrest

United States Park Police (USPP)

(Title16 United States Code, Section 1a-6(b))

USPP has exclusive jurisdiction in the following areas:

- Beltsville Agricultural Research Center
- Greenbelt Park
- Suitland Parkway passing through the Census Bureau and Andrews Air Force Base

PGPD shall provide law enforcement assistance to the USPP upon request. Requests for assistance shall be made through the PSC.

PGPD officers serve as "special police officers" when assisting the USPP, and shall act primarily as backup during such incidents. Officers are considered federal employees for the purpose of worker's compensation or tort liability claims arising from these incidents.

USPP officers shall normally process arrests. If circumstances require a PGPD officer to make an arrest, USPP processing procedures shall be followed. USPP shall assist PGPD personnel in these instances.

USPP has primary jurisdiction in the following areas, where PGPD has concurrent jurisdiction:

- Baltimore-Washington Parkway
- Fort Foote
- Fort Washington
- Harmony Hall
- Marshall Hall
- Oxon Hill Colonial Children's Farm
- Oxon Cove Park
- Piscataway Park

PGPD officers may enforce State or County laws within these areas. When doing so, they are considered County employees for the purposes of worker's compensation or tort liability claims.

When a PGPD officer makes an arrest at these sites, the officer will follow PGPD processing procedures.

If a PGPD officer acts or makes an arrest while within USPP jurisdiction, a supervisor shall be notified and a Case Record shall be completed. In emergencies, notification will be made through PSC directly to USPP.

United States Secret Service (USSS) & Bureau of Alcohol, Tobacco & Firearms (BATF)

Responsibilities of the USSS include:

- Protecting certain U.S. officials and foreign heads of state
- Preserving the integrity of American and foreign currency systems
- Investigating the theft or fraudulent use of financial instruments, such as large-scale credit card fraud

Responsibilities of the BATF include the enforcing of federal regulations concerning:

- The specifications, uses and distribution of firearms and explosives
- The production and distribution of distilled spirits
- The payment of taxes on tobacco products.

BATF can track domestic and imported firearms from the manufacturer to the owner. BATF also retains files on registered weapons.

Officers obtaining routine information of potential interest to the USSS or BATF shall include such information in a Case Record. An Intelligence Unit officer shall make the appropriate follow-up.

Officers shall refer the following information to USSS:

- Threats or harmful actions planned toward the President, Vice President, former Presidents or their families; foreign heads of State; major Presidential or Vice Presidential candidates

- Information regarding the forgery or counterfeiting of U.S. or foreign obligations, such as currency or bonds

When officers have information that requires immediate notification, they shall contact the appropriate agency directly by telephone. They shall also make telephone notification to NED. The officer will document the following in their report:

- Name of agency contacted
- Date and time of notification to agency and NED
- Name of agent notified
- Name of NED investigator

University of Maryland Police (UMPD)

With respect to the enforcement of traffic laws, University of Maryland Police (UMPD) has concurrent jurisdiction with PGPD on U.S. Route 1, Baltimore Avenue, from its intersection with College Avenue to Lakeland Road. UMPD jurisdiction extends to those intersections adjacent to University of Maryland property, by which traffic enters or exits.

UMPD has concurrent jurisdiction with PGPD as it relates to the enforcement of all criminal laws within College Park adjacent to the University of Maryland campus.

When UMPD responds to the following incidents, they shall immediately notify PGPD:

- All UCR part I offenses
- Deaths other than those resulting from motor vehicle accidents
- Child abuse
- Crimes occurring on Prince George's County school property

Unless apprehension is made on the scene of the crime and immediately after its commission, UMPD may not arrest the perpetrator.

UMPD will attempt to handle civil disturbances occurring within their jurisdiction. If assistance is needed, they will request assistance from MSP, who will assume command from UMPD upon their arrival.

Departmental employees will not respond unless requested by MSP. PGPD will be subordinate to MSP; however, they will not be under the command of the MSP.

Washington Metropolitan Area Transit Authority (WMATA)

WMATA police (Metro Transit) have primary patrol responsibility for WMATA facilities, however, they share concurrent jurisdiction with PGPD on all WMATA facilities in the County.

Metro Transit and PGPD are jointly responsible for reporting incidents occurring at WMATA facilities. Generally, the first officer on the scene of such calls completes the initial report.

Officers who observe violations of the law shall make arrests. When a violation is reported but no officer observed the violation, the first responding officer shall make the arrest if probable cause can be established.

PGPD investigates all traffic accidents occurring on WMATA facilities in the County, including accidents involving a WMATA bus, County school bus, or bus owned by a government agency other than owned by the State. If the accident occurs in a municipality, the municipal police

department may investigate the accident. ***See:*** **VOLUME II, CHAPTER 1. ACCIDENT INVESTIGATION.**

When a vehicle must be removed from WMATA facilities, the towing of the vehicle shall be handled by the agency reporting the incident.

Arrests and search warrants shall be executed by the agency holding them. Metro Transit will notify PGPD prior to executing warrants in the County. PGPD shall notify Metro Transit prior to executing warrants at WMATA facilities.

All arrests in the County are processed using PGPD procedures. Metro Transit officers process prisoners at PGPD facilities, and will perform processing as appropriate.

PGPD may assist with prisoner transport when a Metro Transit vehicle is not available. In such cases, the Metro Transit officer will assume custody of the prisoner at the PGPD facility. When an individual arrested by Metro Transit requires medical treatment, they will transport them to the nearest hospital in the County prior to bringing them to any PGPD facility. If PGPD transports a Metro Transit prisoner to a hospital, Metro Transit shall respond and stand by with the prisoner.

Responsibility for follow up investigations rests with the agency filing the report. This includes crime scene processing and evidence collection. PGPD has primary investigative responsibility for:

- Deaths, except suicide by train
- Homicide
- Rape
- Robbery

Exceptions may be approved upon agreement between Metro Transit and PGPD commanders.

PGPD assists Metro Transit with:

- Examination, storage, and destruction of CDS and firearms seized in the County
- Chemical testing of suspects in DWI cases

5. Out-of-County Incidents

Except in situations described elsewhere in the GOM, officers shall not patrol or be dispatched to calls for service beyond the borders of Prince George's County. Persons outside the County who desire to file reports shall be referred to the Telephone Reporting Unit (TRU) or advised to file the report upon their return to the County.

Extra-jurisdictional authority applies to emergency situations occurring in a visited jurisdiction within the State of Maryland. Except where task force operations are concerned, it does not apply to continuing investigations that take an officer across jurisdictional boundaries. Therefore, officers who travel to other jurisdictions while investigating County incidents shall not, pursuant to the County case, make arrests or seize evidence. Officers may, however, accept evidence that is voluntarily surrendered by a cooperative witness, and may transport unarrested suspects back to the County if the suspects are willing.

6. Calls Along County Borders

The PSC shall dispatch units to calls along the County's borders when the exact location or proper jurisdiction is in doubt. Upon arrival, the responding officer shall notify the dispatcher to request the

appropriate agency's response if the call is found to be outside the County.

If the call is located outside the County and the other jurisdiction has been requested, the officer does not need to stand by pending the arrival of that officer. However, if circumstances suggest that any person's safety or property will be in danger if the officer departs, the officer shall stand by and, if necessary, take immediate action to protect that person's safety or property in accordance with section **11. Extra-Jurisdictional Incidents Outside the County**, of this chapter. Officers shall complete a Case Record for all actions and citizen contacts occurring in neighboring jurisdictions.

7. Travel Outside the County in Departmental Vehicles

Employees may remove Departmental vehicles from the County for official, on duty business, such as an active call for service or an open investigation. This typically includes traveling in areas adjacent to the County border while on duty and performing follow-up investigations. Routine notification by investigators to PSC is not required unless deemed necessary for officer safety purposes. Authorization to remove a Departmental vehicle from the County for one-time events such as an awards ceremony or training event, must be obtained from the officer's Commander/ Manager. Any other use of a Departmental vehicle outside of the county must be authorized by a Deputy Chief. ***See:*** **VOLUME I, CHAPTER 10. DEPARTMENTAL VEHICLES**

8. Shift Commander Authority

A shift commander may direct an officer to respond outside the County to take an initial report in any serious or sensitive matter in which a delayed preliminary investigation may jeopardize the successful resolution of a case.

9. Response to Out-of-County Hospitals

Public Safety Communications (PSC) accepts requests for service at out-of-county hospitals in the Washington metropolitan area. Prior to dispatching, however, the PSC supervisor shall notify the appropriate sector supervisor, who shall determine whether or not a response is appropriate.

The sector supervisor may cancel a response in minor cases when delaying the taking of a report will not jeopardize the successful resolution of the case or cause physical evidence to be lost.

If the supervisor does not approve a response, PSC shall call the hospital back to confirm cancellation of the call, and explain alternatives regarding TRU or the victim reporting the incident upon their return to the County.

Response is mandatory in the following cases:

- All death cases, including accidental or unattended
- Rape
- All felony assaults, including all shootings and cuttings
- Suspected or confirmed child abuse cases
- Robberies or abductions, including attempts

- Motor vehicle accidents involving incapacitating injury

When an immediate follow-up response by an investigator is likely to be necessary, the supervisor may request that a shift commander direct an investigator to respond and complete the initial Case Record, rather than a uniformed officer.

An officer taking a report at an out-of-state hospital shall request a hospital security officer, or police officer from the host jurisdiction, to stand by as a precautionary measure if the suspect is present.

Exceptions

No provision of this section limits the authority of any officer to take action in another jurisdiction when:

- Pursuing a suspect into a neighboring jurisdiction under the doctrine of fresh pursuit
- Deployed under a mutual aid agreement
- Dispatched into a neighboring jurisdiction in response to that jurisdiction's request for assistance
- Operating in a multi-jurisdictional task force

10. Extra-Jurisdictional Incidents in the County

(Criminal Procedure 2-102)

The Department shall assist officers from other jurisdictions who take emergency police action in the County. Assistance includes, but is not limited to, transporting prisoners, processing evidence, investigative support, and providing fingerprint cards and equipment.

Officers are not required to confirm probable cause or examine the facts of a case before rendering general assistance to officers of another jurisdiction. They shall rely upon a good faith expectation that the officer is acting properly, unless circumstances suggest otherwise.

Prior to any PGPD officer transporting a prisoner, accepting custody of a prisoner, or accepting transfer of investigative responsibility for a case, the facts of the case shall be examined and the probable cause for arrest confirmed. If the responding officers believe that the outside agency officer's conduct is improper, or that the arrest is unlawful, they shall request a supervisor.

If the supervisor concurs, they shall ensure that no transfer of prisoner custody or responsibility for the case occurs. A PGPD officer shall not transport the prisoner. Obtaining an alternative means of transport shall be the outside agency officer's responsibility.

If probable cause is judged insufficient or their actions improper, the outside agency officer shall be allowed to use the Department's facilities, including processing facilities and equipment, to expedite the prisoner's presentment to a District Court Commissioner. However, the desk officer shall not accept custody of the detainee and shall limit their control over the detainee to the extent necessary to ensure the safety and security of the prisoner and other persons within the processing facility.

If an officer from another jurisdiction notifies a PGPD officer of extra-jurisdictional action in the County, the PGPD officer shall notify the PSC supervisor.

PSC shall dispatch an officer if:

- The outside officer is still on scene
- The conflict has not been resolved
- A report remains to be taken for a criminal offense that occurred in the County subsequent to the jurisdictional incident

If appropriate, the responding officer will notify either the Regional Investigation Division or CID. The decision to investigate and the extent of any investigation shall be determined by the circumstances of the incident.

The initial officer shall complete a Case Record. If no criminal offense is confirmed, they shall choose the disposition type of NOT A CRIME/OTHER SERVICES in RMS. If a criminal offense is confirmed, they shall list the appropriate criminal violation in the Case Record.

The Case Record shall:

- List the outside officer's name, ID number, agency, and telephone number
- List names, addresses, and telephone numbers of all victims, witnesses and suspects
- Describe the actions of the outside officer and the assisting PGPD officers, indicating whether transfer of prisoner custody or investigative responsibility occurred

The Case Record shall be forwarded to the Office of the Chief and the Bureau of Patrol by the end of the shift.

Officers who assist outside agency officers, and employees who receive notifications of extra-jurisdictional actions, shall request the outside officer forward copies of their agency's reports to the Records Section.

The Department may accept custody of detainees and assume investigative responsibility for a case if the outside officer consents. In such instances, the outside officer shall provide a written statement regarding their actions, and be summoned as a police witness. If custody of the detainee is transferred, a PGPD officer shall prepare the report, process the detainee, and present them before a District Court Commissioner.

If the extra-jurisdictional incident involves a felony, the appropriate investigative component shall be notified and they shall assume investigative responsibility, including accepting custody of all lawfully arrested individuals. If the outside officer refuses to transfer the case, the officer's agency shall be contacted and a request for cooperative transfer made. If the officer's agency refuses, appropriate support will be provided and the refusal shall be noted in the Case Record.

The Department reserves the right to decline custody of any detainee and responsibility for any case.

11. Extra-Jurisdictional Incidents Outside the County

Any officer who discovers an incident requiring police attention in another jurisdiction in the state of Maryland shall cause notification to the police agency for the area of occurrence.

The officer need not wait for the other agency. However, if immediate action is necessary to prevent personal injury or property damage, the officer may take such action if permitted by law.

When taking action in another jurisdiction, the officer continues to be governed by PGPD written directives.

All provisions of this section apply to on-duty and off-duty actions.

Authority of Officers

Officers may exercise police powers in other Maryland jurisdictions if:

- An emergency, as defined in section **III. DEFINITIONS**, exists
- Requested by the host jurisdiction's officer or by MSP
- Assisting an officer, even if such assistance was not specifically requested
- Operating in a joint investigation or task force involving other federal, state or local law enforcement agencies, provided that at least one of those agencies has local jurisdiction

When taking action in one of these situations, officers are empowered with full police authority, except that they shall not enforce any motor vehicle law. The officers may make criminal arrests, seize evidence, conduct investigations and take other appropriate actions to enforce state laws.

While performing these duties in the host jurisdiction, the officer enjoys the same immunities from liability that apply in their home jurisdiction, as well as any immunities that apply to MSP officers. The officer remains for all purposes a PGPD employee.

Notifications

Officers who take action in another jurisdiction shall notify the host jurisdiction's police department (or sheriff's department when no police department exists) as soon as practical.

If the incident occurred in a municipality, notification shall be made to the municipal police rather than the County agency. If the incident occurred on state owned or controlled property, notification shall be to the appropriate state agency.

When the action is taken pursuant to a task force or joint investigation, the officer shall ensure that notification is made in advance of the action if practical. Notification to the host jurisdiction's participating officer may be sufficient although other procedures may be required for certain agencies.

When making notification, the officer may request that the host agency respond to the scene of any incident. Such a request is mandatory if:

- An arrest is made
- The officer displayed a weapon or used force
- A person was injured
- A felony occurred
- An offense report is necessary
- Evidence is available for processing or unattended property needs to be recovered or guarded
- There is a reason to believe further disturbances will occur after the officer's departure

The officer shall notify the supervisor, PSC, within one hour following completion of an extra-jurisdictional action, except when the action was taken as part of their standard duties in a task force or joint investigation.

Public Safety Communications Duties

Upon notification that an officer is involved in an extra-jurisdictional action, PSC shall immediately notify the appropriate host agency by telephone unless the officer has already done so. If a local host agency in the State of Maryland cannot be identified or contacted, PSC shall notify MSP.

The PSC supervisor shall ensure that the name and assignment of the host agency official accepting notification is provided to the officer involved in the extra-jurisdictional action.

Transporting Prisoners

If the officer makes an arrest and does not have a Departmental vehicle appropriate for prisoner transport, they shall request that the host agency make the transport. If the host agency refuses, the officer shall contact PSC for guidance from a Command Officer.

Unless authorized by a Command Officer, prisoner transports in privately owned vehicles are prohibited except in emergencies or when timely contact with appropriate authorities is physically impossible, such as arrests occurring in an isolated rural area without phone or radio.

Prisoners shall be transported to a police or court facility in the host jurisdiction and shall not be brought back to Prince George's County, except when transport to a different location is specifically authorized within a task force or joint investigation.

Investigative Responsibility

The law does not require responsibility for a case, or custody of a prisoner, to transfer to the host agency. However, PGPD officers taking action in other jurisdictions shall offer such transfer unless the officer discharged a weapon, injured a person during their action, or took that action in the course of a joint investigation or task force operation.

If the officer's firearm discharged or injury occurred, the officer shall notify a Command Officer for determination regarding any transfer of the firearm. The officer may consult with a Command Officer in any other situation when they believe transfer may be inappropriate.
If the action occurred as a result of a task force or similar joint investigation, procedures previously agreed upon by participating agencies establish investigative responsibility or identify the person who will make that decision.

The host agency may accept or decline a transfer of investigative responsibility. If the host agency accepts, officers shall yield authority to the assigned host investigator, cooperate with the investigator, and make themselves available as a witness for court.

If the case is not accepted by the host agency, the officer shall have complete investigative responsibility as if the crime occurred in Prince George's County. If they have made an arrest, they shall charge their prisoner on a statement of charges and present the prisoner to a District Court Commissioner in the host jurisdiction. They shall also recover and process evidence, obtain statements, coordinate with the local State's Attorney's Office, and perform all other appropriate follow-up investigation.

The officer's Commander may assign an investigator to assist the officer with follow-up duties if appropriate

Processing & Reports

Whenever an officer takes action in another jurisdiction, they shall complete a Case Record upon their return to the County. The narrative shall:

- Describe the officer's actions and identify the reasons why action was taken
- List the names, addresses and phone numbers of all known victims, witnesses

and suspects (if the host agency processes a PGPD apprehended prisoner, list the host agency's processing ID number for that prisoner)
- Record the date, time and method of notification to the host agency and identify, by name, the host agency's official who received that notification
- Describe the host agency's response or supporting actions, and indicate whether a transfer of custody or investigative responsibility occurred
- List the out-of-county address of occurrence in the LOCATION block

If the officer makes an arrest and the host agency accepts custody of the prisoner, the host agency is responsible for prisoner processing and completion of required paperwork. No documents other than the Case Record are required of the officer.

If the host agency does not accept custody and the prisoner is charged by the officer, the officer shall obtain a PGPD RMS Number for use with the charging document, and shall complete a PGPD Booking Record upon their return to the County. They shall also fingerprint, and, if possible, obtain a photograph of the prisoner using the host agency's facilities and equipment. If the host agency refuses to provide cards or allow use of its equipment, they shall not process the prisoner, and shall note the host agency's refusal in the Booking Record narrative.

Scheduled Prisoner Transport

Such transports do not include removal of prisoners from the scene of an arrest.

Officers shall maintain custody and control of prisoners during scheduled transports in other Maryland jurisdictions. They are authorized to use the same degree of force necessary to control the prisoner or prevent escape as would be permitted in the County.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.1, 1.2.5, 1.3.1, 2.1.2, 2.1.3, 2.1.4, 41.2.1, 82.2.1

Governing Legislation:

- Criminal Procedure 2-101
- Criminal Procedure 2-102
- Criminal Procedure 2-106

In accordance with Section 18-190 of the Prince George's County Code, personnel of the Department, together with all necessary equipment, may lawfully go or be sent beyond the boundaries of Prince George's County to any point within or without the State of Maryland under the following circumstances:

- Upon the direction of the Chief of Police or their designee acting at the request of the State of Maryland, another state, the District of Columbia, or a County or municipal corporation
- Pursuant to a mutual aid agreement
- Pursuant to any statute of the State of Maryland, an ordinance of Prince George's County, or other lawful authority. (CB-126-1987)

16. CONTACTS WITH DIPLOMATS & ARREST OR DETENTION OF FOREIGN NATIONALS

(June 2018)

I. POLICY

Some foreign nationals in the United States are entitled to diplomatic immunity. When it is established that an individual is entitled to diplomatic immunity, officers will respect their privileges.

It is the policy of the Department to comply with all United States treaty obligations on consular notification and access, and to ensure that prompt notifications of consular officials are made on behalf of foreign nationals that have been arrested or detained.

II. CHECKLIST (N/A)

III. FORMS

- Consular Advisement Form (PGC Form #5233)
- Consular Notification of Arrest or Detainment (PGC Form #5197)
- Case Record

IV. DEFINITIONS

Detention: Refers to periods longer than reasonably required to verify identification, reconcile a minor problem, or record information for a police report

Foreign Mission: Personnel and official premises of:

- A foreign government, including embassies and consulates
- An international organization, including diplomatic missions of the organization
- Missions authorized under the Foreign Mission Act of 1982

Foreign National: Any individual who is not a citizen of the United States, including lawful permanent residents in the United States who have a resident alien registration card ("green card") and undocumented or "illegal aliens"

Full Immunity: Accorded to certain personnel of foreign governments who have been accredited to the U.S. In some cases, this immunity covers both criminal and civil process; in others, only criminal process. Individuals with criminal immunity may not be:

- Detained longer than necessary to verify immunity status
- Arrested
- Prosecuted
- Subjected to searches
- Required to give evidence as witnesses

Functional Immunity or Official Acts Immunity: Individuals are not immune from detention or arrest, but may assert immunity for actions carried out in the course of their official duties as an affirmative defense

International Organization: Organizations that have a certain measure of privileges and immunities, agreed to by treaty (most notably the United Nations)

Vehicle Representative: Any individual authorized by a foreign mission to be responsible for any vehicle used by the mission, whether it bears diplomatic registration plates or not

Vienna Convention on Consular Relations (VCCR): A multilateral treaty to which the United States and more than 170 other countries are a party and which sets forth international legal obligations designed to ensure that governments can assist their nationals who live and travel abroad

V. PROCEDURES

1. Levels of Diplomatic Immunity

There are three broad categories of immunity:

Full Immunity: The following and their immediate family members are immune from arrest, detention, and prosecution:

- Diplomats, including those in transit to a diplomatic post
- Embassy administrative and technical staff members

Staff Employee Immunity: Staff members of international organizations, service staff members, and consular employees may be charged with any crime. Immunity is determined by the courts.

Consular Immunity: Consular officers may be arrested for felonies when a charging document has been issued; they are immune from arrest for other acts or those committed as part of their official business; the courts determine immunity. Honorary consuls have official acts immunity but may be arrested for commission of any crime.

Officers shall contact the U.S. State Department to determine the proper course of action when dealing with individuals who claim diplomatic immunity.

Officers may temporarily detain individuals claiming diplomatic immunity. They shall request that the individual produce identification to verify their claim. Accredited diplomats carry a U.S. State Department identification card. The reverse side of the card lists the level of immunity to which the individual is entitled. If the individual does not have a State Department card in their possession, officers shall telephone the State Department.

If immunity is verified, the officer shall release the individual and complete a Case Record. They shall fax or email a copy of the Case Record to the US State Department, United Nations (UN), or other organization with immunity or special privileges by agreement with the United States, and note in the Case Record, how and where the Case Record was sent.

Officers may use necessary force to preserve public safety or stop a battery against anyone. Those with diplomatic immunity will not be arrested in such cases; however the officer will complete a Case Record.

When an officer is the victim of a battery by a diplomat, a Supervisor shall investigate the incident, and prepare a Case Record and notify the chain of command.

2. Searches and Seizures of Property

Official documents, correspondence, and papers of an individual entitled to immunity may not be searched.

3. Registration Plates

The U.S. State Department issues diplomatic registration plates. Two plates are issued to each vehicle. The registration plates do not

determine the level of immunity to which the driver of the vehicle is entitled. Immunity attaches only to an individual; occupants of a vehicle bearing diplomatic registration plates may not have immunity.

Vehicles bearing the U.S. Department of State registration plates are immune from search and seizure.

Occupants of diplomatic vehicles suspected of being stolen or involved in the commission of a crime may be required to present identification. If the vehicle is stolen or was used in the commission of a crime, its inviolability is suspended, and search and seizure of the vehicle are permissible. Articles within the vehicle remain inviolable.

If the occupants are not authorized to use the vehicle, whether or not they are entitled to immunity, the vehicle shall be released to a vehicle representative or impounded for safekeeping. Such vehicles shall be processed for evidence only at the owner's direction or with supervisory authorization.

The validity of a diplomatic driver's license should be verified separately. The status of drivers' licenses and registration plates issued by the State Department may be queried through NLETS.

4. Traffic Violations

(Maryland Vehicle Law 16-901)

Officers confronting individuals who have committed a moving violation under the vehicle laws or regulations of this State or any local authority, and display a U.S. State Department issued driver's license or otherwise claim diplomatic immunity shall:

- Contact the U.S. State Department, at 202-647-1985, during business hours, and 571-345-3146, after business hours, to verify immunity
- Document all relevant information from the driver's license or identification card
- Forward to the Motor Vehicle Administration copies of any accident reports, Case Records, citations, or other charging documents issued to the driver within 5 workdays of the incident.

Officers may issue traffic citations for any violation of the Maryland vehicle laws, however:

- The violator's signature on the citation is not mandatory
- The violator, if entitled to criminal immunity, shall not be arrested or subjected to any test without their permission

When individuals with immunity are detained for longer than several minutes or removed from the scene, they shall be provided with access to a telephone.

Officers shall complete a Case Record whenever they issue a citation to a diplomatic or consular officer.

When dealing with individuals who are suspected of driving while intoxicated and have diplomatic immunity, officers shall ensure that the individual does not endanger themselves or the public. The officer may:

- Offer field-sobriety or chemical tests
- Safeguard the violators until they are capable of driving safely
- Park and secure the violator's vehicle
- Provide transportation to the violator

Parking Violations

Vehicles bearing diplomatic registration plates may be towed only if necessary to prevent a serious obstruction of traffic. When possible, the officer shall attempt to contact a vehicle representative and seek voluntary removal of the vehicle.

If towed, the vehicle will be moved to the closest available legal parking space. The officer shall request that a vehicle representative accept financial responsibility for the crane service. If the representative is unavailable, unwilling, or unable to do so, the officer shall sign the tow service invoice and advise the crane operator to submit it to the Fiscal Management Division (FMD) for payment. When a diplomatic vehicle is moved by crane at an officer's direction, the officer shall complete a Case Record, and forward a copy to FMD.

Notifications

If a diplomat is seriously injured or dies in the County, the appropriate District Commander will make notification to:

- The diplomat's embassy
- The U.S. State Department

5. Arrest or Detention of Foreign Nationals

A foreign national is any individual who is not a citizen of the United States. Therefore, anyone arrested/detained who is not a citizen and is in the United States either legally or illegally is a foreign national.

For purposes of the consular notification process, an "arrest" or "detention" which results in a foreign national being incarcerated for more than a few hours triggers notification requirements. A brief traffic stop or an arrest resulting in a citation for a misdemeanor and release at the scene ("citation in lieu") does not trigger notification requirements.

When officers arrest or detain a foreign national in accordance with this policy, (an Emergency Petition Service (EPS) situation or situation involving a foreign national being quarantined included), they shall determine whether a foreign national's consulate must be notified or whether notification of the consulate is optional. To determine whether an individual's country requires notification of the consulate of the arrest or detention, the officer can:

- Check the issued *Consular Notification and Access Reference Card*
- Check the *Consular Notification and Access Manual* (available electronically on the I-Drive in the "Consular Notifications" folder and available in printed form in PGPD facilities)
- Check the State Department's web site at http://www.travel.state.gov/CNA
- Contact the U.S. State Department at (202) 485-7703 during business hours and (202) 647-1512 after hours

Contacting the State Department for guidance does not trigger a consular notification by them. It is law enforcement's responsibility to notify the consulate. The State Department in this regard is merely a resource as far as questions, guidance, or to ascertain a consulate's phone or fax number.

When encountering a foreign national from a country with which the United States does not have diplomatic relations, the State Department must be consulted.

Should an officer encounter a situation not covered by this directive or the *Consular Notification and Access Manual*, they should contact the State Department.

Mandatory Notification

When the treaty with the arrestee's country of citizenship requires notification, the reporting officer shall make the notification as indicated in this directive. The arrestee does not have the right to refuse consular notification when notification is required by treaty.

In order to comply with the Vienna Convention on Consular Relations (VCCR) and other agreements with provisions on consular notification and access, the State Department recommends that the Statement Forms in the *Consular Notification and Access Manual* be utilized. The manual provides Statement Forms that have been translated into various languages. The *Statement 2* form pertains to those foreign nationals who are from a country for which a mandatory notification of their consulate is required.

For non-English-speaking foreign nationals, they should be shown the Statement Forms in the *Consular Notification and Access Manual* so the Statement Form for the language they speak can be located. Once the appropriate Statement Form is located, a blank copy of the form should be made and the foreign national will be afforded the opportunity to read it. After reading it, the foreign national should be asked to sign the form as an indication that they received the information. They cannot be forced to sign the form and there is no penalty for their refusal.

If a foreign national refuses to sign the form, the officer will write "Refused to Sign" in the signature area and list their name and ID number in the witness area of the form, along with the Case Record Number(s) in a conspicuous location on the form. The form shall be scanned and uploaded to the Case Record.

After completing the aforementioned Statement Form, the foreign national's consulate must be notified without delay. Using a Fax Sheet – Consular Notification, as the preferred method of consular notification, the officer shall fax the aforementioned form to the appropriate consulate, and retain a copy of the fax verification receipt to confirm that notification was sent. If notification cannot be made by fax, notification of the consulate will be made by phone and documented in the case record. The officer shall document:

- The name of the individual notified
- Date and time of the notification
- Name of consulate's country

After notification of a consulate has been made by fax or phone, the foreign national will be advised of the notification.

Optional Notification

In many cases, the foreign national has the option to decide whether to have consular representatives notified of their arrest or detention because the treaty does not require their consulate be notified. However, to ensure the foreign national is aware that they may have their consulate notified, a blank *Statement 1* form will be utilized and completed by the foreign national and the officer. If the foreign national indicates that they want their consulate notified (as indicated by "Yes" being circled on the

Statement 1 form), the officer will proceed as outlined in the *Mandatory Notification* section of this directive.

If the arrestee declines notification, the word "No" will be circled on the *Statement 1* form, no notification will be made of the consulate, and the foreign national's declination will be documented in the officer's report. The original *Statement 1* form will be scanned and attached to the Case Record.

Consular Access

Detained foreign nationals are entitled to communicate with their consular officers. Any communication by a foreign national to their consular representative must be forwarded to the consular post without delay. Subject to security considerations, consular officers shall be permitted to visit and speak with the arrestee and to arrange for their legal representation. The consular officer must refrain from acting on behalf of a foreign national, however, if the arrestee opposes their involvement.

The activities of consular officers are covered by the *Consular Notification and Access Manual.*

6. Death of a Foreign National

When a foreign national dies, the investigating officer shall ensure that the foreign national's consulate is notified as soon as practicable via fax utilizing a *Notification of Death, Serious Injury, or Illness of a Foreign National of Your Country* form.

While fax is the preferred method of notification, telephone notification is acceptable if fax notification is not possible or is impractical. Notifications, reporting, and documentation will be handled in a manner similar to arrests and detention.

If the death results from a traffic collision, consular notification will be made by the investigating officer. If notification is not made by fax, the investigating officer will document the notification in a Case Record in conjunction with the ACRS Report.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.1.4, 1.2.4, 1.3.1, 55.2.6, 61.1.2, 61.1.3, 61.1.13, 61.4.3, 82.2.1

Governing Legislation:

- Diplomatic Relations Act of 1978 (22 USC 254)
- Maryland Vehicle Law 16-901

Reference:

- Vienna Convention on Consular Relations (VCCR)
- Consular Notification and Access Manual

The matrix found in this directive provides guidance for interacting with diplomats.

The U.S. Department of State maintains lists of diplomats, staff and other persons with immunities. For detailed information visit www.state.gov/s/cpr/

Consular Notification & Access information may be accessed at www.travel.state.gov/CNA

DIPLOMATIC AND CONSULAR PRIVILEGES AND IMMUNITIES MATRIX

Category	May be arrested or detained	Residence may be entered subject to ordinary procedures	May be issued traffic citation	May be subpoenaed as witness	May be prosecuted	Recognized family member
Diplomatic						
Diplomatic agent	No	No	Yes	No	No	Same as spouse (full immunity inviolability)
Member of administrative and technical staff	No	No	Yes	No	No	Same as spouse (full immunity inviolability)
Service staff	Yes[1]	Yes	Yes	Yes	Not for official acts. Yes in all other cases.[1]	No immunity or inviolability
Career consular officers	Yes, if for a felony and pursuant to a warrant	Yes[2]	Yes	Not for official acts. Testimony may not be compelled in any case.	Not for official acts. Yes in all other cases.[1]	No immunity or inviolability
Honorable consular officers	Yes	Yes	Yes	Not for official acts. Yes in all other cases.[1]	Not for official acts. Yes in all other cases.	No immunity or inviolability
Consular employees	Yes[1]	Yes	Yes	Not for official acts. Yes in all other cases.[1]	Not for official acts. Yes in all other cases.[1]	No immunity or inviolability
International Organization						
International organization staff	Yes[3]	Yes[3]	Yes	Yes[3]	Not for official acts. Yes in all other cases.[1]	No immunity or inviolability
Diplomatic-level staff of missions to international organizations	No	No	Yes	No	No	Same as spouse (full immunity inviolability
Support staff or missions to international organizations	Yes	Yes	Yes	Yes	Not for official acts. Yes in all other cases.[1]	No immunity or inviolability

Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety or the prevention of serious criminal acts.

1. This table presents general rules. In cases indicated, the employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
2. Note that consular residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.
3. A small number of senior officers are entitled to be treated identically to "Diplomatic Agents."

17. EMERGENCIES AT THE COUNTY COURTHOUSE & COUNTY CORRECTIONAL CENTER

(June 2018)

I. POLICY

The Office of the Sheriff for Prince George's County (OSPG), in cooperation with the Police and Fire Departments, has implemented the following policies and procedures to handle emergency situations at the County Courthouse.

Courthouse identification and weapons policies stress prevention as a means of reducing the chance that a serious incident will occur.

II. CHECKLIST (N/A)

III. DEFINITIONS

Emergency: Incidents where serious injury, death, or major property damage is imminent

IV. FORMS (N/A)

V. PROCEDURES

1. <u>County Courthouse</u>

Initiation of High Risk Court Proceeding Notification (HRCPN) Protocol

To prevent disruption, violence, or intimidation of officials, witnesses and/or court officers leading up to and during court proceedings, PGPD shall use the following criteria to trigger the HRCPN protocol.

Notification will be made to the Homeland Security Intelligence Unit, when an officer processes an arrestee under the following criteria:

- Information of pending disruption, violence or intimidation
- Incarcerated witness with violent history and or escape attempts
- Identified gang/crew member that has engaged in witness intimidation
- Extremist groups/sovereign citizen
- Police officer death and/or injury; police officer victim
- Police officer/public official arrest
- Defendant with psychiatric history
- Defendant is charged and arrested for homicide
- Officer becomes aware of an individual that may cause a disruption at the courthouse

Supervisors shall pay particular attention during their review/approval of the arrest when the above listed criteria exist and shall immediately make notification to the Homeland Security Intelligence Unit at Police_HomelandSecurity@co.pg.md.us or through PSC if the danger/threat is imminent. The subject line will read HRCPN and the notification will contain:

- Date of arrest
- Arrestee's full name
- Arrestee's DOB
- Lead Charge
- Criteria from list above that most applies

Notification to the Homeland Security Intelligence Unit via the PSC Supervisor will be utilized in the event that electronic mail or the county network is not operational. Upon receiving the HRCPN, an inter-agency notification will be made by the Homeland Security Intelligence Unit to the Department of Corrections, Commissioner's

Office, State's Attorney's Office and the Court Liaison Unit.

Fire/Smoke

Employees who see smoke or fire shall:

- Activate the nearest fire alarm
- Notify PSC which will in turn notify the OSPG
- Respond to the parking lot next to the commissioner's entrance to receive an assignment from an OSPG Supervisor

Bomb Threat

If an officer receives information concerning a bomb threat, he or she shall notify an OSPG Building Security Officer.

Officers observing a suspicious package or container shall:

- Notify the OSPG Building Security Officer
- Isolate the immediate area around the suspicious package or container and continue to observe it from a safe distance pending the arrival of the OSPG
- Not touch or tamper with the item

Assaults, Escape Attempts, & Barricades

Officers who observe a concealed weapon on an individual that is not displaying law enforcement photo identification and badge shall immediately contact a Sheriff's Deputy or OSPG Building Security Officer. Officers shall not take action unless another immediate threat exists.

Warrant Service in Courtrooms and in Other Areas of the Courthouse

When an officer is in a courtroom and observes an individual who they know to have an open warrant, the officer shall inform the Bailiff or Sheriff's Deputy assigned to the courtroom. The Bailiff or Sheriff's Deputy will then coordinate the apprehension of the individual. Absent an emergency situation, officers shall not take police action inside of a courtroom unless directed to do so by the presiding judge.

When an officer is in another part of the courthouse (outside of a courtroom) and observes an individual who they know to have an open warrant, the officer shall inform the nearest Sheriff's Deputy. The Sheriff's Deputy will then coordinate the apprehension of the individual. Absent an emergency situation, officers shall not take police action inside the courthouse.

2. County Correctional Center

Standard Operating Procedures from the following components govern the Department's response to unusual occurrences at the County Correctional Facility:

- Criminal Investigation Division (CID)
- Homeland Security
- District II
- Special Operations Division (SOD)

Duties of Responding Officers

Any officer made aware of an unusual occurrence at the correctional facility shall immediately notify PSC.

If the officer is on the scene, they shall assess the situation, and request appropriate assistance through PSC. If possible, the

officer shall attempt to contact correctional representatives. The officer shall remain on the scene in order to brief District II officers upon their arrival.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standard 12.1.4, 46.1.5, 81.2.5

18. COURT APPEARANCES, SUMMONSES & SUBPOENA SERVICE

(May 2025)

I. POLICY

Departmental employees' normal work activities will routinely necessitate their appearance in criminal and civil proceedings. Employees shall accept summonses and subpoenas and shall appear for all legal proceedings when properly served.

II. CHECKLIST (N/A)

III. DEFINITIONS

Business Attire: A conservative suit; or the following items with a blazer:

- Complementary slacks
- Dress shirt, and a tie
- Skirt with a blouse
- Dress
- Business-appropriate footwear

Court Summons: A legal document notifying an individual of their required appearance in a court of law

Court Notification System: An electronic system by which Maryland District Court subpoenas are emailed to employees

Stand-by: When an off-duty employee is required to be available to return to work and perform duties within one hour of recall

Subpoena: A legal order issued by an attorney or the court compelling a person to either testify as a witness at a deposition, hearing, or trial or to produce documents, records, or other tangible evidence

IV. FORMS

- Compensation Request Form (PGC Form #2757)
- Request for Grand Jury/State's Attorney Subpoena Form (PGC Form #5079)
- Sick Notification Log for District Court (PGC Form #4547)
- Court Case Disposition Form (PGC Form #5240)
- Failure to Appear Form (PGC Form #5241)
- Notice of Unavailability for Court (PGC Form #5245)

V. PROCEDURES

1. Court Subpoenas/Summonses

Employees, whether on-duty or off-duty, shall accept any legal court, civil, or administrative process served on them personally unless such service directly interferes with an immediate police operation or task.

Generally, summons or subpoena service should be accomplished before employees go in service. However, if a Supervisor determines there is sufficient time for an officer to return to the Division and that operational readiness and efficiency would not be affected the officer may return to the Division to be served.

Employees shall not accept service of process, subpoenas, summonses, or certified registered mail on behalf of another employee. This does not include receiving criminal subpoenas from the State's Attorney's Office (SAO) or the Office of the Sheriff for Prince George's County (OSPG). All incoming court and administrative hearing subpoenas, including subpoenas from the SAO, will be directed to the Division's primary or alternate Subpoena

Control Officers. The following are some examples of administrative agencies:

- Motor Vehicle Administration
- Animal Control Commission
- County Board of License Commissioners (Liquor Board)

Electronic Court Notification System

Court Notify, the Department's electronic court notification system, is used to notify officers of Maryland District Court subpoenas. The system will contain relevant details, such as defendant information, trial dates/times, and courtroom location.

Officers will be sent an email each time a subpoena is received. Officers are required to check their email for court summonses each workday and log into and confirm the subpoena within the Court Notify System. The Court Notify System will record the date and time officers log into the notification system. A summons will be considered properly served when the summons is received by the officer in the Court Notify System within 72 hours of the court date.

Officers shall review each court case listed and accept or deny the subpoena. Officers may only deny a subpoena if they have pre-approved leave. Officers shall not submit a leave request for a date on which they have already been subpoenaed to court.

When an officer fails to accept or deny the subpoena service, notifications will be sent to their immediate Supervisor. The Supervisor will contact the employee to determine and resolve the nonresponse issue with the employee. Supervisors will be notified if subpoenas have not been addressed 30 days, 14 days, 7 days, and 2 days before the trial date. The Supervisor will notify the Court Liaison Unit of the employee's status.

2. Subpoena Control

Each Commander shall appoint primary and alternate subpoena control officers. All incoming court or administrative subpoenas, not received by the employee electronically, including subpoenas from the SAO, will be directed to the Division's primary and alternate subpoena control officers. Primary subpoena control officers, or in their absence, the alternate subpoena control officers shall check their email daily during their shift.

Subpoena control officers receiving a subpoena for an employee not under their command shall forward the notice via email to the subpoena control officer at the employee's new assignment and request a "read receipt" for the email to confirm receipt of the subpoena notice.

A subpoena received for an employee that is no longer assigned to the receiving Division and cannot be delivered to the affected employee through Departmental mail in time to prevent a Failure to Appear (FTA), shall be forwarded via email to the employee's current Division's subpoena control officer. The subpoena control officer forwarding the subpoena will request a "read receipt" to confirm that it was received.

The subpoena control officer will enter all subpoenas in a logbook, noting the employee's name, subpoena or case number, defendant's name, and the date. Supervisors will check the log daily and, as necessary, ensure subpoena distribution. Receiving employees will sign the log reference entry.

If an employee is on extended leave, the Supervisor will ensure that the CLU is

notified. If unable, the Supervisor shall notify the Commander's office, which shall ensure that appropriate notification is made using the Notice of Unavailability for Court Form.

In cases when a prosecuting attorney calls an employee's assignment to discuss a case, the subpoena control officer or a Supervisor shall attempt to notify the employee, including calling the employee at home if necessary.

3. Attendance Required

PGPD Subpoena Control Officers will accept criminal court subpoenas from the OSPG or the SAO, provided that there is sufficient time to distribute the subpoenas to the affected employees before the trial date. If not, the OSPG or SAO is responsible for service. Faxed subpoenas from the SAO will only be accepted in emergencies.

When employees have been properly served or have received any legal notification to appear in a criminal proceeding (in- or out-of-state), they shall appear as ordered unless approved by the corresponding SAO for telephone standby, as described below in ***Telephone Stand-by Procedures***. They shall neither leave nor fail to appear at any proceeding unless released by the court or subpoenaing authority.

Patrol officers may submit a Notice of Unavailability for Court Form, every January and July when they are scheduled to work the overnight shift. However, during overnight shifts, officers shall attend court on their RDO or the last day of the shift.

In the event an employee receives two or more subpoenas for the same date and time but different locations, they shall:

- Immediately notify the CLU
- Immediately notify the Assistant State's Attorney (ASA) for each courtroom (in minor traffic cases, the court clerk); record the names of the individuals notified, date, time, and any directions given
- Notify their Supervisor of the conflict and the individuals who were notified. The Supervisor shall confirm the notifications to the CLU and the ASA/court clerk

Check- in/Check-out Procedures for Court Appearances

All employees shall check-in and check-out of court, whether on-duty or off-duty. Upon arrival to court, employees shall report to Room 273B in the County Courthouse or Room 9 in the Hyattsville Justice Center. Employees shall present their issued Keyscan card to a member of the CLU who will scan the card and return it to the employee documenting the employee's presence in court. If the employee is off-duty, the CLU staff will provide them with a Compensation Request Form with a date and time stamp indicating when the employee checked-in.

The employee shall report to their assigned courtroom and notify the ASA of their presence. Employees shall sign in on the law enforcement sign-in sheet for that courtroom if one is available. Upon conclusion of the employee's appearance, they shall return to the CLU office to check-out. The employee will present their issued Keyscan card to a member of the CLU, who will scan the card documenting the time in which the employee concluded their time in court.

All officers shall complete and submit a Court Case Disposition Form. All officers

shall give the completed Court Case Disposition Form to the CLU during their check-out. If the employee is off-duty, they shall have the Compensation Request Form provided to them during check-in stamped a second time indicating when they checked-out of court for the day. CLU staff will be available until court is adjourned for the day.

Failure to follow these procedures may jeopardize the off-duty employee's compensation for their court appearance. In addition, an officer's failure to properly check-in and out with the CLU may result in disciplinary action regardless of whether or not the officer signs the Law Enforcement sign-in sheet in the assigned courtroom.

Officers responding to court locations other than Hyattsville and Upper Marlboro, shall check-in and have an overtime Compensation Request Form signed by the subpoenaing authority of that jurisdiction prior to leaving court.

Telephone Stand-by Procedures

When agreed to by the SAO and the officer, the officer may be on telephone stand-by in lieu of physically appearing in court. They shall ensure that the SAO has the necessary information, including a contact phone number where the employee may be reached during court hours.

Officers will not be compensated for telephone stand-by time per the negotiated labor contract.

Multiple On-Duty Officers Subpoenaed for the Same Case

When multiple on-duty officers are subpoenaed to appear in court for the same criminal case, the charging officer will respond to court and determine with the SAO whether the listed witness officers will be needed for trial. The witness officers will remain in service unless requested by the SAO. The charging officers shall list all witness officers not needed for trial on their Court Case Disposition Form.

4. Notification to Court When Sick

When an employee is sick and unable to appear in court, they shall log into the Customer Service Request system (CSR) and access their Division's SharePoint site. Officers will select the Court Sick Notification link and complete all required fields.

The Court Sick Notification system is designed to automatically generate a sick notification report twice daily. Employees shall make notification prior to 0730 hours for the morning docket and prior to 1230 hours for the afternoon docket on the date of their scheduled court appearance to be excused.

The Court Sick Notification system shall only be used for temporary unavailability due to short-term illness and will not replace established procedures when an employee is on extended leave. Applicable provisions of section **2. Subpoena Control** of this chapter shall be followed.

Upon completing the Court Sick Notification form, employees will receive a confirmation email detailing their response and the date/time of submission.

Any employee who is sick and unable to appear in court may not participate in secondary employment for 24 hours following their scheduled court appearance. This limitation may only be waived with the approval of the officer's Supervisor with the

concurrence of the shift/unit Commander. Any employee who is sick and unable to appear in court in excess of three times within 90 days will be subject to a supervisory inquiry. The Supervisor will evaluate the absences to determine if there is a pattern and whether disciplinary action should be taken.

5. Off-Duty Appearances at Court

Employees are eligible for court compensation for appearances arising from duties related to County employment. To receive compensation, employees must submit a completed Compensation Request Form to their Supervisor.

Compensation is made in accordance with the current negotiated labor agreements. Employees are not normally compensated for off-duty appearances at:

- Bond review hearings
- Felony screening appointments
- Juvenile intake hearings
- Preliminary hearings

Employees shall attempt to schedule these appearances during their normal on-duty hours. When employees are notified that an off-duty appearance is necessary they shall notify their Supervisor. The Supervisor shall contact the official mandating the appearance and attempt to reschedule the appearance for the employee's on-duty hours.

If rescheduling is not possible, the Supervisor shall request a memorandum reflecting this from the requesting official and attach it to the Compensation Request Form.

Employees will not be compensated for off-duty appearances at preliminary hearings unless so requested by the Assistant State's Attorney conducting the screening conference. If an appearance is required, the screening attorney shall provide the employee with appropriate documentation which the employee shall submit with the Compensation Request Form.

Verification for Circuit Court

Employees shall contact the SAO after 1700 hours on the night before a trial by calling the contact phone number listed on the subpoena. A recorded message will advise of continuances and special instructions. Employees are not compensated for court appearances if the prerecorded message indicates their appearance is not required.

Former Employees

When a former employee is subpoenaed to a judicial proceeding for actions taken while employed by the County, they shall be paid a flat daily fee of $200. Compensation is available for one calendar year following the date of employment separation.

To request compensation, the former employee shall send a memorandum to the Fiscal Management Division (FMD). The memorandum will contain:

- RMS Case Number
- Citation or court docket number
- Court location
- Date and time of appearance
- Type of case

A copy of the court subpoena and Compensation Request Form, signed by the CLU, must be attached to the memorandum. FMD then verifies court appearances and

has the County's Office of Finance mail checks to former employees.

Former employees are not compensated for court appearances resulting from actions taken during secondary employment.

6. Testifying for Defense

An employee subpoenaed or requested to testify on behalf of a defendant in a criminal case shall notify the prosecutor as soon as possible after being subpoenaed or requested. This notification shall be made by phone or by email. The employee shall keep a record of the notification. The employee shall note the date, time, and to whom notification was made on the subpoena.

7. Notification to Office of Law by Employee

When an employee is served with civil process or a civil subpoena naming them in a work related matter and/or the County as a defendant, that employee shall notify the Police Legal Advisor, in the Office of the Chief. This notification shall be made by phone no later than the close of business on the next business day.

In addition, within three days of the service, the employee shall:

- Email scanned copies of any official papers to the Legal Advisor in the Office of the Chief
- Hand-deliver copies of the civil process documents with a written note indicating the date, and manner of service to the Prince George's County Office of Law, Litigation Section

8. Court Attire

The dress uniform, the winter or summer uniforms, and the winter or summer utility uniforms are all acceptable court attire. On-duty employees subpoenaed to court without advance notice may appear in their normal on-duty attire. In lieu of a uniform, employees may wear business attire**.** Officers appearing in a criminal proceeding resulting from official duties may wear the uniform with the authorized firearm.

Officers shall not wear the uniform when appearing in a court proceeding not related to official duties or when prohibited from being armed while in court.

If appearing in court on work-related litigation, employees may wear business attire.

Employee Defendants or Litigants

Employees who are defendants in any criminal proceeding or are litigants in any civil proceeding shall not wear any Departmentally issued uniform. They shall not display any Departmental identification or accouterments, nor carry any firearm or other weapon inside the courtroom during the proceeding.

Employee Witnesses

If the court appearance is related to police services, employees who testify as witnesses in any judicial proceeding may wear an authorized uniform including their firearm.

If the court appearance is not related to police services employees shall not wear a uniform, but those authorized may wear an approved firearm.

Weapons Restrictions – Certain Situations

Officers shall not be armed in a Prince George's County courthouse when:

- In the courthouse as moral support for a friend or relative
- Serving on jury duty
- Testifying in a personal matter

Courthouse Identification for Plainclothes Officers

Armed officers who are in plainclothes attire are required to present their law enforcement identification for verification before entering the Hyattsville Justice Center and County Courthouse. Armed officers not in uniform and on official business shall wear their photo identification and badge prominently displayed on their outermost clothing while in the Hyattsville Justice Center or County Courthouse.

Officers Performing Covert Activities

Undercover officers who can articulate an immediate need, and whose official duties would be otherwise compromised if recognized as a law enforcement officer, may remain armed while in the courthouse without the need to wear conventional law enforcement identification attached to their outermost clothing. Officers in this category must enter the courthouse at the Commissioner's entrance and respond to the Sheriff's Building Security Office for instructions for using an alternative identification method.

Alternative identification methods change daily. Officers shall protect the confidentiality of this system.

Officers conducting operations not requiring an inconspicuous appearance or disguise shall wear business attire.

Professional staff shall wear business attire.

9. Court Security

When an officer delivers a prisoner to any court, they shall notify a court official if the prisoner is a security hazard.

10. Court Hearings

Employees should be prepared to testify at hearings. They shall bring all information pertaining to the case, including drug analysis and photographs, to the hearing.

Employees shall contact the Asset Forfeiture Unit at the SAO if they are not going to be available for a forfeiture hearing. Information concerning warrant, screening, and extradition procedures can be found in **VOLUME II, CHAPTER 19. CRIMINAL ARREST WARRANTS & SEARCH WARRANTS.**

11. Bond Review & Preliminary Hearings

Bond Review

Bond review hearings are held for prisoners who are unable to make bond and who would otherwise be incarcerated until their trial date. These hearings are usually held at the Prince George's County Correctional Center. Bond review hearings are usually held on the day following the arrest.

Employees do not need to appear at bond review hearings. To transmit additional information to the court, an employee may contact the CLU who shall ensure that the

information is made available to the court at the bond review hearing.

Preliminary Hearings

Preliminary hearings are held each day that the District Court is in session. Preliminary hearings are held to determine if probable cause exists for a felony arrest and to prevent dismissal of a felony charge when an indictment has not been returned within 30 days of the arrest.

Cases Approved for Grand Jury

If an employee has screened a case and the case is approved for presentment to the Grand Jury, the employee does not need to appear at the preliminary hearing unless the screening attorney requests their appearance.

Cases Not Approved for Grand Jury

If an employee has screened a case and the screening attorney does not approve the case for presentment to the Grand Jury, the screening attorney will determine whether the employee must appear for the preliminary hearing.

When a screening attorney requests an employee be present at a hearing, they shall give the employee a memorandum stating such a request.

12. Criminal Appeal Cases

Criminal appeals are undertaken in two circumstances:

- The defendant charged with a jailable offense in the District Court requests a jury trial
- The defendant appeals to the Circuit Court following a guilty finding in District Court

When employees become aware that their case has been appealed to the Circuit Court they may contact the SAO, Criminal Appeal Coordinator to ensure that they are notified of future court dates and afforded the opportunity to provide input into plea negotiations.

13. Requests for Information or Grand Jury Subpoenas

Requests for information on cases pending before the Grand Jury or Circuit Court shall be directed to the Division Chief of the Division having jurisdiction over the case at the State's Attorney's Office.

Requests for Grand Jury subpoenas shall be directed to the Grand Jury/Screening Division's administrative aide. The Request for Grand Jury/State's Attorney Subpoena Form shall be completed for all requests. The form will be sent directly to the SAO either by fax or electronically.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards
- Collective Bargaining Agreements

19. CRIMINAL ARREST WARRANTS, & SEARCH WARRANTS

(October 2023)

I. POLICY

The Office of the Sheriff (OSPG) has primary responsibility for serving legal process in Prince George's County, including all civil legal process and criminal arrest warrants. Upon OSPG request, officers may assist in keeping the peace or enforcing criminal laws at locations where civil process is executed.

Officers shall serve criminal or civil legal process (Protective Orders and Emergency Petitions) during those patrol and investigative functions normally conducted by the Department. Only sworn Departmental personnel shall handle criminal legal process. Civilian employees may assist in collecting evidence related to the execution of criminal process, but shall not participate in the physical apprehension, handling, or transportation of any person detained pursuant to criminal process.

No-knock search warrants pose a risk to officers and citizens during their execution; therefore, they shall only be used in the most exigent circumstances. No-knock search warrants should only be used in instances where there is an imminent threat of physical violence, or risk to life. No-knock warrants may only be served when authorized by court order. ***See:*** **11. No-knock Warrants** and **12. Search Warrant Execution by Emergency Services Teams (EST)** below for additional guidance and assistance with search warrant executions.

II. CHECKLIST (N/A)

III. DEFINITIONS

Legal Process: Any writ, summons, warrant, body attachment, or other judicially issued written order that accomplishes at least one of the following objectives:

- Compels a person to appear before a civil or criminal court
- Orders the arrest or apprehension of any person
- Judicially authorizes or requires law enforcement officers to take specific enforcement actions, such as searches and seizures

No-knock Search Warrant: A search 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

IV. FORMS

- Booking Record
- Case Record
- Report of Investigation (PGC Form #67M)
- Tactical Operation Briefing Sheet (PGC Form #5251)
- Search Warrant Threat Assessment Matrix (PGC Form #5257)

V. PROCEDURES

1. Arrest Warrants Obtained by Employees

The Department does not routinely enter or remove arrest warrant information from RMS. The OSPG performs this function upon receipt of an arrest warrant. When a Booking Record is created in RMS, OSPG will automatically be flagged regarding the arrest warrant. Officers shall not attempt to

enter or remove arrest warrant information from any computer system.

Officers desiring notification of a suspect's arrest may subscribe to the arrest warrant in RMS. When an officer is notified that a person for whom they hold an arrest warrant has been arrested, the officer shall immediately serve the arrest warrant or turn it over to the OSPG.

If an initial offense report has not been written, the officer shall document the issuance of an arrest warrant in a new Case Record. Otherwise, officers shall update the original Case Record if/when an arrest warrant is issued.

The District Court Commissioner will provide PGPD employees with a copy of the arrest warrant. The District Court Commissioner will forward the original arrest warrant to the OSPG, who will enter the arrest warrant information upon receipt of the original warrant. This is generally done within 24 hours of issuance.

2. Sheriff's Arrest Report; Case Disposition

The Records Management Division and SAO receive daily RMS notifications, when OSPG makes an arrest on an arrest warrant initiated by PGPD.

Officers may subscribe to arrest warrants in RMS. When the arrest warrant is closed, any subscribed officer will be notified via RMS.

3. Arrest Warrant Service

OSPG has primary responsibility for serving arrest warrants. However, officers may attempt to serve arrest warrants obtained by officers during PGPD investigations. They shall arrest persons wanted on other arrest warrants if contact is made during normal police duties.

Custody of persons arrested on an arrest warrant shall be transferred to a regional processing facility for processing and presentment to a commissioner. In such cases, OSPG ensures that arrest warrant information is removed from the computer.

Officers shall carry a copy of the arrest warrant or confirm its existence before making an arrest. Confirmation may occur through a computer hit for local arrest warrants, teletype, or contact with a District Court Commissioner who is in possession of the arrest warrant.

Officers may access the arrest warrant module through RMS, telephone contact with the OSPG dispatcher, or by direct computer link where available.

For purposes of this section, juvenile writs of attachment are treated as arrest warrants.

4. Service of Arrest Warrants Obtained by PGPD

Before transferring a wanted person to the regional processing facility, the arresting officer shall determine whether a PGPD officer initially obtained the arrest warrant. If so, the arresting officer shall transport the prisoner to a police facility and notify the obtaining officer's component.

If the warrant was obtained by an officer assigned to the Major Crimes Division, Special Crimes Division or Strategic Investigation Division, transfer of the prisoner to that Division is mandatory, and shall be done as soon as possible. The obtaining officer's component shall accept custody in cases where the original arrest

warrant is physically held by that component. In other situations, custody may be transferred to the obtaining officer or their component at the discretion of that component's Supervisor.

When the obtaining officer's component accepts custody, the arresting officer shall complete a Booking Record. The component accepting custody becomes responsible for the prisoner.

If the arrest warrant has already been transferred to the OSPG, the arresting officer shall complete a Booking Record and give a copy to the regional processing facility intake officer. The regional processing facility intake officer will process the prisoner and present them to a District Court Commissioner.

When an officer serves their own arrest warrant, the officer must give the defendant a copy of the statement of charges prior to transporting the defendant to the regional processing facility. The officer must sign the reverse of the arrest warrant, indicating service of the arrest warrant.

5. Arrest Warrants Held by Commissioner

When an officer arrests a person on an arrest warrant that is still in the possession of a District Court Commissioner, the officer shall complete a Booking Record.

6. New Charges on Wanted Persons

When an officer makes a warrantless arrest and later discovers that the prisoner is wanted on an unrelated arrest warrant, the officer shall ensure that all processing for the original arrest, including presentment to a commissioner, is completed before custody is transferred to another agency for arrest warrant service.

7. Arrest Warrant Service Within PGPD Primary Jurisdiction

Officers who serve arrest warrants, shall document service in a Booking Record. The documentation shall include:

- Officer's name and ID number
- Wanted person's name, race, sex, and date of birth
- Jurisdiction issuing warrant and warrant number
- Offense(s) charged on warrant
- Date, time, and address of service
- Disposition
- Name of persons contacted during warrant service
- Method of service

In cases when an officer attempts to serve a PGPD arrest warrant and are unsuccessful, the officer shall document their actions under the original RMS number, as an Officer Narrative Record.

When attempting to serve arrest warrants, officers will carry copies of the arrest warrant, if available. The original arrest warrant will remain in a file or be forwarded to the OSPG.

When the arrestee is processed, the custody officer will serve the original arrest warrant and destroy the copy.

8. Arrest Warrant Service Outside Prince George's County

Maryland Code, Criminal Procedure Article §2-103 allows a police officer to arrest a person throughout the State without limitations as to jurisdiction if:

(1) an arrest warrant has been issued against the person;
(2) the police officer is participating in a joint operation created by a written agreement between the primary law enforcement agencies;
(3) the arrest occurs within one of the participating jurisdictions in accordance with the agreement; and
(4) the police officer is acting in accordance with regulations that the police officer's employing unit adopts to carry out this section.

Officers attempting arrest warrant service outside Prince George's County shall request the assistance of the host jurisdiction before the attempt. They shall allow the host jurisdiction to make the actual arrest and comply with the host jurisdiction's instructions regarding their conduct at the scene and subsequent transfer of custody.

If the arrest warrant stipulates the arrested person shall be presented to a court commissioner in the county where arrested or if the arrest occurs in another state and extradition is required, the officer shall request that appropriate processing occur before presentment of the prisoner to court officials. This processing may be conducted by the officer or by the host jurisdiction. The officer may request an opportunity to interview the arrested person at the host jurisdiction's discretion.

If the arrest warrant stipulates that the arrestee be returned to Prince George's County and the officer subsequently transports the prisoner, processing shall be done following arrival in the County.

9. Fugitive Arrests on Out-of-County Warrants

A Supervisor shall approve requests for arrest warrant service assistance from officers of other jurisdictions. If granted, the Supervisor shall respond to the scene and direct the apprehension. An arrest shall not be attempted prior to the Supervisor's arrival unless circumstances require immediate action.

When officers from another jurisdiction operate as members of a PGPD-participating task force, they need not obtain approval from a PGPD Supervisor prior to warrant service.

If the arrest warrant is for a crime investigated by PGPD, the officer shall notify the appropriate investigative component of the impending warrant service. Notified investigators are not required to respond but may require the apprehended fugitive be transported to their component before release to the outside agency.

Unless the outside agency's officer has concurrent jurisdiction or is operating within a PGPD-participating task force, the officer shall not take an active role in the apprehension, except in an emergency. The Supervisor shall ensure that the officer understands this requirement before attempting arrest warrant service.

Except when prohibited elsewhere in this section, individuals arrested on arrest warrants from other Maryland jurisdictions may be released directly to officers from those jurisdictions at the discretion of the Supervisor. Otherwise, the fugitive shall be transferred to a regional processing facility within the County along with a copy of the

arrest warrant or a confirmation message indicating that the arrest warrant is open.

The teletype shall also indicate whether the fugitive can be presented to a commissioner in Prince George's County or must be returned to the originating jurisdiction. If presentment is to be made in Prince George's County, it shall be made only by an officer from a regional processing facility.

Fugitives from other states have legal rights regarding extradition. Officers are prohibited from transferring custody of such fugitives to agents of any non-Maryland jurisdiction unless the arrest warrant is federally issued, and the agent is a federal officer. Prisoners shall not be transported to DOC, Upper Marlboro, until a teletype verifying both the arrest warrant and that the prisoner will be extradited has been received by the PGPD Teletype Unit. The Teletype Unit shall fax a copy of the teletype confirmation from the originating agency to DOC, Upper Marlboro. Prisoners wanted on non-federal, out-of-state arrest warrants shall then be transferred to the Regional Processing Facility in Upper Marlboro.

10. Search Warrant Execution

All search warrants shall be entered into the Customer Service Request system (CSR) for tracking purposes.

All search warrants shall be executed:

- Within 10 calendar days after the day that the search warrant is issued
- By officers who are clearly recognizable and identifiable as a police officer, wearing a uniform, badge, and name plate bearing their name and ID number
- With all Body Worn Camera(s) activated, in accordance with Departmental policy
- With a minimum of 20 seconds allowed for the occupants of a residence to respond and open the door before the officer attempts to enter the residence, absent exigent circumstances (This does not apply to no-knock search warrants)
- Without the use of flashbang, stun, distraction, or other similar military-style devices, unless exigent circumstances exist
- After completion of all departmental search warrant forms, to include a threat assessment form

Return of Warrant to the Court

Search warrants shall be returned to the issuing judge or any judge of the court within 10 days of the date of execution along with a verified inventory of the items seized.

11. No-knock Search Warrants

No-knock Search Warrant Application

Applications for no-knock search warrants require:

- Written preapproval by a Division Commander and the State's Attorney's Office, prior to submission to a judge
- Reasonable suspicion that without authorization the life or safety of the executing officer(s) or another person may be endangered
- A description of the evidence in support of the application
- 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 search warrant
- An explanation of why the affiant is unable to detain the suspect or search the premises using other, less invasive methods
- Acknowledgement that any police officers who will execute the search warrant have successfully completed the same training in breach and call-out entry procedures as Emergency Services Team (EST) members
- A statement as to whether the search warrant can effectively be executed during daylight hours and, if not, what facts or circumstances preclude effective execution in daylight hours
- A list of any additional occupants of the premises by age and gender
- An indication as to whether any individuals with cognitive or physical disabilities reside at the premises, if known
- An indication of any pets residing on the premises

No-knock Search Warrant Execution

No-knock search warrants shall be executed:

- Between 0800 and 1900, absent exigent circumstances
- Within 10 calendar days after the day that the search warrant is issued
- By officers who are clearly recognizable and identifiable as a police officer, wearing a uniform, badge, and name plate bearing their name and ID number
- With all Body Worn Camera(s) activated, in accordance with Departmental policy
- Without the use of flashbang, stun, distraction, or other similar military-style devices, unless exigent circumstances exist

12. Search Warrant Execution by Emergency Services Teams (EST)

Except in emergencies, officers preparing to execute a search warrant shall seek guidance from the Commander, EST in any situation when:

- Circumstances indicate that a barricade situation is likely to develop if search warrant execution is attempted
- Circumstances indicate that the suspect is likely to offer armed or potentially lethal resistance
- The suspect's mental condition is known to be unstable and potentially violent

If the Commander, EST is unavailable, any Special Operations Division (SOD) Command Officer may be consulted. If an on-duty SOD Command Officer is unavailable, the Division Commander shall determine whether an SOD Command Officer shall be contacted at home.

The decision to deploy EST is at the discretion of the SOD Command Officer. Factors to be considered in making that decision include, but are not limited to the:

- Nature of the offense named on the search warrant
- Suspect's known propensity for deadly violence
- Experience, training, and capabilities of the requesting component
- Likelihood of a barricade occurring, the physical characteristics of the site and the degree of danger to which the nearby public might be exposed if a barricade situation developed, and EST was not immediately present

If deployment is authorized, the SOD Command Officer shall give the requesting

officer specific instructions regarding containment and surveillance pending EST's arrival. Those instructions shall not be deviated from except in emergency situations. ***See:*** **10. Search Warrant Execution and 11. No-knock Search Warrants** of this Chapter for mandatory procedures.

13. Search Warrant Execution Procedures

Search Warrant Review by EST

Search warrant executions shall not be done without the approval of the EST. Once an officer has received approval through their chain of command to request the assistance of EST to conduct a residential or commercial search warrant, that officer shall scan and send the entire search warrant packet to Police_ESTWarrants@ co.pg.md.us. Officers shall not send the warrant packet directly to any individual within EST. After sending the packet, the officer shall contact the EST Commander via phone to advise that the email was sent and to begin scheduling of the warrant execution. The warrant packet shall include:

- Officer's name and contact information
- Application for search and seizure warrant
- Search and seizure warrant, signed by a judge
- Completed Tactical Operation Briefing Sheet
- Completed Search Warrant Threat Assessment Matrix
- Any additional documentation that can provide intel on the occupants or dwelling, to include but not limited to:
  - Criminal history
  - Premise history
  - Investigator notes
  - Operation Plan
  - Photographs

Exigent circumstances may not allow officers to send search warrant packets to EST while on scene. For example, an active scene where the dwelling is locked down and secure with a suspect in custody (Level 3 risk factors). In those cases, still contact the Tactical Commander for consultation prior to the execution of the search warrant and send the packet for review the following business day.

Requesting Assistance with Search Warrant Execution

No matter what the risk level a search warrant falls within on the Search Warrant Threat Assessment Matrix, the officer must consult with the Tactical Commander prior to the execution of any residential or commercial search warrant. Units needing assistance shall contact the Commander of EST, or in their absence, an SOD Command Officer as far in advance of the proposed search warrant execution as possible.

It is the responsibility of the Supervisor of the unit requesting assistance to determine the number of officers required for maintaining security of the scene.

Outside agencies requesting assistance to conduct search warrant execution within the County shall be directed to contact SOD during normal business hours. Public Safety Communications (PSC) shall be contacted at other times. PSC shall then contact the Commander EST, or in their absence, an SOD Command Officer.

Supervisor's Responsibilities

For any search warrant execution, one Supervisor shall be appointed as OIC. The OIC is responsible and accountable for all

planning, briefing, staffing, and the overall conduct of the search warrant execution. The OIC may delegate authority for specific assignment of personnel, vehicles, equipment, or other duties to a designee, if necessary.

It is impossible to enumerate all potential contingencies during the execution of a search warrant. Therefore, the OIC shall deal with changing variables as they arise. The OIC is accountable for the proper and professional coordination and execution of the plan.

Briefings & Notifications

The OIC shall ensure that participating personnel are completely briefed regarding portions of the search warrant execution that fall within their individual scopes of responsibility. They shall receive a general briefing. The OIC shall ensure that personnel receive a master list for locations, vehicles subject to impoundment, and persons subject to arrest. During the briefing, all personnel shall be advised of locations or persons that may cause problems and the extent of the anticipated problem. Emphasis shall be placed on information regarding armed persons or hidden weapons. Following the briefing, the EST Supervisor shall be in charge of the operation until the premises are secured.

A PSC Supervisor shall be notified of the location of all search warrant executions before execution and the number of police officers involved. If necessary, permission for exclusive use of a radio channel for the use of involved personnel shall be secured. If the location lies within a jurisdiction serviced by another police agency, a PSC Supervisor shall notify that agency when the search warrant execution commences.

Maintaining Confidentiality of Search Warrant Operations

No person shall divulge information to any other person before the execution of a search warrant unless that person is an officer of the team. Only a Deputy Chief, or the ranking officer involved in the search warrant execution can make exceptions to this policy.

Preparation of Search Warrant Execution Teams

The following components may be used to facilitate success, as necessary. A uniformed team will be assigned to all plainclothes tactical operations. Each component will remain in service until secured by the OIC. During mass search warrant execution situations, the appropriate number of officers shall be assigned as needed.

Undercover Teams: Shall consist of undercover officers and two investigators. They are responsible for locating and identifying "John Does" and other individuals for whom search warrants have been issued. Arrest team officers will make actual arrests unless the immediacy of the situation dictates otherwise.

Arrest Teams*:* Shall consist of uniformed officers only. They will execute search warrants and apprehend individuals found by the undercover team. They shall complete the case report or booking record and transfer the arrestees to the transporting officers. When transporting officers are unavailable, arrest team officers shall transport arrestees to a processing site and release them to the processing team.

Security Teams*:* Shall maintain security of arrestees, keeping unauthorized personnel

clear of the field processing area. Security team officers shall assist other teams as assigned by the OIC.

***Coordinator**:* Shall be in charge of all post-arrest activities in the absence of the OIC. The Coordinator is responsible for:

- The proper handling of arrestees
- Remaining at the field processing site
- Ensuring the maintenance of a professional decorum at the field processing site
- Documenting any situations that interfere with the orderly processing of arrestees
- Assigning officers involved in the post-arrest activities to duties as needed.

***Transportation Units**:* Shall consist only of marked vehicles. Transportation unit officers shall accept arrestees from arrest teams and transport them to the processing site. They shall patrol the area, remaining available to assist other components, as necessary.

***Impound Teams**:* Responsible for impounding vehicles. They shall complete all impound reports.

Other officers will assist with confirming identities, obtain photographs for investigation purposes, and assist in making notifications for juvenile arrests. They shall also coordinate the release of juveniles, when appropriate. ***See*: VOLUME II, CHAPTER 38. JUVENILE PROCEDURES**

On Scene Search Warrant Execution

EST officers shall be responsible for making forced entries into premises and securing occupants during all search warrant executions. Once the premises have been secured, the requesting personnel shall enter and assume control of the operation. No one shall be allowed to enter the dwelling with SOD personnel during the initial entry.

All SOD team officers (entry and arrest teams) shall be in a uniform that readily identifies them as Prince George's County police officers.

When entry has been gained, specific officers shall be designated to ensure the security of arrestees. Search teams will search all arrestees first. Assigned officers will then transport arrestees safely and securely. If interrogated on scene, arrestees shall be advised of their rights.

SOD personnel operating specialized vehicles and equipment for search warrant executions generally cannot provide prisoner transportation.

Before the premise search begins, and at the conclusion of the operation, the interior and exterior of the premises shall be photographed or recorded by BWC to demonstrate the condition of the property upon entry and exit. When evidence is found, it will be photographed or recorded by BWC before removal and shall be removed by the appropriate personnel. All property shall be listed on the search warrant before being removed from the scene.

A copy of the search warrant shall be given to the property owner or lessee. If they are not available, a copy shall be left in a conspicuous place within the premises.

The OIC shall:

- Reexamine the searched area to ensure no equipment is left behind. The area shall be secured by the best possible method.

- Notify PSC before the entry and again when the operation has been concluded
- Ensure all necessary notifications and the issuance of a proper and concise press release is completed

Post Search Warrant Execution Duties

Following completion of the search warrant execution, the Supervisor shall ensure that the following are accomplished:

- All reports shall be checked
- All seized property shall be properly tagged and processed
- Equipment borrowed from other units shall be returned
- The case will be documented as soon as possible
- All search warrant executions shall be entered into the Customer Service Request system (CSR) for tracking purposes
- Suspected CDS shall be processed in accordance with **VOLUME II, CHAPTER 47. PROPERTY & EVIDENCE**
- Necessary reports will be expeditiously delivered to the State's Attorney's Office (SAO)
- All photographs and BWC images taken during the operation shall be archived before the end of shift in accordance with **VOLUME II, CHAPTER 47. PROPERTY & EVIDENCE** and **VOLUME II, CHAPTER 9. BODY WORN CAMERAS**

The SOD Supervisor shall:

- Submit a summary, along with any other appropriate reports, to the Commander SOD
- Ensure all equipment is checked for defects and repair needs
- Conduct periodic meetings between SOD Supervisors and requesting Supervisors to evaluate the results of prior activities and discuss future assignments. Steps will be initiated to resolve any problem areas.

Division Commanders of components that conduct search warrants shall ensure that a quarterly audit is conducted of the search warrant data in CSR. The findings of the audit shall be reported through their chain of command to their Deputy Chief. Each report shall contain, at minimum:

- Total number of search warrants authorized
- Number of search warrants executed
- Any search warrants of special note

IAD Audits & Inspections Unit, shall conduct, at minimum, a bi-annual audit of all search warrant data within CSR. IAD may conduct unannounced or more frequent audits, if necessary. IAD Audits & Inspections Unit shall maintain a record of all CSR audits. The findings of the CSR audit shall be reported through the chain of command to the Chief of Police.

The Information Technology Division (ITD) will report search warrant information to the Governor's Office of Crime Prevention, Youth & Victim Services, annually as required by law.

14. Request for Legal Assistance, Search Warrants or On-scene Assistance

For assistance with the preparation of search warrants or when on-scene legal advice is required, an Assistant State's Attorney will be requested via PSC. The contact for homicides and police shootings is the Chief, Homicide Division, or the Chief, Narcotics

Division of the SAO. The primary contact for other cases is the Chief, Criminal Trials Division.

15. Screening Unserved Felony Arrest Warrants

An officer who obtains a felony arrest warrant that is not immediately served, shall within 30 days, schedule an appointment with the SAO to screen the warrant.

Upon receiving reliable information that the suspect is outside of the metropolitan area; the officer will immediately phone the SAO to schedule a screening appointment.

When an unserved felony warrant has been screened and the SAO decides to present the case to the Grand Jury pending arrest of the suspect, officers need not rescreen the case upon arrest. However, they shall contact the SAO to provide additional information or evidence as developed.

16. Immediate Extradition Required

If the suspect is found outside the metropolitan area and the officer requires immediate authorization for extradition, the officer shall contact the SAO, Extradition and Detainer Coordinator. During non-business hours, the officer shall request assistance from the on-call Assistant State's Attorney via PSC.

17. Screening Dispositions, Defendant at Large

If an officer has obtained an arrest warrant, but the defendant remains at large, the officer may screen the case with the SAO. The screening attorney will decide whether the case will be presented to a Grand Jury or referred to District Court. The screening attorney will also advise the officer whether extradition will be authorized, and the type of extradition for the NCIC/METERS entry. The officer will contact OSPG to confirm the NCIC/
METERS entry and request appropriate modifications.

If the screening attorney believes a case has insufficient evidence for Grand Jury presentment, they may refer it back to the officer for further investigation.

18. Documents Required at Screening

The officer shall give the screening attorney copies of the following:

- All case, investigative, and accident reports, to include all records in RMS
- Statement of Charges, along with the Application for Statement of Charges or Statement of Probable Cause
- Any citations issued
- Copies of any warrants or electronic surveillance to include Consent to Search forms
- Criminal records (Local, State and Federal) and driver's license and registration printouts, if applicable
- Property Records and Chain of Custody Logs
- Advice of Rights and Waiver Forms and any statements made by the defendant
- All victim & witness statements
- Forensic laboratory reports/request forms
- Pertinent photos and photo spreads
- Names and ID numbers of all employees who had any involvement in the case

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards: 1.2.1, 1.2.3, 1.2.4, 1.2.5, 41.2.8, 42.2.3, 42.2.7, 43.1.5, 46.2.1, 74.1.2, 74.3.1, 74.3.2, 82.2.1, 82.2.2, 82.3.8, 84.1.1

Governing Legislation:

- SB178 – Maryland Police Accountability Act of 2021
- Maryland Code, Criminal Procedure Article §2-103(b)
- Maryland House Bill 837, 2022
- Maryland House Bill 1071, 2023

Maryland Constitution, Declaration of Rights, Art. 26,

Constitutional provisions regarding search warrants apply only in cases where a search is conducted without the consent of the occupant of the premises. When permission to search is granted, either by the occupant or their agent, a search warrant is not necessary.

Stop & Frisk: ***Terry v. Ohio***

When officers observe unusual conduct that leads them to reasonably conclude, in light of their experience, that criminal activity may be afoot and an individual may be armed and presently dangerous, officers shall identify themselves and make inquiries of such individual.

If nothing in the inquiry dispels the reasonable fear for the safety of the officer and others, the officer may conduct a carefully limited search of the individual's outer clothing in an attempt to discover weapons. Such searches are reasonable and any evidence obtained is admissible.

Exigency & Mobility: ***Carroll Doctrine, Chambers v. Maroney Jermuaul Rondell Robinson v. State of Maryland, Dexter Williams v. State of Maryland, Vernon Harvey Spriggs, III, v. State of Maryland, Norman v. State***

Warrantless vehicle searches are justified if there is probable cause that the vehicle contains contraband, and mobility is possible (exigency). Probable cause that justifies making an arrest is also generally sufficient for authorizing a search, given exigency (mobility). The search is justified by exigency, not as a search incident to an arrest. The Carroll Doctrine is not dependent upon a lawful arrest. However, officers must be able to cite reasonable articulable suspicion supporting the belief that the vehicle occupants are armed and dangerous to justify a frisk.

IN THE COURT OF SPECIAL APPEALS OF MARYLAND. In re D.D., No. 2616, September Term, 2019, Opinion by Graeff, J.

FOURTH AMENDMENT – SEARCHES AND SEIZURES – INVESTIGATORY DETENTIONS – RESONABLE SUSPICION

Court of Appeals held that the odor of marijuana, by itself, does not provide reasonable suspicion of criminal activity, and therefore, a stop based on this circumstance alone is unreasonable under the Fourth Amendment.

Search Incident to Arrest: *New York v. Belton*

A warrantless search of a vehicle's entire passenger compartment may be made to include containers in the compartment, as a search incident to an arrest, for protection of the officer, and to prevent the removal or destruction of evidence. Belton is based on a search incident to an arrest, and not on the Carroll Doctrine.

Search Incident to Arrest: *Arizona v. Gant* (clarifies *New York v. Belton*)

In 2009 the Supreme Court decided the case of *Arizona v. Gant*. This case explained a common misinterpretation by law enforcement of *New York v. Belton*. Law enforcement had historically misinterpreted the *Belton* case, believing officers could automatically search a vehicle incident to the arrest of a driver or recent occupant of a vehicle.

Gant clarified that decision holding that officers cannot automatically search a vehicle incident to the arrest of a driver or occupant without another independent reason.

Gant explained that officers may search a vehicle incident to the arrest of a driver or occupant if one of the following situations applies (unless one of the other exceptions to the warrant requirement exists as explained below):

- If it is reasonable to believe that the arrestee might access the vehicle at the time of the search (for example, if the arrestees outnumber officers on scene and cannot be secured), or
- If it is reasonable to believe that the vehicle contains evidence of the offense for which the arrestee is being arrested (for example, in an arrest for DWI/DUI, the officer could articulate that evidence such as beer cans, cups with alcohol, etc., might be found within the vehicle)

As noted above, officers may still conduct searches of vehicles if one of the other exceptions to the warrant requirement exists, such as:

- Probable cause to believe the vehicle contains evidence of a crime
- An item of contraband/evidence of a crime is located in plain view of the officer
- Reasonable suspicion that leads to a Terry frisk of the person and the auto
- An impound inventory of the vehicle (when conducted pursuant to General Orders)
- Consent to Search the vehicle has been received

Inventory Search: *South Dakota v. Opperman*

Inventory searches of a vehicle are justified if they are:

- Pursuant to a lawful impoundment
- Routine and standard in practice
- Not a pretext concealing an investigatory police motive

Search of Vehicle Related to a Crime: *Barrow v. Maryland*

A vehicle may be searched at the scene of a crime if probable cause exists that the vehicle is related to the crime and could contain evidence.

Limitations of an Arrest Search: *Chimel v. California*

The Supreme Court has rendered a decision limiting areas that may be legally searched by police when a search of premises is made incident to an arrest.

The decision does not limit searches by consent, searches made under the authority of a search warrant, or searches of vehicles. It relates to searches of areas under the control of the arrestee incidental to a legal arrest. Fruits of a crime, instrumentalities, contraband, or evidence connected with the crime may reasonably be expected to be located in the area where the arrest is made.

Court established guidelines:

- An arrested individual may be searched for weapons and evidence
- A search of the area in the immediate control of the arrestee may be conducted, and is defined as the area from which the arrestee might gain possession of a weapon or destroy evidence

Area Extended: *Scott v. Maryland*
The search area is extended to include areas where an arrestee might move to get to a weapon or evidence before an officer could restrain the arrestee.

Maryland Attorney General Opinion, Search of Premises Subsequent to Arrest
Officers in possession of an arrest warrant may enter a residence if there is probable cause that the accused is present; any area in which the accused could hide can be searched and the courts have not excluded evidence and contraband found during such a search.

Searches beyond Chimel require a search warrant; search warrants may be served along with arrest warrants.

When an arrest is made on a premise without an arrest warrant and the officer develops probable cause for a search warrant, the officer may remove the arrestee and post a guard until a search warrant is obtained; if a guard is inside a residence and someone entitled to legal possession of the premises demands the officer leave, the officer should leave.

Accused Located: *Honest v. Maryland*

Searches of premises for an accused by warrant are valid, but once the accused is found, the officer's right to search is ended.

ARREST WARRANT SERVICE MATRIX
(October 2023)

CAT.	SITUATION	DISPOSITION OF PRISONER	DOC PROCESSING (PHOTO/ PRINTS)	BOOKING RECORD	SPECIAL REQUIREMENTS
1.	Warrant obtained by PGPD officer; original copy still in PGPD possession	Serve warrant: presentment by DOC	Yes	Yes	Notify obtaining officer[1]
2.	Warrant obtained by PGPD officer; original copy forwarded to OSPG	Transfer to Regional Processing Facility	Yes	Yes	
3.	Warrant obtained in P.G. County by citizen or other police agency; OSPG has original	Transfer to Regional Processing Facility	Yes	Yes	
4.	Warrant obtained in P.G. County by citizen or other police agency; original copy in possession of commissioner	Serve warrant: presentment by DOC	Yes	Yes	
5.	Warrant from other Maryland County or Baltimore City	Transfer to Regional Processing Facility or issuing jurisdiction if applicable	Yes	Yes	Request that a teletype be sent to Regional Processing Facility confirming the open warrant
6.	Out-of-state warrants	Transfer to Regional Processing Facility	Yes	Yes	Request that a teletype be sent to OSPG indicating that the warrant is extraditable
7.	Federal Warrant	Transfer to Regional Processing Facility or release to a Federal officer	Yes	Yes	If transferred to Regional Processing Facility, provide a teletype confirming extradition

1. Allow officer who obtained arrest warrant, or someone from their assignment if they are unavailable, to take custody and interview at their discretion. If custody is transferred in this way, the accepting officer shall be responsible for appropriate disposition of prisoner

20. CRIMINAL INVESTIGATIONS
(October 2023)

I. POLICY

The Department thoroughly investigates crimes with the goals of apprehending those responsible and restoring property to those victimized, when possible. [redacted].

II. CHECKLIST (N/A)

III. DEFINITIONS

Carjacking: Taking unauthorized possession or control of an individual's motor vehicle by force, violence, or intimidation

Case Clearances: The Department closes cases as Unfounded, Exceptionally, or By Arrest

Unfounded: Applied when the investigation establishes that no offense occurred or was attempted. The recovery of property or the refusal of a victim to assist in prosecution does not mean that the crime did not occur. In those instances, the crime may not be closed Unfounded. Unfounded clearances must be supported by objective written facts.

Exceptionally: Applied when an investigation does not lead to a closure by arrest. The following four questions must be answered affirmatively for the investigation to be closed Exceptionally:

- Has the offender been identified?
- Is the exact location of the offender known?
- Is there sufficient evidence to support an arrest and prosecution?
- Are there circumstances beyond the Investigator's control that prevent an arrest and prosecution?

Examples of Exceptional closures include:

- Death of the perpetrator by suicide or homicide
- Deathbed confessions
- Confession by perpetrator serving an extended sentence on another charge
- The victim refuses to cooperate in the prosecution. (The initial four questions must still be answered affirmatively.)

By Arrest: Applied when an individual is arrested or charged with an offense. Although this closes the case, the Investigator may note that there are additional arrests pending. The investigation continues until all perpetrators are arrested or accounted for.

Case Status: The Department classifies cases as Active, Closed, or Open

Active: An initial report has been completed and an investigation is ongoing. The Investigator shall submit Continuation Reports every 30 days while an investigation is active.

Closed: The investigation has been closed Unfounded, Exceptionally, or By Arrest.

Open: A supervisor may suspend investigation and reclassify an active case as Open when all viable leads have been exhausted. Open cases are not cleared and will be reclassified as Active

if information is received that identifies a suspect, enhances prosecutorial merit, or develops the case further.

[redacted]

Family Domestic: A domestic dispute involving violence or the threat of violence between family members who live in the same household

Family Member: A relative by blood, adoption, or marriage

Funds Custodian: A commissioned officer responsible for disbursing investigative funds

Homicide: The killing of a human being by the act, procurement, or omission of an individual; homicide might not be a crime if it is justifiable

Household Member: A person who lives with or is a regular presence in the home of a victimized individual at the time of the alleged offense; pertains specifically to child abuse investigations

Informant: An individual who provides information regarding criminal activity to a law enforcement officer in exchange for reward or benefit

Interview Room: A room designated by the Department for the specific purpose of conducting interviews and interrogations

[redacted]

Malice Aforethought: Cognizant intent before committing a crime

Stakeout: An investigative effort combining the observation, confrontation, and apprehension of dangerous individuals

Surveillance: An investigative effort intended to obtain information or make routine arrests

IV. FORMS

- Advice of Rights and Waiver Form (English version – PGC Form #2628, Spanish version – PGC Form #5064)
- Advice of Juvenile Rights Form (PGC Form #5291)
- [redacted]
- Audio/Video Exception Authorization Form (PGC Form #4613)
- Case Record
- [redacted]
- Crime Solvers Reward Poster – Standard (PGC Form #5178)
- Crime Solvers Reward Poster – Special (PGC Form #5179)
- Detainee Processing Log Sheet (PGC Form #5097)
- Interview Videotape Chain of Custody Log (PGC Form #4617)
- Juvenile Curfew Violation Notification
- Notice of Right to Presentment Form (PGC Form # 5078)
- Parent/Guardian Notification Log (PGC Form #5192)
- PGPD Recorded Interview Script (English version – PGC Form #4614, Spanish version – PGC Form #4614S)
- [redacted]
- Videotape Copy Request Form (PGC Form #4618)

V. PROCEDURES

1. Duties of Investigative Supervisors

Investigative Supervisors shall ensure that their subordinates are issued Criminal Investigations Manuals (CIM) and any subsequent revisions, review reports and classify them by status and/or clearance, and maintain a log for assigned cases containing, at a minimum:

- RMS Case Record Number
- Name of Investigator
- Date of assignment
- Due date for Case Record or Report of Investigation

Case Assignment Criteria

Case assignments include, but are not limited to:

- Felonies, even when the victim/ complainant is uncooperative
- Crimes involving firearms, to include the theft of firearms
- Crimes that reveal a pattern warranting police attention
- Those with viable leads

Violent crimes will be prioritized above nonviolent crimes. Minor crimes, in which the victim/complainant is uncooperative, will not be assigned unless there is a compelling reason to investigate the incident. Crimes without viable leads are investigated at the discretion of the Investigative Supervisor.

Crimes that the reporting officer has cleared will not be assigned unless additional investigation is required, or additional arrests are pending. Such cases shall be forwarded to the Investigative Section for appropriate action.

2. Responsibilities of Division Investigation Sections

Division Investigators shall take initial reports of crimes as appropriate. They will investigate those crimes that fall under their investigatory component. When investigation reveals the commission of a crime is to be handled by another investigative component in a different Bureau, the Investigator will coordinate with the Investigator from the appropriate Division within that Bureau and document these actions in a Case Record.

Division Investigators will investigate:

- Non-fatal train accidents involving pedestrians. They shall determine whether foul play or attempted suicide is involved
- Abductions leading to third- or fourth-degree sexual offenses, as well as abductions and robberies of citizens
- Critical missing persons, except for juvenile abductions, custody disputes, or ransom demands ***See*: VOLUME II, CHAPTER 42. MISSING PERSONS**

Division Investigation Supervisors shall assign a Division Investigator(s) to attend patrol roll calls monthly, or more often based on operational need, to disseminate information on:

- Wanted persons and vehicles
- Active cases and operations
- Issues related to Division Investigations

Victim Witness Assistance

Investigators will consider the preferences of victims and witnesses; however, they will not allow those preferences to interfere with sound investigative practices. When practical, Investigators will schedule interviews at a time and place convenient to the victim or witness.

Investigators will make every effort to keep the victim or the victim's family informed regarding the progress of the investigation. The Investigator shall notify those concerned of arrests and significant developments, such as indictments or bond hearings, in a timely fashion. The Investigator may ask the Victim Services Manager to assist with these notifications.

3. Interview & Interrogation Procedures

It is the State's responsibility to establish that each person interrogated was properly advised of their Constitutional rights, understood them, and was afforded the opportunity to exercise them. When a person in custody waives their rights, it is necessary that such waiver be knowing, intelligent, and voluntary.

[redacted]

Advice of Rights & Waiver Form

Prior to an interrogation, the Advice of Rights and Waiver Form shall be read in its entirety to the suspect. The suspect's responses to questions shall be documented. Until the suspect is advised of their rights, no evidence obtained as a result of a custodial interrogation can be used against them.

Interview/Interrogation Rooms

[redacted]

[redacted] Investigators are responsible for the care and well-being of persons they are interviewing.

[redacted]

[redacted]

[redacted]

Officers should be sensitive to a detainee's request to access restroom facilities or water and make appropriate arrangements for such needs.

[redacted]

10. <u>Arrestee Processing Facilities</u>.

Juveniles

(Maryland Senate Bill 53, 2022 Juvenile Law – Child Interrogation Protection Act)

When taking a juvenile into custody an officer shall immediately notify, or cause to be notified, the child's parents, guardian, or custodian in a manner reasonably calculated to give actual notice of the action. The notice shall include:

- The child's location
- Reason for the child being taken into custody, and
- Instructions on how to make immediate in-person contact with the child

Legal Consultation for Juveniles

A juvenile shall not be interviewed by an officer until they have consulted with an attorney who is retained by the parent, guardian, or custodian of the child, or provided by the office of the public defender, and the law enforcement officer has tried to notify the parent, guardian, or custodian that the child will be interrogated.

The Public Defender's Office is responsible for publishing on its website, or providing the Department on request, information about attorneys who are available to act as counsel to a child in accordance with this requirement.

The requirement of consultation with an attorney:

- May not be waived and
- Applies regardless of whether the child is proceeded against as a child or charged as an adult.

Once in custody, officers will advise the juvenile of their rights and the process of consulting with an attorney prior to an interrogation. Officers may not conduct a custodial interrogation of a juvenile until the juvenile has consulted with an attorney who is:

- Retained by the parent, guardian, or custodian of the juvenile; or
- Provided by the Office of the Public Defender

The Advice of Juvenile Rights form shall be completed and uploaded into a Case Record in RMS.

A juvenile's consultation with an attorney shall be:

- Confidential
- In-person or by telephone or video conference

Interviewing Officer's Responsibilities

The interviewing officer shall complete the Parent/Guardian Notification Log, which includes:

- Attempts to notify the juvenile's guardian
- The name of the person sought to be notified
- The method of attempted notification
- The name of the attorney contacted and the county or counties in which the attorney provides consultation

The officer shall inform the child that the interview is being audio and visually recorded.

Exceptions

Officers may interview a child without an attorney only when they reasonably believe the information sought is necessary to protect against a threat to public safety and the questions posed to the child by the officer are limited to those questions reasonably necessary to protect against the threat to the public safety.

4. Procedures for Audio/Video Recording Interrogations

The following custodial interrogations shall be audio and video recorded:

- Arson
- Bribery
- CDS Distribution
- Child Abuse
- Child Pornography
- Extortion
- Gambling
- Insurance Fraud
- Kidnapping
- Murder
- Offenses Relating to Destructive Devices
- Rape
- Robbery
- Conspiracy or Solicitation to Commit any of the above

Authorization from a Supervisor (Sergeant or above) is required to deviate from these procedures. This authorization shall be documented on the Audio/Video Exception Authorization Form. The original shall be maintained in the investigative file and a copy filed with the System Administrator at the Division.

Recording of interrogations for other incidents shall be at the discretion of the Investigator or their Supervisor.

Audio Recording

Audio recordings must comply with Maryland law. Generally, the law prohibits audio recording unless all parties consent, however, audio recording in an interview room within a police facility is allowable because individuals inside the interview room have no expectation of privacy.

When consent is required, permission to record audio will be obtained prior to recording and documented on the PGPD Recorded Interview Script, unless the investigating officer or another person acting under their direction and supervision, has received prior consent from the parties to be interviewed.

Video Recording

Video recording in an interview room within a police facility is allowable because individuals inside the interview room have no expectation of privacy.

Exceptions

Audio/video recording is not required under the following circumstances:

- The audio/video equipment is inoperable
- An interview room equipped with audio/video recording equipment is not available
- The suspect is hospitalized

If a suspect makes a statement prior to transport, the Investigator shall still attempt to obtain a statement by audio or video recording upon arrival at the police facility.

Security of Recordings

[redacted]

Audio/video recordings are evidence and must be treated as such. [redacted]

The following steps will be taken to ensure storage security:

[redacted]

Duplication of Recordings

All recordings are the sole property of the Prince George's County Police Department. Duplications of the original recordings shall only be made by IAD/MVU personnel. Original recordings will not be released. Requests for secondary dissemination of recordings shall be directed to the Commander, IAD.

Audio/video evidence may be duplicated for the Investigator assigned to the case, the State's Attorney's Office (SAO), and other police agencies. Copies of recordings may be requested by email or by completing a Video Copy Request Form and submitting it to the appropriate Commander.

Email requests for recordings shall include the following information:

- Type of incident
- Date and time of incident
- Location of interview

- Name and assignment of the requesting officer

Recordings produced at the direction of IAD will be handled in accordance with established standard operating procedures for IAD.

5. Charging Multiple Offenses

[redacted] All charges will be screened by the SAO. Those cases that the State declines to prosecute shall be closed *Exceptionally*.

[redacted]

When a juvenile is arrested for multiple crimes involving multiple complainants, the SAO Juvenile Division must screen the charges. All case numbers will be cross-referenced on the Arrest Report/J-1. ***See*: VOLUME II, CHAPTER 38. JUVENILE PROCEDURES**

6. Presentation Before Judicial Officer & Exceptions

(Maryland Court Rule §4-212)

Maryland Law requires the prompt presentment of a defendant before a judicial officer following arrest. Officers shall normally present arrestees to a District Court Commissioner promptly, but may delay presentment for the following reasons:

- Completion of charging documents
- Processing to determine identity

Delays to conduct interviews, interrogations, or lineups may render a confession inadmissible. The court may consider such delays when determining the voluntariness of the confession. A delay in presenting a defendant due to interview, interrogation, or lineups is acceptable if the defendant waives their right to prompt presentment using the Notice of Right to Presentment Form.

Presentment will not be delayed solely because the arrestee is unwilling or unable to provide necessary information for booking procedures.

7. Case Clearances

The FBI Uniform Crime Reporting (UCR) Program defines case clearances. Case clearance is not related to the case status of a particular investigation. All cases will remain open until the case is cleared as By Arrest, Exceptionally, or Unfounded.

8. Major Crimes Division (MCD)

The Major Crimes Division is comprised of the Homicide Section, Robbery Section, and Gun Intelligence Section.

9. Homicide Section

The Homicide Section shall investigate the following:

- Homicides
- Suicides
- Suspicious deaths
- Accidental deaths (other than by motor vehicle)

- Drowning in swimming pools (no notification to Maryland Natural Resources Police required)
- Incidents in which a pedestrian is struck and killed by a train
- Child abuse cases when death has occurred or is imminent
- Arson fatalities
- All contact shootings when police officers or public officials are the victim of the shooting
- Shootings involving officers from other jurisdictions unless a written agreement to the contrary has been established
- Assaults at the Prince George's County Correctional Center when the victim requires hospitalization

The Homicide Investigator shall:

- Take charge of the crime scene
- Coordinate evidence collection
- Ensure transport of witnesses to MCD
- Ensure apprehension and transport of on-scene suspects
- Initiate an investigation

Arson-Related Fatalities

Fire Investigators will determine if the cause of a fire is arson. The Fire Department will generally investigate those incidents not expected to result in death. ***See*: VOLUME II, CHAPTER 10. BOMB INCIDENTS, EXPLOSIVES, & ARSON.** If death occurs, the Homicide Section will be responsible for investigating the death. The Fire Department maintains investigative responsibility for the arson.

The Fire Department will handle the initial press release regarding the fire. The Police Department will make any subsequent press releases regarding the homicide investigation. The Fire Chief or their designee shall be afforded the opportunity to be present at all prearranged press conferences regarding deaths resulting from arson.

Non-Arson Related Fatalities

When death occurs because of a non-arson related fire, the Fire Department will be responsible for the investigation. A homicide Investigator will respond to the fire scene or hospital to examine the victim. The Police Department shall complete a Case Record. The press release will be the responsibility of the Fire Department.

Assaults at the Prince George's County Correctional Center (PGCCC)

The Homicide Section will investigate all assaults at the PGCCC which require hospitalization. A Homicide Investigator will respond to the Correctional Center or hospital, prepare the initial Case Record, and initiate an investigation.

The Department of Corrections will be responsible for the security of hospitalized inmates. Investigators transporting an inmate to a location other than a hospital shall be responsible for the security of the inmate.

10. Application for a Statement Of Charges

Officers filing an Application for Statement of Charges with a Commissioner must be aware of the rights of the involved victim(s). As a victim of crime in Maryland, individuals have the right to:

- Obtain information on the status of their case

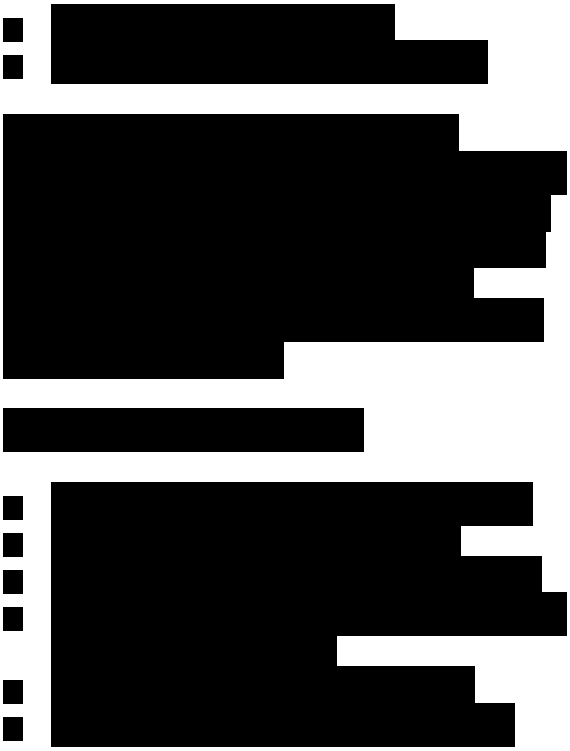
- Attend all adult and certain juvenile criminal justice proceedings
- Request no contact with an offender
- Request restitution
- Request confidentiality
- Submit a written Victim Impact Statement and/or speak at sentencing/juvenile disposition
- Be informed of the release, transfer, escape, or death of an offender
- Attend and speak at parole hearings

On first contact with a victim or victim's representative, officers shall provide a pamphlet that outlines the victim's rights and the Maryland Electronic Courts system protocol. Additionally, officers who file an Application for Statement of Charges shall interview the victim(s) prior to submitting the charges with a Court Commissioner, to both explain victim rights, and to document any requests made by the victim(s). The investigating officer must ensure that any requests made by the involved parties regarding their rights as a crime victim, are documented and passed to the Commissioner at the time of filing.

11. Robbery Section

The Robbery Section shall investigate:

- Commercial (T/A) robberies
- Courier robberies involving T/A funds
- Residential robberies
- Kidnapping cases when a ransom demand has been made
- Extortion



Patrol officers shall provide necessary assistance to Robbery Investigators on the scene of the incident.

Extortion

The Robbery Section shall investigate confirmed cases of extortion. If a Robbery Investigator is not available, another MCD Investigator shall be dispatched to the incident. The Commander, Robbery Section will be responsible for the coordination of the investigation regardless of the Investigator's assignment.

12. Gun Intelligence Section

The Gun Intelligence Section shall investigate:

- Firearms related crimes
- Gun trafficking nexus in Prince George's County
- Gun intelligence information

- All cases where registered gun offenders fail to register or notify the Gun Offender Registry Unit of changes to required background information

13. Special Crimes Division (SCD)

The Special Crimes Division is comprised of Child & Vulnerable Adult Abuse Section, Sexual Assault Section, Domestic Violence Section, and Youth & Family Crimes Section.

14. Child & Vulnerable Adult Abuse Section (CVAA)

The Child and Vulnerable Adult Abuse Section investigates the following:

- All physical and sexual abuse and exploitation when the victim is less than 18 years of age and the suspect is a household or family member, or a custodial relationship exists between the suspect and victim
- All cases involving the physical or sexual abuse of vulnerable adults
- All cases of parental abduction and custody disputes that rise to the level of criminality
- All cases of child abandonment
- Occurrences of child pornography (possession, distribution, manufacture)

When a child dies or is likely to die because of suspected abuse, the Homicide Section is responsible for the investigation. Officers responding to any child death (except traffic fatalities) shall contact the Homicide Section immediately.

All sexual and physical assaults committed against children by household or family member(s) or custodian shall be investigated by Special Crimes Division. Third- and fourth-degree sexual assaults committed by individuals other than those mentioned above will be investigated by the Sexual Assault Section.

15. Sexual Assault Section (SAS)

The Sexual Assault Section is responsible for investigating the following:

- First Degree Rape
- Second Degree Rape
- Third Degree Sex Offenses
- Fourth Degree Sex Offenses
- Sexual Assaults in the County Detention Center
- Abductions resulting in rape
- Cases where registered sex offenders fail to register or notify the Sexual Offender Registry Unit of changes to required background information

Sexual Assaults at the Prince George's County Correctional Center (PGCCC)

The SAS will investigate all sexual assaults at the PGCCC. An SAU Investigator will respond to the Correctional Center or hospital, prepare the initial report, and initiate an investigation.

The Department of Corrections will be responsible for the security of hospitalized inmates. Investigators transporting an inmate to a location other than a hospital shall be responsible for the security of the inmate.

16. Domestic Violence Section (DVS)

The Domestic Violence Section is responsible for investigating the following:

- All first-degree domestic related assaults that occur between current or former intimate partners and family members who reside in the same household. First degree assaults are defined by the Maryland Criminal Law, Articles §3-201 and §3-202.
- Harassment and/or stalking cases that occur between current or former intimate partners or household family members who reside in the same household. Harassment and stalking are defined in General Order **VOLUME II, CHAPTER 23**. **DOMESTIC VIOLENCE, STALKING, & HARASSMENT**
- Misdemeanor assaults that occur between current or former intimate partners when an on-scene arrest by patrol officers is not made
- Misdemeanor assaults that occur between household family members when an on-scene arrest by patrol officers is not made
- Violation of a Protective Order
- Act of false imprisonment
- Burglaries where the suspect is a current or former intimate partner

The following definitions shall apply when determining case referrals to the DVS:

Intimate partner: A current or former spouse, boyfriend, or girlfriend, and/or dating or sexual partner, including those who have a child in common. Both heterosexual and same-same couples are considered intimate partners

Family domestic: a domestic dispute between family members who reside in the same household.

Family member: a relative by blood, adoption, or marriage.

The DVS will also be responsible for the following:

- Reviewing all reports of domestic violence noting when multiple incidents or particularly violent behavior have occurred
- Initiating follow up investigations or inquiries into unresolved incidents
- Contacting and assisting the victim to connect with appropriate resources
- Educating victims in domestic violence to aid in prevention of future violence
- Notifying the appropriate county services and other agencies, as necessary
- Ensuring copies of the Case Record and any Supplemental Reports are forwarded to the SAO

In all cases when a Case Record is prepared and/or an arrest is made, officers shall notify a DVS Investigator, prior to clearing the scene. The DVS shall forward a copy of the Case Record to the SAO.

In cases involving misdemeanor arrests, patrol officers will be responsible for handling the incident as outlined in **VOLUME II, CHAPTER 4. ARREST, TRANSPORT, & PROCESSING, Section 4. Misdemeanor Arrests.**

17. Strategic Investigations Division (SID)

The Strategic Investigations Division consists of Carjacking Section, Auto Crimes Section, Violent Crime Section, Financial Crimes Section, and Gang Section.

18. Carjacking Section

The Carjacking Section investigates all carjackings, conspiracies, and attempts that occur within the County unless there is an

MOU to the contrary with another law enforcement agency.

Investigative responsibility for carjackings that occur during the commission of another offense investigated by MCD or SCD shall be the responsibility of that Division. Investigative responsibility for carjackings that occur during the commission of another offense investigated by BOP, such as a contact shooting, will be determined by the Commander, Carjacking Section.

When a dispute occurs over investigative responsibility for a crime in which the Carjacking Section has been notified, the Commander, Carjacking Section shall determine investigative responsibility.

A Carjacking Investigator will respond to the scene of all reports of carjackings and attempts. If an immediate response is not possible due to exigent circumstances or other ongoing active investigations, the patrol officer on scene will assist by collecting statements from victims and witnesses, collecting physical evidence, and documenting all available information to be later provided to a Carjacking Investigator.

Carjacking Investigators shall:

- Respond to and take charge of crime scenes within one hour of notification, unless exigent circumstances exist
- Interview all involved parties
- Collect physical evidence and surveillance video as applicable
- Conduct area canvasses to locate additional witnesses and evidence

In certain instances, Carjacking Investigators may elect to take investigative responsibility for a case outside of their normal scope when such cases further a criminal investigation being conducted by the Carjacking Section. This discretion rests solely with a Carjacking Section Supervisor or the Commander, Carjacking Section.

19. Auto Crimes Section

The Auto Crimes Section investigates stolen vehicles and attempts to locate them through investigative means.

The Washington Area Vehicle Enforcement (WAVE) Unit shall investigate the following cases related to auto theft:

- Theft for profit
- Organized theft
- Insurance fraud
- Fraudulent purchases of motor vehicles

20. Violent Crime Section

The Violent Crime Section investigates electronic media for evidentiary value to assist other investigative sections of the Department. The Section's Fugitive Squad conducts investigations to identify habitual repeat offenders in the County to include apprehension, arrest, and surveillance.

21. Financial Crimes Section

The Financial Crimes Section investigates financial crimes, pawn & scrap facilities, and criminal offenses committed via the Internet.

22. Gang Section

The Gang Section tracks and investigates gang activity and gang-related crime in the County. ***See*: VOLUME II, CHAPTER 43. NARCOTIC, VICE, GANG, &**

TERRORISM-RELATED INFORMATION

23. Narcotic Enforcement Division (NED)

The Narcotic Enforcement Division investigates narcotics, vice, and human trafficking crimes. ***See*: VOLUME II, CHAPTER 43. NARCOTIC, VICE, GANG, & TERRORISM-RELATED INFORMATION**

24. Media Relations Division (MRD)

The Media Relations Division is responsible for disseminating information to the media regarding criminal investigations. Should an incident occur, which would be expected to stimulate community interest, MRD will be responsible for coordinating the release of information with the media or The Maryland Attorney General's Independent Investigation Division (IID), if applicable. (***See:* VOLUME II, CHAPTER 41. MEDIA RELATIONS)**

Media Access to Incident Scenes

Members of the media may photograph or report anything that they observe while legally at the scene of an incident. Officers shall not unnecessarily obstruct the media in the performance of their duties or interfere with the media's activities as long as their activities remain lawful. Members of the media are not exempt from County, State, or Federal laws.

Subject to the circumstances of the incident and the need to protect legitimate police operations, members of the media may be permitted to enter crime scenes. Members of the media will not be granted access to secured scenes to protect evidence or where their presence could jeopardize police operations. MRD, in consultation with the investigating unit, may authorize media access to crime scenes.

25. Crime Solvers

The Crime Solvers Program is designed to generate information about unsolved crimes and the location of fugitives. Unsolved crimes or fugitives can be profiled through the media as a means to generate investigative leads. The Crime Solvers Tip Line (1-866-411-TIPS) shall be advertised as the telephone number individuals can call if they would like to provide the Department with information about a crime or fugitive while remaining anonymous. Information received via the tip line shall be forwarded to the appropriate investigative section for follow-up. If a caller's tip leads to the arrest and indictment of a suspect, the caller may be eligible for a cash reward.

Crime Solvers Reward Posters

There are two reward posters that the Department uses to profile unsolved crimes and locate fugitives.

The "Standard" Crime Solvers Reward Poster shall be used by employees who are investigating crimes other than homicides, sexual assaults, and carjackings. This poster has a heading of "Cash Reward" but shall not list a specific reward amount.

The "Special" Crime Solvers Reward Poster shall only be used by Investigators assigned to the Homicide Section, Sexual Assault Section, and Carjacking Section. This poster has a heading of "Cash Reward of up to $25,000." This poster may only be used in homicide, sexual assault, and carjacking cases.

[redacted]

Accessing and Preparing Reward Posters

[redacted]

Investigators shall select the appropriate reward poster template and enter the information that they want disseminated. Photographs, if available, may be added to the reward poster. The Investigator shall enter the name and telephone number of the investigating section at the bottom of the reward poster.

Supervisors shall review and approve all reward posters prior to public dissemination. Supervisors are responsible for ensuring the accuracy of the information on the reward poster.

MRD approval is not required for reward posters. However, a copy of the finalized reward poster shall be provided to MRD prior to public dissemination. This shall be done to facilitate the appropriate handling of tips and/or inquiries regarding the featured case or fugitive. [redacted] If the County email system is inoperable, a copy of the poster shall either be hand-carried or faxed to MRD.

Crimes Solved or Fugitives Located

If an anonymous tip from Crime Solvers assists with the closure of a case or apprehension of a fugitive, the assigned Investigator shall notify MRD. The Crime Solvers Coordinator shall then coordinate the payment of reward, if appropriate.

26. Investigative Tools & Techniques

Communications Interceptions

(Maryland Law, Courts and Judicial Proceedings §10-401 & §10-402)

Maryland law prohibits the interception of wire, oral, or electronic communication without consent of both parties involved with the following three exceptions.

1. An investigative or law enforcement officer acting in a criminal investigation, or any other person acting at the prior direction and under the supervision of an investigative or law enforcement officer, may intercept such communication to provide evidence of one of the following crimes, if one party to the communication has given prior consent:

- Murder
- Kidnapping
- Rape
- Child abuse
- Gambling
- Robbery
- Arson and Burning (felony under Criminal Law)
- Bribery
- Extortion
- CDS distribution
- Insurance fraud (defined in Art. 48A, Section 233)
- Conspiracy or solicitation to commit any of these offenses
- Barricade involving hostages

2. Law enforcement personnel may use body wires to intercept oral communications during any criminal investigation if officers' safety may be in jeopardy, but the communications may not be recorded or used against defendants in a criminal proceeding.

3. When an Investigator receives written judicial authorization via petition and affidavit for surreptitious interceptions.

[redacted]

When an employee wishes to intercept oral communications by use of an electronic device such as a tape recorder or body wire, they will adhere to the above legal constraints. Assistance may be requested from NED or the SAO regarding clarification of statutory requirements.

Confidential Sources

[redacted]

[redacted]

[redacted]

Field Identification (One-on-One)

The use of one-on-one identification can provide investigative information at an early stage, but the inherent suggestiveness of a one-on-one requires careful use of procedural safeguards.

[redacted]

[redacted]

Eyewitnesses

Information obtained from an eyewitness can corroborate other evidence (e.g., physical evidence, accounts provided by other witnesses) in the investigation. Therefore, it is important that this information be accurately documented in writing.

[redacted]

[redacted]

Photographic Lineups of Suspects

[redacted]

Photographs shall be numbered on the back in the order of presentation and initialed by the presenting Investigator. If identification is made, the officer shall record the victim or witness's exact statements. The victim or witness shall place the following on the back of the selected photograph:

- Their signature
- The date
- The time that the viewing began and ended

The Investigator shall document the following in their investigative activity log:

- Time, date, and place of presentation
- Names of all persons present at the photo lineup
- Name, address, and phone number of the victim or witness
- Statements made by the victim or witness
- Their name, ID#, and assignment

The original photographic lineup shall be kept with the case file.

[redacted]

[redacted]

Mug Books

[redacted]

[redacted]

Composites

The use of composite images can yield investigative leads in cases in which no suspect has been determined. Use of these procedures can facilitate obtaining a description from the witness that will enable the development of a reasonable likeness of the suspect.

[redacted]

[redacted]

Documenting the Mug Book or Composites

[redacted]

Polygraphs & Computer Voice Stress Analysis (CVSA)

[redacted]

No person shall be examined at the request of another organization unless the examiner's commanding officer has first authorized the examination.

[redacted]

[redacted]

Polygraph examiners may refuse to conduct examinations that do not meet approved criteria.

Task Forces

[redacted] They may be formed with the approval of the appropriate Division Commander/Manager and concurrence of the appropriate Deputy Chief.

[redacted]

[redacted]

e

[redacted]

Stakeouts

[redacted]

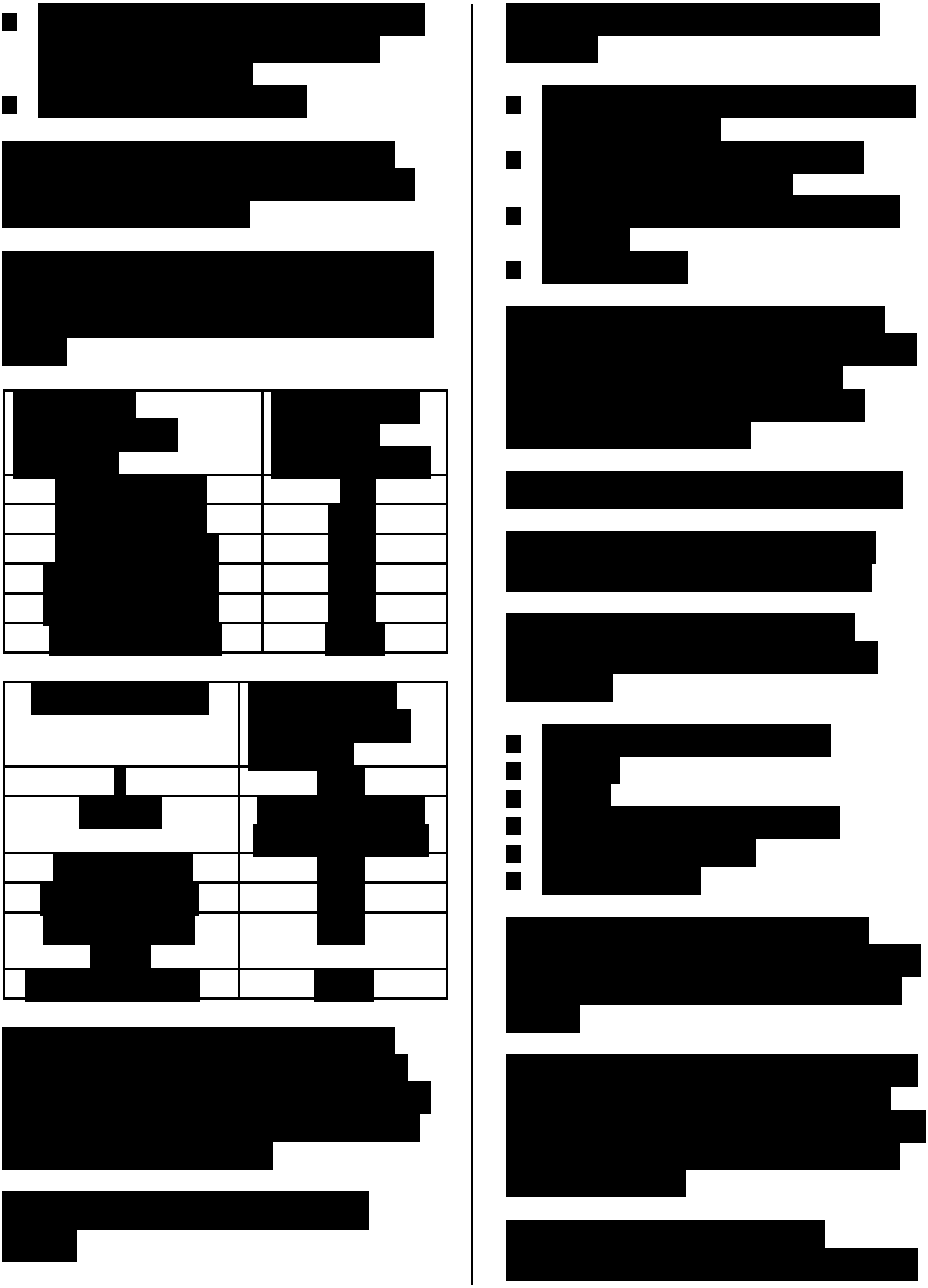
[redacted]

Stakeouts, Robbery Section

[redacted]

27. Investigative Funds

[redacted]



[redacted]

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.3, 1.2.5, 17.4.2, 41.2.6, 41.2.7, 42.1.2, 42.1.3, 42.1.4, 42.2.1, 42.2.2, 42.2.3, 42.2.6, 42.2.7, 42.2.8, 42.2.9, 43.1.3, 43.1.5, 44.2.3, 53.2.1, 55.1.3, 55.2.4

Governing Legislation:

- Maryland Rule 4-212
- Maryland Code, Section 14-101
- Maryland Courts & Judicial Proceedings 10-401, 10-402
- Maryland Public Safety Article 3-505
- Maryland Rule 4-211 (B)
- Maryland Senate Bill 53, 2022 Juvenile Law – Child Interrogation Protection Act
- Maryland Code §13A.08.01.03
- Maryland Code, Courts and Judicial Proceedings Article §3-8A-14.2
- Maryland Criminal Law, Articles § 3-201 and 3-202
- Maryland Annotated Code, Article §6-106.2

References:

- Detainment of an uncooperative/hostile witness: Maryland Court of Appeals, *Barnhard v. State*:

Officers were at the scene of a violent crime and saw the defendant try to enter the crime scene while stating he possessed material information about the incident. Barnhard was told he would be arrested if he did not provide his information and he responded with verbal threats and physical violence.

The court held the eyewitness's conduct before the arrest was disorderly and disruptive of the investigation. The court considered the additional fact that the actions of the eyewitness "greatly exceeded a mere refusal" to identify himself by threatening officers and responding with violence. In these circumstances, the Court of Appeals has held arresting a witness was lawful.

[redacted]

21. RESPONDING TO DEATH SCENES & TRANSPORT OF DECEASED PERSONS

(July 2019)

I. POLICY

All deaths are traumatic to family and friends of the deceased, sudden and violent deaths more so.

Officers responding to death scenes shall preserve the scene and determine whether or not the death is suspicious.

Officers should be conscious of the effect that these incidents have on others, present a professional demeanor to those who may be grieving, and be prepared to deal with individuals in emotional distress.

II. CHECKLIST

- ❑ Detain suspects
- ❑ Detain and separate any witnesses
- ❑ Secure the crime scene
- ❑ Protect physical evidence
- ❑ Request a Crime Scene Investigator
- ❑ Complete a Case Record which details actions taken and notifications made

III. DEFINITIONS (N/A)

IV. FORMS

- ❑ Case Record
- ❑ RMS Property Record
- ❑ RMS Property Sheet

V. PROCEDURES

In all incidents involving death, the reporting officer must closely inspect the body and the scene to determine whether the death appears to be natural, or due to suspicious circumstances. Relatives and witnesses may be questioned as appropriate. In all cases, the reporting officer shall notify the Homicide Unit and document the notification in the Case Record. Homicide Investigators are responsible for determining which scenes they will respond to.

1. Natural Death Scenes

After determining that the cause of death appears to be natural, the officer shall:

- ❑ Contact the Maryland State, Office of the Chief Medical Examiner Forensic Investigator
- ❑ Ensure proper disposition of the deceased's property
- ❑ Ensure security of the deceased's home
- ❑ Notify next of kin
- ❑ Complete a Case Record
- ❑ Complete a RMS Property Sheet as needed

2. Suspicious Death Scenes

Accidental deaths, suicides, and deaths involving unusual or unexplained circumstances must be referred to the Medical Examiner for autopsy. In these cases, the Homicide Unit must be notified immediately. ***See:*** **CHECKLIST.**

For additional details concerning these investigations, ***See:*** **VOLUME II, CHAPTER 20. CRIMINAL INVESTIGATIONS,** section **9. Homicide Section.**

3. Transport of Deceased Persons

A relative of the decedent should arrange for transportation of the body in cases where it is not transported to the medical examiner for autopsy. Officers should help the family with contacting a funeral home or transport

service, after the family has decided which funeral home they want to use. All arrangements and costs are the family's responsibility.
If a relative cannot be contacted to facilitate transport, or the family is indigent and unable to make arrangements, the Anatomy Board of Maryland may be requested to provide transportation.

4. Coordination With the Fire Department

The Fire Department provides emergency transportation for sick or injured persons to medical care facilities. The Fire Department is not responsible for the routine transportation of deceased individuals.

5. Requesting Transport by the Anatomy Board

The Anatomy Board will transport deceased persons if all of the following conditions are met:

- The body is donated or unclaimed
- The attending physician has signed the death certificate, or the medical examiner has released the body

Officers shall notify their supervisor and obtain their approval prior to requesting transport by the Anatomy Board.

Supervisors should ensure that all reasonable attempts to obtain transportation services by a family member have been exhausted, and that the requisite criteria for Anatomy Board transportation have been satisfied.

Information Required by the Anatomy Board

Subsequent to a request for transport, a Funeral Director from the Anatomy Board should arrive.

If the Medical Examiner has released the body, a death certificate should be left for the Funeral Director.

If an attending physician has been notified and will sign the death certificate, the Funeral Director will need the physician's name, address, and telephone number. If a physician will not sign the death certificate, the Medical Examiner will be contacted to obtain assistance.

6. Emergency Transport by a Funeral Home

The Anatomy Board has limited funds available to pay for the emergency transport of a deceased person by a local funeral home.

If a delay in transport of one hour is unreasonable due to the location and condition of the body, the Anatomy Board will pay the expense of providing an immediate transport by a local funeral home. To obtain expedited service, the Anatomy Board must be notified of the circumstances when the transport is requested.

The Anatomy Board will contact a local funeral home and arrange for an immediate transport. This procedure is only to be used in emergencies.

If the Anatomy Board cannot be contacted to make the transport, Public Safety Communications may contact a local funeral home and arrange for transport to the local morgue or funeral home. In such cases,

information concerning the death certificate or responsible physician must be given to the Funeral Director making the immediate removal. The Anatomy Board will pay for the transport, provided that exigent circumstances existed at a time of transport.

Whenever a local funeral home is used for an emergency transport, the circumstances and identity of the authorizing supervisor will be documented on a Case Record.

7. Transportation in Medical Examiner Cases

In cases of suspicious death or homicide, all transportation arrangements will be made by the Medical Examiner.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards: 41.2.5, 42.1.4, 42.2.1, 42.2.2, 55.1.3, 55.2.6, 82.2.1, 82.2.2, 84.1.1

22. DEPARTMENTAL PROGRAMS

(February 2023)

I. POLICY

The Department is committed to the development of community crime prevention programs. Employees shall acquaint themselves with specific crime prevention techniques.

II. CHECKLIST (N/A)

III. DEFINITIONS

Accreditation: The process of certifying an organization that has demonstrated compliance with a prescribed set of standards

Bilingual: Ability to use two languages proficiently

Certified Interpreter List: Accounting of Department employees who are authorized to act as qualified interpreters. The Training & Education Division develops and maintains a list and provides it to entities requiring this information

Exigent Circumstances: Situations that require deviation from procedures, such as a threat to life, safety, or property, a fleeing suspect, or the potential loss or destruction of evidence (e.g., physical loss of property, witness or victim)

Limited English Proficient (LEP): Individuals who do not speak English as their primary language and who have a limited ability to read, speak, write, or understand English

Prince George's County Police Department Certified Interpreter: A Department employee who has been authorized to interview LEP persons in certain situations

Qualified Interpreter: Individual who has been certified by the Department or other designated qualifying agency to provide oral interpretation services

IV. FORMS

- Assignment Sheet (Use of Privately Owned Four-Wheel- Drive Vehicles)
- Bureau of Patrol Extended Career Enrichment Critique
- Bureau of Patrol Extended Career Enrichment Waiver
- Bureau of Patrol Officer Career Enrichment Critique
- Bureau of Patrol Officer Career Enrichment Waiver
- Language Assistance Run Sheet
- Language Interpreter Renewal Form
- Request for Analysis Form (PGC Form #4449)
- Request for Language Skills Certification Form (PGC Form #4609)
- Ride-Along Application and Waiver Form (PGC Form #4540A-D)
- Workers Compensation Notification Form

V. PROCEDURES

1. Law Enforcement Accreditation

The Commission on Accreditation for Law Enforcement Agencies (CALEA), accreditation is a voluntary process in which law enforcement agencies evaluate and assess themselves to determine their compliance with several hundred professional standards. A team of assessors

representing CALEA conducts an assessment of the Department's compliance with the standards, every three years. Although maintaining compliance with the accreditation standards is a Departmentwide effort, the Accreditation & Monitoring Unit is responsible for coordinating and managing the process.

2. Watch Your Car Program

"Watch Your Car" is a voluntary vehicle registration program designed to deter vehicle theft, assist police with the apprehension of auto thieves and recover stolen vehicles. The program requires vehicle owners to sign an agreement stating that their vehicles are not normally operated between 0100 and 0500 hours. It also requires the owner to place "Watch Your Car" decals on the front and rear windshield of their vehicle. If an officer observes the vehicle being operated during these hours, they may stop the vehicle and verify owner information without additional probable cause.

In order to comply with the provisions of this program:

- Traffic stops between 0100 and 0500 involving a vehicle displaying a "Watch Your Car" decal shall be cleared either 376 "No Report" or 576 "Report"
- Stolen/recovered vehicles in the "Watch Your Car" Program shall be documented in the Case Record

3. Project Safe Neighborhoods

(18 US Code 922(g), 924(c), & 924(e))

Project Safe Neighborhoods is designed to reduce gun-related violence by targeting and apprehending violent offenders with prior felony convictions and/or narcotics traffickers known to carry firearms. It is a partnership between PGPD, the US Attorney's Office, the State's Attorney's Office for Prince George's County, and the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF). Project Safe Neighborhoods assists local authorities by bringing Federal prosecutions against dangerous offenders under the United States firearm statutes. These laws require mandatory sentencing without the possibility of parole or probation.

Project Safe Neighborhoods enforces:

- Federal statute 18 USC 922(g), which prohibits anyone previously convicted of a crime punishable by more than one year in jail from possessing a firearm or ammunition
- Federal statute 18 USC 924(c), making it a crime to possess a firearm and/or ammunition while trafficking drugs
- Federal statute 18 USC 924(e), enhancing the penalty for a defendant who has three or more prior convictions for violent felonies or a serious drug offense

Gun Intelligence Section Notification

Notification shall be made to the Maryland State Police (MSP) 24-Hour Gun Center and a Gun Intelligence Section investigator will be notified as directed in the "***Notifications***" section below.

The Gun Intelligence Section simultaneously receives all information via the MSP Gun Center and the Joint Analysis Intelligence Center (JAIC) regarding firearms. The Gun Intelligence Section uses these submissions for review and to further other investigations as necessary.

24-Hour Fusion Report Requirement

A 24-Hour Fusion Report shall be written and submitted to Police_JAIC@co.pg.md.us prior to the end of the shift, on the day a firearm is recovered by:

- Patrol officers conducting an on-scene arrest
- Follow-up investigation
- Search Warrant execution by any unit
- Any officer taking enforcement action to include non-arrest situations and safekeeping

The 24-Hour Fusion Report Form shall include:

- RMS Number
- Full firearm description to include make, model, serial number, and any unique markings (note if the serial number is missing or obliterated)
- Location of arrest/recovery
- Identifiers of arrested person(s) and/or owner/possessor (as much as known)
- Recovering officer name, ID, and assignment
- Narrative denoting circumstances of the firearm(s) recovery
- Notation in the narrative when Crime Scene Investigation Division (CSID) recovers a firearm causing the firearm information to be unknown to the officer

Notifications

Any firearm recovered, regardless of circumstances (i.e., arrests, search warrant, non-arrest, CSID recovery, and safekeeping) requires:

- Immediate notification to Maryland State Police 24-Hour Gun Center at 1-855-677-6486 or via email to Gun.Center@Maryland.gov
- Notification to Teletype for entry into NCIC
- The recovering officer/investigator to provide the following information to the MSP 24-Hour Gun Center:
  - RMS Number
  - Location recovered
  - Identity of subject in possession of the firearm(s)
  - The serial number and all identifiable markings on the recovered firearm(s), if known
- Notification to a Gun Intelligence Section investigator through PSC only if the arrestee has indicated a willingness to provide immediate information regarding a firearm related crime, specifically the illegal trafficking or transfer of firearms. If the subject in custody has not indicated their willingness to provide actionable information, Gun Intelligence will not be notified.
- Officers shall document their notification to the MSP Gun Center within the narrative of the Case Record and the 24-Hour Fusion Report as applicable to include the name and identification number of the person who received the notification.
- Compliance with the applicable provisions of GOM **VOLUME II, CHAPTER 4. ARREST, TRANSPORT & PROCESSING**, and **VOLUME II, CHAPTER 47. PROPERTY & EVIDENCE**

After notification, the MSP 24-Hour Gun Center will promptly respond back to the arresting officer, disclosing disqualifying information on the subject in possession of the firearm, applicable charges to be used,

and any immediate information regarding the firearm.

Officers should always attempt to debrief an arrestee for investigative leads and document the results in the Case Record.

Supervisor's Responsibilities

Supervisors are responsible to ensure compliance with this directive.

4. Special Programs in Apartment Complexes & Commercial Properties

Programs established by the Department to meet the needs of apartment complexes and commercial properties shall be carried out at the Division level.

All programs shall conform to below guidelines. Commanders of Divisions where these programs are implemented shall incorporate the below guidelines into their Division's Standard Operating Procedures (SOPs) before implementation. Changes to programs must be requested through the 21st Century Policing Division and approved by the Chief of Police.

Commanders/Managers who develop new program proposals shall contact the 21st Century Division for assistance in drafting guidelines.

Management Authorized Trespass Enforcement Program (MATE)

MATE is an enforcement program intended to deter loitering in areas where high levels of drug distribution, public drunkenness and other disruptive behaviors exist. Under this program, specially trained officers are empowered by the owners of apartment complexes, shopping centers, and similar properties to initiate trespassing enforcement on those premises.

MATE operations shall occur only after:

- A written authorization/waiver has been signed by the property owner or manager
- A Command Officer from the Division has ordered enforcement for that day

Only officers who have received MATE training are authorized to issue trespassing citations or make arrests under this program.

This section is not intended to restrict an officer who is working extra-duty employment from acting as an agent of the property owner to enforce trespass laws.

Families Insisting on Safe Tenancies Program (FIST)

The FIST Program is intended to assist apartment complex managers who seek to prevent drug distribution on their properties. Under this program, the Department disseminates arrest information regarding drug traffickers arrested on FIST properties to apartment management personnel.

The Division Commander's office shall facilitate the release of information. Release shall not occur until the authorized property management representative signs all required forms.

Participation in this program requires pre-registration by the apartment complex and approval by the Chief of Police.

5. Public Nuisance Abatement

(Real Property Article of Md. Code, Section 14-120)

Although there are common law crimes relating to public nuisances, for a property to be considered a nuisance under this statute, one of the following must occur inside:

- The property must be used by subjects who assemble for the specific purpose of selling CDS
- The property must be used for the manufacture or distribution of CDS or controlled paraphernalia
- The property must be used for the storage or concealment of CDS in sufficient quantity to reasonably indicate an intent to manufacture, distribute, or dispense CDS or controlled paraphernalia

The nuisance abatement statute applies to both residential and commercial properties. Although used primarily against rental properties, remedies may differ depending upon whether the property is rented or owned; residential, or commercial.

Reporting Procedures

All nuisance abatement cases must be sent to the Narcotic Asset Forfeiture Unit (NAFU) of the Narcotics Enforcement Division (NED) for review.

Nuisance abatement cases do not require a Case Record. However, officers shall document all complaint information in a memorandum and forward it through the chain of command to NAFU. The memorandum shall include:

- The property address and the name of the complex
- The names and ages of the lessee and all occupants
- Witnesses' names, addresses, and telephone numbers, if available (complaints may be anonymous)
- Whether or not the housing is a Section 8 property

The officer should obtain and attach the following to the memorandum:

- A copy of the lease
- CHRI on the lessee and occupants
- Prior calls for service at the property
- Any written information from community associations that substantiate the complaint

NAFU will obtain RMS Numbers if the case is approved for investigation, and then forward it to NAFU of the State's Attorney's Office (SAO). Once approved, the case will be filed in District Court.

Court Hearings

Public nuisance abatement hearings are held in District Court. Officers should be prepared to testify at these hearings. They shall bring any additional information that may not have been forwarded to NAFU. The officer shall contact the State's Attorney if they are not going to be available for a hearing.

6. Breath Testing Program

The Department participates in the State of Maryland's Alcohol Testing Program. Breath Test Operators assist officers by conducting breath tests on drivers suspected of driving while under the influence of alcohol. For more information, ***See***: **VOLUME II. CHAPTER 24. DRIVING UNDER THE INFLUENCE OF**

ALCOHOL OR DRUGS, Section **7. Chemical Tests,** ***Breath Test Operators***

7. School Safety Patrol Program

The School Safety Patrol Program is sponsored by the American Automobile Association (AAA) and supported by the Department. The Office of Community First coordinates the Department's school safety efforts and provides an annual Safety Patrol Officer's Training Camp. Students that attend the Safety Patrol Officer's Training Camp learn the proper techniques needed to become a good safety patrol officer.

8. School Liaison Program

The Department's school liaison program is geared toward making the learning environment and areas around schools safer. While assisting members of the school system's security Department, Prince George's County Police officers and other members interact with students, faculty, staff, and parents by hosting or providing educational, training, and information-sharing opportunities. The Department provides officers as guest speakers and guest instructors on an as-requested or as-needed basis. The Department also makes available, if deemed appropriate, some of its facilities for gatherings, meetings, or tours.

If necessary, an officer may be assigned to a school to assist school officials with problem solving or for short or long-term needs.

9. Victim Outreach Program

(Victim Services SOP)

The Department's Victim Outreach Program assists victims with their concerns. The Victim Services Manager oversees this program.

Certain victims are entitled to pursue financial compensation, make victim impact statements, and to be informed of the release of offenders charged or convicted in their case. Services provided to victims may also be available to witnesses, victims' families, or survivors.

Patrol Officer's Responsibilities

When an officer documents a crime in a Case Record, they shall provide each victim with "The Crime Victims and Witnesses, Your Rights and Services" pamphlet and shall document the provision of the pamphlet in the report. In addition, the officer shall provide each victim with:

- Their ID#, the RMS Number, and the telephone number for the unit that will be investigating the case, if applicable
- Information about the Department's Victim Services Manager, if deemed necessary.

The officer may also provide this information to any witness that has significant involvement in a case.

Property crimes and minor assaults do not automatically trigger a response. Officers shall be alert for victims of these crimes who may be in particular need of victim outreach services (for example, the elderly, children, or persons who are disabled or display unusually strong emotional distress). When an officer feels that volunteer contact is needed, they shall contact the Victim Services Manager.

Under urgent circumstances, officers will attempt to contact the Victim Services Manager by telephone and arrange for immediate contact. Officers shall notify their Supervisor when they believe that the victim is in danger.

Supervisor's Responsibilities

If the Supervisor determines that the victim or any witness faces a continuing imminent threat from a suspect, they shall ensure the following actions are performed and documented in a Case Record:

- An area check is initiated and CAD premise history entered
- The appropriate investigative component is contacted
- The victim or witness is given crime prevention advice and informed regarding the appropriate steps to take if the suspect attempts further contact

When circumstances suggest further victimization is likely, the Supervisor may request that temporary security be provided for the victim. Approval of a Command Officer is required prior to allocating Departmental resources for such purposes.

Services for Employees

When employees of the Department are victimized, the Commander/Manager of the affected component will coordinate the victim/witness assistance response.

10. Use of Privately Owned Four-Wheel-Drive Vehicles

(County Administrative Procedure 503)

When inclement weather renders police vehicles inoperable, the Chief of Police may authorize the use of privately owned four-wheel-drive vehicles.

The Office of Emergency Management (OEM) is responsible for the volunteer four-wheel-drive program and has final authority over the recruitment, assignment, and operation of four-wheel-drive vehicles supplied by private citizens.

Four-wheel-drive vehicles supplied by officers are not subject to the provisions of Administrative Procedure 503. They are under the exclusive direction of the Department.

Citizen Volunteers

Citizen volunteers and/or their four-wheel-drive vehicles shall not be used for police activities unless previously approved by OEM. A current list of approved citizen volunteers is maintained by OEM at its Emergency Operations Center (EOC). That list shall be checked before a private citizen's vehicle is placed in police service. Citizen volunteers may be requested through OEM, which has final authority over the assignment of volunteers.

The Department may also recruit citizen volunteers specifically for police use, and OEM shall permanently assign these police recruited volunteers to the Department. These volunteers must still be processed by OEM and appear on that agency's approval list prior to service with the Department.

Required paperwork for recruitment of volunteers (application form and provider agreement) may be obtained from OEM.

Officer Volunteers

Administrative Procedure 503 prohibits County employees from participating in the volunteer four-wheel-drive program. On-duty officers using their personally owned vehicles to carry out assigned duties during a weather emergency are not considered volunteers. Use of officer-owned four-wheel-drive vehicles is authorized when the officer is on-duty.

No application, written agreement, or other authorizing paperwork is necessary. The

County indemnifies on-duty officers against property loss and personal injury resulting from the authorized use of their personally owned four-wheel-drive vehicles.

Supervisor's Responsibilities

The following procedures apply to vehicles owned by officers and vehicles donated by private citizens:

- A Supervisor shall inspect each volunteer vehicle before use; they shall document any damage and ensure that all safety-related equipment is functional on the Assignment Sheet available from OEM. The completed sheet shall be submitted to the Division Commander's/ Manager's office and retained for the duration of the calendar year, or for no less than 6 months. If the vehicle is involved in an accident while in service, the sheet shall be permanently retained in the accident investigation file.
- Following inspection, the Supervisor shall notify PSC that the vehicle is being placed in service, and provide vehicle description, owner information, and the identity of assigned officers for entry into the CAD system.

Use of Four-Wheel-Drive Vehicles

Volunteer vehicles may refuel at County refueling facilities. Codes will be established and disseminated as necessary.

Volunteer four-wheel-drive vehicles may be operated by the vehicle owner or by an assigned officer if that officer is familiar with the operating characteristics of such vehicles. Officers unfamiliar with those operating characteristics shall not operate volunteer vehicles except in emergencies.

Volunteer four-wheel-drive vehicles are not authorized emergency vehicles, regardless of the employment status of the driver or the type of activity engaged in. Red or blue emergency lights shall not be affixed to volunteer vehicles, although flashing yellow caution lights may be used at the officer's discretion.

Volunteer vehicles shall be operated in accordance with vehicle laws and prudent driving practices, with particular attention given to the limitations imposed by harsh weather.

While on patrol in a citizen-owned vehicle, the officer is responsible for the vehicle and any police operations. Officers shall attempt to minimize the danger to which citizen volunteers are exposed. Citizen volunteers are used only as drivers and have no law enforcement authority beyond that of an ordinary citizen. They are expected to comply with officers' instructions. Officers shall ensure that citizen volunteers understand and abide by these requirements and limitations.

If a citizen volunteer fails to comply with an officer's instructions, interferes in police duties, or attempts to exert police authority, the officer shall immediately terminate use of the volunteer vehicle.

The officer's Supervisor shall be notified and the reasons for the termination documented in a memorandum to the appropriate Commander/Manager, who shall review the incident and forward a summary and recommendation to OEM.

Traffic Accidents, Property Damage & Injuries

A Supervisor shall investigate traffic accidents involving volunteer four-wheel-drive vehicles.

In cases where the vehicle driver is a citizen volunteer, an ACRS Report shall be submitted with the original Assignment Sheet attached for permanent filing at the Records Management Division. Photographs shall be taken. The investigator shall ensure that all parties involved in the accident are aware that the citizen volunteer's insurance provides the primary liability coverage.

In cases where the volunteer vehicle driver is an officer, the accident shall be treated as a Departmental accident regardless of whether the vehicle is owned by the officer or a private citizen. A copy of the Assignment Sheet shall be placed in the accident file.

If the authorized volunteer vehicle is owned by an on-duty officer, the County indemnifies against property damage and injury liability, and the other parties involved in the accident should be referred to the County's third-party claims administrator for settlement of claims.

Non-traffic incidents involving property damage to volunteer vehicles shall be documented in a memorandum, with a photocopy attached to the Assignment Sheet. Incidents resulting in minor damage may be investigated by an officer at the Supervisor's discretion. Cases involving serious damage or allegations that damage was caused by officer negligence shall be investigated and photographed by a Supervisor.

All incidents resulting in injury or alleged injury to a citizen volunteer shall be investigated by a Supervisor and documented on the appropriate accident or report form. A Workers' Compensation Notification Form shall be completed and submitted for the injured citizen volunteer in the same manner as a permanent employee.

Commander's/Manager's Responsibilities

Commanders/Managers shall maintain a list of assigned personnel who are willing to use their personally owned four-wheel-drive vehicles for Departmental use during weather emergencies.

When assigned personnel cannot meet a Division's four-wheel-drive needs, the Commander/Manager shall direct the recruitment of citizen volunteers in accordance with the above section, ***Citizen Volunteers***.

Those citizen volunteers shall then be added to the list of volunteering assigned personnel. Recruitment may be accomplished with the assistance of the Media Relations Division. Requests for such assistance should be submitted to that office no later than October 1 for the upcoming winter.

Commanders/Managers shall maintain Assignment Sheets submitted by Supervisors and shall use these sheets to compute total annual mileage for each volunteer vehicle at the end of the calendar year. The Commander/Manager shall then forward an Annual Mileage Report (forms available from OEM) to each citizen or officer volunteer by January 31, for use in preparation of income tax filings.

Commanders/Managers shall review reports of incidents involving citizen volunteers and forward summaries and recommendations to OEM as provided in this section.

11. Educational Intern Program

The Intern Program provides learning opportunities for persons interested in law enforcement. Persons placed in this program do not have the authority of sworn law enforcement officers. Interns must be associated with an educational institution or other organization that sponsors internships as part of a course of instruction. Persons seeking volunteer positions or unpaid work experience should be handled under the Citizen Volunteer Program.

Interns are placed according to their field of study and provide research or support to the Department. The precise placement and task assignment will be made upon request and approval of the Commander/Manager and agreement of the intern. Wherever placed, all interns will receive training appropriate for their duties and responsibilities. The Department may limit the number of interns accepted based upon the Department's needs and workload.

Intern Coordinator's Responsibilities

The Commander/Manager, Media Relations Division shall designate a staff member to serve as the Intern Coordinator. The Intern Coordinator shall have oversight responsibility for the program.

The Intern Coordinator shall:

- Serve as the Departmental point of contact to organizations providing interns
- Supervise the recruitment and selection process
- Conduct an initial interview and background check
- Make placements and maintain permanent intern files
- Obtain concurrence of the requesting Commander/Manager and intern before finalizing an intern assignment

No intern may be used until all applicant procedures have been completed and the Intern Coordinator has granted approval.

Commander's/Manager's Responsibilities

Commanders/Managers may contact the Intern Coordinator to request the assignment of an intern to their command. If a Commander/Manager wishes to recommend a candidate for an internship, the information shall be given to the Intern Coordinator so that the applicant procedures can be completed.

No intern shall be placed before completion of the initial interview and background check. The requesting Commander/ Manager shall participate in the final interview of an intern considered for assignment to their command.

After placement of the intern, Commanders/ Managers shall exercise managerial authority over interns and shall assign an employee to monitor their progress. The assigned Supervisor shall prepare any evaluations or reports required by the intern's sponsoring organization. Copies of all reports and a final evaluation shall be sent to the Intern Coordinator for inclusion in the intern's permanent file.

The Intern Coordinator is the only person authorized to terminate an intern from the Program.

Commanders/Managers dissatisfied with the performance of any intern may request that the Intern Coordinator reassign or terminate the intern. Under urgent circumstances, the Commander/Manager may suspend the intern from active duty and notify the Intern Coordinator. A written memorandum describing the circumstances shall be submitted to the Police Personnel Division (PPD) no later than the next business day.

12. Volunteers in Policing

Citizen volunteers provide support to the Department. They are not sworn officers. Depending on the need, volunteers may perform clerical work, data entry, or any other assigned duties that do not expose them to the hazards which sworn officers are exposed to.

Volunteers shall be appropriately attired. They are not permitted to wear the police uniform or carry any unauthorized equipment or weapons. If a uniform is worn, it will clearly distinguish them from sworn officers.

Recruitment

Volunteers may be recruited by:

- Commanders/Managers through the Citizen's Advisory Councils, graduates of the Citizen's Police Academy, COPS, and other public contacts
- Department's website and social media

Commander's/Manager's Responsibilities

Commanders/Managers are responsible for the recruitment, screening, investigation, and retention of citizen volunteers. They may assign citizen volunteers to their commands after completing a screening process that includes:

- CJIS criminal record check
- Motor Vehicle Administration record check
- Personal interview by the Commander/ Manager

Commanders/Managers shall forward completed applications to PPD. PPD maintains lists of past and present citizen volunteers and a copy of each application. They shall forward a second copy through the chain of command to their Deputy Chief.

Commanders/Managers shall exercise managerial authority over citizen volunteers. They shall assign a Departmental employee to supervise the volunteer. The supervising employee shall determine the scope and duties of each individual volunteer. The Commander/Manager shall ensure that the citizen volunteers receive appropriate training to perform their assignments.

Commanders/Managers are responsible for ensuring facility security. They will authorize the issuance of a volunteer ID card prior to the assignment of the volunteer.

Commanders/Managers may terminate a citizen volunteer's participation in the program. When doing so, they shall notify their Deputy Chief in writing, detailing why participation was terminated. Commanders/ Managers will ensure receipt and transfer of ID cards to PPD upon termination of the volunteer's services.

Commanders/Managers will submit reports in January and July to the Chief of Police summarizing:

- Number of volunteer applicants
- Recruitment efforts

- How volunteers are used
- Impact of volunteer's services on Division operations

The Deputy Chief shall:

- Maintain a list of volunteers in their Bureau
- Maintain copies of volunteer applications submitted to their Bureau

PPD Responsibilities

PPD shall archive original volunteer application forms and background investigations. They will also issue volunteer ID cards once authorized by the appropriate Commander/Manager and collect ID cards from the Commander/ Manager upon termination of the volunteer's service.

Chaperones for Police-Related Events

Chaperones are citizen volunteers whose services are required for a specific event (usually less than one day). The Departmental employee sponsoring or coordinating the event shall screen volunteers by completing a:

- CJIS criminal record check
- Motor Vehicle Administration check

The name, address, and results of the record check for each chaperone shall be documented on a memorandum and forwarded to the appropriate Commander/ Manager prior to the event.

13. Ride-Along Program

(Executive Order 7-1972)

Individuals requesting to ride with an officer must complete a Ride-Along Application and Waiver Form. Juveniles must have a parent or guardian sign these forms and may be required to be accompanied by an adult. Participation is limited to two sessions per year, except:

- Student Interns
- Police Chaplains
- Others authorized by the Chief of Police

Ride-Along Program participants:

- May not be permitted to accompany officers during the response to some calls or incidents that are inherently dangerous
- Must have their own transportation to and from the Police facility
- Shall never accompany a field-training officer with a recruit officer
- Must be hygienically acceptable and cannot wear jeans, shorts, sweatshirts, T-shirts, tennis shoes, or sandals
- Shall wear their seat belt and shoulder harness at all times while the police vehicle is being operated

Supervisor's Responsibilities

The on-duty Supervisor shall:

- Review applications for approval (CHRI or objectionable demeanor may justify rejection)
- Transmit a memorandum to the Deputy Chief Bureau of Patrol for those rejected
- Ensure that the participant is properly attired and hygienically acceptable

The on-duty Supervisor selects an officer to conduct the ride-along and gives the officer a copy of the ride-along guidelines, follow-up form, and return envelope pre-addressed to the appropriate Division Commander. The application and waivers are retained at the Division until the ride-along is complete.

When completed, all ride-along documents are forwarded to the Records Management Division for filing.

Officer's Responsibilities

When possible, officers shall not engage the participant in dangerous situations. An officer responding to a dangerous call or incident shall drop the participant off at a safe location so that another officer can pick up the ride-along participant while the host officer responds to the scene. In addition, officers:

- Shall not allow ride-along participants (including media representatives) to enter the home or residence of a suspect, complainant, or reporting person unless invited by the person authorized to do so
- Should encourage the ride-along participant to ask questions about the law enforcement profession and police work in general
- Should advise the participant they may be required to appear in court at a later date in the event they observe an event during the ride-along and their testimony is deemed necessary
- May end the ride-along for objectionable behavior or interference and shall return the participant to the location where the officer picked them up, documenting their actions on a memorandum to their Supervisor
- Upon completing the ride-along, shall ensure that the participant is given the program's follow-up form and envelope

14. Citizens & Youth Police Academies

The Citizens and Youth Police Academies are programs that are designed to provide citizens who live, work, or attend school in the County with the opportunity to learn about the Department. The goal of the academies is to:

- Facilitate understanding of police operations
- Enhance awareness of the Department's roles, capabilities, and limitations
- Develop realistic expectations of the Department
- Bridge the gap between the Department and the community by building trust and cooperation
- Provide a forum for police and citizens to dialogue
- Enhance citizens' understanding of the criminal law, patrol procedures, use of force policies, and crime prevention techniques

15. Grant Programs

(Grant Management SOP)

Grant Manager

The Grant Manager is an employee of the Fiscal Management Division who is responsible for supervising and directing individuals involved in grant-funded programs. The Grant Manager acts as a liaison and the point of contact for Project Directors.

Project Director

A Project Director is a supervisory level employee designated by the Chief of Police who is responsible for the day-to-day administration of a specific grant-funded program.

Reporting Requirements

Most grants require data to be reported on a regularly scheduled basis throughout the life of the grant. Project Directors must ensure comprehensive information is collected and

tracked in the grant files and reported in a timely manner to comply with all requirements of the grants.

Grant-funded work must be supported by valid and auditable source documentation

All aspects of the Grants Program shall be handled according to the Grant Management SOP.

16. Bicycle Patrol Program

The Bicycle Patrol Program provides an alternative method of patrol while enhancing officer community interaction. Use of the bicycles will be with supervisory approval only and a minimum of two officers are required. Officers may be used to provide an enhanced police visibility in:

- Apartment complexes
- Shopping centers
- Parks
- Jogging and bike paths
- Schools

Bike patrol officers also provide support for traffic control during major community events. From a tactical perspective, bicycle patrol officers are able to operate in stealth like fashion, which gives them an advantage over the criminal element. When patrolling at night, officers must ensure that the bicycle's front headlight is utilized.

Only officers that have attended and successfully completed a Department authorized training may ride them. Individual officers are responsible for the general maintenance and upkeep of the bicycle to which they are assigned. A bicycle requiring repairs beyond routine maintenance shall be taken to a County authorized service facility. Only the equipment listed in the Bicycle Unit SOP shall be carried on or affixed to Police bicycles. A list of officers trained to ride Police Department bicycles shall be maintained at each Station. ***See:*** **VOLUME I, CHAPTER 36. UNIFORM AND GROOMING REGULATIONS**, for the authorized bicycle patrol uniform.

17. Crime Solvers Program

See: **VOLUME II, CHAPTER 20. CRIMINAL INVESTIGATIONS** section **15. Crime Solvers**

18. Language Assistance Program

Individuals who are limited English proficient (LEP), may be entitled to language assistance with respect to a particular type or service, benefit, or encounter. The Department's language interpretation program is a means to provide that assistance. A Language Assistance Program Coordinator shall be designated by the Commander, Training and Education Division (TED).

The Prince George's County Police Department will provide free language access services to all LEP persons in a timely and effective manner. The provision of communication services to LEP persons is a required activity for Departmental employees. Employees must provide these services to all LEP persons they encounter, barring exigent circumstances.

Language Assistance Resources

The Department has access to the following resources:

- Department Certified Interpreters
- Authorized language interpreter services

Realizing that not all barriers to communication are related to language, the Department shall also provide interpreting services for the hearing or speech impaired via Text Telephone (TTY).

The Department shall ensure that notices describing the available language assistance resources are conspicuously displayed in each Department facility. These notices shall detail how LEP citizens can request free translation services to assist with law enforcement matters.

Department Certified Interpreters

Employees who possess language skills and wish to use them to enhance the service provided by the Department are eligible to apply to be Department Certified Interpreters. Employees can be certified in any foreign language or sign language. Employees who meet the established criteria shall receive language skills TEC pay as provided for in negotiated labor agreements.

To be certified as an interpreter, an employee must demonstrate that they have a proficiency level of two or above in a second language. Skill levels shall be assigned to employees through authorized language examinations and are as follows:

- S-0: No Proficiency
- S-1: Elementary Proficiency
- S-2: Limited Working Proficiency
- S-3: General Professional Proficiency
- S-4: Advanced Professional Proficiency
- S-5: Functional Native Proficiency

The Department will assume all costs associated with testing employees. Employees already certified by a recognized language services program may submit documentation of certification. The TED Language Assistance Program Coordinator shall review all certification documentation and make recommendations to the Commander, TED.

The Language Assistance Program Coordinator shall provide Request for Language Skills Certification Forms as requested. When an employee submits a Request for Language Skills Certification Form and meets the required proficiency level after testing, the Commander, TED shall approve the employee's request to be an interpreter.

Employees requesting language skills TEC pay shall submit the Request for Language Skills Certification Form through their Chain of Command to the Language Assistance Program Coordinator. Department certified interpreters must submit a new Language Interpreter Renewal Form by February 28 of each year to receive their annual language skills TEC pay.

Following initial certification, employees must submit a Language Interpreter Renewal Form annually in order to continue to receive language skills TEC pay.

Language Assistance Program Coordinator Responsibilities

The Language Assistance Program Coordinator shall maintain a record of all employees who have been certified as interpreters. The record shall contain the employee's name, ID number, cell phone number and the language for which the employee has been certified. In the case of sign language, the record shall state the employee's certification in American Sign Language or other appropriate sign language.

All Department certified interpreters shall complete and submit log sheets bi-annually,

through their Chain of Command, to the Language Assistance Program Coordinator. All log sheets will be due on the 5th day of January and June of every year. If no translations have been completed, write "NO TRANSLATIONS" on the log sheet and submit the sheets by the required date. The Language Assistance Program Coordinator is responsible for maintaining bi-annual log sheets.

The Language Assistance Program Coordinator will schedule Language Assistance Program training as required, for new interpreters, as well as, periodically at annual Advanced Officer Training.

Public Safety Communications (PSC) shall maintain a list of Certified Interpreters. Every effort will be made to utilize on-duty employees when translation services are needed. In the event that an off-duty employee must be used, compensation for call-back will be in accordance with negotiated labor agreements.

Use of Department Certified Interpreters

Employees needing translation assistance shall utilize one of the Department Certified Interpreters, if possible. Requests for interpreters shall be made through PSC. PSC shall attempt to locate a Certified Interpreter that is currently on-duty. If an on-duty interpreter is not available, a PSC Supervisor shall contact an off-duty interpreter for translation services through the established rotating call out procedure. Off-duty Department Certified Interpreters will respond to the location within a reasonable amount of time.

If a Department Certified Interpreter is not available and officers need immediate assistance with an LEP person, they may utilize other resources as available such as the current translation services contractor or other qualified interpreter.

Departmental employees shall not use family members, neighbors, friends, volunteers, bystanders or children to interpret for LEP persons unless exigent circumstances exist and a more reliable interpreter is not available, especially for communications involving witnesses, victims, and potential suspects.

If an exigent circumstance requires an employee to use family members, neighbors, friends, volunteers, bystanders or children for initial language assistance, the employee shall seek the assistance of a Department Certified Interpreter or other professional interpreter to confirm or supplement the initial translation or interpretation as soon as practical.

Interviews and Interrogations

Employees must recognize miscommunication during interviews or interrogations may have a substantial impact on evidence presented in any criminal prosecution, as it may result in an adverse impact on the legal rights of a witness or suspect. Whether in general or formal crime victim interviews, or custodial interrogations of suspects, there exists potential for the utterance of statements which may have evidentiary value or with which an individual may be impeached in court. Failure to provide protection for the rights of LEP individuals during general and crime victim interviews and custodial suspect interrogations presents risks to the integrity of the process.

When conducting interviews, interrogations or taking the formal statement of LEP persons, employees shall request that a

Department Certified Interpreter respond in-person. Exceptions to this may be granted by a Lieutenant or above when exigent circumstances exist, for example, when a Department Certified Interpreter is not available.

During interviews or interrogations employees shall contact a Department Certified Interpreter to appear in person. The Department Certified Interpreter will make an independent audio recording with a Department issued digital audio recorder of all LEP custodial interrogations. Recordings shall be maintained by the investigating body requesting the translation services.

The Department Certified Interpreter shall advise the LEP person of all their rights to include Miranda, provide all written forms and notices to LEP person in their primary language. When translated forms are not available or when the LEP is unable to read, the Department Certified Interpreter shall read the form(s) to the LEP person in their primary language.

Language Interpreter Services

An authorized language interpreter service will be made available to employees. The service will provide interpreters/translators for numerous languages. This service is available via telephone, 24 hours a day, 7 days a week. Employees who need authorized language interpreter services shall contact PSC for assistance.

Conversations that occur via the language interpreter service are not recorded by the service. When the language interpreter service is used, and an officer requires the conversation to be recorded for evidentiary purposes, they shall contact PSC prior to calling the service to arrange for the interview to be recorded. All parties involved in these calls must be informed that the call is being recorded.

Interpreting Services for Hearing or Speech Impaired (TTY)

When an auxiliary aid or service is required to ensure effective communication, the Department must provide an opportunity for individuals who are hearing, or speech impaired to request auxiliary aids and services. Employees shall make every effort to provide the auxiliary aid or service requested by the individual.

Auxiliary aids and services include certified interpreters, written materials, note pads, and other effective methods of communicating with individuals. The Department's Disabilities Liaison Officer shall be contacted when interpretation services are requested. If the Disabilities Liaison Officer is not available, interpretation services are provided on a contract basis. All requests for sign language interpretation shall be made through PSC.

The Americans with Disabilities Act requires use of the TTYs or an equally effective telecommunications system to communicate with individuals who use TTYs. PSC maintains TTYs for citizens with hearing/speech impairments. If a TTY is not available, employees may use the Maryland Relay Service by calling 711, or 1-800-552-7724. Employees using the service will communicate with the system operator by voice and will carry on a conversation with the TTY user through the operator.

Notices about Departmental hearings or meetings should include a statement that sign language interpreters are available upon advance request.

19. Bureau of Patrol Career Enrichment Programs

The Bureau of Patrol Career Enrichment Programs are designed to create a well-rounded, better educated patrol officer. The benefits of the program include a career development path for officers interested in enhancing specific aspects of police work, a more knowledgeable field operative in patrol operations, a better flow of information from investigators to patrol and from patrol to investigators, higher quality report writing skills, creation of working relationships/partnerships between specialty unit personnel, better community relationships, a preview of possible applicants for upcoming policing positions, and greater officer awareness of available divisional tools.

The Career Enrichment Programs are designed to enhance officers who continually perform above expectations and aspire to follow an investigative and/or operational career path as well as enhance police-community relationships. This program will provide benefits to both the officers involved and their assigned patrol division.

The Chief of Police or their designee may supersede/change any provisions of the Career Enrichment Programs, including termination of the program.

All officers that are offered a special assignment detail opportunity under these programs shall return to their respective Division Station at the end of their scheduled special assignment detail.

Selection Criteria

Any of the following may be considered when determining potential candidates:

- Career aspirations
- Investigative skills
- Training and certifications
- Previous work experience
- Willingness to assist, help, learn, or teach others

Preference may be given to the following:

- Corporals with investigative, operational and/or community policing interest (Career Path Development)
- Field Training Officers
- High initiative/self-motivated officers

The following shall be reviewed and may disqualify an officer from being selected as a candidate:

- Criminal misconduct investigations with sustained or non-sustained charges
- Sustained Use of Force Violations (3 years from date of sustainment)
- Investigations concerning questionable conduct pertaining to character, ethics, or morality with sustained or non-sustained charges
- Patterns of conduct or job performance that reflect negatively on the Department. Examples include multiple sustained failures to appear, multiple departmental accidents, or multiple allegations of force or language violations
- Failure to qualify with their issued firearm
- Being under the Department tri-annual training program

Patrol Officer Career Enrichment Program

The Patrol Officer Career Enrichment Program is a hands-on initiative to further enhance patrol officers' skills and abilities through exposure to Divisional resources and personnel. The program will be implemented throughout the Bureau of Patrol (BOP) and each Division Commander or their designee, will be responsible for oversight of the program within each respective Division Station.

The Program allows selected patrol officers, the rank of Corporal or below, to be assigned to a special assignment detail at their Division station or another Division station, to gain exposure into the day-to-day operations of the Community Action Team, Community Engagement Unit or Division Investigations. Special assignment details will be for up to four weeks.

Once the officer is selected for the program, the Division Commander or their designee will coordinate with that officer's chain of command to schedule the detail period. The Division Commander will make every effort to ensure that there is at least a 10-day notification prior to the proposed start date. If the Division Commander or their designee cannot provide that notice, the officer has the right to decline the assignment and be afforded a more convenient special assignment detail period. If the 10-day notification is given and an officer declines the scheduled dates due to personal conflicts, the Division Commander reserves the right to remove that officer from the program temporarily or permanently.

It is the duty and responsibility of the Division Commander to ensure that adequate staffing is maintained, and that officer safety is not jeopardized in the pursuit of the program's mission.

The Division Commander may suspend an officer from the Patrol Career Enrichment Program, at any time, for any negative conduct or performance issues that may arise. Selected officers will report to the assigned unit's Supervisor for the duration of the special assignment detail. The Division's Program Coordinator and assigned unit Supervisors will:

- Document, track and maintain information on all officers that express interest in each unit, have been assigned to a unit, and each officer's detail length
- Work to ensure that selected officers are exposed to as much of the assigned process as possible during the period
- Provide training throughout the duration of the period
- Provide a resource sheet for officers at the conclusion of training for officers to take back to their patrol duties
- Ensure that selected officers are invested and demonstrate initiative and remove candidates from the program that do not demonstrate a willingness to help, learn, or become personally invested in the program. The program is a privilege, not a right.
- Ensure officers adhere to all General Orders and the Standard Operating Procedures of the respective unit

During the special assignment detail, the officer will ensure that their permanent Supervisor is made aware of all payroll schedules and compensation slips. The permanent Supervisor is responsible for completing the officer's payroll for the period.

At the completion of the Program, officers will receive a certificate of completion that will be sent to the Advanced Officer Training Section for inclusion in the officer's training file. A Patrol Career Enrichment Critique form from the temporary Supervisor will be submitted with a copy of the certificate to be included in the officer's training file.

Officers may apply through their Division Commander or their designee.

Patrol Extended Career Enrichment Program

The Patrol Extended Career Enrichment Program is a hands-on high initiative approach to further enhance patrol officers' skills and abilities through exposure to departmental resources, tactics, and personnel. The program will be coordinated through the Police Personnel Division (PPD), Bureau of Administration (BOA).

The Patrol Extended Career Enrichment Program allows selected patrol officers, the rank of Corporal or below, to be assigned to special assignment details at other Divisions to enhance their skills and abilities. The special assignments will be for the Office of Community First, Recruiting, and two additional Divisions/Units, within the Department. The two additional assignments will be based on the officer's "wish list" of assignments. The assignments will be comprised of four consecutive special assignment details. Officers will spend two weeks at each assignment.

Division Station Commanders will submit up to two nominations to BOP. BOP will facilitate the selection process and coordinate scheduling and tracking with PPD. BOP personnel will review the nominations received from all Division Stations and select four officers monthly.

Officers selected for the Extended Career Enrichment Program should be notified at least ten days prior to their start date. In cases where the PPD representative is unable to notify the chosen officer 10 days prior to the commencement of their special assignment detail, the officer has the right to decline the assignment and be afforded a more convenient special assignment detail period. If an officer declines to work this assignment after a timely notification, the PPD representative reserves the right to remove them from this initiative temporarily or permanently.

It is the duty and responsibility of the Division Station Commander to ensure that adequate staffing is maintained, and that officer safety is not jeopardized in the pursuit of the program's mission.

Program participants will be assigned to PPD during the duration of their assignment. A PPD representative will be responsible for the following:

- Completion of the officer's payroll
- Coordinating the assignments
- Ensuring officers are exposed to as much of the assigned process as possible during the assignment period
- Ensure training it provided throughout the duration of the assignment
- Monitor the progress of officers during their assignment

The following assignments will be in the rotation for the Extended Enrichment Program. (4 officers in each at a time):

- The Office of Community First
- Recruiting

- Officer's Specialty Unit of Choice (Based on Availability)
- Officer's Specialty Unit of Choice (Based on Availability)

Any exceptions will reside with PPD

Program Coordinators reserve the right to review and deny any requested assignment location. Units that require specialized prerequisites such as security clearances and/or mandatory educational requirements may be stricken from the program if officers are not qualified.

At the completion of the program, officers will receive a certificate of completion that will be sent to the Advanced Officer Training Section for inclusion in the officer's training file. An Extended Career Enrichment Critique form from each Supervisor will be submitted with a copy of the certificate to be included in the officer's training file.

Officers may apply through their Division Commander or their designee.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation of Law Enforcement Agencies, Standards 11.5.1, 11.5.2, 11.6.1, 11.6.2, 15.2.2,16.4.1, 16.4.2, 16.4.3, 22.2.5, 33.5.3, 41.1.4, 42.1.5, 44.2.4, 45.2.1, 55.2.2, 55.2.3, 61.1.10, 61.3.6

Governing Legislation:

- 18 US Code 922(g), 924(c), & 924(e)
- Real Property Article of Md. Code, Section 14-120
- County Administrative Procedure 503
- County Administrative Procedure 212
- Executive Order 7-1972
- Title VI of the Civil Rights Act of 1968, and the Omnibus Crime Control and Safe Streets Acts of 1968 (Safe Streets Act), as amended

Reference:

- Victim Services SOP
- Bicycle Unit SOP
- Grant Management SOP
- Negotiated Labor Agreement, Fraternal Order of Police Lodge 89
- Negotiated Labor Agreement, Police Civilian Employees Association

23. DOMESTIC VIOLENCE, STALKING, & HARASSMENT
(July 2023)

I. POLICY
(MD Criminal Procedure Article, Title 2)

Officers will respond promptly to incidents of domestic violence, stalking, and harassment.

Being especially sensitive to the needs of victims of these crimes, the Department will assist these individuals, and if necessary, their family members, to prevent further victimization.

II. CHECKLIST (N/A)

III. DEFINITIONS

Course of Conduct: Pattern of separate acts occurring at different times but appearing to have a common purpose or objective.

Defusion: When disputants have stopped engaging in verbal or physical combat and calmed down.

Domestic Violence: Domestic violence occurs when an individual commits or attempts to commit one of the following offenses against an intimate partner:

- An act that causes physical injury
- An act that places one in fear of physical injury to self or others
- A property crime
- Violation of a Protective Order
- An act of false imprisonment

Family Domestic: A domestic dispute involving violence or the threat of violence between family members who reside in the same household.

Family Justice Center: An initiative of the Circuit Court which involves a collaboration of public and private entities that provide advocacy, legal services, social services, and law enforcement services to victims of domestic violence. The Family Justice Center is located at 14757 Main Street Upper Marlboro, MD 20772, and the phone number is 301-780-8008.

Family Member: A relative by blood, adoption, marriage to include in-laws, who cohabitate to include sibling, grandchild, or grandparent; child or stepchild; parent or stepparent.

Harassment: Maliciously engaging in a course of conduct that alarms or seriously annoys an individual, with the intent to harass, alarm, or annoy that individual after receiving a warning or request to stop.

Intimate Partner: A current or former spouse or dating or sexual partner, including those who have a child in common. Both heterosexual and same-sex couples are considered intimate partners.

Other Relationships: Persons that reside in the same household that are not in a familial or intimate relationship such as roommates in a house or dormitory.

Petitioner: An individual who files a petition

Protective Order: A court issued order, which provides protection to a victim of domestic abuse. There are three types of Protective Orders:

***Interim*:** This order is effective until the first or second available day on which the District Court may hear the petitioner.

***Temporary*:** Effective for no more than seven days after service, however, it may be extended up to 30 days to effectuate service. The order may direct the respondent to do any of the following:

- Vacate the home immediately
- Stay away from places frequented by the petitioner, such as the petitioner's residence, temporary residence, residence of family members, workplace and or school

The Protective Order may also:

- Allow a respondent to retrieve personal effects
- Decide the custody of minor children
- Order mandatory counseling or mediation between the petitioner and respondent

Final: The final protective order states the maximum time that the order is effective, which is typically in effect for one year. The petitioner has the right to request an extension of a final protective order, which if granted, can be extended up to an additional 6 months.

Respondent: The individual alleged in the petition to have committed the abuse

Stalking: Malicious course of conduct including approaching or pursuing another individual with the intent to place that individual in fear of serious bodily injury or death

IV. FORMS

- Booking Record
- Case Record
- Domestic Violence Supplemental Report
- Domestic Violence Lethality Screen for First Responders

V. PROCEDURES

1. Domestic Violence

Complaints of domestic violence will be taken seriously, even when clear evidence of an assault is lacking. The complaint taker will record the following information from the caller:

- Whether any party is injured
- Location and description of the assailant
- Weapons and their location
- Whether children are present
- The nature of the disturbance
- Other persons on the scene
- Use of drugs or alcohol
- History of mental illness
- History of prior disturbances
- Existence of a temporary peace order or protective order against any party
- Sexual assault

If the victim has been sexually assaulted, Public Safety Communications (PSC) shall advise the victim not to use the bathroom, bathe, or shower, or change clothes.

Two officers shall be assigned to the call. If the aggressor is on the premises, officers should comply if a victim requests to meet them at an alternate location, such as a neighbor's home.

Response classification will be in accordance with **VOLUME II, CHAPTER 11. RESPONDING TO CALLS FOR SERVICE & ESCORTS**.

Officer's Responsibilities

There are five basic steps to effective intervention in domestic violence calls:

- Safety
- Defusion
- Communication
- Assistance and resolution
- Referral

Officers should await backup when responding to domestic violence calls. While responding to the scene, officers shall have PSC check the premise history of the address and/or involved parties to see how many times officers have responded for the same domestic call for service over the last 6 months. Two or more calls for service shall initiate a notification by the officer to the Domestic Violence Unit. Upon arrival at the scene, officers will identify themselves and request permission to enter the home.

Generally, officers should only enter homes when invited and opposition is not stated. If the officer's presence creates antagonism, the officer should employ non-confrontational methods to help the aggrieved intimate partner, such as transporting the individual to another location or convincing one party to temporarily leave.

If, upon arrival, officers are confronted by an individual who denies there is a problem, officers should insist that the other party come to the door to determine whether an assault has occurred.

Officers may make a forcible entry to end a violent altercation, remove children whom the officer believes to be in immediate danger, or for other exigent circumstances.

Officers shall use reasonable judgment to determine the propriety of making a forcible entry in these cases. Officers will not forcibly enter a home merely to obtain clothing or personal items. ***See:*** ***Supervisor's Responsibilities in Domestic Standby*** in this chapter.

After stabilizing the situation, officers should determine if there are injuries involved and if medical attention is required. Officers shall provide the victim protection against further injury. This protection may include the seizure of firearms or weapons. When on the scene of an alleged act of domestic violence, an officer may remove a firearm from the scene if:

- There is probable cause to believe that an act of domestic violence has occurred; and
- The firearm has been observed

A resident of the premises may lead an officer to the location of other firearms at the residence. A premise search may not be conducted without a search warrant.

Officers may transport victims away from the scene when no other means of travel is available.

Officers will not assist in removing children from a home unless the circumstances indicate that the children are in imminent danger.

Crime Victims & Witnesses Pamphlet

The State of Maryland has established guidelines for the treatment and assistance of crime victims and witnesses.

Officers are responsible for directing citizens to appropriate community resources. In all cases, officers will provide complainants with a Crime Victims and Witnesses pamphlet and note the RMS Number on the front. This shall be

documented in the narrative of the Case or Booking Record.

Reporting Procedures

An RMS report shall be completed for all domestic calls for service, to include allegations of domestic violence, verified instances of domestic violence, or verbal altercations. Officers will provide all complainants with a Crime Victims and Witnesses pamphlet and will document it in the narrative of the Case or Booking Record. Pamphlets will also be provided for domestic standbys.

When an individual alleges to have been assaulted by an intimate partner, family member, or a person of other relationship in the same household, and there is evidence of physical injury a Case Record, Booking Record, a Domestic Violence Supplemental Report, and a Domestic Violence Lethality Screen for First Responders shall be completed within RMS.

If an officer responds and determines that a verbal domestic has occurred, a Field Interview Record shall be written with a distinction made that it is "domestic related."

The Domestic Violence Unit is responsible for investigating the following:

- All 1st degree domestic assaults that occur between intimate partners and cohabitating family members. 1st degree assaults are defined by the Maryland Criminal Law, Articles 3-201 and 3-202.
- Harassment and stalking cases that occur between intimate partners and cohabitating family members.
- Repeated Domestic incidents with two or more officer responses within a 6-month period involving same parties.

The DVU shall forward a copy of the Case Record and any supplemental reports to the SAO.

In cases that involve misdemeanor domestic related arrests, officers will be responsible for handling the incident as outlined in **VOLUME II, CHAPTER 4. ARREST, TRANSPORT & PROCESING, Section 4. Misdemeanor Arrests**.

When the necessary elements for an arrest are present, but an arrest is not made, the reporting officer will document in the Case Record why an arrest was not made, and list what actions were taken to ensure the safety of the victim. In cases where no assault can be verified the complainant shall be advised on how to file charges and where to go to file them.

When an assault can be verified and the suspect is no longer on scene, the reporting officer will complete an Application for Statement of Charges. Prior to submitting the application, the reporting officer will make notification and submit the application to a DVU Investigator for review. The officer's Supervisor has the final approval. All Application for Statement of Charges completed during the tour of duty must be submitted to the Commissioner's drop box prior to the end of shift.

If the reporting officer feels that future violence may occur, the officer may request a premise history entry and notify the DVU.

Domestic Incident Reporting

Officers shall document all calls for domestic violence in an RMS report. In addition, officers must provide all complainants with a Crime Victims and Witnesses pamphlet and document it in the narrative of the Case or Booking Record. If

officers respond to a domestic violence call and find that no crime was committed, but a verbal threat was made, the officer shall title the report "Verbal Domestic." If the officer determines that the incident is unfounded, they shall document the incident and label it as "Police Information Only."

In all cases the officer shall document the facts of the incident, to include:

- Descriptions of physical evidence
- Emotional state of the victim and suspect
- Names, ages, race, sex, of the parties
- Household status of the parties
- Relationship of the parties

Also:

- Any indication of alcohol/CDS use
- Contributing circumstances of the incident
- Any police action taken

Officers shall refer victims to the Family Justice Center so that arrangements can be made to ensure any necessary services are provided such as housing, counseling, and legal aid.

In cases of verbal or unfounded domestic incidents, the Domestic Violence Supplemental Report and the Domestic Violence Lethality Screen for First Responders shall not be completed.

In situations where warrantless arrest criteria are not met (e.g., outside of 48 hours), but there is probable cause to believe that an assault did occur, an application for Statement of Charges shall be submitted to the Court Commissioner's drop box by the end of shift.

Any delay in this process must be approved by a Supervisor. Such delays should be the exception and must only be approved under exigent circumstances.

In any case, officers shall advise the dispatcher of the following:

- Any Weapons present and their location
- Use of drugs or alcohol
- Any referrals made for assistance

The dispatcher will include this information in the CAD.

Evidence Collection

The following are examples of evidence that shall be collected in domestic violence cases:

- Photographs of injuries
- Photographs of the crime scene
- Photographs of injuries one to three days later
- Copies of 911 tapes
- Copy of Protective Order
- Written Statement of all parties
- Suspects shall be mirandized before an attempt is made to get a statement

Family Justice Center Notification

When officers make an on-scene arrest or apply for charges they shall email Police_DomesticViolence@co.pg.md.us a notification that includes the following:

- RMS number
- Victim's name, address, and phone number
- Suspect's name, address, and phone number
- Whether an on-scene arrest was made, or an Application for Statement of Charges was submitted

Supervisor's Responsibilities in Domestic Standby

It is important that persons requesting domestic standby services be afforded these services as guaranteed by law. It is important that officers ensure that they are not assisting an individual in violating the "vacate or stay away" portion of a protective order. Conditions of most existing protective orders can be verified through NCIC/METERS.

Supervisors shall determine the level of response to a request for a domestic standby. If available, the Supervisor will respond to assist the officer. The Supervisor shall ensure that assistance is limited to removing essential items, such as a change of clothing, personal effects or medicines for themselves or their children.

2. Domestic Incidents Involving Law Enforcement Personnel

Employees are encouraged to seek confidential assistance through the Department's Psychological Services Division (PSD) or the County's Employee Assistance Program (EAP) to prevent a problem from escalating into criminal misconduct.

Officers with knowledge of abuse or violence involving a fellow officer shall report such information to their Supervisor in a timely manner. Failure to do so will subject the officer to an investigation, disciplinary action, and possible sanction or criminal charges.

All officers should be aware of the possibility of victim or witness intimidation. If an officer suspects that this is occurring, the officer will notify a Supervisor (Sergeant or above). The Supervisor will notify their chain of command and forward the information to the Commander, Internal Affairs Division (IAD).

Officers who attempt to interfere with cases against fellow officers by threatening, harassing, stalking, or otherwise engaging involved parties will be subject to investigation, disciplinary action and/or criminal charges.

Domestic Disputes Involving Departmental Employees

To ensure that the response to domestic disputes involving Departmental employees is appropriately documented, even if no allegation or evidence of a physical assault exists, officers responding to such domestic disputes shall:

- Request a Supervisor's response to the scene
- Complete and submit a Case Record by the end of the shift

Notification to SIRT is not necessary.

A Supervisor the rank of Sergeant or above will respond to the scene and shall:

- Notify the affected employee's Commander
- Complete a confidential memorandum with buckslip to be forwarded to the involved employee's Commander, as well as the Commander of the Division in which the incident occurred.

Domestic Disputes Involving Sworn Members of Other Law Enforcement Agencies

Officers responding to a domestic dispute that involves officers from other law

enforcement agencies with no allegation or evidence of physical abuse shall:

- Request a Supervisor's response to the scene
- Complete and submit a Case Record by the conclusion of the shift. Notification to SIRT is not necessary.

A Supervisor the rank of Sergeant or above will respond to the scene. The Supervisor shall notify the sworn member's Commander. The Supervisor will also notify the Commander of the Division where the incident occurred.

Domestic Violence Involving Departmental Employees

(Lautenberg Law)

Federal law prohibits officers convicted of misdemeanor domestic violence assaults from carrying firearms. Officers convicted of domestic violence shall have their police powers revoked.

Officers responding to a domestic violence call involving Departmental employees shall determine if there are allegations or evidence of physical assault. If so, the officer shall:

- Request the presence of a Supervisor
- Secure any Departmental firearms
- Make an arrest, if probable cause exists, and remove any privately owned firearms observed on the scene
- Complete a Case and Booking Record by the conclusion of the shift
- Notify DVU

Upon arrival, Supervisors shall:

- Ensure that the officer's responsibilities have been completed
- If the employee is an officer, contact SIRT personnel, who will evaluate the need to respond to the scene
- Contact the Commander of the accused employee
- Complete a confidential memorandum with buckslip

Domestic Violence Involving Employees of Other Law Enforcement Agencies

Officers responding for a report of domestic violence or a violation of a Protective Order that involves officers from other law enforcement agencies shall determine if there are allegations or evidence of physical assault. If so, the officer shall:

- Request the presence of a Supervisor
- Make an arrest, if probable cause exists, and remove any privately owned firearms observed on the scene
- Complete a Case and Booking Record by the conclusion of the shift
- Notify DVU

A Supervisor the rank of Sergeant or above and the Shift Commander will respond to the scene and do the following:

- The Sergeant will ensure that the officer's responsibilities have been completed
- The Sergeant will initiate a premise history through the communications Supervisor for at least 90 days
- The Shift Commander will notify the affected officer's Commander
- The Shift Commander shall prepare a confidential memorandum, documenting the name of the Commander notified within the other agency, the other agency's response, and all notifications made within this Department.

Response to Violations of Protective Orders

A PGPD officer that is served with a Protective Order will notify their Commander/Manager. The Commander/ Manager shall immediately notify SIRT so that a determination regarding the suspension of police powers, consistent with applicable laws, can be made.

The Commander/Manager shall direct the involved employee to schedule and attend an appointment with PSD and ensure attendance within five days of the incident.

Officers responding for a report of a violation of a Protective Order involving a member of a law enforcement agency shall determine if a violation of a Protective Order has occurred, then:

- Confirm that the employee is in violation of the Protective Order
- If the employee is in violation of the Protective Order the officer shall make a full custody arrest and notify the Shift Commander

For officer safety, officers shall pay particular attention to section 7, which may list firearms owned by the employee and the block in section 8, which reads, "To turn over firearms to a law enforcement agency." Supervisors responding to the scene shall follow the appropriate procedures detailed in the above sections; ***Domestic Violence Involving Department Employees*** or ***Domestic Violence Involving Sworn Members of Other Law Enforcement Agencies***.

3. Stalking & Harassment

(MD Annotated Code, Criminal Law, Section 3- 801 through 3-803)
(County Code Sections 14-167, Et seq.)

Stalking Reports

Officers shall complete a Case Record for all stalking complaints, or any situation where stalking appears to have occurred. Officers taking reports shall:

- Notify their Supervisor
- Notify Division Investigations or DVU if instructed to do so by their Supervisor
- Transport the victim to the appropriate Investigative Unit or stand by with the victim pending the arrival of the investigator
- Note the name of the investigator notified, if applicable
- Broadcast a lookout for the suspect

For all stalking reports where the suspect is confirmed to be an intimate partner or a cohabitating family member, the officer shall contact DVU prior to clearing the call.

The state stalking law authorizes making a warrantless arrest for this crime.

Supervisor's Responsibilities

When a Supervisor is notified of a stalking incident, they
shall determine whether an imminent threat to the victim's safety exists. Factors to be considered include, but are not limited to the suspect's:

- Past behavior
- Criminal record
- Psychological stability
- Ability to harm the victim
- Access to the victim
- Use or access to weapons

If an imminent threat to the victim exists, the Supervisor shall direct the officer to immediately notify Division Investigations or DVU as appropriate. The Supervisor will forward any supplemental reports, completed outside of RMS, to DVU by the end of the shift. All reports for stalking incidents investigated by DVU shall be forwarded to DVU by the Supervisor prior to the end of their shift via fax, or alternatively emailed to ***Police_DomesticViolence@co.pg.md.us.***

If an investigator is not immediately available, the Supervisor shall notify the Shift Commander. The Shift Commander shall find another investigator elsewhere in the county or call out an off-duty investigator.

Investigator's Responsibilities

If notified of a stalking complaint where an imminent threat exists, the investigator shall immediately initiate an investigation. The investigator shall broadcast a lookout for the suspect and any related vehicles. The investigator shall also arrange an area check and premise history for the victim's home and workplace. If either location is outside Prince George's County, the investigator shall notify the primary law enforcement provider for that jurisdiction.

Investigators shall follow the procedures outlined in the Criminal Investigations Manual. The investigation shall be active until the situation is resolved or all avenues of investigation are exhausted. Attempts to arrest the suspect shall only be suspended with the approval of a Division Investigations or DVU Supervisor as appropriate, or in the Supervisor's absence, a higher authority.

The investigator shall advise the victim to notify the appropriate investigative section of all future contacts with the suspect.

If an investigator determines that a victim is voluntarily maintaining contact with the suspect, the investigator may instruct the victim to obtain a warrant and close the case. The report shall document the victim's voluntary interaction with the suspect.

All stalking reports, regardless of initial urgency, shall be assigned to an investigator. In routine cases, the victim may be advised to obtain a warrant if they know the suspect and they are not in imminent danger.

The Division Investigations or DVU Supervisor may re-classify a stalking case from priority to routine if it is determined that an imminent threat no longer exists.

Harassment Reports

When an individual complains of harassment, the officer shall complete a Case Record documenting the nature of the harassment and specifying that no threats to personal safety were made. Unless the incident is investigated by DVU, the officer shall instruct the victim to contact a commissioner to obtain a warrant if the complainant desires criminal prosecution. Harassment reports do not require follow-up attention except those investigated by DVU.

In those incidents where the suspect of the harassment is an intimate partner or a cohabitating family member, the officer shall contact DVU prior to clearing the call.

4. Warrantless Arrests

The Maryland Criminal Procedures Title 2, Subtitle 2 provides warrantless arrest authority when an officer has probable cause to believe:

- The victim is the perpetrator's spouse or cohabitant, and
- There is evidence of physical injury and, unless the perpetrator is immediately arrested, the perpetrator may:
  - Not be apprehended
  - Cause further injury to the victim or others
  - Cause further damage to the victim's property
  - Tamper with, dispose of, or destroy evidence

These conditions justify a warrantless arrest so long as a police report was made within 48 hours of the alleged incident.

In such cases where the criteria of Title 2, Section 2-204 exist, the preferred response of the Department is to make an arrest unless there are clear reasons why an arrest would be counterproductive. Officers will use professional judgment in deciding whether to arrest.

Upon making a warrantless arrest, victims shall be advised to contact the Domestic Violence Unit in the State's Attorney's Office to obtain information regarding the criminal justice system and identify available County support services.

5. Protective Orders

The Annotated Code of Maryland prohibits a respondent in a Protective Order from possessing a regulated firearm. An individual that is named as a respondent in a Protective Order, if so ordered by the judge, must surrender all firearms owned or possessed by them. They are also prohibited from purchasing firearms while they are named as a respondent in a domestic violence proceeding.

The following violations of Protective Orders are misdemeanors under Title 4, Subtitle 5, of the Family Law Article:

- Abusing or threatening the petitioner
- Contacting or harassing the petitioner
- Refusing to vacate or stay away from the petitioner's or family member's residence, school, place of employment, temporary residence, and all surrounding areas

Officer's Responsibilities – Protective Orders

Officers may verify the existence of Protective Orders by contacting the Office of the Sheriff for Prince George's County (OSPG). If the order has been filed but not served, and the subject named in the order is present, the officer will serve the order. The petitioner's copy may be served on the respondent. Another copy of the order may be obtained from the courts.

If service is made, the officer can order the respondent to vacate the home, advising the respondent that to disregard the Protective Order is a misdemeanor, which may lead to an arrest.

When protective orders are issued by a judge or commissioner in the State of Maryland, officers shall immediately notify the Teletype Unit after a respondent has been served. The officer shall complete a Case Record and list the type as "Protective Order Service." The name of the petitioner will be listed as the reporting person. The

officer shall document that the Teletype Unit was contacted in the Case Record. The narrative portion shall include the respondent's name and the protective order number. Officers shall forward (fax or email) a copy of the return of service to OSPG prior to the end of shift.

Teletype Unit Responsibilities

The Teletype Unit, upon notification by an officer, shall **immediately** enter confirmation into NCIC/METERS using the VINE Direct Notification form. Teletype shall enter the following information: Serving Officer's Name, Serving Officer's Phone Number, Serving ORI, Date of Service, Originating ORI and Protective Order Number.

If NCIC/METERS is down, the Teletype Unit shall contact Maryland State Police Headquarters for assistance with submitting the data for entry.

Arrests for Violation of Protective Order

The following violations of a protective order are misdemeanors under Title 4, Subtitle 5, of the Family Law Article:

- Abusing or threatening the petitioner
- Contacting or harassing the petitioner
- Refusing to vacate or stay away from the petitioner's and/or family member's:
  - Residence
  - School
  - Place of employment
  - Temporary residence
  - All surrounding areas

Officers shall arrest, with or without a warrant, an individual whom the officer has probable cause to believe is in violation of an active Protective Order, even if the violation occurs with the petitioner's consent. A full custody arrest shall be made for such violations.

Violations of other conditions of a protective order that are not misdemeanors or felonies are not enforceable by an officer. The officer should refer the petitioner to the court for relief.

6. Protective Orders Issued by Another State

In 1994, Congress enacted the Violence Against Women Act (VAWA) directing jurisdictions to give full faith and credit to valid orders of protection issued by other jurisdictions.

A Protective Order issued by a court of another state or Indian tribe will be accorded full faith and credit by a court of Maryland and enforced as an order of Maryland.

Under Maryland law, in order to enforce an out of state protective order:

- The order must be in effect at the time of the violation
- The petitioner must display or present a copy of the order that appears valid on its face
- The defendant must have violated an arrestable provision of the order

7. Temporary Protective Orders

Persons that are eligible for relief include:

- The current or former spouse or intimate partner of the respondent
- A household member of the respondent
- An individual related to the respondent by blood, marriage, or adoption

- A parent, stepparent, child, or stepchild of the respondent who resides or has resided with the respondent for at least 90 days within one year before filing for the petition
- A vulnerable adult
- An individual who has a child in common with the respondent

Temporary Protective Orders are issued through the District Court, Monday through Friday, 0830 to 1500 hours. A District Court Commissioner may issue the order when the Clerk of the District Court is not available.

If an officer serves an order issued by a commissioner, the return of service shall be returned to the Commissioner or the District Court Clerk.

8. Extreme Risk Protective Orders (ERPO)

The purpose of an ERPO is to reduce gun deaths and injuries by restricting a respondent's access to firearms and ammunition. ERPOs are meant to prohibit a respondent from possessing a firearm where there is sufficient information to believe that the respondent poses an immediate and present danger of causing personal injury to the respondent, the petitioner, or other individuals by possessing a firearm.

ERPO(s):

- Are not limited to domestic violence situations
- Do not in any way affect the ability of law enforcement to remove or seize firearms and/or ammunition from any person or property as permitted by any other law
- May be issued as a temporary, interim, or final
- Do not contain provisions related to protection for the petitioner or others from abuse, contact etc. (it is not a Protective Order)
- Require the respondent to immediately surrender firearms and ammunition in their possession to law enforcement

ERPO Petitioner

A petitioner may be any of the following:

- Physician, psychologist, clinical social worker, licensed clinical professional counselor, clinical nurse specialist in psychiatric and mental health nursing, psychiatric nurse practitioner, licensed clinical marriage or family therapist, or designee of a health officer who has examined the individual
- A law enforcement officer
- The spouse of the respondent
- A cohabitant of the respondent
- A person related to the respondent by blood, marriage, or adoption
- An individual who has a child in common with the respondent; or
- A current dating or intimate partner of the respondent; or
- A current or former legal guardian of the respondent

Officer's Responsibilities – ERPO(s)

Generally, ERPOs will be served by the Prince George's County Sheriff's Office (OSPG). A court referral of an ERPO does not provide law enforcement with the legal authority to take the respondent into custody for evaluation. ***See***: **VOLUME II, CHAPTER 26. EMERGENCY PETITIONS & RESPONSE TO INDIVIDUALS WITH MENTAL DISORDERS.**

When a PGPD officer or investigator obtains an ERPO, regardless of whether they will be serving it, notification shall be made to the OSPG and the on-duty OSPG Domestic Violence Supervisor, in that regard. This allows for proper notifications to all entities involved.

When an officer is requested to serve an ERPO, they must, upon receipt of an interim or temporary ERPO:

- Initiate a computer check to determine if the respondent is the registered owner of a regulated firearm
- Attempt to serve the order on the respondent
- Make a good faith effort to secure any firearm(s) and/or ammunition in the respondent's possession
- Make a return of service to the Clerk of the court
- Within two hours after service of an ERPO, notify the Department of Public Safety and Correctional Services, Victim Information & Notification Everyday (VINE). Vine may be contacted at ww.vinelink.com or 1-866-MD-4-VINE

Upon coming into possession of firearms and/or ammunition an officer shall:

- Issue a receipt to the respondent identifying the make, model, and serial number of all firearms and ammunition (retaining a copy for Department records)
- Provide information to the respondent on the process for retaking possession of the firearms and/or ammunition
- Process the firearms and/or ammunition according to General Order, **VOLUME II, CHAPTER 47. PROPERTY & EVIDENCE**.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.1, 1.2.4, 1.2.5, 22.2.10, 26.1.1, 41.2, 41.2.5, 42.1, 42.2.1, 42.2.2, 42.2.3, 44.2.2, 55.1.3, 55.2.3, 55.2.4, 74.2.1, 81.2.5, 81.2.7, 81.2.8, 82.2.1, 82.2.2, 83.2.2

Governing Legislation:

- Maryland Criminal Procedures Title 2, Subtitle 2
- Title 4, Subtitle 5, of the Family Law Article
- Title 18 USC (G)(8)- Gun Control Act of 1968 Amended
- Violence Against Women Act (VAWA) This amendment makes it unlawful for any individual convicted of a misdemeanor crime of domestic violence to ship, transport, possess or receive firearms or ammunition.
  It also makes it unlawful for any individual to sell or otherwise dispose of a firearm or ammunition to any person the individual knows or believes has been convicted of such a misdemeanor. This act also applies to all law enforcement officers.

  This is true whether the state statute or local ordinance specifically defines the offense as a domestic violence misdemeanor.

Reference:

- Criminal Investigations Manual

24. DRIVING UNDER THE INFLUENCE OF ALCOHOL OR DRUGS

(February 2023)

I. POLICY

Identifying and stopping motorists that are operating or attempting to operate a motor vehicle while under the influence of alcohol (DUI) or drugs is a priority for officers.

Arrests for DUI shall be based on probable cause that, at the time of the offense, an arrestee was in actual physical control of a vehicle. Probable cause shall be developed by observation and/or witness account.

II. CHECKLIST (N/A)

III. DEFINITIONS

Cannabis: A plant that also uses the names marijuana, weed, pot, cannabis, hash-that can have psychoactive characteristics and is consumed for medical and non-medical (recreational) purposes

Civil Use Amount (Cannabis): An amount of usable cannabis that exceeds 1.5. ounces but does not exceed 2.5 ounces (i.e., 70.9 grams)

Personal Use Amount (Cannabis): An amount of cannabis that does not exceed 1.5 ounces (i.e., 42.5 grams)

DUI: Driving Under the Influence, a blood alcohol concentration of 0.08% or higher

DWI: Driving While Impaired, a blood alcohol concentration of 0.07%, but less than 0.08%

IV. FORMS

- Booking Record
- Case Record
- Maryland Uniform Complaint and Citation (MVA Form #DR-49)
- Advice of Rights (MVA #DR-15)
- Officer's Certification and Order of Suspension (MVA #DR-15A)
- Preliminary Breath Test Advice of Rights (MSP Form #102)
- Result of Test for Alcohol Concentration (MSP Form #33)
- Log of Tests for Alcohol Influence Arrests (MSP Form #36B)
- Statement of Probable Cause Arrest on Traffic Charges, (Form #DC/CR1)
- United States Postal Service, Return Receipt Request (USPS Form #3811)
- United States Postal Service, Certified US Mail, restricted delivery (USPS Form #3800)

V. PROCEDURES

When preparing to stop a motor vehicle, officers shall consider the following:

- A stop location that maximizes the safety of the officer and the violator
- Positioning the police vehicle in such a manner that alerts other motorists of the officer's presence
- A suitable area where roadside sobriety tests can be administered

1. DUI Traffic Checkpoints

A trained member of SOD shall be the DUI Checkpoint Manager. They shall be responsible for ensuring that checkpoint operations are safe for the public and officers. The Commander, SOD shall be contacted by a Division Commander to schedule a checkpoint in their Division.

Checkpoint Locations

The Checkpoint Manager shall select the checkpoint location. Site selection shall be based on:

- Public and officer safety
- Minimizing inconvenience to motorists and unnecessary delays to traffic
- Providing sufficient space to deploy officers and marked police vehicles in plain sight
- Allowing the placement of warning signs

Statistical data shall be used to determine a site location. Data may include, but is not limited to, calls for service, citizen complaints, and accident reports.

Before conducting a traffic checkpoint on private property such as apartment parking lots, shopping center parking lots and driveways, written permission will be obtained from the property owner or authorized agent.

Authorization to Initiate Checkpoints

Checkpoints may be initiated only upon the written approval of the SOD Commander. Requests shall be made on an inter-office memorandum via the chain of command and include the following information:

- Purpose of checkpoint
- Location of checkpoint
- Date and time of checkpoint

The Commander, SOD shall notify the Deputy Chief, Bureau of Homeland Security & Intelligence of all checkpoint approvals.

Notifications

Before initiating a checkpoint, the Checkpoint Manager shall notify the following of the date, time, and location site:

- Sector Supervisor or Sector Commander
- Division Commander
- Public Safety Communications
- MSP barrack servicing the area (for traffic-related checkpoints)

Legal Considerations

Traffic checkpoints must be conducted in strict compliance with legal guidelines. The checkpoint manager shall ensure the following:

- An official sign will be placed to give motorists adequate warning that a checkpoint is ahead and the opportunity to choose an alternate route
- All official signs used at checkpoints must have the prior approval of the appropriate Commander, SOD
- Officers manning checkpoints shall be in uniform
- At least one marked police cruiser will be used at each stop location
- All vehicles will be stopped
- If traffic becomes congested, the Checkpoint Manager may temporarily suspend the operation until the congestion is relieved
- Motorists who do not wish to stop shall be allowed to make a legal U-turn prior to the checkpoint and follow a different route
- Officers will not search vehicles, nor interrogate drivers or passengers unless probable cause exists to search the vehicle, or an arrest is made

Initial Stop & Contact

The initial stop and contact shall last approximately one minute or less. Officers conducting the initial stop and contact shall:

- Identify themselves
- State the reason for the stop
- Tell the motorist that all motorists are being stopped
- Thank the driver for their cooperation

If an officer develops probable cause to believe that the motorist is driving while under the influence of alcohol, the officer shall direct the motorist to a location designated for vehicles that are to be detained and pursue the matter for a reasonable time. If the motorist refuses to cooperate, the motorist may be detained, and the officer may investigate further.

If the officer does not develop probable cause during the initial contact, the motorist will be instructed to proceed.

Arrest Procedures

Persons arrested at checkpoints will be transported and processed in accordance with established procedures, ***See:*** **VOLUME II, CHAPTER 4. ARREST, TRANSPORT, & PROCESSING**.

After Action Report

The Checkpoint Manager will ensure that an after-action report is completed at the conclusion of the operation. Copies of the report will be forwarded to the Commander, SOD, the affected Division Commander, and Deputy Chief, Bureau of Homeland Security and Intelligence. The report shall include, but not be limited to the following:

- Purpose, date, time, and location of the checkpoint
- Number of vehicles stopped
- Number of arrests made
- Description of charges made

2. Sobriety Tests

Individuals suspected of DUI shall be requested to perform roadside sobriety tests, unless they are physically unable. If possible, tests should be administered in a well-lighted and level area. Prior to administering any tests, officers will briefly explain and demonstrate them.

When attempting to determine impairment, only officers trained to administer the Standardized Field Sobriety Tests (SFST) will attempt to administer them and shall follow all procedures and scoring criteria established by the National Highway Traffic Safety Administration (NHTSA) when doing so. The SFST include:

- Horizontal Gaze Nystagmus (HGN)
- Walk and Turn
- One Leg Stand

An officer not SFST trained, shall not attempt to administer the tests listed above, but may attempt to administer the tests listed below, which include, at a minimum:

- Walk and Turn Test: With the left foot on a line, place the right foot in front of it with the right heel touching the left toe; walk nine steps down the line in heel to toe fashion, turn, and take nine steps back in the same manner
- One-Leg Stand Test: Stand with heels together and arms at sides, raise one leg approximately six inches off the ground and hold that position for 30 seconds while counting aloud 1001, 1002, continuing until 1030

3. Preliminary Breath Test (PBT)

A PBT may be used to develop additional probable cause to detain an individual. The PBT does not replace conventional roadside sobriety tests or chemical tests. Only officers that have been trained and approved by the State Toxicologist shall administer a PBT.

A PBT may be administered after an operator has been advised of the rights outlined in the PBT Advice of Rights form. The operator does not have the right to speak with an attorney before deciding whether to submit to a PBT. PBT results may not be used as evidence, but the results should be included in the reasonable grounds section of the DR-15A form.

The use of PBTs shall conform to the regulations of the State Toxicologist. PBT operators shall record PBT test results in the State of Maryland Preliminary Breath Test Log.

A PBT may be used to test any principal of a crime that is suspected to be under the influence of alcohol.

4. Advice of Rights, DR-15

(Transportation Article, Section 16-205.1)

Officers will ask arrestees to submit to a chemical test to detect alcohol concentration for the following offenses:

- DUI/Impaired Driving
- Driving in violation of an alcohol restriction (including the restriction of persons under the age of 21)
- Driving in violation of Maryland Traffic Law Section 16-813 (commercial motor vehicle)

Officers shall follow these procedures for violations not involving the death of another:

- Read the DR-15 Advice of Rights to the arrestee, comply with the instructions at the bottom of the form, and complete applicable blocks
  - Distribute copies to persons named at the bottom of the form's pages
- Complete the Officer's Certification and Order of Suspension when appropriate
  - The grounds for stopping the vehicle must be comprehensive and observations such as vehicular actions, locations observed and the condition of the operator must be included
  - "Alcoholic Beverage" is the only description permitted to describe the odor of a fermented liquid in the narrative of the reasonable grounds section. In addition, the fact that the person listed on the form was operating the vehicle and had an odor of an alcoholic beverage on their breath must be indicated.
  - In the reasonable grounds section, describe the circumstances that led to the submission or refusal of a chemical test

For violations where death occurs, officers shall:

- Inform the arrestee that by law, they must submit to a chemical test and read the arrestee the DR-15 Advice of Rights form. Officers must be able to articulate that there is reasonable suspicion to believe that alcohol is present
- Not advise the arrestee of Miranda rights unless questioning the arrestee, or as instructed by the State's Attorney's Office (SAO).

5. Cannabis Odor as Probable Cause

The odor of cannabis remains evidence of a crime. The odor of cannabis emanating from a vehicle may be just as indicative of crimes such as the possession of a civil use amount of cannabis, possession of cannabis with the intent to distribute, or the operation of a vehicle under the influence of a controlled dangerous substance, as it is of possession of a personal use amount of cannabis.

Officers who detect an odor and believe that an individual is in possession of cannabis, has probable cause to effectuate an arrest even if the officer is unable to identify whether the amount possessed is more than the personal use amount of 1.5 ounces (42.5 grams).

6. Documentation

The following documents are required for all DUI arrests:

- Alcohol/Drug Influence Form
- Advice Of Rights - required in all non-fatal accident cases
- Officer's Certification and Order of Suspension - required only when the test result is .08% or higher or the arrestee refuses to submit to a test – and is used to:
  - Confiscate a Maryland Driver's License
  - Issue a temporary license
  - Order a suspension
  - Request a driver's hearing
  - Record the officer's statement of reasonable grounds
  - Record results of a test for alcohol concentration
  - Provide evidence of refusal
- State of Maryland PBT Log - required for all PBT tests
- State of Maryland Alcohol Program Testing Log - required for all alcohol or drugged-driving arrests

If an arrestee submits to a breath test, the Breath Testing Operator will log the arrest. If an arrestee is not given a breath test, the arresting officer shall compile copies of all citations, reports, and MVA Forms listed on the DWI checklist before clearing the incident. The arresting officer shall place the copies in the designated place near the breath-testing instrument. The station DWI Liaison Officer will log the arrest and then submit the copies to the SAO, DWI Coordinator.

The DWI Liaison Officer shall record tests administered for a Prince George's County Police officer at another agency. This test shall be recorded on the State of Maryland Alcohol Program Testing Log located at a Department facility.

7. Chemical Tests

Breath Test Operators

Operators shall conduct all breath tests and simulated tests in accordance with the rules and regulations established by the State Toxicologist.

Each operator will maintain an Operator's Log. They shall record all arrestee and simulated tests in this Log and the State of Maryland Alcohol Program Testing Log. Exceptions from conducting simulated tests are allowed for sick leave, extended annual leave of two or more weeks, temporary assignment outside the area, or the absence of the instrument due to repairs. The reason for failing to perform required tests will be entered on the Operator's Log.

Supervisor's Duties

Supervisors of breath testing operators shall examine each subordinate's Operator's Log twice a month to ensure the required tests have been conducted and entries added correctly. Examinations shall be between the first and 15th, and the 16th and the end of the month.

Administration of Chemical Tests

Generally, the chemical test administered shall be the breath test, except that blood tests shall be administered if the:

- Arrestee is unconscious or incapable of refusing a chemical test
- Arrestee's injuries require their removal to a medical care facility
- Equipment to administer a breath test is unavailable

The breath or blood specimen shall be taken within two hours following the time the arrestee was apprehended. Circumstances may complicate the consent procedures. An arrestee may:

- Repeatedly change their mind about submitting to a chemical test
- Submit to a chemical test only after conferring with an attorney. Officers shall allow the arrestee a reasonable period of time to contact and consult with an attorney
- Officers shall advise arrestees that failure to take a chemical test due to evasive behavior or inability to contact an attorney will be treated as a refusal
- If the two-hour time limit passes without a chemical test being administered, the officer shall document a test refusal

Breath Testing

An officer requesting a breath test for an arrestee shall:

- Request a breath testing operator after the arrestee has agreed to take a chemical test
- Observe the arrestee for 20 minutes before the test, ensuring that the arrestee does not smoke or ingest any substances until the test is completed
- Officers shall not administer breath tests to their own arrestees

When the Result of Test for Alcohol Concentration is completed, the Breath test operator shall provide the arrestee with a copy of the results. The arresting officer shall retain the original and place the copy for the DUI Case Coordinator in the designated place near the breath-testing instrument to be mailed by the DUI Liaison Officer.

Test Refusal or Test Result of .08% or Higher

The officer shall:

- Confiscate the Maryland driver's license
- Within 72 hours, send the confiscated driver's license, copies of MVA forms, and any Results of Test for Alcohol Concentration to the MVA
- Complete the Officer's Certification and give a copy to the arrestee
- Advise the arrestee that they have 10 days in which to mail the hearing request form to request a hearing to show cause why their license should not be suspended
- Give the arrestee the "Driver's Copy" of the Officer's Certification and Order of Suspension to use as a temporary driver's license, provided the arrestee

has a valid Maryland Driver's License and signs the Officer's Certification and Order of Suspension

An arrestee already in possession of a temporary license is treated the same as if they had a regular license.

Blood Testing

Prior to having medical personnel draw blood utilizing the two test tubes found in the State Toxicologist approved blood collection kit, the arresting officer should ensure that the kit's expiration date, usually found on the front of the kit, is still current. The kit contains directions, which shall be followed.

A physician, nurse, or person who draws blood in the course of their duties in the emergency room shall utilize the contents of the kit.

The arresting officer (in their absence another officer) shall:

- Witness the withdrawal of blood
- Ensure the test tubes are filled completely
- Immediately after the blood is collected, mix the blood with the anticoagulant powder by slowly and completely inverting the test tube five times (*Do not shake vigorously*)
- Complete the four evidence seals contained in the kit
- Seal each of the test tubes with an evidence seal
- Place the sealed test tubes in the original box and seal the ends of the box

Officers shall not have blood samples drawn by military personnel.

Officers shall avoid having blood samples drawn within the District of Columbia, as these may be inadmissible as evidence.

As test results are not immediately available, officers will place the appropriate charges against arrestees based upon known facts.

Submitting Blood Tests

Blood specimens must be forwarded to MSP for analysis and must be accompanied by the Alcohol Analysis-Medical Personnel Payment Authorization. The arresting officer shall ensure that the form includes the signature of the person drawing the blood, and the hospital address. They shall retain the arresting officer's copy, and immediately transmit the following to the Chemical Test for Alcohol Unit (CTAU), MSP, Pikesville, MD 21208:

- Copies #1 through #4 of the MSP Form #34
- Blood test kit. Do not place kit in an outdoor mailbox during freezing weather

Follow-Up Blood Test Procedures

Following analysis of blood samples, MSP shall forward the Department's copy of the Result of Test For Alcohol Concentration Form and MSP Form #34 to the Collision Analysis Reconstruction Unit (CARU). The DWI Program Coordinator shall distribute three copies of the test results to the arresting officer and the copy of the MSP Form #34 to the Fiscal Management Division.

For test results .07% or below, the arresting officer shall:

- Fill in the test result that was left blank on the Log of Tests for Alcohol Influence Arrests

- Complete the three copies of the Result of Test For Alcohol Concentration form, furnish salutation, citation number, and officer's signature
- Immediately forward defendant copy of Result of Test For Alcohol Concentration to the arrestee via Certified U.S. Mail, restricted delivery (USPS Form 3800). The necessary, U.S. Postal Service Forms, including instructions, are available from the Division Property Supply Clerk.
- A Return Receipt Request shall be placed on the certified mail (USPS Form #3811)
  - The Postal Service returns the receipt, bearing the arrestee's signature, to the arresting officer. The officer retains this form as evidence.
  - If the Postal Service is unable to serve the certified letter, the form will be returned to the arresting officer stamped as such; the officer retains this form as evidence
- Immediately forward the SAO's copy of the Result of Test For Alcohol Concentration and other required documentation, via courier, to the DWI Case Coordinator, SAO District Court Division Courthouse, Upper Marlboro

For test results .08% or higher, the arresting officer shall:

- Complete the DR-15A, except for the following:
  - Order of Suspension-issue date
  - Surrender of the Drivers License
  - Drivers Certified Statement
  - Temporary License Block
- Submit the DR-15A and the MVA copy of the Result of Test For Alcohol Concentration form to the MVA

8. Persons Incapable of Refusing a Chemical Test

If an officer has reasonable grounds to believe that an arrestee has been driving or attempting to drive while under the influence of alcohol or while impaired and determines the arrestee is unconscious or incapable of refusing to take a test, the officer shall:

- Arrange for the arrestee to be transported to a hospital
- If a test would not jeopardize the health of the arrestee, direct a qualified medical person to collect a blood sample with an authorized blood collection kit

If the arrestee regains consciousness, or otherwise becomes capable of refusing the administration of a chemical test before it is administered, officers will follow the established procedures for obtaining consent.

9. Processing Drug Suspects

Persons suspected of driving while under the influence of drugs are processed in the same manner as persons driving under the influence of alcohol.

If the arrestee submits to a chemical test, the test can be used to determine the extent of alcohol influence. A low test result, especially a result of 0.0%, together with the officer's observations, may support the probability of drug use.

An officer shall not confiscate an arrestee's driver's license for driving under the influence of drugs, unless the officer is a certified Drug Recognition Expert (DRE). DREs are officers specially trained to detect drivers under the influence of illegal drugs, prescription and over the counter

medications, and inhaled products. They may be contacted through PSC.

Drugs found on the arrestee or in their vehicle shall be submitted to a laboratory for analysis by the arresting officer. The results of the analysis may be used as corroborative evidence.

If the arrestee was injured and transported to a hospital, the arresting officer will contact CARU for assistance with requesting the SAO to subpoena the hospital's blood test results.

Taking prescription medication is no defense against a charge of driving while under the influence of drugs.

10. Disposition of Arrestee

The officer may release an arrestee, providing the arrestee signs all citations and MVA forms. Otherwise, they shall be presented, without unnecessary delay, before a District Court Commissioner. If the officer releases the arrestee, they shall take reasonable steps to ensure the arrestee has transportation away from the police facility.

Arresting officers shall consult with the SAO, Criminal Trials Division, before placing charges against an arrestee involved in a fatal accident.

11. Summoning Witnesses

Arresting officers shall subpoena essential witnesses by checking the witness block and completing the back of the #1 copy of the citation. If additional space is necessary, a Request for Witness Summons will be completed.

Essential witnesses include the following:

- Officers who had custody of the arrestee
- Witnesses who observed the arrestee driving
- Individual that drew blood from the arrestee

The SAO transmits subpoenas for breath testing operators and chemists analyzing blood samples.

12. Case Disposition

The arresting officer shall note the court disposition of the case in the State of Maryland Alcohol Program Testing Log within 72 hours of adjudication.

Disposition of Alcohol Chemical Test

In cases where a blood test was given, the arresting officer shall complete the Disposition of Alcohol Chemical Test when the court case and appellate process are concluded to facilitate the disposal of blood samples. Officers shall mail the form to the CTAU.

13. License Restrictions

(Transportation Article, Section 16-113)

Persons suspected of driving in violation of an alcohol restriction are processed similarly to persons driving under the influence of alcohol. Instead of using the Officer's Certification and Order of Suspension, if a person consents to a breath test, officers shall use a:

- Certificate of Police Officer, Violation of Alcohol Restriction
- Certificate of Police Officer, Test Results of 0.04% or more, Commercial Motor Vehicle

Alcohol restrictions on a Maryland Drivers License may take the following forms:

- Licensees less than 21 years of age are prohibited from having a BAC of 0.02 or greater
- Licensees with a designated alcohol restriction are prohibited from having any alcohol in their blood

Arrests for either of these violations are handled in the same manner as a DWI violation including chemical testing and charging of the arrestee. Officers shall complete and submit the Certification of Police Officer, Violation of Alcohol Restriction, as the MVA documentation needed after an arrestee submits to a chemical test. Chemical test refusal shall be handled as a regular refusal to submit to a chemical test.

14. Commercial Driver's License

Commercial drivers (when exercising their privilege as commercial licensees) are prohibited from having any alcohol in their system. Officers who encounter any commercial driver with the odor of an alcoholic beverage on their breath, shall request the driver to submit to a chemical breath test. DWI regulations concerning chemical testing and charging apply in these types of arrest. The officer shall complete and submit the Certification of Police Officer, Test Result of 0.04% or more, Commercial Motor Vehicle for MVA documentation.

A truck inspector shall place commercial drivers (when exercising their privilege as commercial licensees) who have any alcohol concentration in their system, or refuse the breath test, out of service. The truck inspector will advise them that they cannot drive a commercial vehicle for at least 24 hours.

15. All Other Traffic Violation Arrests

In addition to DUI arrests, all other traffic arrests will be made pursuant to the provisions of Section 26-202 of the Maryland Transportation Article. For example, an officer may arrest without a warrant a motorist operating a vehicle on a cancelled, suspended, refused or revoked license in violation of Section 16-303, due to a failure of the motorist to appear for court.

The Officer shall complete the traffic citations and a Statement of Probable Cause, when the violator is to be presented before a District Court Commissioner.

When making a traffic arrest, officers will use only the force necessary to accomplish lawful objectives.

Citations will be submitted to a Supervisor for review within 24 hours of issuance.

Also See: **VOLUME II, CHAPTER 56. TRAFFIC LAW ENFORCEMENT**

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.3, 1.2.4, 1.2.5, 61.1.2, 61.1.5, 61.1.7, 61.1.8, 61.1.10, 61.1.11, 82.2.1, 82.2.2

Governing Legislation:

- The Maryland Vehicle Law, Section 21-902 and 26-202

- Transportation Article, Section 16-113, 16-205.1, and 16-303
- Maryland Traffic Law Section 16-813 (commercial motor vehicle)
- Delaware v. Prouse (440 U.S. 648, 99 S.Ct.1391)
- Little v. Maryland & Odom v. Maryland (300 Md. 485, 479 A.2d 903)
- Michigan Department of State Police v. Sitz (496 U.S. 444, 110 S.Ct. 2481)
- Indianapolis v. Edmond (531 U.S. 32, 121 S.Ct. 447)
- Maryland House Bill 837, 2022

References:

- Administrative Per Se in Maryland, a Police Officer's Guide to Forms and Procedures
- "Checkpoint Strikeforce" Maryland State Police Sobriety Checkpoint Case Law, March 2004

Barrett v. State of Maryland
MARIJUANA; PROBABLE CAUSE; SEARCH INCIDENT TO ARREST

A warrantless search of a person is reasonable under the Fourth Amendment only if it falls within an exception to the warrant requirement. Probable cause to believe criminal activity is occurring does not justify a search of a person, but it does authorize police to arrest the person and then search him or her incident to that arrest, even if the search occurs prior to the arrest.

Despite the decriminalization of possession of less than ten grams of marijuana, a law enforcement officer who has reason to believe that an individual is in possession of marijuana has probable cause to effectuate an arrest, even if the officer is unable to identify whether the amount possessed is more than 9.99 grams. A requirement that law enforcement has to be absolutely sure that the amount of marijuana involved is more than 9.99 grams before they have probable cause to arrest is inconsistent with the concept of probable cause, which requires only facts sufficient to warrant a prudent person in believing that an individual is committing a crime.

Jermaul Rondell Robinson v. State of Maryland, No. 37, September Term, 2016; Dexter Williams v. State of Maryland, No. 39, September Term, 2016; Vernon Harvey Spriggs, III v. State of Maryland, No. 46, September Term, 2016 - **ODOR OF MARIJUANA – PROBABLE CAUSE – CARROLL DOCTRINE – SEARCH OF VEHICLE – DECRIMINALIZATION OF POSSESSION OF LESS THAN TEN GRAMS OF MARIJUANA –**

Court of Appeals held that law enforcement officer has probable cause to search vehicle where law enforcement officer detects odor of marijuana emanating from vehicle, as marijuana in any amount remains contraband, notwithstanding decriminalization of possession of less than ten grams of marijuana; and odor of marijuana gives rise to probable cause to believe that vehicle contains contraband or evidence of crime. There was probable cause to search vehicles in question, based on law enforcement officers having detected odor of marijuana coming from vehicles that Petitioners had been driving or in possession of.

DISCIPLINING POLICE OFFICERS RE: MEDICAL MARIJUANA
by Atty. John M. (Jack) Collins, General Counsel, Massachusetts Chiefs of Police Association, Inc.

"...Most state laws allowing the use of medical marijuana do not protect individuals against employment related sanctions. The Americans with Disabilities Act (ADA) does not protect or even apply to current drug users. Similarly, employees using marijuana for "medical" reasons generally are not protected from such sanctions under state disabilities discrimination laws requiring reasonable accommodation of disabling medical conditions..."

IN THE COURT OF SPECIAL APPEALS OF MARYLAND
No. 1121
September Term, 2015
Joshua Paul Bowling v. State Of Maryland

25. DRUG TAX LIABILITY
(June 2018)

I. POLICY

County Code permits a tax of 30% on the value of CDS sold, used, stored, or consumed within the County. The tax is payable for each separate violation, and every person who is a party to the event is jointly and severally liable for payment of the tax. The County's Office of Law and Office of Finance are responsible for litigation and tax collection.

II. CHECKLIST (N/A)

III. DEFINITIONS (N/A)

IV. FORMS

- Vehicle/Asset Forfeiture Summary Report (PGC Form #4321)

V. PROCEDURES

The Department will evaluate CDS-related arrests to determine the eligibility for tax liability based on the following criteria:

- The arrestee is an adult
- The arrestee is believed to possess identifiable property, personal and/or real, within the County

1. Reporting Procedures

Officers will complete a Vehicle/Asset Forfeiture Summary Report, describing the circumstances of the seizure of the CDS and identifying the assets of the arrestee. Officers will not attempt to compute the tax. Criminal History Record Information/CHRI-protected information or information that would be discoverable by a defense attorney will not be included. The officer may contact the Narcotic Enforcement Division (NED) or the Office of Law for assistance.

The completed report will be forwarded to NED prior to the end of the officer's shift.

2. NED Responsibilities

NED will:

- Assist officers during any phase of the process
- Review reports for accuracy and completeness
- Distribute the report to the Office of Law

For assets not readily identifiable, reports will be sent to NED for assignment to a financial investigator. The Commander, NED shall ensure that the financial investigation is completed and forwarded as appropriate.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standard 43.1.2, 74.2.1, 74.4.1, 82.1.9, 82.2.1, 82.2.2

Governing Legislation:

- County Code Section 10-228

26. EMERGENCY PETITIONS & RESPONSES TO INDIVIDUALS WITH MENTAL ILLNESS

(December 2024)

I. POLICY

Any individual may be affected by a mental illness. Dealing with these individuals presents law enforcement officers with unique challenges.

The Department's policy is to provide a comprehensive response to individuals who display symptoms of a mental illness. Where the requirements of the law are met, the responding officer will file a request for an emergency evaluation petition for the individual.

II. CHECKLIST

In accordance with officer safety techniques, steps that can be taken to de-escalate a situation involving a person suspected of having a mental illness include:

- When possible, turn off emergency lights and sirens
- Disperse crowds
- Assume a non-threatening manner when approaching the individual
- Communicate with the individual in a calm fashion and attempt to determine what is bothering them
- Always be truthful when dealing with an individual with a mental illness; if they become aware of deception, they may withdraw in distrust or retaliate in anger

III. DEFINITIONS

(Health-General Article, Sec. 10-622)

Mental Health Crisis: An incident in which an individual experiences or displays intense feelings of personal distress (e.g., anxiety, depressions, anger, fear, panic, hopelessness) that they are unable to handle and that may cause disruptions in thinking (e.g., auditory and/or visual hallucinations, delusions, cognitive impairment). Crisis can result from mental illness, an intellectual or developmental disability, personal crisis, or drug or alcohol use.

Designated Hospital: Any designated medical facility within Prince George's County that is equipped to assist the mentally ill, which includes:

- Luminis Health Doctor's Community Hospital
- University of Maryland Laurel Medical Center
- University of Maryland Capital Region Medical Center
- MedStar Southern Maryland Hospital Center
- Dyer Care Center Clinton, Maryland

Emergency Evaluation Petition: A process by which an individual suspected of having a mental illness is evaluated by a mental health professional in a clinical setting

Mental Illness: A physical or psychological impairment manifested by behavioral symptoms that indicate a clear disturbance in mental functioning; intellectual disability (formally mental retardation) is not a mental disorder.

Mobile Crisis Team: The primary outreach component for the Prince George's County Crisis Response System; Members of the team are trained mental health professionals

who help officers in dealing with persons with mental illness or who are in crisis. Team members may provide immediate intervention for families in crisis, assist with making referrals to hospitals or other psychiatric care facilities, or, as appropriate, filing an emergency evaluation petition.

Petitioner: Any of the following individuals who, after examination or observation, request an emergency evaluation of an individual:

- Mental health professionals (In this section, physicians, psychologists, licensed clinical social workers, licensed clinical professional counselors, health officers or designees of health officers)
- Law enforcement officers
- Any other interested person

Psychological Services Division: Provides comprehensive services to all Departmental personnel and their families who request professional intervention; the Division applies behavioral science skills as a means to solve problems and to enhance both organizational and individual well being

IV. FORMS

- Emergency Evaluation Petition Checklist (PGC Form #5175)
- Case Report
- Maryland District Court Form #DC 13
- Maryland District Court Form #DC 14

V. PROCEDURES

(Health-General Article 10-622)

1. Characteristics

Only trained professionals can diagnose mental illness. Officers are not expected to diagnose mental illness but should recognize behaviors that are indicative of individuals in a mental health crisis.

Maryland law requires that an officer have reason to believe that the individual:

- Has a mental illness, and
- Presents a danger to the life or safety of themselves or others

Officers shall establish this belief based on observation of the individual, or reliable statements from family members or interested persons that is pertinent to the circumstances affecting a petition. Officers may also consider the physical aftermath of the individual's behavior, such as wounds inflicted on themselves or others, or property damage.

Some characteristics of a mental health illness or a crisis include, but are not limited to:

- Disorientation
- Loss of memory regarding their identity, time, or place
- Displaying inappropriate or impulsive behavior
- Hallucinations
- Feelings of persecution
- Paranoia
- Talking to themselves
- Describing unrealistic physical symptoms

Officers responding to calls involving subjects with these symptoms shall use extreme caution because their behavior may be unpredictable.

2. Arrest Alternatives

Arrest is the least desirable alternative when dealing with an individual who is believed

to be suffering from a mental illness or crisis.

Based on the circumstances, officers should consider initiating an emergency evaluation petition instead of filing criminal charges. This consideration applies only when dealing with minor violations and is not appropriate when the subject has committed a serious crime. If criminal charges have been filed, and the officer believes that mental health treatment is necessary, they may initiate an emergency evaluation petition in addition to the criminal charges.

Officers shall articulate the totality of the circumstances that led to the arrest or petition in their documentation. The determination whether to commit a subject is made by a physician.

Mobile Crisis Team

Officers should contact the Mobile Crisis Team for assistance when it is determined that either, the Mobile Crisis Team can solely better handle the on-scene situation or assists the officer's efforts to engage an individual in a mental health crisis.

The Mobile Crisis Team may assist by providing transportation for individuals who do not meet the criteria for an emergency petition, but could benefit from an evaluation, stabilization, or support.

Suicide and Crisis Lifeline (9-8-8)

The Suicide and Crisis Lifeline is a support helpline for individuals experiencing mental health or substance use emergencies. Individuals can call or text 9-8-8 to connect with a skilled counselor who will provide support and share resources that may be helpful.

Officers should consider providing this helpline to individuals who do not meet the criteria for an emergency evaluation petition but could benefit from its services.

3. Interrogations

An officer interrogating an individual may not know that the person has a mental illness until after the interrogation has begun. If an officer suspects that a person to be interrogated has a mental illness, special precautions must be taken to ensure that any statements made are voluntary and credible. Efforts should be made to gather information about the person's mental condition from credible sources such as witnesses and family members or reports of forensic analysis. Officers shall corroborate the individual's statements with information obtained from these sources.

4. Mental Health Professionals as Petitioner

A physician, psychologist, licensed clinical social worker, professional counselor, health officer or their designee, who has examined the individual, may complete an emergency evaluation petition. Officers shall respond promptly to the location of the mental health professional to receive the completed petition, then the officer shall:

- Explain to the petitioner the serious nature of the petition
- Explain the content of the petition
- Scan and upload a copy of the petition to the Case Folder
- Complete a Case Report, documenting their participation and transportation of the individual

If the individual is present, and not currently at a designated facility, the officer shall transport them to the closest designated

medical facility. To the extent possible, the officer will notify the designated medical facility in advance that they are bringing the individual to facility. When the individual has been received by the medical facility, the officer is no longer responsible for the individual.

Individual on the Scene

If the individual is present, the officer will take custody of them, and transport them to the closest designated hospital. Depending on the individual's demeanor, the Mobile Crisis Team should be contacted to assist with the transport.

Individual Not on the Scene

If the individual is not present, the officer will obtain all available information concerning the situation, and the individual's likely location, then notify their Supervisor. Upon obtaining supervisory approval, the officer shall attempt to locate and take custody of the individual.

If the individual cannot be found, the officer will contact the Missing Persons Unit and treat the individual as a critical missing person.

5. Petition Unavailable to Physician

When a petition is not available to the mental health professional, they should be requested to accompany the officer and individual to the closest designated hospital to complete one.

If they are unable to do so, and circumstances indicate that the individual is a danger to the life or safety of themselves or others, the officer will take custody of the individual and transport them to the closest designated hospital.

6. Law Enforcement Officer as Petitioner

Officers may be the petitioner when they have a reason to believe that an individual has a mental illness or is experiencing a mental health crisis. The officer shall immediately stabilize the situation and take steps to ensure their safety and that of the public.

In non-emergency situations, officers shall attempt to locate family members and ensure that they are aware of the services of the Assessment Stabilization Center at the University of Maryland Capital Region Medical Center and the Mobile Crisis Team and encourage them to contact either for assistance. Officers shall notify the Mobile Crisis Team through Public Safety Communications (PSC) while on scene and may telephone either for assistance for determining the best course of action.

If the officer must act as the petitioner, they shall notify the designated hospital prior to transport to ensure that the required facilities are available.

The following procedures shall be followed:

- Obtain supervisory approval to initiate the petition
- Take custody of the individual in the same manner as a prisoner
- If necessary, obtain the assistance of a second officer to facilitate transport
- Transport the individual to the closest designated hospital
- Consult with the hospital staff and complete an emergency evaluation petition using Maryland District Court Forms #DC 13 and #DC 14

- Remain with the individual until a physician has taken custody of them unless the physician requests that the officer remain because of the violent nature of the individual, however officers transporting individuals to the Dyer Care Center are only required to remain with their patients until a physician or representative has assumed custody.
- For admissions to Dyer Care Center, officers must bring the individual through the designated first responder entrance and exchange custody of the individual to the staff, while efficiently transferring all necessary information. During that time, the officer will remove handcuffs or restraints.
- Officers shall take an individual to the hospital instead of the Dyer Care Center when:
  - Taser was deployed
  - An open wound is present that might require stiches or surgical procedure
  - Chemical restraint was issued on scene
  - The presence of significant medical issues
  - The individual is a juvenile
- Complete a Case Report
- Scan and upload a copy of the petition to the Case Folder

If requested by the physician, the officer will remain with the individual. State law requires that if the individual is violent, the Supervisor shall allow the officer to remain with them. State law further requires that physicians examine the individual as promptly as possible if the officer is required to remain.

When an individual is refused evaluation at any facility, the officer shall request a supervisor to respond. The supervisor will speak with the hospital officials and attempt to have the individual admitted for evaluation. If the facility still refuses, the officer will transport the individual to the next closest designated hospital. The officer will document the refusal in the Case Report. The Supervisor will notify the chain of command, to include the Deputy Chief, Bureau of Patrol.

Admission Authorized

If the individual is admitted, the officer shall leave the individual and the original copy of the petition at the hospital. The officer will clearly articulate the behavior exhibited by the individual in the petition. The officer may be required to appear before the court.

Admission Denied

Based on their evaluation, if the hospital staff denies admission of the individual, the officer may return them to the location of their initial contact.

The officer must complete a Case Report and document the following:

- Name of the evaluating physician
- Name of the facility
- Circumstances of the contact, and
- The address the individual was returned to, if applicable

Arrest

When an arrest and processing are necessary, the officer shall:

- Advise the sector Supervisor of the circumstances and obtain approval prior to transport
- Articulate their observations regarding the arrestee's mental condition in the probable cause section of the charging document

- Advise the District Court Commissioner regarding their observations of the arrestee's mental condition
- Advise correctional officers of the arrestee's mental condition prior to transferring custody

7. Transport by Police Officer

Police transports are authorized only when the officer is:

- The petitioner
- Serving a petition signed by a mental health professional
- Serving a court order

When an individual is transported for an evaluation, the procedures detailed in **VOLUME II, CHAPTER 4. ARREST, TRANSPORT, & PROCESSING** shall be followed.

Officers shall not transport an individual that has been committed from a designated hospital to any other facility.

Individual Transported to a Non-Designated Hospital

If for medical reasons, an individual is transported to a medical facility other than a designated hospital, officers shall determine whether the individual will be treated and released within a reasonable amount of time. If so, the officer will await the individual's release, and then take them to the nearest designated hospital for evaluation. If the individual is admitted, the officer shall attempt to notify interested persons such as the complainant or family members.

The officer shall also notify the hospital staff that they believe the individual needs an emergency evaluation based on the circumstances known to the officer.

If the individual is transported to a hospital in another jurisdiction, the officer will contact the local law enforcement for assistance.

Officers shall note the name, address, and telephone number of each person notified in the Case Report. This includes hospital staff members, and any law enforcement officers when in another jurisdiction.

Reporting

A Case Report will be completed whenever:

- The officer completes a petition; the name of the supervisor approving the petition must be documented in the Case Report
- An officer presents a civilian petitioner and a petition before a judge
- Hospital staff decline a petition after an officer has taken custody of a person

In each instance, a copy of the petition shall be scanned and uploaded to the Case Folder. Officers shall note in the Case Report when the mobile crisis team was on scene.

Officers shall utilize the Emergency Evaluation Petition Checklist when preparing their reports to ensure that all the required information is included in the reports.

8. Interested Parties as Petitioner

Citizens requesting information regarding emergency evaluation petitions will be referred to the Assessment Stabilization Center at University of Maryland Capital Region Medical Center.

Unless a judge has referred an individual to the Assessment Stabilization Center for screening, interested parties requesting

commitment of a family member must complete an emergency evaluation petition obtained from a District Court Commissioner and present the petition to the court for review. It is not the officer's responsibility to do so.

The Office of the Sheriff for Prince George's County serves petitions signed by a judge, which are valid for five days from the date they are signed.

9. Suicide Attempts

PSC is responsible for receiving and classifying calls for service. Calls for service will be prioritized based on the call taker's conversation with the complainant. Questions concerning the legitimacy of a suicide threat shall be resolved in favor of a higher priority response.

Upon arrival at the scene, officers shall locate and take custody of any firearms on the premises and determine whether the individual intentionally ingested medication or foreign substances.

If any substance was intentionally ingested, officers shall:

- Locate and take custody of the container(s) of the substance(s)
- Follow the procedures for an emergency evaluation petition in this section
- Notify hospital staff regarding substances that may have been ingested by the individual

Officers may call the mobile crisis team for assistance when it is determined that the situation encountered at the scene would either be best handled by the mobile crisis team or would be well supported by mobile crisis in parallel with their own response.

10. Escaped Mental Patients

A mental patient who has been criminally charged and committed by a court of competent jurisdiction that escapes from confinement may be arrested. The escaped mental patient will be charged with escape and brought before a District Court Commissioner.

A mental patient who has not been criminally charged or committed but escapes from a mental health facility and is deemed dangerous to themselves or others by the medical facility, shall be treated as a critical missing person.

11. Voluntary Admissions

If an individual wants to be voluntarily admitted, officers should attempt to arrange transportation to an appropriate medical facility for the individual. An officer will not transport an individual seeking voluntarily admission, unless the individual exhibits behavior that is dangerous to themselves or others.

If the mental condition of the individual is severely disturbed, transportation by ambulance may be appropriate.

In cases of suicide threats, officers shall initiate an emergency evaluation petition for the individual's safety and follow the directions in subsection **6. Law Enforcement Officer as Petitioner**, in this Chapter.

Civilly or voluntarily committed individuals who leave an institution without authorization are not subject to arrest but may be detained for criminal violations. If a physician reports the mental patient is a danger to themselves or others, a Supervisor

will respond and treat the matter as a critical missing person.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standard 1.2.1, 1.2.3, 1.2.5, 41.2.8, 71.3.1
- Memorandum of Agreement Between the United State's Department of Justice and Prince George's County, Maryland, January 22, 2004

Governing Legislation:

- Annotated Code of Maryland, Health-General Article, Sections 10-620 through 10-626. (*See also:* Digest of Criminal Laws, Revised August 1, 2003)

27. EXTORTION
(June 2018)

I. POLICY

Extortion investigations shall be coordinated through the Commander of the Robbery Section.

II. CHECKLIST (N/A)

III. DEFINITIONS

Extortion: Demanding money, property, or services from an individual or institution, typically obtained by intimidation. Intimidation may take many forms, including, but not limited to: threats of violence, threats to damage property, and threats to damage the victim's reputation by making false claims and/or threatening to reveal embarrassing or personal/private information.

IV. FORMS (N/A)

V. PROCEDURES

1. Receiving Extortion Complaints

The employee receiving a complaint shall attempt to obtain the following:

- Name, address, and telephone number of the complainant
- Name, address, and description of the victim
- Location of incident

Once the above information is obtained, the employee receiving the complaint will notify Public Safety Communications (PSC). Once notified, PSC shall dispatch the most available plainclothes officer to the scene to verify the incident.

2. Officer's Responsibilities

Officers shall remain away from the incident scene unless specifically directed to respond by PSC or a supervisor.

3. Investigative Responsibilities

After extortion has been verified, a CID Investigator will respond to the scene and assume responsibility for the investigation.

The priority of investigative assignment shall be:

- Robbery Section Investigator
- Other CID Investigator
- Regional Investigator

Primary responsibility for the supervision of an extortion investigation is assigned to the Commander, Robbery Section. They will coordinate investigative efforts regardless of the assignment of the investigator.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standard 41.2.1, 42.1.4, 81.2.5, 81.2.6, 82.2.1, 82.2.2

Governing Legislation:

- Annotated Code of MD CR§ 3-701

28. FAILURE TO PAY COMPLAINTS

(June 2018)

I. POLICY

Although the failure to pay for property or services is classified as theft under Maryland criminal law, not all complaints alleging a failure to pay are criminal in nature. When a legitimate disagreement arises regarding the amount of money owed, or when it is alleged that the contracted property or services have not been delivered as promised, responding officers will carefully evaluate the circumstances to determine if the incident may be a civil matter.

II. CHECKLIST (N/A)

III. DEFINITIONS

Property: Anything of value which includes, but is not limited to, real estate, money, a commercial instrument, an admission or transportation ticket, food or drink, electricity, gas or water (Maryland Criminal Code)

Services: Something accomplished for payment, such as labor or professional work; telecommunications, public utility, toll facility, or transportation; lodging, entertainment, or restaurant accommodations; use of computers, data processing, or other equipment (Maryland Criminal Code)

IV. FORMS

- Case Record
- Booking Record

V. PROCEDURES

Officers responding to a failure to pay complaint shall examine the circumstances for indications of criminal intent. If such intent is not apparent, and the failure to pay appears to result from a sincere disagreement, the officer shall attempt to mediate the dispute.

If a mutually satisfactory resolution cannot be worked out, the involved parties shall be advised to seek civil redress through the courts.

If criminal intent is apparent, the officer shall attempt to verify the suspect's identity. The officer shall provide the suspect's information to the complainant, and advise the complainant to apply for a charging document with a District Court Commissioner. When the officer cannot verify the suspect's identity and sufficient probable cause exists to indicate that a crime has been or is being committed, the officer may make a full custody arrest.

1. Disputes Involving a Licensed Vendor

Officers shall verify current license information for any vendor or service provider, such as taxi drivers or contractors, involved in a failure-to-pay complaint. In cases determined to be civil in nature, officers shall provide license information and the name of the licensing agency to the other party.

2. Reporting Procedures

A Case Record shall be completed when:

- Parties are advised to obtain charging documents
- Fraudulent intent is indicated, or
- Licensing violations are discovered

A Booking record shall be completed when an arrest is made.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.6, 1.2.7, 42.1.4, 42.2.1, 42.2.2, 55.1.3, 82.2.1, 82.2.2

Governing Legislation:

- Maryland Criminal Code, Sections 7-101 and 7-104

29. FIELD INTERVIEWS
(June 2018)

I. POLICY

Officers must understand the legal basis and authority for conducting field interviews. Legally conducted and properly documented field interviews can contribute greatly to crime analysis and solution. They also serve as sources of information, a means of developing suspects and witnesses, and a crime deterrent.

II. CHECKLIST (N/A)

III. DEFINITIONS

Articulable Suspicion: A collection of facts which, when considered together, would lead a reasonable police officer to believe that a temporary detention and/or frisk is legally justified. A suspicion is articulable if the facts supporting it can be spoken or written. Articulable suspicion is more than a hunch, but less than evidence amounting to probable cause.

Probable Cause: A collection of facts which, when considered together, would lead a reasonable person to conclude that a specific crime has occurred and the suspect was responsible

Temporary Detention: A brief stop of an individual; the length and extent of the stop is dictated by the facts known to the officer at the time of the stop

IV. FORMS

- Field Interview Record

V. PROCEDURES

There are three levels at which an officer may intrude upon an individual if there lacks probable cause to make an arrest or conduct a search:

- Conversation
- Temporary detention (Terry Stop)
- Stop and frisk (Terry Frisk)

1. Conversation

An officer can approach, talk to, and ask questions of an individual at any time. At this stage, an officer has no authority to detain the individual or otherwise make the individual respond to any inquiry. When the individual indicates, by speech or action, a desire not to talk to the officer or desires to leave, the officer must honor the individual's wish. Information derived from this contact can be used to create articulable suspicion or probable cause.

2. Temporary Detention (Terry Stop)

When an officer has articulable suspicion that leads them to believe that an individual may have just committed, is committing, or is about to commit a crime, the officer can stop and temporarily detain the individual to inquire about that individual's conduct or get additional information. This allows the officer to make a brief inquiry of the individual, seek other information, or locate evidence to determine if their initial suspicions were accurate.

Information derived from this temporary detention can be used to establish articulable suspicion that the individual may be armed and dangerous or to establish probable cause of a crime. An officer must articulate sufficient facts to show that it was

reasonable to believe that a crime was or is being committed. Hunches, training and experience, or officer safety issues do not suffice for specific facts that justify articulable suspicion.

Officers may consider the following circumstances in determining whether articulable suspicion exists to justify a stop (the list is not all-inclusive):

- The actions, appearance, or demeanor of the individual
- The time of day or night
- Clothing of the individual, including suspicious bulges appearing through the clothing or objects carried
- Inappropriateness of the presence of the individual in a given location
- The individual's proximity to a known crime scene
- The officer's prior knowledge of the circumstances (for example, the individual's prior record, or information from an informant or third party)

3. Stop and Frisk (Terry Frisk)

A stop and frisk (Terry Frisk) is lawful only when the officer has met the requirements of a temporary detention ("Terry Stop") and has articulable suspicion that the individual may be armed and dangerous. Once both conditions are met, the officer may combine the temporary detention with a pat down of the suspect's outer garments to determine if that individual is carrying a weapon that may harm the officer. The officer may remove an item detected in this pat down if one of the following conditions exists:

- The officer reasonably believes that the item located is a weapon
- It is apparent, based upon feeling through the outer garments alone, that the item is contraband or evidence of a crime

If there is articulable suspicion that the individual is carrying a handgun, Section 4-206 of the Maryland Criminal Law requires officers to ask preliminary questions (the individual's name, address, and, if the individual is in a vehicle, license, and registration) to determine whether that individual is in lawful possession of the weapon. The requirement for this questioning is not so great as to make officers place themselves at additional risk. Circumstances known to the officers may require immediate action prior to such questioning.

Stop and Frisk Report

When an officer conducts a pat down or frisk for a weapon, regardless of whether an arrest is made, the officer shall submit a Field Interview Record within RMS, prior to the end of the shift. This report shall include the officer's observations that led that officer to believe that the individual was armed and dangerous.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standard 1.2.3, 1.2.4, 41.2.4, 82.2.1, 82.2.2

Governing Legislation:

- Terry v. Ohio – When officers observe unusual conduct and they reasonably conclude, in light of their experience, that criminal activity may be afoot and an individual may be armed and

presently dangerous, the officers shall identify themselves and make inquiries of such individual.

If nothing in the inquiry dispels the reasonable fear for the safety of themselves and others, the officers may conduct a carefully limited search of the individual's outer clothing in an attempt to discover weapons. Such searches are reasonable and any evidence obtained is admissible.

30. FINANCIAL CRIMES
(July 2019)

I. POLICY

The mission of the Financial Crimes Unit (FCU) is to determine the criminal or civil status of cases and to conduct investigations into the passing of bad checks, the theft of money orders, forgery and uttering, credit card offenses, embezzlement, theft from deception, identity theft, and home improvement fraud.

II. CHECKLIST (N/A)

III. DEFINITIONS

Bad check: A check that is passed (uttered) and not honored by a financial institution

Credit card offense: Occurs when a person obtains services or merchandise by means of an illegally obtained credit card, as described in Section 8-203, 205 of the Criminal Law Articles

Embezzlement: The fraudulent misappropriation of financial instruments such as money, stocks, or securities by a person to whom they have been entrusted or into whose hands they have lawfully come; under Maryland law, it is a theft but classified separately for crime analysis purposes

Forgery: The false making, forging, alteration, or counterfeiting of deeds, currency, wills, written obligations, bonds, or other negotiable instruments

Identity Theft: A person may not knowingly, willfully, and with fraudulent intent obtain or aid another person in obtaining personal identifying information of an individual without the individual's consent, for the purpose of using, selling, or transferring that information to obtain any benefit, credit, goods, services, or other item of value in the name of that individual; furthermore, a person may not knowingly and willfully assume the identity of another with fraudulent intent to obtain any benefit or item of value, to avoid payment of a debt or other legal obligation, or to avoid prosecution for a crime

Uttering: The passing or presenting of a forged document

IV. FORMS

- Case Record
- United States Postal Service Certified Letter, Return Receipt Requested (PS Form #3811)
- Bad Check Screening Process Form (PGC Form #4550)

V. PROCEDURES

1. Bad Check Cases

Bad check cases can be resolved through the Prince George's County State's Attorney's Office's (SAO) Bad Check Restitution Program or through the FCU.

Bad Check Restitution Program

When an officer responds to a report of a bad check, he shall determine if:

- The amount is $2000 or less, or there are multiple checks written by the same person not exceeding $2000
- The check is written on a closed account or written on an account with insufficient funds
- The check was received in Prince George's County in exchange for goods or services

If all three criteria are met, the officer shall provide the complainant with a Bad Check Letter and inform the complainant the following:

- A certified letter demanding payment must be sent through the United States Postal Service (return receipt requested) to the writer of the check(s) allowing 10 days to make the check(s) good
- If payment is not received following 10 days from the post marked date on the return receipt, the complainant must contact the Prince George's County State's Attorney's Bad Check Restitution Program for a crime report
- The Bad Check Restitution Program must receive the crime report within 90 days from the date on the check

Financial Crimes Unit

If an officer responds to a report of a bad check, and it is determined that:

- The amount is over $2000, there are multiple checks written by the same person that exceeds $2000, or the check is written on a closed account or an account with insufficient funds totaling over $2,000 and;
- The check was received in Prince George's County in exchange for goods or services the officer shall inform the complainant of the following:
    - A certified letter demanding payment must be sent through the United States Postal Service, return receipt requested, to the writer of the check allowing 10 days to make the check good
    - If payment **is not received** following 10 days from the post marked date on the return receipt, contact the FCU during normal business hours for a screening appointment

Officers will not make on-scene arrests, nor will they take custody of any evidence such as checks or postal receipts.

Normally, officers will not complete a Case Record. However, if the suspect is present, the officer shall complete a Case Record.

2. Stolen Checks, Credit Cards, ATM & Bank Card Cases

FCU does not investigate or write Case Records for the theft of checks, credit cards, ATM cards, or bank cards. In all cases of stolen checks, credit cards, ATM and bank cards, the reporting officer shall:

- Conduct a preliminary investigation
- Complete a Case Record before the end of the shift
- Include in the Case Record the account number and name of the bank the check, credit card, ATM or bank card is drawn on, printed number on checks (if known) and the quantity of checks stolen

The reporting officer shall also advise the complainant to contact his or her respective bank to report the incident and provide them with the RMS Number.

3. Stolen Money Orders

In cases involving stolen money orders, the reporting officer shall advise the complainant to:

- Contact the money order company and request a trace
- After the trace has been completed, and if the money order was cashed in Prince George's County, contact the FCU during normal business hours

Officers will not complete a Case Record, nor will they take custody of any evidence.

4. Forgery & Uttering Cases

In cases involving check forgery and uttering the reporting officer shall:

- Determine from what jurisdiction the check was stolen
- Determine in which jurisdiction the check was forged and uttered

If the check was stolen within the County, but was forged and uttered in another jurisdiction, the reporting officer shall:

- Complete a Case Record before the end of the shift
- The officer will not take custody of the evidence but will advise the citizen to place the check in an envelope, handling the check as little as possible
- Advise the complainant to contact his or her bank
- Provide the complainant with the RMS Number

If the suspect is on the scene and the responding officer verifies the theft, they may make an arrest, seize evidence, and handle the incident.

If the check was stolen or lost in another jurisdiction, but was forged and uttered within the County, the officer shall:

- Complete a Case Record before the end of the shift
- Advise the complainant to notify their bank of the incident
- If the complainant has further questions, advise them to contact FCU during normal business hours

The officer will not take custody of any evidence.

If the suspect is on the scene and the responding officer verifies the forgery and uttering, the officer may make an arrest, seize evidence, and handle the incident.

In cases regarding the forgery and uttering of other documents, the officer shall direct the citizen to contact FCU during normal business hours.

5. Credit Card Offenses

Officers responding to this type of call shall:

- Complete a Case Record
- Detail the fraudulent use of a credit card in the report
- Advise the complainant to contact his or her credit card company to report the incident and provide them with the RMS Number
- If the credit card company does not reimburse the complainant, advise the complainant to contact FCU

In most cases, the credit card company will reimburse the victim's account. The credit card company will then pursue criminal charges through FCU.

If the suspect is on the scene and the responding officer verifies the fraudulent use of a credit card theft, the officer may make an arrest, seize evidence, and handle the incident.

6. Counterfeit Currency

In cases involving counterfeit currency, the responding officer shall:

- Complete a Case Record before the end of the shift

- Contact the U.S. Secret Service (USSS) via telephone (Washington Field Office) and document the name of the agent in the narrative section of the Case Record
- Take custody of the evidence and place "to be released to the U.S. Secret Service only" in the "description field" of the RMS Property Sheet

If the suspect is on the scene and the responding officer verifies the use of counterfeit currency, the officer may make an arrest. If an arrest is made, the officer shall notify the United States Secret Service (USSS) and document the name of the agent in the narrative section of the Case Record.

7. Counterfeit Checks

In cases involving counterfeit checks, the responding officer shall determine if it is a personal check or a business check.

Personal Check(s)

If it is a counterfeit personal check, the Financial Crimes Unit shall handle the incident. The responding officer shall:

- Complete a Case Record before the end of the shift
- Advise the victim to contact FCU by phone during normal business hours to make an appointment
- Take custody of the evidence

If the suspect is on the scene and the responding officer verifies that a counterfeit personal check has been used, the officer may make an arrest.

Business Check(s)

If it is a counterfeit business check, the USSS shall handle the incident. The responding officer shall:

- Complete a Case Record before the end of the shift
- Contact the USSS via phone (Washington Field Office) and document the name of the agent in the narrative section of the Case Record
- Take custody of the evidence and place "to be released to the U.S. Secret Service only" in the "description field" of the RMS Property Sheet

If the suspect is on the scene and the responding officer verifies that a counterfeit business check was used, the officer may make an arrest.

If an arrest is made the officer shall notify the USSS and document the name of the agent in the narrative section of the Case Record.

8. Theft by Deception, Home Improvement Fraud

In all theft by deception and home improvement fraud cases, the responding officer shall:

- Conduct a preliminary investigation to determine how the complainant knows an offense has occurred
- Complete a Case Record before the end of the shift with the following information:
  - Name, address and phone number of the person who conducted the transactions and whether the complainant can identify suspect
  - A complete description of the suspect
  - A description of any conversation between the suspect and complainant
- Advise the complainant to contact FCU

The officer will not take custody of the evidence. If the suspect is on the scene and the responding officer verifies the theft, the officer may make an arrest and seize evidence.

9. Embezzlement

In cases where an officer responds for embezzlement, the officer shall:

- Complete a Case Record before the end of the shift
- Advise the complainant to contact FCU by phone during normal business hours for an appointment

No on-scene arrest will be made, nor will the officer take custody of any evidence.

10. Identity Theft

In this section, an individual's personal information includes any of the following:

- Name
- Date of birth
- Address
- Telephone number
- Driver's license number
- Social security number
- Personal identification number
- Credit card number
- Employee identification number
- Mother's maiden name
- Bank or other financial institution account numbers

In all identity theft cases, the reporting officer shall complete a Case Record before the end of the shift. The officer will not take custody of the evidence.

If the suspect is on the scene and the responding officer verifies that one or more elements of the offense have occurred, the officer may make an arrest and seize evidence.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standard 42.1.4, 82.2.2, 82.2.2

Governing Legislation:

- Criminal Law Article, Section 8-203,205

FINANCIAL CRIMES MATRIX (June 2018) The following chart provides basic guidelines for the crimes indicated:

CRIME	OFFICER'S RESPONSIBILITY	CITIZEN'S RESPONSIBILITY	FINANCIAL CRIMES UNIT
BAD CHECKS: Less than $2000	*NO CASE RECORD/NO ARREST *GIVE BAD CHECK LETTER *LEAVE CHECK WITH CITIZEN	*SEND CERTIFIED RETURN RECEIPT REQUESTED LETTER (Letter MUST state that suspect has 10 days to pay from receipt of letter) *If payment is not received after 10 days, contact the State's Attorney's Bad Check Restitution Program for a crime report within 90 days	*SET APPOINTMENT *SCREEN CASE *REFER TO COMMISSIONER
BAD CHECKS: More than $2000	*NO REPORT/NO ARREST *GIVE BAD CHECK LETTER *LEAVE CHECK WITH CITIZEN	*SEND CERTIFIED RETURN RECEIPT REQUESTED LETTER (Letter MUST state that suspect has 10 days to pay from receipt of letter) *After Receiving Returned Unclaimed Letter or Receipt Card in mail, CONTACT FCU 301-772-4235	
FRAUD – PERSONAL IDENTIFYING INFORMATION	*COMPLETE CASE RECORD/ NO EVIDENCE (Most creditors/banks require citizens to make local police reports before they will investigate the case and consider reimbursement of the account) *MAY ARREST and seize evidence after verifying the offense occurred and suspect is on scene	*CONTACT 3 MAJOR CREDIT BUREAUS AND REPORT FRAUD Trans Union 1-800-680-7289 Equifax 1-800-525-6285 Experian (TRW) 1-800-301-7195 *OBTAIN CREDIT REPORT *CONTACT INDIVIDUAL CREDIT CARD COMPANIES *CALL CREDITORS & PROVIDE AFFIDAVIT(S) OF FORGERY	*FCU INVESTIGATES
COUNTERFEIT CHECKS/ CURRENCY	*COMPLETE CASE RECORD *COLLECT EVIDENCE	*SUFFERS A LOSS *FOR COUNTERFEIT CHECKS: PROVIDE BANK WITH AFFIDAVIT(S) OF FORGERY	*FCU HANDLES COUNTERFEIT PERSONAL CHECKS *FCU REFERS COUNTERFEIT CURRENCY & BUSINESS CHECKS TO U.S. SECRET SERVICE
STOLEN CHECKS, CREDIT CARDS, ATM/BANK CARDS	*COMPLETE CASE RECORD/THEFT if theft of item occurred in County (If theft occurred elsewhere, refer citizen to app. jurisdiction) Note in details if citizen has information on where checks were passed or cards used *ADVISE CITIZEN TO CALL BANK	*CONTACT BANK AND PROVIDE THEM WITH RMS Record# *PROVIDE BANK WITH AFFIDAVIT(S) OF FORGERY (Banks provide the affidavit form and require the form to be notarized)	*SIMPLE THEFT IS NOT INVESTIGATED BY FCU
CHECK FORGERY AND UTTERING	*COMPLETE CASE RECORD/THEFT if the check was stolen in County but forged & uttered in another jurisdiction (If check was stolen/lost in another jurisdiction, but was forged & uttered in County, NO REPORT) *ADVISE CITIZEN TO CALL BANK *LEAVE CHECK WITH CITIZEN (Advise citizen to place check in envelope)	*CONTACT BANK AND PROVIDE THEM WITH RMS Record# *PROVIDE BANK W ITH AFFIDAVIT(S) OF FORGERY FOR EACH CHECK (Banks provide the affidavit form and require the form to be notarized)	*IN MOST CASES THE BANK WILL ASSUME THE LOSS, COMPLETE AN INVESTIGATION AND CONTACT FCU
STOLEN MONEY ORDERS	*NO CASE RECORD *LEAVE EVIDENCE WITH CITIZEN *ADVISE CITIZEN TO CALL FCU	*CONTACT MONEY ORDER COMPANY, OBTAIN ORIGINAL MONEY ORDER (OBTAIN ORIGINALS PRIOR TO CONTACTING FCU)	*MAKE APPOINTMENT *COMPLETE CASE RECORD *INVESTIGATE CASE
EMBEZZLEMENT	*ADVISE CITIZEN TO CONTACT FCU *NO Case Record, NO arrest, NO evidence	*CONTACT FINANCIAL CRIMES UNIT DIRECTLY	*MAKE APPOINTMENT *COMPLETE CASE RECORD
CREDIT CARD OFFENSES	*COMPLETE CASE RECORD/THEFT *ADVISE CITIZEN TO CONTACT CREDIT CARD COMPANY *MAY ARREST after verifying credit card theft and suspect is on scene	*CONTACT CREDIT CARD CO. PROVIDE RMS Record# *PROVIDE CREDIT CARD CO. WITH AFFIDAVIT(S) OF FORGERY/FRAUD. (Credit Card Company provides affidavit forms) *IF CREDIT CARD CO. REFUSES TO REIMBURSE ACCOUNT, CITIZEN MUST CONTACT FCU.	*FCU DOES INVESTIGATE THIS TYPE OF CASE WHEN CONTACTED BY THE CREDIT CARD COMPANY

31. FORCED ENTRY, HAZARDS, & NEXT-OF-KIN NOTIFICATIONS

(September 2022)

I. POLICY

It is the policy of the Department to facilitate timely and accurate notifications to the public regarding sensitive matters that concern them.

II. CHECKLIST

Officers who must force entry shall:

- Notify a Supervisor
- Attempt to notify the resident or owner of the property
- Complete a Case Record and forward a copy to Risk Management
- Complete a Damage Notification Form and upload a copy into the Case Record
- Provide the resident or owner with a copy of the form, or leave the form in a conspicuous location
- Photograph any damage and upload into DIMS
- Ensure that the dwelling or property is properly secured if the resident or owner is not on the scene
- Ensure basic information of the incident is forwarded to Commander by the end of the shift via email. Forward copy of the Case Record via RMS to the Commander

III. DEFINITIONS

Next-of-Kin: Closest relative of an individual as determined by blood or marriage

IV. FORMS

- Damage Notification Form (PGC Form #4283)
- Case Record

V. PROCEDURES

1. Forced Entry & Damage to Property

Any officer who forces entry into a building, causes damage to property, or assists the Fire Department with a forced entry shall comply with the procedures detailed in this directive under **II. CHECKLIST**.

2. Hazards

Officers will promptly notify Public Safety Communications (PSC) of any condition that constitutes an immediate public hazard, including damage to or malfunction of any public utility equipment. This includes roadway hazards, such as large potholes, missing or damaged traffic signs, and objects in the roadway.

Officers shall provide the location of the problem and, when available, identification number of malfunctioning equipment.

Officers will take necessary actions to protect the public until the condition has been corrected or other authority relieves them.

3. Next-of-Kin Notifications

Within Prince George's County

The provisions of this directive shall be complied with before the identity of the deceased is released to the news media.

Reporting officers will ensure that next-of-kin notifications are made in person, promptly and considerately in the following cases:

- Death
- Gravely ill or injured persons
- Injured juveniles
- Missing persons

Departmental chaplains are available to assist in making death notifications and may be requested through PSC.

Officers will not broadcast names or addresses of persons associated with notifications of death or for gravely ill or injured persons.

The officer making the notification will attempt to evaluate the health of the individual receiving the news prior to making the notification. Appropriate measures shall be taken to safeguard the health of the recipient if they are determined to be frail or ill.

When unable to contact next-of-kin, a person responsible for the victim may be notified.

If the reporting officer is unable to contact the next-of-kin by the end of the shift, the Supervisor shall be notified. The Supervisor shall notify the oncoming Supervisor for follow-up.

If the oncoming Supervisor is unable to locate the next-of-kin, the Supervisor shall:

- Check with the U.S. Postal Service for a current address
- Coordinate a neighborhood canvass in the area that the next-of-kin is believed to be residing

Police Involved Deaths

If an individual has died due to a police action such as a shooting, vehicle pursuit or in custody death, the Office of the Attorney General's, Independent Investigation Division (IID) will make notification to the next-of- kin. At the discretion of the IID, a representative of the Department may accompany IID to the next-of-kin notification.

Outside Prince George's County

When the next-of-kin resides outside of Prince George's County, the police agency providing services to the jurisdiction in which the next-of-kin resides shall be notified by telephone and requested to make the notification.

In addition to the notification by the outside agency, the reporting officer shall send a certified letter to the next-of-kin's address with a return receipt requested.

All notifications attempted or made by the reporting officer shall be documented in the Case Record.

In cases where the Homicide Section assumes investigative responsibility, the investigator shall be responsible for all notifications, as outlined below.

Notifications for Outside Agencies

Following the above procedures, the Department may make next-of-kin notifications upon request from outside agencies. A Supervisor will evaluate the propriety of the request.

The employee receiving the request will document all available information from the requestor, and then enter the request into the

CAD system. The dispatcher will direct the assigned officer to contact PSC by telephone to receive details of the assignment.

If necessary, the officer assigned the notification may contact the original requestor, to obtain additional information prior to making the notification. The officer may document the notification in a Case Record, or code the call and provide a concise disposition to PSC.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order Addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standard 16.4.1, 55.2.6, 61.4.1, 61.4.2, 81.2.5, 81.2.6, 81.2.11, 82.2.1, 82.2.2

Governing Legislation:

- Maryland Annotated Code, State Government Article, §6-602

32. HATE/BIAS CRIMES & INCIDENTS

(January 2023)

I. POLICY

The Department will respond to and aggressively investigate incidents that are motivated by race, color, religious beliefs, sexual orientation, gender, gender identity, disability, national origin, or homelessness.

II. CHECKLIST (N/A)

III. DEFINITIONS

Hate/Bias Crime (HBC): A criminal act completely or partially motivated or perceived to be motivated by race, color, religious beliefs, sexual orientation, gender, gender identity, disability, national origin, or homelessness

Hate/Bias Coordinator: The Commander, Homeland Security Division (or designee) shall be the Hate/Bias Coordinator. They shall be responsible for the accurate classification, report dissemination, coordination and notification to the Human Relations Commission (HRC) and shall be responsible for submission of all hate/bias incident or crime data through the UCR program. The Joint Analysis Intelligence Center (JAIC) will assist as necessary.

Hate/Bias Incident (HBI): Non-criminal conduct that is motivated by hatred or bigotry and directed at any individual, residence, house of worship, institution, or business expressly because of the victim's real or perceived race, nationality, religion, sexual orientation, gender, gender identity, or disability and is protected by the First Amendment. Hate incidents also include conduct directed against an individual or group because of their real or perceived association or advocacy on behalf of a member or members of a protected class.

Hate Group: An organization whose primary purpose is to promote animosity, hostility, and malice against persons of or with a race, religion, disability, sexual orientation, ethnicity, gender, or gender identity which differs from that of the members or the organization, (e.g., the Ku Klux Klan, American Nazi Party)

IV. FORMS

- Case Report
- Intradepartmental Memorandum

V. PROCEDURES

1. Hate/Bias Crimes and Incidents

An important distinction must be made when documenting a hate/bias crime or incident. The mere fact the offender is biased against the victim's actual or perceived race, religion, disability, sexual orientation, ethnicity, gender, or gender identity does not mean that a hate/bias crime or incident was involved. Rather, the offender's criminal act must have been motivated, in whole or in part, by their bias.

Conversely, a hate/bias incident need not involve a criminal act.

Motivation is subjective; therefore, it is difficult to know with certainty whether a crime was the result of the offender's bias. For that reason, before an incident can be reported as a hate/bias crime or incident, sufficient objective facts must be present to lead a reasonable and prudent person to conclude that the offender's actions were motivated, in whole or in part, by bias.

The Hate/Bias Coordinator has final authority over classification of hate/bias related RMS reports.

Officer's Responsibilities

Timely reporting of a hate/bias crime or incident is imperative. Within 30 minutes of suspecting a hate/bias crime or incident, and prior to making notifications to any other entities, officers shall notify their Supervisor and the Hate/Bias Coordinator via Public Safety Communications (PSC).

Any officer on the scene of a suspected hate /bias incident can request the assistance of the Hate/Bias Coordinator, and need not be the ranking officer present, nor does notification require supervisory approval. No officer has the authority to exempt notification to the Hate/Bias Coordinator.

The officer shall:

- Preserve evidence
- Identify witnesses
- Request that a Supervisor respond
- Conduct a preliminary investigation
- Conduct a neighborhood canvass and document results within the special studies tab of a Case Report
- Locate and identify any cameras that may have captured the incident and note their locations within the Special Studies tab of a Case Report
- Process the scene
- Ensure digital photos are taken of the scene, to include images depicting words, graffiti, messages or symbols
- Make notification to the Hate/Bias Coordinator before clearing the scene
- Make notification to other entities as instructed by the Hate/Bias Coordinator
- Complete a Case Record and submit to a Supervisor for approval by the end of the shift
- Provide the victim the RMS case number
- Attach identificatory digital photographs to the property tab entry within the Case Report
- Upload the digital photos in DIMS as necessary

Supervisor's Responsibilities

The Supervisor shall respond to the scene immediately and:

- Contact the victim and assure them that the Department takes allegations of hate/bias motivated crimes seriously
- Notify the Shift Commander
- Ensure the completion of the officer's responsibilities

Investigator's Responsibilities

Hate crime investigations are the responsibility of the Homeland Security Division, unless the incident will be investigated by a component within the Major Crimes Division or the Special Crimes Division. All hate/bias investigations shall be documented in RMS. The entirety of an incident involving a hate crime shall be investigated by a singular investigatory unit.

The Investigator shall:

- Personally contact the victim and assure them that the Department takes allegations of hate/bias motivated crimes seriously
- Complete a supplemental RMS report every 30 days while the investigation is classified as active
- Submit copies of all investigative reports to the Deputy Chief, Bureau of Homeland Security and Intelligence and the Hate/Bias Coordinator through the chain of command

- Provide the victim with a Crime Victim pamphlet

2. Hate/Bias Coordinator's Responsibilities

Upon notification of a suspected hate/bias incident or crime, the Hate/Bias Coordinator shall:

- Provide the notifying officer with their name, rank, and ID number to be included within the hate crime tab of the Case Report
- Provide the officer with a status classification (verified, inconclusive or unfounded)
- Send event notification through the chain of command to the affected Bureau and Division station
- Ensure timely notification to the Human Relations Commission (HRC) via OHRStaff@co.pg.md.us. This notification shall only be made by the Hate/Bias Coordinator
- Review completed Case Report to ensure the narrative supports the designation of a hate/bias incident or crime
- Coordinate Federal and State reporting as required under Federal and State law
- Notify the Maryland Coordination and Analysis Center as necessary

3. Hate/Bias Area Checks

An area check shall be conducted for locations where a verified or inconclusive hate/bias crime was reported to the police.

Area checks shall be conducted for a minimum of 30 days.

Commander Responsibilities

The Division Commander shall coordinate all area checks.

4. Cross Burnings

The Joint Arson Task Force, comprised of PGPD Investigators and Fire Department Investigators, will conduct concurrent investigations of cross burnings.

PGPD's Media Relations Division (MRD) shall be responsible for all press releases. The Supervisor shall be responsible for notifications to MRD.

Upon responding to the scene and verifying a cross burning, officers shall request that the following respond to the scene:

- Supervisor
- Shift Commander
- Hate/Bias Coordinator
- Fire Department Investigator, Joint Arson Task Force
- Appropriate Homeland Security Division Investigator

Supervisor's Responsibilities

The Supervisor shall respond to the scene immediately and:

- Inform the victim that the Police and Fire departments will investigate the incident concurrently
- Ensure the completion of the officer's responsibilities

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 41.2.5, 42.1.4, 42.2.1, 42.2.2, 55.1.3, 81.2.5, 82.2.1

Governing Legislation:

- Maryland Criminal Law Article, Section 10-301 to 10-308
- Maryland Annotated Code Title 20
- U.S.C. Title 18 & 42 Civil Rights
- Maryland Standards for the Uniform Crime Reporting Program, Form 11
- Code of Maryland Regulations Title 2-307
- Federal Bureau of Investigation, National Incident Based Reporting System Hate Bias Classifications 2019.1

33. HAZARDOUS & RADIOACTIVE MATERIALS
(June 2018)

I. POLICY

Incidents involving radioactive and hazardous materials present unique challenges for law enforcement personnel, especially first responders. The primary consideration on the approach to and at the scene of such incidents is the safety of first responders.

To ensure that Department members are adequately prepared to respond to incidents involving radioactive and hazardous materials, the Department will ensure the provision of appropriate equipment and provide periodic training.

PGPD personnel will operate under the Incident Command System (ICS) for all incidents involving radioactive and hazardous materials.

II. CHECKLIST

- Personal Protective Equipment (PPE)
- Emergency Response Guidebook

III. DEFINITIONS

Corrosive: Substances that cause visible destruction or permanent changes in living tissue at the site of contact

Hazardous Material: Materials in a solid, liquid, or gaseous state that may pose significant risks to human beings or the environment

Incident Command System: A tool for command and control of a response, which provides a means to coordinate the efforts of responders as they work toward the goal of stabilizing an incident, and protecting life, property, and the environment. ***See:*** **VOLUME II, CHAPTER 36. INCIDENT COMMAND SYSTEM**

Oxidizer: A chemical which supplies its own oxygen and may interact with other combustible materials to easily burn

Radiation: The excess energy emitted from an unstable atom until it stabilizes

Radioactive Material: The property of some substances which emit invisible and potentially harmful radiation

Radioactivity: The process by which an atom changes from an unstable state to a more stable one by emitting radiation

Radiological Incident: An event that involves the release of potentially dangerous radioactive materials in the environment

IV. FORMS (N/A)

V. PROCEDURES

1. Radioactive Materials

Radiation cannot be seen, tasted, smelled, or felt. The Department of Transportation (DOT) and the Nuclear Regulatory Commission (NRC) strictly regulate the transportation and storage of radioactive materials. Vehicles transporting radioactive materials must display a placard that indicates the type of radioactive materials aboard.

Appropriately trained and equipped personnel must deal with radiological incidents. Radioactive materials can emit different types of radiation, each of which

presents its own danger to the body. Some types of radiation can penetrate the skin and travel through the body. Others radioactive materials can enter the body through inhalation, open wounds, by ingesting contaminated substances.

2. Radiation Hazard Assessment

The Office of Emergency Management (OEM) maintains a list of persons trained in the use of radiological monitoring equipment (RADEF).

Order of Escalation, Assessment Responsibility

- First arriving public safety officer trained in and equipped with radiological monitoring equipment
- OEM personnel trained in radiation hazard assessment
- State Department of the Environment, Center for Radiological Health

3. Hazardous Materials

Hazardous materials (HAZMAT) are classified as:

- Explosives
- Gases
- Flammable Liquids
- Flammable Solids
- Oxidizers
- Toxic Substances
- Radioactive Materials
- Corrosives
- Miscellaneous (products, substances, or organisms)

Officer's Responsibilities

All officers shall carry the Emergency Response Guidebook in their police vehicles. The guidebook, printed by the U.S. Department of Transportation, is a ready reference for initial actions to be taken to protect officers and the public immediately following an incident involving hazardous materials.

The guidebook lists the materials by the four-digit identification number displayed on placards or orange panels on the ends or sides of tanks, vehicles, and rail cars. Once the material is identified by number or name, the officer can turn to the appropriate guidebook page for information.

Some basic strategies for officers to consider on their approach to and at the scene of a radioactive or hazardous materials incident, include, and may not be limited to:

- Use of issued protective clothing and equipment
- Plan approaches to the scene from a position that is upwind/upstream and assume the area has been contaminated until otherwise directed
- Secure the scene and surrounding area by establishing inner and outer perimeters
- Carefully assess the situation, keeping in mind that any efforts to rescue persons, protect property or the environment, must be weighed against the possibility that the rescuer could become a victim or a carrier of the contaminant
- Do not assume that gases or vapors are harmless because of a lack of smell
- Do not walk into or touch spilled materials
- Avoid and prevent contact with smoke, fumes, and dust emanating from the area
- Avoid eating, drinking, or smoking in the area
- Minimize personal contact with possible contaminated surfaces, objects, and clothing

- Avoid moving vehicles or wreckage directly involved with hazardous materials transport vehicles, except as necessary for rescue purposes
- If a contaminated vehicle or wreckage must be moved, it should be moved the shortest possible distance until monitored for contamination
- Coordinate their efforts with Fire Department HAZMAT personnel

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 46.1.2, 46.1.11, 61.2.1, 61.2.2

Governing Legislation:

- OSHA, Code of Federal Regulations 29 CFR 1910.120

Reference:

- United States Department of Transportation Emergency Response Guidebook

34. RESPONDING TO HOSPITALS FOR CRITICALLY INJURED OFFICERS

(August 2021)

I. POLICY

Following the serious injury or death of an officer, Department personnel understandably rush to the medical facility where the injured officer has been taken. The desire to provide support to the injured officer and their family, as well as to connect with the broader Prince George's County Police Department family, is a natural and necessary part of our healing process.

A mass of people who appear following a line-of-duty death or serious injury, can significantly impact the operation of the medical facility in question. The purpose of this directive is to institute procedures at medical facilities, which should allow officers to congregate and show support, while minimally affecting the ability of medical staff to continue to provide services to their many clients.

Additionally, this directive establishes a protocol for the orderly response and control of operations at area medical facilities (primarily the University of Maryland Capital Region Medical Center) in the event of a serious or fatal line of duty injury to a member. All members are reminded that final authority regarding activity at health care facilities rests with hospital officials, and not the Prince George's County Police Department.

II. CHECKLIST (N/A)

III. DEFINITIONS

Hospital Liaison Officer (HLO): The on-duty Shift Commander working the area which covers a medical facility where an injured officer has been transported. The HLO must be a full rank Lieutenant. If the on-duty Shift Commander is not a permanent rank Lieutenant, or if the injured officer is assigned to the Shift Commander in question, then a Lieutenant from an adjacent District must respond and assume the duties of the HLO. The HLO may designate specific tasks to a subordinate, but must ensure that all tasks assigned to the HLO are completed as outlined in the Procedures Section.

Charge Nurse: The ranking medical official who has command of all Emergency Department operations. In extenuating circumstances, the Charge Nurse may be relieved by an on-call Hospital Administrator.

A UMCRMC Charge Nurse or hospital Administrator may be contacted 24 hours a day, at (240) 677-2000.

IV. FORMS (N/A)

V. PROCEDURES

1. Initial Notification of Injury or Death

The Commander of an affected officer who is seriously injured or killed, must contact Public Safety Communications (PSC) and ensure that the Chief of Police and the Commander, Special Operations Division (SOD) have been notified. In addition to those notifications, the Commander of the

affected officer must also notify the Commander whose area covers the medical facility where the officer has been transported. In most cases, it is expected that this will be the University of Maryland Capital Region Medical Center (UMCRMC) in District II.

While this directive offers specific guidelines for UMCRMC, similar protocols must be followed at other area hospitals within our jurisdiction, and accommodate each facilities' specific configuration. The Commander whose area includes the medical facility must respond to the facility and assume overall command of the scene as it regards UMCRMC/Hospital personnel. If the injured officer is assigned to the Commander in question, then a Commander from an adjacent sector will be tasked with responding and assuming command.

The affected Commander must contact the on-duty Shift Commander and have them respond to the medical facility in question. The Shift Commander will become the Hospital Liaison Officer (HLO), and will directly interface and coordinate with hospital personnel. If the on-duty Shift Commander is not a permanent rank Lieutenant, or if the injured officer is assigned to the Shift Commander in question, then a Lieutenant from an adjacent sector must respond and assume the duties of the HLO.

Hospital Liaison Officer Duties

The HLO must assign at least 4 officers to respond to the medical facility to assist with vehicular traffic outside the facility, and manage access within the facility. The HLO may request officers from adjacent sectors to reduce the burden on any one sector, and allow routine calls for service to continue to be answered.

Upon arriving at the medical facility, the HLO must immediately make contact with the Charge Nurse. The HLO will provide the Charge Nurse with his/her contact information, and maintain a constant line of communication. The HLO will make every effort to accommodate and comply with any request made by the Charge Nurse and hospital staff.

The HLO will ask the Charge Nurse to contact the ranking supervisor for security personnel, and request that they open any/all parking lots which would normally be closed or restricted. Specific to UMCRMC, the lower level of the parking garage can be opened, as well as a satellite employee parking lot. It should be noted that on a typical day, the parking garage is at capacity during weekday daytime hours, and will be of limited value for parking a large number of additional vehicles.

The HLO will assign at least 2 officers to assist with traffic control leading into the medical facility. All officers assigned to traffic duties must ensure that fellow PGPD employees responding to the medical facility do not park in a manner which inhibits the free flow of traffic into, and out of, the medical facility. The HLO will coordinate the route of travel into the hospital and assign additional units to secure major intersections, if appropriate. Officers assigned to traffic must prohibit parking in fire lanes, and must ensure that the primary roadways leading into and out of the medical center remain clear of parked vehicles.

The HLO will assign the minimum number of officers needed inside the medical facility to ensure that entry/access to the emergency room is controlled. Entry to the Emergency Department, including the area/room where the injured/deceased officer is being held,

will be limited to small groups of the following:

- Immediate family members of the injured/deceased officer
- Immediate squad members of the injured/deceased officer
- Command staff of the injured/deceased officer
- Executive Command Staff (Deputy Chief and above)
- Psychological Services Personnel
- Peer Support Team members
- Police Chaplains
- FOP Representative

The HLO must periodically sweep the Emergency Department, and limit access to the Emergency Department to small groups of those listed above. The HLO must ensure that police presence in the Emergency Department is restricted to necessary personnel only and that there is no interference with the regular operation of the medical facility in question.

Specific to UMCRMC, at least 2 officers will be needed to control access to the Emergency Department. One will need to be stationed at the exterior entrance, routinely used by PGFD personnel who are bringing in new patients. One officer will also need to be stationed at the interior door, near the hospital entrance, which leads to the Emergency Department. Officers may not congregate within the Emergency Department or its hallways.

The HLO will ensure a chronological log is maintained of all personnel who enter the Emergency Department.

The HLO, working with the Charge Nurse, must designate an area where responding PGPD personnel can congregate. Specific to PGH, responding PGPD personnel may congregate in the main lobby entrance, adjacent to the Emergency Department.

The HLO will have discretion to increase the number of officers assigned to assist with traffic and personnel control at the medical facility. These assignments may, at the discretion of the Hospital Liaison Officer, be staffed by any District(s) except the District to which the injured member is assigned.

The Media Relations Division (MRD) will be the primary point of contact for all media inquiries. Should media personnel arrive at the medical facility before a representative from MRD, the HLO should ask the media to stage outside of the medical facility, in a place which does not negatively impact hospital operations. The media is generally required to remain outside of medical facilities, unless otherwise directed by an administrator of the medical facility in question.

Upon notification by hospital staff of a need for blood donations, the HLO will broadcast the request to UMCRMC personnel who are already at the medical facility. Should on scene personnel be unable to accommodate the request for blood, the HLO will notify PSC and have the request broadcast over the air. The HLO must then coordinate with the Charge Nurse and regulate an orderly response.

Responding Commander Duties

If the affected officer's Commander is not available, the on scene Commander will greet and guide any family members of the injured/deceased officer, and the Executive Command Staff, to an appropriate designated area.

If possible, family members should be afforded the opportunity to visit the injured member. The Commander should request that medical staff prepare the family for what they may see and that they accompany them while in the emergency room. It is typical that a Psychological Services Counselor and/or Police Chaplain would also accompany the family if desired.

The Commander should request that medical personnel regularly update the family members concerning the injured member's condition. Such updated information should also be relayed to waiting Departmental members, but only after the family has been advised.

If the injured member dies before the arrival of family members, they should be afforded the opportunity to see the deceased, if desired. Medical personnel should be made aware of any known medical condition that a family member may have which could be exacerbated by such a visit. Medical personnel should explain the cause of death and need for an autopsy to family members when appropriate.

Assuming it is possible and appropriate, the on-scene Commander will coordinate with the Charge Nurse, and communicate with UMCRMC employees a plan to allow all interested parties to view and pay respects to a fallen employee before the body is removed from the Emergency Department or other care unit.

Commander's whose districts include a medical facility will ensure a copy of this General Order is available at any/all medical facilities within their respective Districts.

In January of each year, the Planning and Research Division will initiate a review of this General Order to ensure information such as room numbers and telephone numbers remain accurate.

All supervisors shall periodically review this chapter with their subordinates. Supervisors should emphasize the importance of not disrupting hospital operations, and remind officers that our desire to support our fellow officers does not supersede the realities of a full time medical center.

VI. GOVERNING LEGISLATION & REFERENCE

N/A

35. IMMIGRATION PROCEDURES

(July 2019)

I. POLICY

It is the policy of the Prince George's County Police Department ("PGPD" or "the Department") to treat all individuals with respect, compassion, courtesy, and equality, regardless of citizenship or immigration status. The Department shall provide services to all persons and exercise its duties in conformity with all applicable Federal, State, and local laws, regardless of the person's citizenship status, nationality, race or ethnicity.

II. CHECKLIST

N/A

III. DEFINITIONS

United States Immigration and Customs Enforcement: United States Immigration and Customs Enforcement (ICE) is the federal law enforcement agency under the Department of Homeland Security (DHS) responsible for enforcement of federal laws related to border control, customs, trade and immigration.

Foreign National: A person who is a citizen of any country other than the United States.

Administrative Warrant: An administrative (civil) warrant is issued by an immigration official for suspected violations of immigration laws. An administrative (civil) warrant does not include a criminal warrant signed by a judge or magistrate, and it shall not be used by PGPD officers as the basis to detain or arrest a person.

IV. FORMS

- Case Record

V. PROCEDURES

1. General

- Warrants for deportation and removal are civil in nature, not criminal.
- The enforcement of civil federal immigration laws falls exclusively within the authority of ICE. Thus, state and local law enforcement officers do not have legal grounds to stop, detain, search, or arrest an individual based solely on an administrative (civil) warrant, unless they have been deputized by ICE to do so. *See* 8 U.S.C. Section 1357(g) (Cooperation Agreements). The Prince George's County Police Department has not and does not intend to be deputized.
- Local governments may adopt policies prohibiting their officers and employees from inquiring about a person's immigration status except where required by law.[1]

2. Traffic Stops and Citizen Contacts (Prohibited Actions)

- PGPD officers shall not initiate an investigation or otherwise take law enforcement action solely based on the actual or perceived immigration status, including the initiation of a stop, apprehension, arrest, or any other field contact.

[1] *See* 8 U.S.C. §1373; http://www.marylandattorneygeneral.gov/Reports/Immigration_Law_Guidance.pdf.

- Persons are not required to prove their citizenship status, country of origin, or information related to their immigration status in the United States. PGPD officers shall not request identification for the sole purpose of determining a person's immigration status.

- A traffic stop may not be prolonged and an individual may not be detained solely for questions related to a person's immigration status.

- When persons are being interviewed about potential traffic or criminal offenses, questions about their immigration status shall not be part of the routine questioning.

3. Administrative (Civil) Immigration Warrants

- Warrants for deportation are civil in nature, not criminal.

- When an officer receives information in the NCIC database on a person, the officer must attempt to determine whether the warrant is an administrative (civil) warrant. To make this determination, the officer must review the introductory message at the beginning of the "notice" from NCIC. If it is administrative in nature, it will contain the language:

    - SUBJECT HAS AN OUTSTANDING ADMINISTRATIVE WARRANT OF REMOVAL/DEPORTATION FROM THE UNITED STATES, or

    - SUBJECT HAS AN OUTSTANDING ADMINISTRATIVE WARRANT OF ARREST FOR IMMIGRATION VIOLATIONS

- Should it be determined from the NCIC database and/or any further inquiry that a person has an administrative (civil) immigration warrant, PGPD officers shall immediately release the person. However, officers **shall not** notify ICE.

- If an officer is unable to determine the nature of the warrant, the officer shall promptly contact his or her shift commander for consultation and a final decision. The Shift Commander shall exercise due diligence to determine the existence of an administrative (civil) warrant, and, if necessary, detain the individual for a reasonable amount of time until such determination can be made. For purposes of this policy, a reasonable amount of time shall not exceed sixty (60) minutes, in accordance with routine NCIC "hit" confirmation procedures. Once the shift commander concludes that an administrative (civil) immigration warrant exists, the person immediately shall be released. A case record detailing the incident must be completed.

4. Criminal Immigration Warrants

- When a criminal immigration warrant is located in the NCIC database during a traffic stop or an investigation, the individual will be detained and confirmation with ICE will be made.

- Before any further detention, arrest, or search (incident to arrest) is made, it must be confirmed that the warrant is both active and is for a criminal offense.

- If ICE is unable to immediately determine the nature of the warrant, the officer shall promptly contact his or her Shift Commander for consultation and a final decision. The Shift Commander shall exercise due diligence to determine the existence of a criminal warrant and, if necessary, detain the individual for a reasonable period of time until such determination can be made. For purposes of this policy, a reasonable amount of time shall not exceed sixty (60) minutes, in accordance with routine NCIC "hit" confirmation procedures.

- Upon confirmation from ICE that a criminal immigration warrant exists, the person shall be arrested and processed in accordance with the General Orders Manual, Volume II, Chapter 4, Arrest Procedures, and Volume II, Chapter 19, Fugitive Arrests on Out-of-County Warrants. A booking record detailing the incident must be completed.

- If, after a thorough investigation that involves the consultation of the shift commander concludes with no determination as to the existence of a criminal arrest warrant, the incident shall be documented on a case report record.

- PGPD officers are obligated under international treaties and customary international law to notify foreign authorities when foreign nationals are arrested or otherwise detained in the United States.

NOTE: See Appendix A for sample NCIC "notice" results for administrative (civil) and criminal ICE warrants.

5. Assisting Federal Authorities

- PGPD officers are permitted to assist ICE officers and employees when the primary focus of a federal investigation is not immigration violations. Examples include, but are not limited to: customs violations, money laundering, narcotics cases, gang crimes, human trafficking, terrorist activities, and execution of a criminal warrant or court order issued by a federal judge or magistrate.

- All operational requests for assistance made by ICE or other immigration officials that do not have a nexus to criminal activity will require the approval of the Chief of Police, on a case-by-case basis.

- Nothing in this order prohibits PGPD officers from responding to or remaining on the scene of any federal criminal law enforcement investigation, or to assist with officer or public safety.

6. Contact Information

- United States Immigration and Customs Enforcement (ICE) – Law Enforcement Support Center – (802) 872-6020; Baltimore Field Office – (410) 637-4000

- United States Department of State – 24-Hour Operations Center – (202) 647-1512

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

Legislation:

- (CR 8-303 of the Maryland Annotated Code)

Reference:

- Santos v. Frederick County Board of Commissioners
- Vienna Convention on Consular Relations (VCCR)

Appendix A
Sample Results from NCIC
Inquiry

SAMPLE RESPONSE FROM NCIC INQUIRY: ADMINISTRATIVE (CIVIL) WARRANTS

Administrative Warrant of Removal:

```
WARNING REGARDING FOLLOWING RECORD - SUBJECT OF NIC/N307770847 HAS AN
OUTSTANDING ADMINISTRATIVE WARRANT OF REMOVAL FROM THE UNITED STATES. CONTACT
LESC
AT (877) 999-5372 FOR IMMEDIATE HIT CONFIRMATION AND AVAILABILITY OF
BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT DETAINER.

MKE/IMMIGRATION VIOLATION - FAILURE TO APPEAR FOR REMOVAL
ORI/VTINS1000 NAM/SMITH, JOHN SEX/M RAC/W POB/FN DOB/19510101
HGT/510 WGT/180 EYE/BRO HAI/BRO CTZ/FN SKN/DRK
SMT/SC LF ARM
SOC/777010000
OFF/ALIEN UNLAWFULLY PRESENT DUE TO ORDER OF REMOVAL OR EXCLUSION FROM THE USA
OCA/ASD1234-T MIS/KNOWN AS JOHNNY BOY
ORI IS BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT, LAW ENFORCEMENT SUPPORT
CENTER
(877) 999-5372
NIC/N307770847 DTE/19980605 0000 EDT DLU/20090101 0600 EST
*****THIS RECORD MAY BE USED ONLY BY CRIMINAL JUSTICE AGENCIES FOR
CRIMINAL JUSTICE PURPOSES.
*****END OF IMMIGRATION VIOLATOR FILE RESPONSE*****
```

Administrative Warrant of Arrest:

```
WARNING REGARDING FOLLOWING RECORD - SUBJECT OF NIC/N307770847 HAS AN OUTSTANDING
ADMINISTRATIVE WARRANT OF ARREST FOR IMMIGRATION VIOLATIONS FOR FAILURE TO COMPLY
WITH NS REGISTRATION. CONTACT LESC AT (877) 999-5372 FOR IMMEDIATE HIT
CONFIRMATION AND AVAILABILITY OF BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT
DETAINER.

MKE/IMMIGRATION VIOLATION - NS REGISTRATION
ORI/VTINS1000 NAM/SMITH, JOHN SEX/M RAC/W POB/FN DOB/19510101
HGT/510 WGT/180 EYE/BRO HAI/BRO CTZ/FN SKN/DRK
SMT/SC LF ARM
SOC/777010000
OFF/SOUGHT FOR VIOLATION OF NS REGISTRATION
OCA/ASD1234-T MIS/KNOWN AS JOHNNY BOY
ORI IS BUREAU OF IMMIGRATION AND CUSTOMS ENFORCEMENT, LAW ENFORCEMENT SUPPORT
CENTER (877) 999-5372
NIC/N307770847 DTE/19980605 0000 0830 EDT DLU/20090101 0600 EST
*****THIS RECORD MAY BE USED ONLY BY CRIMINAL JUSTICE AGENCIES FOR
CRIMINAL JUSTICE PURPOSES.
*****END OF IMMIGRATION VIOLATOR FILE RESPONSE*****
```

Sample Response from NCIC Inquiry

SAMPLE RESPONSE FROM NCIC INQUIRY: CRIMINAL ICE WARRANT

One Example of a Criminal ICE Warrant:

```
***MESSAGE KEY ZW SEARCHES WANTED PERSON FILE FELONY RECORDS REGARDLESS OF
EXTRADITION AND MISDEMEANOR RECORDS INDICATING POSSIBLE INTERSTATE
EXTRADITION FROM THE INQUIRING AGENCY'S LOCATION.  ALL OTHER NCIC PERSONS
FILES ARE SEARCHED WITHOUT LIMITATIONS.
MKE/WANTED PERSON
EXL/1 - FULL EXTRADITION UNLESS OTHERWISE NOTED IN THE MIS FIELD
ORI/VTICE0900 NAM/TEST, TEST SEX/M RAC/W POB/EY
DOB/19000101 HGT/509 WGT/175 EYE/BR0 HAI/BLK
SKN/LGT
MNU/PP-1234567 SOC/123456789
OFF/FRAUD - FALSE STATEMENT
DOW/20090114 OCA/2-M-TEST
VLD/20120411
MIS/CRIMINAL WARRANT IN VI0LATI0N 0F TITLE 18 USC, SECTI0N 1542, FALSE STATEMENT
MIS/0N A PASSP0RT APPLICATI0N; ISSUED BY THE U S DISTRICT C0URT, EASTERN
MIS/DISTRICT 0F VIRGINIA
DNA/N
ORI IS ICE LESC 802 872-6020
DOB/19730515
AKA/TESTER, TEST
AKA/ALPHA, BET
MNU/PP-5678943
SOC/9854321
NIC/W123456789 DTE/20090115 1510 EST DLU/20120411 1301 EST
IMMED CONFIRM WARRANT AND EXTRADITION WITH ORI
```

36. IMPOUNDS & VEHICLES
(October 2022)

I. POLICY

The towing and impounding of vehicles shall be done in accordance with the provisions of Title 25 of the Maryland Transportation Article and Division 10, Subtitle 26 of the County Code.

II. CHECKLIST

When officers impound vehicles, they shall:

- ❑ Verify the VIN by visual inspection of the public VIN; employees shall not place VIN information obtained from a registration card, other document, or a computer check on any report in place of this physical inspection
- ❑ Remove tags not issued to the impounded vehicle and submit them in accordance with directives contained in **VOLUME II, CHAPTER 47. PROPERTY & EVIDENCE**
- ❑ Conduct a tri-state (MD/DC/VA) listing on the vehicle. If there is no record tri-state, document this attempt in the narrative and attach the MVA listing to the Case Folder as an attachment. In these instances, the Impound Notification Letter does not need to be completed
- ❑ Include an inventory list and note the condition of the vehicle within the applicable section of the Impound Record
- ❑ Submit all money from the vehicle to the Evidence and Property Management Warehouse in accordance with directives contained in **VOLUME II, CHAPTER 47. PROPERTY & EVIDENCE**

  Exception: For vehicles impounded for evidence processing, officers shall not physically enter the vehicle. Only the items visible from the outside will be listed as inventory. The evidence technician shall submit all money and property found in the vehicle to the Evidence and Property Management Warehouse
- ❑ Affix a Tow Company Impound Sticker to the inside of the driver's door window (or other conspicuous inside window location when the driver's door window is missing) with the RMS Number, tow company, location towed from, and officer's name and ID number on the sticker

  Note: Stickers shall not be affixed to vehicles impounded for evidence processing
- ❑ Remain with the vehicle until its removal
- ❑ Notification to the Teletype Unit via phone for impounds that do not require a NCIC/METERS entry, or modification, is no longer required
- ❑ If the citizen is on the scene, the impounding officer shall issue a Vehicle Release-Show Cause Hearing Notification Form after verifying proof of ownership. A vehicle release is only authorized if there are no outstanding tickets (speed camera, redlight camera and/or parking) following this notification.
- ❑ Contact the vehicle owner in person or via telephone to notify them of the impound. Also, complete the Impound Notification Letter and place it in the outgoing mail slot prior to the end of the officer's shift
- ❑ All impounds shall be documented as an Impound Record within RMS

III. DEFINITIONS

Abandoned Vehicle: *Per County Code*, any vehicle, trailer, or semi-trailer that is inoperable and left unattended or remains illegally on public property for more than 48 hours. Abandoned vehicles include those displaying expired registration plates or registration plates issued to another vehicle

Authorized Tow Company: A tow company licensed by Prince George's County and used by the Department for routine police impounds

County Contract Crane: The authorized tow company that is responsible for evidence impounds, narcotics impounds, and VIN violation impounds

Inoperable Vehicle: Any vehicle that has one or more of its major components missing or broken; major components include, but are not limited to, the engine, transmission, drive train, and wheels

Impound: The removal and temporary storage of a vehicle by an authorized tow company

Paylock System: Cloud-based integrated parking management system for citation issuance

Private Property: Property that has been posted by the owner against unauthorized parking according to the provisions of the County Code

Property Owner: Includes the owner of property or any person possessing an interest in the property

Public VIN: The vehicle identification number (VIN) plate located on the dashboard of the vehicle, visible through the windshield

Revenue Authority: The entity that is responsible for impounding abandoned motor vehicles

RMS Impound Module: Contains information on vehicles impounded in the County to include police impounds, the Department of Environment, Vehicle Audit Unit (DOE/VAU) impounds, private impounds, and vehicle repossessions; it is accessed via computer and contains information on the vehicles and their status

UUV (Unauthorized Use of Vehicle): The taking of a vehicle for use when prior authority has been granted or can be assumed such as in family situations, rental car agreements or unauthorized use by chauffeurs and others having lawful access to the vehicle.

IV. FORMS

- Abandoned Motor Vehicle Violation Notice Sticker (PGC Form #3889)
- Abandoned Vehicle Log (PGC Form #5146)
- Booking Record
- Case Record
- Evidence Bay Processing Log (PGC Form #3410)
- Impound Notification Letter (PGC Form #3881)
- Impound Record
- Narcotic Asset Forfeiture Report
- Officer Narrative Report
- Theft/Unauthorized Use of Vehicle Complainant Form (PGC Form # 5283)
- Tow Company Impound Sticker (PGC Form #2165)
- Unattended Vehicle Tag (PGC Form #2384)

- Vehicle/Asset Forfeiture Summary Report (PGC Form #4321)
- Vehicle Release-Show Cause Hearing Notification Form (PGC Form #3744)

V. PROCEDURES

1. Impounds of Vehicles Involved in Accidents

A motor vehicle involved in an accident shall be impounded if it cannot be driven, and:

- The vehicle creates a hazard, or
- All persons having custodial interest in the vehicle have left the scene

A vehicle involved in a serious or fatal accident believed to have a mechanical defect that contributed to the accident shall be impounded and the Collision Analysis Reconstruction Unit (CARU) shall be notified. The officer shall:

- Select "NO" for "CAN THE VEHICLE BE RELEASED" within the RMS Impound Record

2. Impounding Vehicles for Evidence Processing

This subsection does not apply to Evidence Unit personnel.

If the vehicle is part of a Major Crimes Division or Regional level investigative case, the officer shall have the vehicle taken to the Evidence Bay unless otherwise directed.

Officers shall not enter a vehicle that is being impounded for evidence processing to complete an impound inventory. They shall document items of value that are in plain view in the Impound Record. The evidence technician that processes the vehicle will complete a thorough inventory.

For Evidence Bay impounds, the officer shall advise the dispatcher that the vehicle is an Evidence Bay impound to ensure that the County's contract crane is used. The officers shall also follow the vehicle to the Evidence Bay and:

- Complete an entry for the vehicle in the Evidence Bay Processing Log located in the Evidence Bay
- Secure the bay after the vehicle has been placed inside
- Advise an employee from the Evidence Unit that the vehicle that it is in the bay; place the name and ID number of the employee notified in the Impound Record
- Select "NO" for "CAN THE VEHICLE BE RELEASED" within the RMS Impound Record
- Notification to the Teletype Unit via phone for impounds that do not require a NCIC/METERS entry, or modification, is no longer required

Once processing is complete, the evidence technician shall:

- Contact the County's contract crane to remove the vehicle
- Document the notification on the Evidence Bay Processing Log
- Contact the assigned investigator and inform them that the vehicle is now ready for release
- Modify the Impound Record within RMS to indicate that the vehicle may be released

The investigator shall contact the vehicle owner and inform them that the vehicle is ready to be claimed.

Investigators desiring to have the Department assume financial responsibility for a qualifying evidentiary impound need to secure the Financial Responsibility Stamp on the Vehicle Release. The Department will assume responsibility for the initial tow, for any subsequent tow(s), and for storage charges up to the point that a stamp is issued. The Department may pay for one additional day of storage after a Vehicle Release is issued. Payment is not authorized when the vehicle is impounded for safekeeping.

Division Commanders that supervise units with investigative responsibilities will be issued a Financial Responsibility Stamp by the Tow Coordination Unit. Each Stamp displays a unique number and spaces for signature, printed name, date, and the number of days the Department will assume financial responsibility for storage after a Vehicle Release is issued.

Division Commanders, or their designee will determine if the impound qualifies for the stamp before issuing, signing, and dating the stamp. Storage fees will become the responsibility of the vehicle owner, lienholder, insurer, or other assigned person after the timeframe described on the stamp has expired. Stamps may only be accepted by contract crane companies for vehicles that have been impounded for evidentiary purposes.

Investigators requesting to have the tow fees authorized shall:

- Obtain approval of the investigative Division Commander
- Obtain the stamp from the Commander and affix the stamp to the Vehicle Release Form
- Stamps shall not be reproduced
- Only county issued and numbered stamps are authorized and approved for use

Vehicles used in serious crimes investigated at the Division level may be impounded for evidence processing only if they cannot be processed on the scene.

Recovered stolen vehicles shall not be routinely taken to the Evidence Bay.

3. Impounding Vehicles with Missing, Altered, or Questionable VIN

Vehicles with missing, altered, or questionable VINs, and those not displaying a public VIN shall be impounded for inspection by a Washington Area Vehicle Enforcement (WAVE) investigator. The County's contract crane will be used to tow vehicles with VIN violations to the County impound lot.

The officer shall:

- Notify the dispatcher that the impound is for a VIN violation to ensure that the County's contract crane is used
- Affix a Tow Company Impound Sticker to the inside of the driver's door window (or other inside window when the driver's door is missing) with the RMS Number, tow company, address from which the vehicle was towed, and the officer's name and ID number on the sticker
- Advise the crane driver to take the vehicle to the County impound lot (Dille Tract)
- Remain with the vehicle until its removal, the officer need not follow the vehicle to the impound lot

- Select "NO" for "CAN THE VEHICLE BE RELEASED" within the RMS Impound Record
- Inventory the vehicle and include a list in the Impound Record

The officer shall not remove VIN plates from the vehicle. If the license plates do not belong on the vehicle, they shall be removed and submitted in accordance with directives contained in **VOLUME II, CHAPTER 47, PROPERTY & EVIDENCE.**

4. Impounds of Illegally Parked Vehicles

Vehicles shall not be routinely impounded for parking violations, including most fire lane violations (see exceptions below). If practical, the officer will allow reasonable opportunity for the vehicle to be moved. Officers may immediately issue violation notices.

Immediate impoundment is authorized for the following vehicles:

- Parked or standing in the travel portion of a roadway and is impeding the movement of traffic
- Parked or standing blocking a driveway or entrance
- Parked or standing unattended on any road, highway, alley, or parking lot in a manner constituting a threat to public safety, such as a vehicle on cinder blocks or a vehicle with broken windows
- Parked in a fire lane in a manner which blocks access to a fire hydrant, or would block the passage of an emergency vehicle
- Parked on a snow emergency route during a snow emergency
- Unlawfully parked at an off-street County parking facility

Vehicles parked in violation of County Code Sections 26-122 (parked more than 72 hours) or 26-123 (commercial vehicles) will not be impounded unless one of the above criteria is also met.

5. Impounds from Private Property

Generally, officers are not permitted to impound vehicles from private property. It is the responsibility of the property owner to have vehicles removed. Officers shall contact the Revenue Authority via email at abandonvehicle@co.pg.md.us for information on removal of vehicles from private property.

6. Impounds of Diplomatic Vehicles

Vehicles operated by persons with diplomatic immunity will not be impounded unless requested by the diplomat.
If the vehicle creates a safety or traffic hazard, the officer shall:

- Request that the dispatcher contact a crane to move the vehicle to the closest available legal parking space
- Complete an Impound Record
- Forward a copy of the Impound Record to the Division Commander and the Tow Coordination Unit (TCU)

Notification to the Teletype Unit via phone for impounds that do not require a NCIC/METERS entry, or modification, is no longer required

7. Impounds of Vehicles with Defective Equipment

Vehicles with defective, deficient, or altered equipment may be impounded only if the continued operation of the vehicle poses a hazard to its operator or the public.

8. Impounds from the Woodrow Wilson Bridge

(Vehicle Law, Section 25-301)

Officers shall immediately impound disabled or abandoned vehicles from the Woodrow Wilson Memorial Bridge to prevent or alleviate traffic congestion. These impounds are authorized regardless of political jurisdiction or location on the bridge.

SECTION REDACTED

10. Holding Impounded Vehicles

- A hold is placed on a vehicle when release is not immediately authorized. Officers holding vehicles shall select "NO" for "CAN THE VEHICLE BE RELEASED" within the RMS Impound Record

Vehicles shall only be held for the following reasons:

- Pending examination following involvement in a serious or fatal accident (CARU must authorize release)
- VIN violation (the Auto Theft Unit must authorize release)
- Pursuant to court order or forfeiture proceedings (the Department or County agency with custody must authorize release)
- Evidence processing (the assigned investigator must authorize release)
- Telex or written request of another law enforcement agency (the impounding officer must authorize release)

Once the vehicle can be released, the appropriate unit/employee must modify the Impound Record within RMS to indicate that the vehicle may be released.

The employee shall notify the owner verbally and by mail that the vehicle may be released. The employee shall document these notifications in an Officer Narrative Record.

11. Vehicles with Delinquent Fees & Release on Scene

Any vehicle with outstanding unpaid parking violations, traffic citations, liens, or other fees owed to the County, cannot be released to the owner or secured party, until all payments are paid. This includes impounded vehicles.

SECTION REDACTED

If a tow hold is found, officers may refer individuals to the Revenue Authority. Payments are accepted 24 hours a day and can be made online at PGCPD.mybootinfo.com or by calling (877) 296-1041.

Once all outstanding fees are paid, the tow hold will be immediately removed in the Paylock System. Officers may then issue a vehicle release.

When an officer impounds a vehicle not subject to hold and the owner is present, the officer shall issue a vehicle release on the scene.

When a vehicle release is issued on the scene of a vehicle impound, the officer shall document the issuance of a release within the RMS Case Folder as an attachment along with the date and time of release. Officers performing a patrol function shall maintain a supply of Vehicle Release – Show Cause Hearing Notification forms in their vehicles.

Release Prior to Crane Hookup

When a crane has been requested for an impound and the owner arrives at the scene before crane hookup, the officer will release the vehicle to the owner without compensation to the crane operator. A vehicle release is not required in this situation.

Release After Crane Hookup

If the crane has hooked up to the vehicle but has not departed the scene before the owner arrives, the officer shall release the vehicle on the scene and allow the owner to negotiate the fee with the crane operator. A Vehicle Release – Show Cause Hearing Notification form shall be completed.

Once a vehicle release has been issued, the payment issue becomes a civil matter.

12. Release of Vehicle

Employees are only authorized to release vehicles impounded by PGPD officers. Vehicles impounded by other agencies must be released by the impounding agency.

A Vehicle Release – Show Cause Hearing Notification Form shall be provided to any person providing documentation that entitles him or her to a vehicle, unless a hold has been placed on the vehicle.

Documentation verifying ownership shall be added as an attachment to the Case Folder. If a release is issued on the scene of an impound, the officer shall note the documentation used to verify ownership in the narrative of the Impound Record.

Prior to issuing a vehicle release, employees shall determine legal ownership through close examination the proof of ownership documents presented or computer inquiry. Only a vehicle's owner is authorized to receive a release form. When any other person seeks to obtain a release, that person must have a notarized authorization or power of attorney from the owner.

Documentation for Release

Examples of acceptable documentation are (non-inclusive list):

Certificate of Title – Certificates of Title with the owner's name and information machine-printed on the front. A title with owner information entered on reverse is not acceptable documentation. A release shall not be issued to any person presenting a title with only his or her or an alleged owner's name on the reverse. If the vehicle is to be titled in Maryland, the person shall be directed to the MVA to apply for title and return with a completed MVA form #VR-277, receipt for title application showing fees paid and vehicle information including title number.

Current Registration – The computer-generated registration card issued by the registering state. Temporary registration cards may also be accepted. The bearer must produce photographic identification with signature along with the registration.

Notarized Power of Attorney or Notarized Authorization – The power of attorney or notarized authorization must contain the name of the owner and the name of the bearer. The bearer must produce photographic identification with signature along with the document. Most commonly, lien holders or insurance company agents will possess these types of documents.

When there is doubt concerning the adequacy or validity of documents, the

employee may contact an auto theft investigator, the Tow Coordination Unit, or a sector Supervisor for assistance.

An owner will not be denied a vehicle release solely because they refuse to sign a citation.

Show Cause Hearing Notification

(County Code, Section 26-167)

If an employee other than the impounding officer issues a vehicle release, the employee will use the RMS System to confirm approval of the release.

The issuing employee will ensure that:

- The owner/claimant is authorized to receive the release
- Vehicle owner/claimant signs the upper and lower signature lines. On refusal to sign, the releasing employee shall note "REFUSED" on those lines
- Scan and upload a copy of the signed release form to the appropriate RMS Case Folder. Once completed and verified as being uploaded, the original may be destroyed

Denial of Release

When an owner/claimant is denied a vehicle release, the Show Cause section of the form shall be completed. The issuing employee shall:

- Write "DENIED" across the vehicle release section of the form
- Record the RMS Number on the form
- Request that the owner signs the form. If the owner refuses, write "REFUSED" on the signature line

If release of the vehicle is later authorized, a second vehicle release form shall be completed and distributed.

13. Vehicle Left on Scene After Arrest

If an arrested individual's vehicle can be lawfully parked or the owner/operator can arrange for removal, it need not be impounded. The officer may impound the vehicle if they cannot reasonably establish authorized possession. Vehicles shall not be impounded solely because the operator lacks proof of ownership.

When a vehicle is left lawfully parked on public or private property after an incident, the officer shall advise the owner/operator of the provisions of the 72-hour parking ordinance. The officer shall ensure that the vehicle is secured.

14. Recovered Stolen Vehicles

All recovered stolen vehicles shall be processed for latent prints by the recovering officer, unless a squad or a station evidence officer is available and can process the vehicle. The results of the processing shall be documented in the Case Record.

In rare instances, vehicles may not be processed for latent prints. The decision to not process a recovered stolen vehicle must be approved by a sector Supervisor. If a vehicle is not processed, an explanation shall be included in the narrative of the Case Record.

If a recovered stolen vehicle is operable, the officer shall attempt to contact the owner and request immediate response to the scene to take custody of the vehicle. If the owner is unable or unwilling to respond to the recovery location within a reasonable period of time, the vehicle shall be impounded. If a vehicle is impounded as a result of the recovery, the officer shall document the

impound within the same RMS Case Folder as the initial report.

For vehicles that were initially reported stolen through PGPD, and recovered within the County, officers shall:

- Complete a supplemental Case Report in the *original* Case Folder
- Change the Property Tab entry to the appropriate vehicle type, with the suffix "Stolen Locally and Recovered Locally"
- Change the Property Status to "Both Stolen and Recovered"
- NOT change the Disposition to "Not a Crime/Other Service"
- NOT remove the offense(s), offender(s), or victim(s)

For vehicles that were initially reported stolen through PGPD prior to January 11, 2016, and recovered within the County, officers shall contact Police_RMS for guidance.

For vehicles that were initially reported stolen through another jurisdiction, and recovered within the County *WITH an observed offender*, officers shall:

- Complete a Case Report within a new Case Folder
- Select the Disposition of either "Arrest" or "Active"
- Enter "Stolen Property Offenses" on the Offenses Tab
- Enter the offender as an Arrestee or Suspect, as applicable
- Enter the vehicle owner as a Victim
- Select the appropriate vehicle Property Type, with the suffix "Stolen in Other Jurisdiction and Recovered Locally"
- Select the property status as "Recovered"

For vehicles that were initially reported stolen through another jurisdiction, and recovered within the County, *WITHOUT an observed offender*, officers shall:

- Complete a Case Report within a new Case Folder
- Select the Disposition of "Not a Crime/Other Service"
- Select the appropriate vehicle Property Type, with the suffix "Stolen in Other Jurisdiction and Recovered Locally"
- Select the property status as "Recovered"

15. Assisting Stranded Motorists

Officers will provide timely help and protection to stranded motorists and roadway users. If a vehicle is disabled in the travel portion of the roadway or in a hazardous location, the officer shall protect the vehicle and provide ample warning to other motorists using their cruiser, flares, or manual traffic control. If the officer cannot ensure public safety by these measures, they shall impound the vehicle. Any vehicle causing more than minor traffic congestion shall be moved or impounded.

16. Citizen's Request for Tow Service

When a stranded motorist requests towing assistance, the officer shall notify the dispatcher that the motorist is requesting a crane and provide:

- A description of the vehicle and tag number
- The nature of the trouble
- The location of the vehicle
- The name of the tow service requested

If the motorist expresses no preference, an area tow service may be contacted. The

officer will provide the motorist with the name of the tow service. If possible, the officer will await the crane's arrival. If necessary, the motorist shall be directed or transported to a safe location.

The citizen is responsible for compensating the tow company.

17. Abandoned Vehicles

If a vehicle is obviously inoperable and has been unattended on public property for more than 48 hours or is in violation of the abandoned motor vehicle law, the officer shall:

- Affix an Abandoned Motor Vehicle Violation Notice Sticker (green) on the driver's side window of the vehicle

Officers shall notify the Revenue Authority via email at abandonvehicle@co.pg.md.us of the location of the vehicle, license plate (if present), and VIN (if readable). Officers may attach photos as well. The AVU vehicle log is not required by the Revenue Authority as long as an email is sent.

Pursuant to Section 26-162 of the County Code, and in addition to the definition listed in Section III of this directive, a motor vehicle is presumed to be abandoned if it is partially dismantled, wrecked, or junked. If an abandoned vehicle presents a public hazard, the vehicle shall be impounded. If the engine or transmission is missing from the vehicle, the officer shall note that information in the RMS entry.

18. VIN Examination

When requested, officers shall examine vehicle VIN plates to verify information on transfer documents required by a motor vehicle licensing authority. Such situations often occur when military personnel move and must have a police officer certify their title and examine the VIN plate.

19. Reporting Stolen Vehicles

An officer shall complete a Case Record, classified as a Motor Vehicle Theft, when the complainant has:

- No knowledge of who took the vehicle
- The vehicle was not taken by fraudulent means
- The vehicle was not taken subsequent to a breaking and entering
- The vehicle was not taken by the use of force of threat of force

An incident shall be classified as a Motor Vehicle Theft when a vehicle is taken unlawfully, such as a "jump in", use of a master or electronic key, or through other means where the owner / custodian did not provide consent, either verbally or within a written agreement.

Officers shall:

- Check the RMS system to verify that the vehicle has not been impounded or repossessed
- Complete a Case Record with an offense of *Motor Vehicle Theft*
- Notify the Teletype Unit via phone prior to clearing the call

20. Unauthorized Use of Vehicle

Tier 1 UUV – Unknown Suspect

An unknown offender obtains a vehicle through verbal or written agreement from the owner/custodian and fails to return the vehicle at the agreed upon time or fails to pay for the vehicle as agreed upon.

This category includes rental car agreements where the suspect's true identity is unknown, dealership fraud (using false documents), social media fraud, and all other circumstances where fraudulent means were used to obtain a vehicle.

Officers shall:

- Check the RMS system to verify that the vehicle has not been impounded or repossessed
- Have the complainant sign the Theft/Unauthorized Use of Vehicle Complainant Form
- Scan the white copy of the Theft/Unauthorized Use of Vehicle Complainant Form into the associated RMS case folder and provide the goldenrod copy to the complainant
- Complete a Case Record with an offense of *UUV (Unauthorized Use of Vehicle)*
- Notify the Teletype Unit via phone prior to clearing the call to have the vehicle
- entered as stolen in NCIC/METERS

Tier 2 UUV – Known Suspect

A known suspect obtains a vehicle through verbal or written agreement from the owner/custodian and fails to return the vehicle at the agreed upon time.

This category includes family situations, friends/roommates, and rental car agreements (so long as the suspect's true identity is known and verified).

No report is taken on initial receipt of an allegation of a Tier 2 UUV. The citizen wanting to report the vehicle stolen shall be directed to contact the appropriate judicial authority to obtain a charging document for the suspect.

Officers shall:

- Check the RMS system to verify that the vehicle has not been impounded or repossessed
- Provide the complainant with the address of the closest appropriate judicial authority
- Provide the complainant with the Call For Service (PP) number for reference

Tier 2 UUV - Adult Suspect

In cases involving adults, the officer shall direct the complainant to respond to a District Court Commissioner to apply for a statement of charges. Once a warrant or summons is obtained, the complainant should contact the police to file the report. The information regarding the charging document, including the tracking number, must be included in the report.

Tier 2 UUV - Juvenile Suspect

In juvenile cases, the officer shall direct the complainant to contact the Department of Juvenile Services to complete a Juvenile Complaint Form and receive further instruction. Once a juvenile petition is obtained, the complainant should contact the police to file the report. The information regarding the charging document, including the tracking number, must be included in the report.

Tier 2 UUV - Responsibility of Officer Receiving Follow-Up Contact

An officer receiving follow-up contact shall:

- Verify that a warrant, summons, or juvenile petition has been issued
- Complete a Case Record with an offense of UUV (Unauthorized Use of Vehicle)

and include the tracking number of the charging document in the narrative
- Scan and attach a copy of the charging document to the RMS Case Folder
- Contact the Teletype Unit via phone within one hour of writing the report and provide vehicle, warrant, summons, and/or juvenile petition information to Teletype to have the vehicle entered as stolen in NCIC/METERS

21. Repossessions

(Annotated Code of MD, Commercial Law Article, Section 12-624)

A secured party may repossess a motor vehicle when a buyer has defaulted on a security agreement. This may be done without legal process provided the secured party can take possession without breaching the peace or using force.

Officers called to mediate a dispute between a secured party or agent thereof and a buyer in default shall request a copy of the writ of replevin from the secured party. If a writ of replevin for the vehicle is produced and the vehicle is readily accessible, the secured party may take possession of the vehicle.

An officer shall not force entry into any garage or storage facility to allow the secured party to repossess a vehicle. If the dispute cannot be resolved, the secured party shall be referred to the OSPG for assistance.

If the secured party or their agent is unable to provide a copy of the writ of replevin, they shall be advised to cease their attempts to repossess the vehicle, obtain a writ of replevin from the District Court of Maryland, and contact the OSPG for service.

22. Board of Education Vehicles

Officers impounding County Board of Education vehicles will request a Board of Education wrecker. If impractical, a contract tow service shall be requested from the dispatcher and an explanation included in the Impound Record.

23. Watch Your Car Program

See: **VOLUME II, CHAPTER 22. DEPARTMENTAL PROGRAMS**

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 61.1.3, 61.1.13, 61.4.1, 61.4.3, 74.4.1, 82.2.1, 82.2.2

Governing Legislation:

- Maryland Vehicle Law, Sections, 25-201, 25-202, 25-203, 25-204, 25-301
- Annotated Code of Maryland, Criminal Procedures Article12, Subtitle 2, Seizure, Section 12-204
- Misdemeanor UUV, Maryland Criminal Code, 7-203
- Felony Theft, Maryland Criminal Code, Sections 7-104 or 7-105
- County Code, Section 26-122 (parked more than 72 hours)
- County Code, Section 26-123 (commercial vehicles)
- County Code, Section 26-142 (towing & impoundment of motor vehicles from private property)
- County Code, Section 26-160 (removal and impoundment)

- County Code, Section 26-161 (removal of obstructions to vision)
- County Code, Section 26-162 (abandoned vehicles prohibited)
- County Code, Section 26-166 (impoundment without prior notice)
- County Code, Section 26-167 (impoundment after prior notice)
- County Code, Section 26-168 (impoundment notice to owner)
- County Code, Section 26-163.02 (outstanding traffic & parking violation notices; impoundment)
- County Bill-60-2020 Impoundment

37. INCIDENT COMMAND SYSTEM & GREATER METROPOLITAN WASHINGTON AREA POLICE AND FIRE/RESCUE SERVICES MUTUAL AID OPERATION PLAN

(July 2019)

I. POLICY

The expanding scope and sophistication of emergency operations, along with increased possibilities of acts of terrorism, require law enforcement agencies to act quickly to stabilize and take control of emergency situations.

When a critical incident occurs, immediate and decisive action is required to minimize the loss of life, reduce property damage, and permit involved authorities to fulfill their responsibilities. Additionally, routine police services must also be maintained throughout the County, outside of the area(s) affected by the critical incident.

The Incident Command System (ICS) is designed to present a clear set of procedures to be followed by employees. The ICS is a part of the County's Emergency Operation Plan. It ensures that all County employees operate under the same guidelines. When ensuring public safety becomes a joint effort, it is imperative that all agencies know and understand their roles in the plan.

Nothing in this General Order relieves employees of following established procedures for other incidents outlined elsewhere in the GOM.

II. CHECKLIST (N/A)

III. DEFINITIONS

Assuming Command: When a higher-ranking individual arrives on the scene, he or she and may assume command from the Incident Commander. The decision to "assume or not assume" can be quickly determined by the higher-ranking individual considering the following:

- Is the situation "under control"?
- Are the right people, in the right places, doing the right things?

If so, both, the incident and the ranking authority may be better served by allowing the lower ranking officer to maintain command, while the higher-ranking authority assumes an advisory role. Should the incident degrade or the Incident Commander not be in control, the higher-ranking individual will maintain the authority and responsibility to assume command. Assuming command may also be necessary based on the nature of the incident, i.e., SOD personnel assumes command of barricades, Fire/EMS personnel assume command of hazardous materials incidents, etc.

Command Post: The physical location of the field headquarters from which the Incident Commander exercises command and control over the incident

Division Supervisor: A person who is responsible for the management of a specific location or area; this person is under the direction of a Section Chief or the Incident Commander and would normally be from one of the lead agencies in the affected jurisdiction

Establishing Command: The first arriving officer determines the need to implement the ICS and establishes command (example: "Adam 10 out at Route 1 and the Beltway, with a large accident, establishing the Route 1 Command")

Group Supervisor: A person who is responsible for the management of a specific task; this person is under the direction of a Section Chief or the Incident Commander and would normally be from one of the lead agencies in the affected jurisdiction

Incident Action Plan: A plan, either written or verbal, that details the actions that have taken place during a given incident

Incident Commander: The person who is in charge of the incident; in a Unified Command situation, a team of "responsible agency" leaders will form the Unified Command, with the agency bearing primary responsibility as the lead Incident Command spokesperson

Incident Command System: A management protocol that is a standardized, on-scene, all-hazard incident management system

Incident Management Team: The group of personnel in direct control of the crisis, including the Incident Commander, Section Chiefs, Division and Group Supervisors, and other persons including those from assisting jurisdictions deemed appropriate and necessary by the Incident Commander

Mutual Aid: Assistance rendered in an emergency by one or more law enforcement agencies (provider agencies) to another law enforcement agency (requesting agency)

Passing Command: The first arriving officer determines that the ICS will be necessary, but that their immediate functional participation in the incident takes precedence - they PASS command (example: "Charlie 10 out at Route 1 and the Beltway with shots fired, I'm returning fire, passing command")

- Ensures that all responding officers are completely aware of what's going on and that the next arriving officer will need to establish command
- It is unacceptable for everyone to determine that their functional participation in the incident takes precedence, in that case, no one will be in charge

Section Chief: A person who is responsible for the management of multiple Divisions and/or Groups operating within one of the four functional Sections; Operations, Planning, Finance/Administration, and Logistics; this person would normally be from one of the lead agencies in the affected jurisdiction

IV. FORMS

- After-Action-Report in memorandum form

V. PROCEDURES

1. Incident Command System

The Incident Command System identifies the types of incidents for which the ICS should be activated, the procedures for activation, and provides guidelines so that all personnel are familiar with the ICS structure.

When mass arrests occur as a result of an incident for which the ICS or an emergency response plan has been activated, the

procedures in **VOLUME II, CHAPTER 4. ARREST, TRANSPORT & PROCESSING** shall be followed.

Criteria for Activation

(29 CFR 1910.120)

The Incident Command System may be activated for any portion of an event or incident that will commit resources for a significant period of time, for any incident that is unusual in scope and commitment, or for any incident deemed appropriate by the on scene officer in charge at the time. Additionally, the ICS shall be activated for the following:

- Barricades
- Active searches for critical missing persons
- Hazmat incidents
- Major incidents involving a mutual response by Departmental employees and other agencies

Operating Procedures

The same general incident command system principles are utilized for each call for service. In small-scale incidents, patrol officers shall respond to the scene and resolve the incident without the involvement of other Departmental components.

During the initial response to an incident, the first officer on the scene will establish command and act as the Incident Commander until relieved by an authorized authority who assumes command.

A common and frequent example of this is a call for service that evolves into a barricade situation. The first officer on the scene establishes command and acts as the Incident Commander until relieved by a supervisor who assumes command. Upon their arrival at the barricade, SOD personnel assume command from whomever is acting

as the Incident Commander at that time. For specific barricade guidelines, ***See:*** **VOLUME II, CHAPTER 7. BARRICADES**.

The first arriving officer will either establish or pass command, and if establishing command, shall remain in command until relieved by a higher authority.

For all incidents in which the Incident Command System is activated, an Incident Action Plan (IAP) will be developed. If the incident spans multiple operational periods, the IAP will be in writing and used to brief the Incident Commander and others arriving for the next operational period.

Unified Command

A unified command allows all agencies with responsibility for an incident, either geographic or functional, to manage an incident by establishing a common set of incident objectives and strategies. It does not mean that the agency gives up or loses any of its authority, responsibility, or accountability.

Unified command may be applied to incidents that:

- Affect jurisdictions that share or border the County
- Involve other County agencies such as Public Works, Fire/EMS, the Health Department, or Department of Environmental Services
- Impact multiple geographic areas and agencies and that require a collaboration of Federal, State and County officials working together

When acting under a unified command system, employees shall fully cooperate in order to affect a successful resolution of the incident. Employees remain accountable to Departmental policies and procedures.

During an ICS event, officers shall be cognizant of and adhere to the ICS's chain of command and order of rank precedence.

Training

At least annually, the Department shall conduct a documented ICS training exercise that will involve as many personnel as possible. The exercise may range from a tabletop to a full-scale exercise, and may be conducted in conjunction with outside agencies.

Employees shall familiarize themselves with the Incident Command System through this General Order.

All training conducted shall be documented through procedures established by the Training and Education Division.

Reporting Procedures

Following each activation of the Incident Command System, an Inter-Office Memorandum shall be used to prepare an After-Action Report that describes actions taken, results, and suggested improvements, if any.

2. Greater Metropolitan Washington Area Police and Fire/Rescue Services Mutual Aid Operation Plan

The Department is a party to the Greater Metropolitan Washington Area Police and Fire/Rescue Services Mutual Aid Operation Plan. The purpose of this plan is to facilitate cooperation among law enforcement and fire/rescue agencies in the Metropolitan area, and to ensure the maintenance of order, enforcement of law, and public safety during a state of emergency beyond the capacity of any of the signatory jurisdictions. The Chief of Police, Assistant Chief, Deputy Chiefs, and District/Division Commanders will maintain copies of the plan.

Release of any information regarding a critical incident or disaster requiring implementation of the Mutual Aid Plan shall be the responsibility of the affected jurisdiction through their Public Affairs Office or Media Relations Division.

Criteria & Procedures for Requesting Assistance

For an agency to request assistance, a State of Emergency shall exist, and the Department shall have committed or anticipate committing all available resources.

The Chief of Police is authorized to request assistance from designated officials in jurisdictions from which aid is sought. The Police Mutual Aid Radio System (PMARS) is the primary method of notification, alert, and means by which requests for assistance are made.

Command & Control

The jurisdiction in which an incident occurs shall retain command and control.

When the jurisdiction is uncertain, two or more jurisdictions are affected, or question exists as to responsibility for command, the first unit from the affected jurisdictions to arrive on the scene shall establish command

and exercise command and control authority.

The sector supervisor or commander whose units were first to arrive on the scene shall assume the role of Incident Commander, as necessary, and exercise command and control authority until relieved or replaced by an authorized authority who is assuming command.

The Incident Commander heads the incident management team, and shall consult with team members in decision-making. In multi-jurisdictional incidents, senior officials from each affected jurisdiction shall be included in the incident management team.

Normally, the Police Department will have command and control authority during law enforcement incidents, and the Fire/EMS Department will have command and control during fire/rescue operations. If issues related to command and control cannot be reconciled among the ranking public safety officials, the County Executive shall resolve them.

SECTION REDACTED

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 46.1.2, 46.1.4, 46.1.5, 46.1.11, 82.2.1

Governing Legislation:

- Homeland Security Presidential Directive (HSPD) 5
- 29 Code of Federal Regulations (CFR), Section 1910.120

Reference:

- Prince George's County Police Department All Hazards Plan

38. JUVENILE PROCEDURES
(October 2022)

I. POLICY

The Department is committed to the development and perpetuation of programs designed to prevent and control juvenile delinquency. All components and personnel shall share responsibility for participating in and supporting the Department's juvenile operations function and delinquency prevention efforts. Officers dealing with juvenile offenders shall use the least coercive among reasonable alternatives.

Officers shall activate Body Worn Cameras and Mobile Video Cameras at all times, except where prohibited by policy. ***See***: **VOLUME II, CHAPTER 9. BODY WORN CAMERAS**.

II. CHECKLIST (N/A)

III. DEFINITIONS

Child: A person 17 years of age or younger who has not been emancipated. Except for purposes of enforcing curfew violations, a person 16 years of age or under who has not been emancipated

Child in Need of Assistance (CINA): A child who requires court intervention because the child has been abused, neglected, has a developmental disability, or has a mental disorder and the child's parents, guardian, or custodian are unable or unwilling to give proper care and attention to the child's needs

Child in Need of Supervision (CINS): A child who has committed a juvenile-specific crime, that if committed by an adult would not be a crime (i.e. truancy, running away, or curfew violations)

Curfew Violator: A person under the age of 17, who has not been emancipated, who failed to conform to existing curfew standards

Custody: Legal or physical control of an individual in an area or facility or while in transit

Delinquent Offenders: Juveniles who commit violations of criminal law

Department of Juvenile Services (DJS): Agency that processes juveniles who have been arrested by the police or are the subject of a citizen complaint

Incorrigible/ Ungovernable: A person, under the age of 18 who has not been emancipated, who acts in a manner that is beyond correction or reform

Juvenile: Children ages 13 to 17, except for children ages 10 to 12 alleged to have committed the most serious violent offenses

Legal Guardian: Any adult person having temporary or permanent care, custody, or control of a juvenile

Non-Offender: A juvenile who is not charged with any offense, usually a child in need of assistance or child in need of supervision (CINA or CINS)

Operator: Individual or corporation operating a business open to the public

Place Open to the Public: Any privately owned place of business operated for profit to which the public is invited

Possession/Use of Tobacco Violation: Possession or use of tobacco products by a person under the age of 18

Possession/Use of Alcohol Violation: Possession or use of alcohol products by a person under the age of 18

Public Place: Any place to which the public has access, including, but not limited to streets, shopping centers and parking lots

Runaway: A person, under the age of 18, who has not been emancipated, who runs away from the parent or guardian either into or out of the State of Maryland

Secure Custody: When an individual is physically detained or confined in a locked area or cell for the purpose of processing, questioning, and/or testing

Status Offenders: Any juvenile who has committed an offense for which an adult cannot be charged; examples include runaways, truants, and curfew violators

Truancy: When a person, under the age of 18, who has not been emancipated, is absent from school for any portion of the day without lawful cause as defined by Maryland Code §13A.08.01.03

IV. FORMS

- Approval to Use Juvenile as Informant Form (PGC Form #4313)
- Booking Record
- Case Record
- Detainee Processing Log Sheet (PGC Form #5097)
- Field Interview Record
- Immediate Apprehension Affidavit of Probable Cause and Statement of Need (PGC Form #3010)
- Juvenile Curfew Violation Notification
- Advice of Juvenile Rights (PGC Form #5291)
- Juvenile Recognizance Form (PGC Form #2290)
- Juvenile Referral Record
- Maryland Secure Juvenile Holding Log (PGC Form #5077)
- Order for Immediate Apprehension, Writ of Attachment (PGC Form #3009)
- Parent/Guardian Notification Log (PGC Form #5192)
- Processing Information Sheet (PGC Form #519)
- Uniform Municipal Infraction/Civil Citation Form #DC Form 28

V. PROCEDURES

1. Taking a Juvenile Into Custody

(Maryland Code, Courts and Judicial Proceedings Article §3-8A-14)

Children in Need of Assistance (CINA)

A child may be taken into custody:

- In accordance with an order of the court
- If an officer has reasonable grounds to believe that the child is in immediate danger and that removal is necessary for that child's protection
- In accordance with §5-709, Family Law Article, regarding the temporary removal of a child from a home without court approval when an officer accompanies a representative from the County's Department of Social Services (DSS) to a home and the representative believes that the child is in serious, immediate danger

Whenever an officer takes a child into custody in accordance with this section, the officer shall:

- Immediately notify the child's legal guardian
- Immediately notify the DSS
- Maintain custody of the child until the DSS either takes custody of the child or authorizes the child's release
- Return the child to the legal guardian if the officer determines that it is safe to do so

Children Other Than CINA

Pursuant to the provisions of Maryland Code, Courts and Judicial Proceedings §3-8A-14, a child, who is not a CINA may be taken into custody:

- Pursuant to an order of the court
- By a law enforcement officer pursuant to the law of arrest
- By a law enforcement officer or other person authorized by the court if the officer or other person has reasonable grounds to believe the child is in immediate danger and removal is necessary for that child's protection
- By a law enforcement officer or other person authorized by the court if the officer or other person has reasonable grounds to believe that the child has run away from the legal guardian

If an officer takes a child into custody in accordance with this section, the officer shall:

- Immediately notify, or cause to be notified, the child's parents, guardian, or custodian in a manner reasonably calculated to give actual notice of the action. The notice shall include:
  - The child's location
  - Reason for the child being taken into custody, and
  - Instructions on how to make immediate in-person contact with the child
- The Parent/Guardian Notification Log must be completed and uploaded into a Case Record in RMS
- After making every reasonable effort to give actual notice to a child's parent, guardian, or custodian the officers shall release the child to the legal guardian, or to any other person designated by the court, upon their written promise to bring the child before the court when requested
- Deliver the child to the court or place of detention or shelter care designated by the court

2. Arrest & Processing of Juveniles

(Maryland Senate Bill 53, 2022 Juvenile Law – Child Interrogation Protection Act and Maryland Code, Courts and Judicial Proceedings Article §3-8A-14.2)

A child under the age of 10 cannot be charged with a crime. Any child under the age of 13, and over the age of 10, may only be charged with a crime of violence such as the following:

- Abduction
- Arson in the first degree
- Kidnapping
- Manslaughter, except involuntary manslaughter
- Mayhem
- Maiming
- Murder
- Rape
- Carjacking
- Robbery
- Armed carjacking
- Sexual offense in the first degree
- Sexual offense in the second degree
- Use of a handgun in the commission of a felony or other crime of violence
- An attempt to commit any of the crimes described above
- Assault in the first degree
- Assault with intent to murder
- Assault with intent to rape
- Assault with intent to commit a sexual offense in the first degree
- Assault with intent to commit a sexual offense in the second degree

Officers will continue to complete the appropriate offense report regarding the incident, even if there is no enforcement mechanism. This does not preclude an Officer contacting parents and seeking other remedies

when appropriate (i.e., Mobile Crisis, Department of Social Services, etc.).

When arresting a juvenile, the same laws of arrest apply to juveniles as adults. On-view and pursuit criteria are also the same regardless of the age of the offender.

Arrestee Transport

Transporting officers shall search juveniles regardless of whether they had been previously searched. When possible, transporting officers will be the same sex as the juvenile. Officers shall not delay transport solely to comply with this provision. Supervisors shall balance the propriety of the above against staffing and workload considerations at the time of transport.

Juveniles shall be segregated from public contact. They shall be removed without unnecessary delay from the scene, and transported directly to the appropriate police, detention, or hospital facility. Officers shall examine their vehicle, both prior to, and following the transportation of juveniles.

Partially or fully disrobed juveniles shall be immediately removed from the public's view and covered before transport. Under no circumstances will disrobed juveniles be transported with the opposite sex.

Juveniles shall only be transported in vehicles equipped with a Mobile Video System. Officers shall not transport adults with juveniles or male juveniles with female juveniles unless:

- No other transport vehicle is available
- The arrests stem from the same incident

Officers shall transport juvenile status offenders and non-offenders separately from juvenile delinquent offenders and adult arrestees.

All transgender juveniles shall be secured and transported according to Department policy and the prisoner's stated gender identity. If officers determine that the safety of a transgender juvenile or other prisoner would be compromised by transporting the transgender juvenile in the same vehicle as other prisoners, transgender prisoners may be transported in a separate vehicle.

Detention & Separation

Officers will ensure that juvenile status offenders and non-offenders are housed in non-secure status offender/non-offender processing areas. The custody officer shall maintain constant supervision of status and non-offenders until their release to a legal guardian, or other authority.

Juvenile delinquent offenders shall be completely separated by sight and sound from adult offenders. Juvenile offenders charged as adults shall be processed and detained as adult offenders.

Male and female detainees shall be separated by sight and sound. The period of time that a detainee may be held without direct, continuous supervision will not exceed two hours.

Transgender detainees held in a temporary holding area shall be separated from non-transgender prisoners by sight and sound when possible. If this is not possible, a supervisor shall respond to determine the best solution.

After taking a juvenile into custody, the arresting officer shall notify the juvenile's legal guardian. If a legal guardian cannot be located, the officer shall make notification to the Department of Juvenile Services (DJS). All notifications shall be documented on the appropriate report.

Accused juvenile offenders shall not be held in secure custody longer than six hours. This time period begins when the juvenile enters a secure facility and ends with the juvenile's release or transfer to another authority. If the six-hour limit is exceeded for any reason, the officer shall notify a Supervisor, who shall forward a memorandum, documenting the juvenile's identity and the reason(s) why the time limit was exceeded, to the Division Commander. A copy of the Detainee Processing Log Sheet shall be attached to the memorandum.

The arresting officer shall also complete the Maryland Secure Juvenile Holding Log for juveniles placed in secure custody.

3. Charging Juveniles

Officers shall complete a Booking Record when a juvenile is arrested. An officer will request charges against a juvenile in the Booking Record in the following instances:

- Felonies
- Delinquent acts that involve weapons, are gang-related, or involve serious assaults
- Destruction of Property
- Thefts

Officers shall also request charges when the juvenile:

- Is a repeat offender
- Is on parole or probation
- Has cases pending

In other instances, officers may seek guidance from their supervisors if they feel that charges are warranted.

The Booking Record must establish probable cause for each offense for which a charge is requested. The Case Record shall be updated as necessary.

Arrestee's Age Undetermined

When the officer cannot establish the arrestee's age, the arrestee shall be processed as an adult. If a juvenile is charged as an adult, and later determined to be a juvenile, the reporting officer will document this on a Continuation Report. Once the offender's age has been determined, the regional processing facility is responsible for ensuring compliance with the core protections of the Juvenile Justice and Delinquency Prevention Act (JJDP).

Screening Requirements

The Juvenile Section of the State's Attorney's Office (SAO) screens felony cases, serious misdemeanor cases and minor misdemeanor cases involving multiple offenses.

The arresting officer shall contact the Juvenile Section, SAO within 72 hours of arrest for a screening appointment. The officer must provide copies of all reports and written statements at the time of screening.

For cases that are not screened, officers must forward a packet containing copies of all reports and written statements to the Victim/Witness Coordinator for the Juvenile Section, SAO, within 72 hours of arrest.

When a juvenile is arrested for multiple crimes involving multiple complainants, the officer must screen the charges with the Juvenile Division of the SAO.

Identification Numbers

An RMS People Number is automatically assigned to all juveniles for whom an Arrest Report is completed.

Obtaining Arrest Numbers

Arrest numbers are automatically generated by RMS for all arrestees within a Booking Record.

4. Charging Juveniles as Adults

When a juvenile is charged as an adult, the juvenile shall be processed in the same manner as an adult. All charges will be heard in adult court.

Juveniles shall be charged as adults if any one of the following criteria is met:

- 14 years or older charged with any offense for which the maximum penalty is either death or life imprisonment
- 16 years or older charged with robbery with a deadly weapon, or attempt thereof
- 16 years or older charged with wearing, carrying, or transporting a handgun; or unlawful use of a handgun in commission of a crime

In certain circumstances, officers may petition to have a juvenile case waived up to adult court. Officers shall contact the SAO for assistance in these cases and must appear at all waiver hearings. Juveniles whose cases have been waived to adult court must be charged and taken before the commissioner within 24 hours of the court granting the waiver. A copy of the waiver must be presented to the commissioner.

The core protections of the JJDP continue to apply until a juvenile offender is officially waived to criminal (adult) court, unless the juvenile offender meets the listed criteria.

5. Juvenile Interviews

(Maryland Senate Bill 53, 2022 Juvenile Law – Child Interrogation Protection Act and Maryland Code, Courts and Judicial Proceedings Article §3-8A-14.2)

When taking a juvenile into custody an officer shall immediately notify, or cause to be notified, the child's parents, guardian, or custodian in a manner reasonably calculated to give actual notice of the action. The notice shall include:

- The child's location
- Reason for the child being taken into custody, and
- Instructions on how to make immediate in-person contact with the child

Legal Consultation for Juveniles

A juvenile shall not be interviewed by an officer until they have consulted with an attorney who is retained by the parent, guardian, or custodian of the child, or provided by the office of the public defender, and the law enforcement officer has made an effort to notify the parent, guardian, or custodian that the child will be interrogated.

The Public Defender's Office is responsible for publishing on its website, or providing the Department on request, information about attorneys who are available to act as counsel to a child in accordance with this requirement.

The requirement of consultation with an attorney:

- May not be waived and
- Applies regardless of whether the child is proceeded against as a child or charged as an adult.

Once in custody, officers will advise the juvenile of their rights and the process of consulting with an attorney prior to an interrogation. Officers may not conduct a custodial interrogation of a juvenile until the juvenile has consulted with an attorney who is:

- Retained by the parent, guardian, or custodian of the juvenile; or

- Provided by the Office of the Public Defender

The Advice of Juvenile Rights form shall be completed and uploaded into a Case Record in RMS.

A juvenile's consultation with an attorney shall be:

- Confidential
- In-person or by telephone or video conference

Interviewing Officer's Responsibilities

The interviewing officer shall complete the Parent/Guardian Notification Log, which includes:

- Attempts to notify the juvenile's guardian
- The name of the person sought to be notified
- The method of attempted notification
- The name of the attorney contacted and the county or counties in which the attorney provides consultation

The officer shall inform the child that the interview is being audio and visually recorded.

Exceptions

Officers may interview a child without an attorney only when they reasonably believe the information sought is necessary to protect against a threat to public safety and the questions posed to the child by the officer are limited to those questions reasonably necessary to protect against the threat to the public safety. ***See:*** **VOLUME II, CHAPTER 20. CRIMINAL INVESTIGATIONS**

6. Fingerprinting Juveniles

Juveniles charged with criminal offenses shall be printed on the PGPD and State Fingerprint Cards. Juveniles charged as adults will be fingerprinted on PGPD, Maryland State, and FBI cards.

Juveniles charged with status offenses will only be printed on the PGPD Fingerprint Card. This shall only be done to verify identity. Whenever a juvenile is fingerprinted without being charged, the legal guardian will be notified that the fingerprinting does not constitute a criminal record.

Officers shall submit fingerprint cards and the Processing Information Sheet prior to the end of their shift. If the fingerprinting is conducted at a regional processing facility, officers shall submit the fingerprints as soon as they become available.

The Juvenile Processing Center Officers shall fingerprint juveniles charged with:

- Any CDS Offense
- Any Felony
- Any Sex Offense
- Auto Theft or attempted Auto Theft
- Breaking and Entering
- Concealed Deadly Weapon or Handgun Violations
- Driving Under the Influence or Driving While Impaired
- Hit and Run
- Tampering
- Unauthorized Use of a Motor Vehicle (UUV)

Juveniles who are charged with criminal offenses not listed above, and juveniles who commit status offenses with a request for charges (petition) being filed, may be fingerprinted at the officer's discretion.

7. Booking Records

The name, address, and telephone number of legal guardians, spouses, relatives, accomplices, associates, complainants, or witnesses must be placed in the "Others" Tab within the Case Record.

If the witness is a juvenile, the juvenile's legal guardian shall also be summoned. In this case, the legal guardian's name, address, and telephone number, shall be placed in the "Others" Tab within the Case Record.

Restitution For Crimes

DJS and the courts handle restitution. If requested, it should be indicated on the Booking Record. Inquiries by the complainant should be referred to DJS.

8. Disposition of Juveniles Taken Into Custody

Officers will process the juvenile and without delay:

- Release the juvenile to a parent or legal guardian
- Deliver the juvenile to a court
- Deliver the juvenile to a detention or shelter care facility

Prior to the release of any juvenile, a records check shall be done for outstanding writs.

Release of Juvenile

Juveniles shall only be released to a legal guardian. The legal guardian accepting custody must present valid photo identification and must print their name and sign the Juvenile Recognizance Form. Once completed, the form shall be scanned and attached to the RMS Case Folder electronically. The form of identification presented will be noted in the Case Record. If a legal guardian cannot provide valid photo identification but is able to establish their identity to the officer's satisfaction, the juvenile may be released. If the officer is not satisfied with the identification, DJS shall be contacted, then the procedures detailed in ***Legal Guardian Unable To Be Located*** below shall be followed.

The Juvenile Recognizance Form must be sign by a legal guardian when picking up a juvenile that has been charged with a crime. If a juvenile is not charged with a crime, the Juvenile Recognizance Form is not necessary.

Legal guardians that sign a Juvenile Recognizance Form will be given the goldenrod copy. The RMS Number shall be placed in the upper right corner of the form.

Legal Guardian Unable to be Located

If the legal guardian cannot be located, DJS shall be contacted. The officer will deliver the juvenile to DJS at the courthouse in Upper Marlboro on weekdays between 0800-1500 hours. On weekends, State holidays, and between 1500 hours and 0800 hours on weekdays, the officer will telephone DJS night intake worker at the Cheltenham Youth Facility.

Approval for detention will be obtained from the night intake worker before transporting the juvenile. The officer shall print the name of the DJS official who accepted custody of the juvenile in the Booking Record.

Once a juvenile is placed with DJS, responsibility for locating a legal guardian rest with DJS. Copies of all reports will accompany the juvenile when custody is relinquished.

9. Detention of Juveniles

When seeking detention of a juvenile, the Booking Record must contain sufficient probable cause for the arrest. The following statement will automatically print on the Booking Record:

- "I do affirm under the penalty of perjury and upon personal knowledge that the contents of the attached complaint are true."

This eliminates the necessity to affirm the probable cause statement before a district court commissioner.

Criteria

Juveniles held for detention must meet one of the following criteria:

- Currently on probation for the offense charged
- Non-Maryland resident 12 years of age or older charged with any offense
- Non-Maryland resident under 12 years of age charged with a felony
- Legal guardian refuses custody or cannot be located
- Reasonable belief that the juvenile will leave the court's jurisdiction

10. Charging Juvenile Without Custodial Arrest

If an officer charges a juvenile with a misdemeanor crime and a custodial arrest is not warranted, the officer shall:

- Complete a Case Record, listing the offense and other pertinent information
- Complete a Booking Record

Recording the names of any juvenile involvement in any incident is acceptable within RMS as the system secures reports in which a juvenile is involved.

11. Taking Juveniles Into Custody Without Formal Charges

Juveniles may be taken into custody without formal charges for any violation of the law specifically applicable to children.

Non-offenses are:

- Child in Need of Supervision (CINS)
- Child in Need of Assistance (CINA)

Status offenses are:

- Curfew violations
- Runaways
- Truancy
- Underage possession and/or consumption of tobacco products
- Underage alcohol offenses
- Incorrigible/ungovernable

In CINA cases (for example, child abuse and neglect), notification shall be made to the DSS. In CINS cases, notification shall be made to the DJS. Officers with questions about these types of cases may contact either DSS or DJS for assistance.

12. Juvenile Court-Ordered Writ of Attachment

A court-ordered writ must be obtained when:

- Investigation identifies a juvenile to be the perpetrator of a crime
- A wanted juvenile has fled the area
- A legal guardian refuses to surrender a juvenile
- Removing a juvenile from a temporary detention facility to place additional criminal charges

Obtaining Writ When Court Is in Session

Officers shall:

- Complete a Case Record
- Prepare an Immediate Apprehension Affidavit of Probable Cause and Statement of Need
- Prepare an Order for Immediate Apprehension, Writ of Attachment
- Respond to the Department of Juvenile Services' office at the Upper Marlboro Courthouse (0900-1530) with these documents for review and authorization

State law gives DJS authority over cases brought before the Juvenile Court. If authorization for the writ is obtained, the officer shall respond to the SAO. The SAO shall provide the officer with a writ number obtained from the Office of the Clerk for the Circuit Court, Juvenile Division. The officer shall then take the approved documents to a sitting judge for signature.

Obtaining Writ After Hours (Emergencies)

The following procedures shall be used after hours or when court is closed and obtaining a writ cannot be delayed:

- Complete a Case Record
- Prepare an Immediate Apprehension Affidavit of Probable Cause and Statement of Need
- Prepare an Order for Immediate Apprehension, Writ of Attachment
- Contact the on-call intake counselor at the Cheltenham Youth Facility for authorization

If authorized, the intake counselor will contact the on-call Assistant State's Attorney for review and approval, and to obtain a writ number. The intake worker will then contact the duty judge. The officer shall respond to the duty judge's location for signature.

13. Curfew Law

(County Code Sections 14-101 through 14-106.01)

It is unlawful for any juvenile, under the age of 17, to be or remain in or upon a public place in the County:

- Between the hours of 2200-0500 hours Sunday through Thursday
- Between the hours of 2359-0500 on Friday and Saturday nights

When an officer reasonably believes a juvenile is violating the curfew law, the officer shall complete a Juvenile Referral Record in RMS and order the juvenile to go directly home.

Completion of a Juvenile Referral Record is appropriate when:

- The officer is unaware of prior curfew violations
- The officer does not have reasonable grounds to believe the juvenile is engaged in delinquent conduct
- The juvenile's identity is satisfactorily proven to the officer
- The juvenile is not involved in another act requiring further investigation
- The juvenile has not caused injury to persons or damage to property
- The juvenile goes home as directed

The officer shall inform the juvenile that subsequent violations will result in detention at a police facility, and a fine will be assessed against their legal guardian.

If the officer has probable cause to believe the juvenile has not provided a correct name and address, the officer may take the juvenile into custody and charge the juvenile with "Failing to obey the lawful order of a police officer."

Exceptions

When a juvenile is:

- Legally employed
- Accompanied by a legal guardian or another adult who is authorized by the legal guardian to supervise the juvenile
- On an errand as directed by a legal guardian until 0030 hours
- Returning home by a direct route within one hour of the end of a school or religious activity, or a place of public entertainment such as a movie or sporting event
- Exercising their First Amendment rights and a letter, signed by the juvenile and a legal guardian, has been received by the appropriate Division Commander's designee, which includes the legal guardian's home address and telephone number, and the specific place, time, and purpose the juvenile will be in a public place during curfew hours
- Married or has been married
- Engaged in normal interstate travel with legal guardian consent
- On the property where the juvenile resides (Common areas such as parking lots or play areas of apartment complexes are not considered property where the juvenile resides, unless the area has been specifically posted by the property owner as a juvenile area and adult supervision is evident)

If a juvenile claims an exception to the curfew law, but the officer cannot verify it, the officer shall proceed as though no exception exists.

Offenses During Curfew Hours

Officers contacting juveniles during curfew hours shall establish if the juvenile is violating the curfew law.

Example: An officer responds to a T/A at 0300 hours for a call of a juvenile shoplifter. Upon the officer's arrival, the T/A owner tells the officer that the juvenile is suspected of stealing candy. Although the officer cannot establish probable cause to arrest the juvenile for theft, the officer must still verify the juvenile's curfew status and document the contact via a Juvenile Referral Record.

Legal Guardian Responsibility & Liability

It is unlawful for a legal guardian having custody of a juvenile to knowingly permit, or by negligence allow the juvenile to remain in any public place under circumstances not constituting an exception to the curfew law.

In this section, the term "knowledge," as used above, includes knowledge a legal guardian would reasonably be expected to have concerning the whereabouts of a juvenile. This requirement of the law is intended to hold neglectful legal guardians to a reasonable standard of responsibility. It is no defense that a legal guardian did not know of the activities, conduct, or whereabouts of such juvenile.

The first violation of the curfew law will result in a warning being issued to the juvenile on a Juvenile Curfew Violation Form. A copy of the Juvenile Curfew Violation Form shall also be sent by regular mail to the legal guardian, with a warning that a second violation by a juvenile shall be treated as a first offense by the legal guardian, and a citation shall be issued.

A Uniform Municipal Infraction/Civil Citation Form, DC Form #28 shall be used by officers to charge guardians when:

- The officer has firsthand knowledge that the juvenile has been detained for a prior curfew violation
- The juvenile's legal guardians have been warned

- The legal guardian is immediately available to take custody of the juvenile

When a legal guardian responds to retrieve the juvenile, the custody officer shall issue the DC Form #28, and give the guardian the goldenrod copy. Fines are assessed as follows:

- First offense, $50.00
- Second offense, $100.00
- Third and subsequent offenses, $250.00

Curfew violations are civil offenses for which legal guardians are cited. Juveniles violating the curfew law are regarded as status offenders and shall not be issued a DC Form #28.

Business Owner or Operator Liability

Business owners or operators may not knowingly permit juveniles to remain at a place open to the public after curfew.

When a juvenile is cited for violation of the curfew law using the Juvenile Referral Record, and the violation involves a business establishment, the officer shall document the circumstances, which led to the belief that the business was in violation of the law. The manager responsible for the business at the time of the offense, as well as the owner or operator of the business, shall be listed in the report.

Business owners shall be cited on a DC Form #28. The schedule of fines is as follows:

- First offense, $100.00
- Second offense, $250.00
- Third and subsequent offenses, $500.00

An owner or operator is exempted from the above provisions when:

- The juvenile is advised that they are in violation of the curfew law, and
- The owner notifies the Department that a juvenile is on the premises refusing to leave

This notification may be made in person or by telephone and should contain sufficient information to identify the juvenile.

Taking Juveniles Into Custody for Curfew Violations

Officers shall take juveniles into custody and transport them to a police facility when:

- The officer has knowledge that the juvenile has previously violated the curfew law
- The officer has knowledge that a juvenile has received a written warning for a curfew violation via a Juvenile Referral Record
- The officer has reasonable grounds to believe the juvenile has engaged in delinquent conduct

Officers shall handcuff juveniles during transport.

If the juvenile is also charged with a criminal offense, the officer shall complete a Booking Record.

The officer shall ensure that the juvenile's guardian is notified and instructed to pick up the juvenile within one hour.

Juveniles cited for curfew violations will be released to their legal guardian upon completion of a Juvenile Recognizance Form. The custody officer shall stamp the reverse of the pink and goldenrod copies of the DC Form #28 with a Parental Notification Stamp and give the legal guardian the goldenrod copy.

If the guardian cannot be contacted or fails to take custody of the juvenile within one hour of notification, the officer shall regard the

juvenile as being in need of supervision (CINS). The officer shall notify the Department of Social Services (DSS) for placement of the juvenile.

Juveniles charged with only a status offense, such as a curfew violation, shall not be held in secure detention.

14. Traffic Law Enforcement

Juveniles 16 or 17 years of age shall be charged on a Maryland Uniform Complaint and Citation for all non-jailable traffic offenses. When a juvenile is also charged with criminal or jailable traffic offenses, all charges (to include the non-jailable traffic charges) shall be documented in a Booking Record.

A juvenile may be given a written warning and released to self-custody when they commit a minor traffic offense and:

- Proves their identity to the satisfaction of the officer
- Is not involved in another act requiring further investigation
- Their actions have not caused injury to persons or damage to property

The juvenile will be given the appropriate copy of the warning; other copies will be forwarded to Records.

Request for Juvenile Traffic Charges

Booking Records will be used to charge juveniles 15 years of age or younger with committing serious (*driving without a license*) and jailable traffic offenses.

A Juvenile Referral Record may be used to document minor traffic violations, such as bicycle or mini-bike offenses, for juveniles 15 years of age or younger. Juvenile Referral Record should contain the specific charge. The RMS system will automatically forward a copy to the DJS for disposition.

SECTION REDACTED

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.6, 41.2.4, 42.2.3, 42.2.9, 44.1.1, 44.2.1, 44.2.2, 44.2.3, 55.1.3, 61.1.3, 71.1.6, 72.9.1, 72.9.3, 74.2.1, 82.1.1, 82.2.1, 82.3.6

Governing Legislation:

- Juvenile Justice and Delinquency Prevention Act (JJDP)
- Criminal Law Article 04-203, 04-204
- County Code Sections 14-101 through 14-106 Juvenile Curfew
- MD Courts and Judicial Proceedings Article §3-814, §5-709
- Criminal Law Article 14-101
- Maryland House Bill 459 - 2022
- Maryland Senate Bill 53 - 2022 Juvenile Law – Child Interrogation Protection Act
- Maryland Code §13A.08.01.03
- Maryland Code, Courts and Judicial Proceedings Article §3-8A-14.2)

39. CHAPTER REDACTED

40. LOITERING
(July 2019)

I. POLICY

As defined below, loitering is illegal in the County. First time violators shall be given a Loitering Warning Notice. For a second or subsequent written offense, the individual may be charged with the loitering violation. Penalties include a fine, imprisonment, or both.

This section does not prohibit:

- Picketing or orderly demonstrations by labor unions or members of the public
- Persons who have written permission from the owner, lessee, or operator to be present
- Persons from window-shopping under conditions and at a time of the day or night that would be considered conducive to that activity

II. CHECKLIST (N/A)

III. DEFINITIONS

Loitering: A violation that occurs when an individual engages in one or more of the behaviors described below. ***See:***
1. Loitering – Criteria

IV. FORMS

- Case Record
- Field Interview Record
- Loitering Warning Notice

V. PROCEDURES

1. Loitering - Criteria
(Section 14-139.03 of the Prince George's County Code Subtitle 14. Morals and Conduct)

A loitering violation occurs when an individual engages in one or more of the behaviors described below

- Remains on a public or privately owned street, sidewalk, or pathway, obstructing the free passage of a pedestrian or vehicle (either on foot or in a vehicle) after a police officer has notified the individual the action is unlawful and has requested that the individual move
- Refuses or fails to leave a private business, commercial establishment, or parking lot posted with "No Loitering" signs; applies even if the business or establishment is closed for business, assuming the owner, their agent, a special police officer, or a police officer has requested that the individual leave
  Exception: When the individual has written permission from the owner, lessee, or operator to be present, or is window-shopping at a time of the day or night considered reasonable for such activity
- Refuses or fails to leave a private business or commercial establishment that is open for business, or a parking lot of the business or establishment, after having been requested to do so by the owner or their agent
- Refuses or fails to leave a public building, public grounds, or a public recreational area (or parking lots of same) after being requested to do so by a police officer or a regularly employed guard, watchman, or other authorized employee of the agency responsible for the building, grounds, or recreational area (or parking lots of same) if the

individual has no apparent lawful business or purpose to pursue at that place
- Returns, for no apparent lawful business or purpose, to the same public or private property from which the individual was asked to leave within the previous 30 days

2. Enforcement

(County Code Section14-139.03)

No individual shall be charged with loitering unless they have first been issued a written Loitering Warning Notice for loitering at the same location within the previous 30 days.

The Loitering Ordinance is enforceable any time of day or night, subject to the restrictions in this section.

3. Officer's Responsibilities

Officers shall provide a Loitering Warning Notice to the violator. Officers shall obtain a RMS Number and place it on the Loitering Warning Notice and complete a Case Record. In instances when the violator refuses to sign the warning, "REFUSED TO SIGN" shall be noted on the signature line of the form.

Copies of the Loitering Warning Notice shall be distributed as follows:

- White Copy, with the RMS Number attached - scan and upload to RMS
- Yellow copy – Officer to keep for their records
- Blue copy – Loiterer

Officers may reference assistance phone numbers on the back of the Loitering Warning Form for violators who may have a need for social services.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.1, 1.2.6, 1.2.7

Governing Legislation:

- Prince George's County Code Subtitle 14. Morals and Conduct, Section 14-139.03

41. MEDIA RELATIONS
(October 2022)

I. POLICY

The Department recognizes that media relations are an important aspect of community outreach, and that the Department needs the support of the community to be successful. Establishing and maintaining an effective relationship with the news media is crucial to accomplishing this goal. This policy establishes guidelines regarding media relations and the release of information to the public through the news media and social media platforms.

The Media Relations Division (MRD) supports the Department and its personnel in matters involving the news media. The MRD staff members respond to all media inquiries. All media inquiries shall be directed to MRD personnel. The MRD also operates on stand-by for emergency situations.

Only the MRD Manager, Chief of Police, or their designee may authorize an employee to speak to members of the media, as representatives of the Department.

II. CHECKLIST (N/A)

III. DEFINITIONS (N/A)

IV. FORMS (N/A)

V. PROCEDURES

1. Media Relation Division

The Media Relations Division (MRD) is responsible for internal and external marketing of the Department, media relations, multi-media presentations, and any other public relations demands as it relates to the Prince George's County Police Department.

MRD consists of the following:

- Media Information Section
- Audio Visual Section
- Crime Solvers Unit
- Special Projects Unit

The Manager, MRD oversees all marketing, public relations, and media relations of the Department. In addition, the Manager shall:

- Determine marketing strategies
- Ensure communications with the news media
- Provide crisis media management
- Handle formal communications from the Chief and Assistant Chief of Police, when requested
- Oversee the Managers of the other units within MRD
- Coordinate with the Office of the Attorney General Independent Investigations Division (IID) on public release of information

Media Information Section

The Media Information Section reports directly to the Manager, MRD.

During non-working hours, a press information officer (PIO) from the Media Information Section will be on stand-by or on-call status. The PIO will provide their contact phone number to PSC. Should members of the media arrive at the scene of any incident, the on-duty or on-call PIO shall be notified by the officer in charge of the scene. Any officer who is asked for information by members of the media shall direct such requests to MRD.

The Media Information Section shall:

- Assist in the development of programs designed to enhance the image of the Department
- Work with other Departmental components in the coordination and release of information to the media
- Maintain liaison with the various news media
- Arrange news conferences and assist when necessary
- Maintain and distribute appropriate information via the Internet regarding PGPD as deemed appropriate
- Assist in the preparation of brochures, displays, social media, and special projects explaining and promoting the Department
- Respond to incident scenes to compile and distribute information to the media
- Assist during crises or during the execution of unusual occurrence plans
- Assist in training and development of internal communications using media techniques
- Work with investigators on critical missing person cases

Audio Visual Section

The Audio Video Section consists of the following:

- Television Studio
- Graphic Artist Unit

The Audio Visual Section produces videos and provides audio/visual technical assistance to support various Departmental components, including the production of training information tapes, and graphics.

Television Studio

The Television Studio is responsible for:

- Coordinating production activities
- Producing/archiving Departmental photographs
- Directing/producing videos

Videos may be used to distribute information within and outside the Department. The Commander/Manager who initiates a video project must contact the MRD Manager, who will determine if the project is feasible and advise the requestor.

Once the project is given permission to proceed, a meeting to determine project objectives, audience, production deadline, talent/support, financial requirements, and other responsibilities will be scheduled for the following to attend:

- Commander/Manager
- Technical writer (researcher, expert)
- Producer/Manager (usually MRD staff)
- Creative writer (usually provided by the sponsor to write the script)
- Graphics Artist
- Budgetary Representative

Graphic Artist Unit

The Graphic Artist Unit is responsible for:

- Preparing graphic training aids on instructional material, including illustrations and drawings for use as visual aids
- Assisting Commanders, Managers, and Supervisors in the preparation of visual aids

- Organizing or assisting in the preparation of, displays needed for presentations, graduation, promotion, retirement, and award ceremonies
- Preparing or assisting in the presentation of certificates and program booklets needed for presentations, graduation, promotion, retirement, and award ceremonies

Approval Authority

All requests for work produced by the Audio Visual Section must be routed through the Chain of Command, to the Manager, MRD.

Crime Solvers Unit

Crime Solvers Responsibilities:

- Select newsworthy, unsolved cases to be publicized as the Crime of the Week
- Write press releases and make television presentations regarding the Crime of the Week
- Receive messages from and conduct debriefings of anonymous callers, forward information to an investigator for follow-up action
- Coordinate with investigators to determine if further information from the caller is needed
- Maintain records of all communications
- Represent the Department at meetings with the Crime Solvers Board of Directors
- Make presentations concerning closed cases upon which the Crime Solvers Board based its determination of the amount of the reward to be paid
- Coordinate with PSC to maintain the flow of information after normal duty hours of Crime Solvers

Special Projects Unit

The Special Projects Unit is Responsible for:

- Organizing and assisting with Departmental events, such as award ceremonies, luncheons, professional tours, banquets, and Community First outreach activities
- Coordinating and implementing all aspects of award and promotional ceremonies
- Representing the Police Department to coordinate the Public Safety Valor Awards Luncheon
- Preparing written response to award nomination requests from outside law enforcement agencies and private interest groups
- Assisting in the preparation of brochures, displays, social media and special projects explaining and promoting the Department

2. Press Conferences and Interviews

Press conferences may be held in connection with events of concern or interest to the community. In such instances, the Manager, MRD will facilitate all Departmental news conferences, which may include the Chief of Police or their designee, and County officials. The MRD Manager will also facilitate interviews between Departmental personnel and members of the press.

Employees contacted directly by the media for interviews shall notify MRD before granting any media request. All conversations with news personnel should be considered "on the record."

3. Press Releases

Press releases shall be written by MRD and disseminated to the news media. The MRD Manager will establish a procedure for the review and approval of news releases in advance of dissemination.

MRD Responsibilities Involving Police-Involved Fatalities

The Prince George's County Police Department may, at its discretion, defer all public responses to IID. Whether or not MRD plans to make a public statement, a member of MRD must be available to assist the IID with information gathering. MRD may choose to make a public statement or release certain information in the immediate aftermath of a police-involved fatality. Such information may include:

- Date, time, and location of the incident
- Type of call for service that led officers to the scene
- Information concerning injuries sustained by any surviving citizens and/or an officer, and whether any individuals were transported to the hospital
- Number of officers discharging their firearms
- Whether a weapon was recovered or located on-scene
- Basic information regarding the officer
  - Age
  - Race
  - Duty assignment
  - Tenure
  - Current duty status

Any press release and/or statement from MRD will confirm that an investigation into the officer's conduct will be conducted by IID with assistance provided by the Department. Notification of the release of this information should be provided to the IID Investigative Supervisor or media contact preferably prior to, or at least, simultaneously with the release.

4. Access to Incident Scenes

MRD will work to ensure that members of the press respect the established perimeter of an incident scene. Members of the press shall receive the same access to an incident scene as do members of the general public.

With the approval of the on-scene Commander, the Manager, MRD may grant closer access for news personnel and their equipment, to the degree that it does not interfere with law enforcement operations.

Officers on the scene shall not prohibit the media from news gathering practices, including photography and interviews, outside the established perimeter.

The Chief of Police, their designee, or a member of the MRD staff will release information to the news media at crime and incident scenes. MRD will establish a media briefing area as close to the scene as safety and operational requirements allow. MRD shall work with Departmental personnel and the news media to ensure that any sensitive or officer safety-related information is not disclosed. ***See*: VOLUME II, CHAPTER 20. CRIMINAL INVESTIGATIONS.**

Joint Operations Involving Other Agencies

In a multijurisdictional investigation, the lead public safety agency is responsible for providing or coordinating the release of public information. The media relations

office for the lead agency will share that information with all involved agencies in advance of public dissemination.

5. Criminal Investigations

MRD is responsible for disseminating information to the media regarding criminal investigations. Should an incident occur which would be expected to stimulate community interest, an employee from MRD will be responsible for coordinating the release of information.

6. Barricade Incidents

Except for the initial information disseminated by PSC, all information released by MRD shall be prepared in consultation with the on-scene Commander. All requests for information shall be directed to MRD.

The on-scene Commander, in consultation with MRD, shall designate a staging location for media representatives. The on-scene Commander may authorize media representatives with proper identification to access the area between the outer and inner perimeters. Media representatives allowed within the outer perimeter shall be ordered to obey all police instructions and take no action that might jeopardize the operation.

Only the on-scene Commander may allow media representatives to enter inner perimeter areas before the completion of the operation.

7. Mass Arrest Situations

Representatives from MRD shall be kept informed so that timely, accurate information can be evaluated for dissemination. When involved in a mass-arrest situation, representatives from MRD shall follow the procedures in the MRD SOP.

8. Social Media

MRD provides information to the community through a variety of social media accounts. Members of MRD and Commanders/Managers of affected Divisions are allowed to post information to official PGPD accounts. Individual units or commands seeking to establish and post to department related social media accounts must first seek approval from the Manager, MRD. ***See:*** **VOLUME I, CHAPTER 34. SOCIAL MEDIA.**

9. Missing Persons

When a missing person is classified as critical, the supervising investigator shall contact MRD. If the missing person is found or returns, the investigator will notify MRD. ***See:*** **VOLUME II, CHAPTER 42. MISSING PERSONS**

10. Print Media Collection

MRD collects media articles from news outlets Monday-Friday. This compilation of news clippings serves as a daily report and shall be electronically distributed to the Department. ***See*****: VOLUME I, CHAPTER 24. MANAGEMENT AND OVERSIGHT.**

11. Interpreters

MRD is responsible for communicating with all members of our community, many of whom have limited English proficiency (LEP). Should MRD require translation services, a PGPD Certified Interpreter will be contacted as outlined in **VOLUME II,**

CHAPTER 22. DEPARTMENTAL PROGRAMS.

VI. GOVERNING LEGISLATION & REFERENCE

- Maryland Annotated Code, Article §6-602.2 - 2022

42. MISSING PERSONS
(February 2023)

I. POLICY

Patrol officers are responsible for conducting preliminary investigations when individuals are reported missing. Reports of missing persons shall be taken immediately and documented within RMS following the guidelines contained within the most current Report Writing Manual.

II. CHECKLIST (N/A)

III. DEFINITIONS

Amber Alert: a voluntary partnership between law enforcement agencies and broadcasters to activate an urgent bulletin in the most serious child abduction cases.

Critical Missing Person (Adult): An individual missing under circumstances that indicate that they may be in danger

Critical Missing Person (Juvenile or Juvenile Runaway): An individual under the age of 18, including a runaway, missing under circumstances that indicate that they may be in danger

Lawful Custodian: An individual who is authorized to have custody of and exercise control over a child who is under 16 years of age; this includes an individual who is authorized by a court order (Maryland Family Law)

Missing Person (Adult): An individual 18 years of age or older, who is the subject of a missing person report filed with a law enforcement agency and whose whereabouts are unknown

Missing Person (Juvenile): An individual under the age of 18, including a runaway, who is the subject of a missing person report filed with a law enforcement agency and whose whereabouts are unknown

Silver Alert: Alert for a missing person who meets the following criteria:

- At least 60 years of age, and
- Suffers a cognitive impairment, including a diagnosis of Alzheimer's disease or dementia, and
- Their disappearance poses a credible threat to the health and safety of the individual, and
- Traveling in a vehicle and there is enough descriptive information about the person and the vehicle for law enforcement to issue an alert, and
- The investigating agency has already activated a local/regional alert by contacting media outlets in their jurisdiction, and
- Has been entered into NCIC

Unidentified Child: An individual under the age of 18, generally a smaller child, whose identity is unknown or cannot be determined with certainty; often located or found by someone before they are officially reported missing to police

Want to locate: When missing definitions do not apply

IV. FORMS

- RMS Case Record
- Missing Persons Complainant Form (PGC Form#5280)

V. PROCEDURES

An employee receiving a missing person complaint shall interview the complainant to

determine whether an officer should be dispatched to take a report. An officer shall be immediately dispatched to allegations of a critical missing person and juvenile abductions. When any doubt exists regarding police response, the employee shall contact a Supervisor.

Officers shall take missing person reports in person. There is no specific age limit or time period that an individual must have been missing before initiating a report.

All missing persons reports must have a signed Missing Persons Complainant Form to support the NCIC missing persons entry.

This signed document will aid in the protection of the missing persons rights to privacy. Officers shall obtain the signature of the complainant for every person reported missing.

In the absence of documentation from a parent, legal guardian, next-of-kin, physician, or other authoritative source, including a friend or neighbor in unusual circumstances, or when such documentation is not reasonably attainable, a signed Missing Persons Complainant Form may be completed by the investigating officer.

If a complainant reports more than one person missing at the same time, officers shall utilize multiple Missing Persons Complainant Forms to document each reported missing person.

Officers shall provide the complainant with the yellow copy of the Missing Persons Complainant Form. The white copy of the Missing Persons Complainant Form is to be retained by the officer to be scanned into RMS. Once the signed form is attached to the case folder, the white copy can be securely destroyed.

Officers shall select "Not a Crime/Other Service" as the disposition for all missing persons reports within the administrative tab of the case report, unless a crime is verified in which a person goes missing.

1. Officer's Responsibilities – All Missing Persons

A missing person report shall be taken for any:

- Individual missing from or last seen in the County
- Resident of another jurisdiction that is missing from a location in this County

The reporting officer shall:

- Personally contact the complainant and conduct a preliminary investigation
- Upon confirmation, notify the Sector Supervisor to determine if a critical classification is appropriate
- Transmit an initial lookout for the individual and provide PSC with additional information as it becomes available
- Obtain a photograph of all missing persons. Scan the image and attach within the RMS case folder; if a photograph is not available, note "NOT AVAILABLE" in the Case Record
- Contact the Teletype Unit via telephone within one hour to have the missing person entered into NCIC/METERS
- Complete a Case Record prior to the end of the shift; ensure that all notifications are recorded to include the notification to the Teletype Unit
- Obtain a signature from the complainant using the Missing Persons Complainant Form
- Scan the Missing Persons Complainant Form within the RMS case folder

If the missing person is classified as critical, the Supervisor shall notify the Shift Commander.

Additional Duties – Missing Person (Juvenile or Juvenile Runaway) Cases

(Maryland Family Law, Section 9-402)

In all missing person (juvenile or juvenile runaway) cases, officers shall determine if the juvenile:

- Participated in the Child Fingerprint Program. If so, obtain the fingerprint card from the legal guardian and submit it, along with a copy of the Case Record, to the Latent Print Unit
- Has been the subject of a prior missing person report or a child abuse report
- Suffers from a mental or physical disability or illness
- Disappeared under suspicious circumstances
- May have been abducted
- Is less than 18 years of age

If the missing juvenile is missing from foster care or a group home, the officer shall list the foster care agency or placement agency, including the phone number, address, and caseworker name and contact information if available in the Case Record.

Teletype Unit Responsibilities – Missing Person (Juvenile or Juvenile Runaway)

(42 USC 5779)(Public Law 108-21 Sec.204 – Suzanne's Law)(MD Family law, Section 9-402)

The Teletype Unit shall immediately enter information regarding each reported missing juvenile under the age of 18 into NCIC/ METERS and Maryland Interagency Law Enforcement System (MILES).

Additional Duties – Missing Person (Adult) Cases

The officer shall indicate whether the adult missing person case is critical in the Case Record.

If the missing adult is missing from a facility (example: nursing home, care center, group home), the officer shall list the contact/ family guardian's information including phone, address, and relationship to the missing adult if available in the Case Record. This information shall also be listed for an adult who is missing from their own home but is under guardianship or supervision of another.

Supervisor's Responsibilities

A Supervisor shall determine if a case should be classified as critical by evaluating the following factors:

- Age of the missing person
- Physical and mental health of the missing person
- Repeated prior instances or absences by the missing person
- Unusual circumstances surrounding the absence of the missing person
- Ensure that the Missing Persons Complainant Form is signed and subsequently scanned and attached to the RMS case folder prior to the end of shift
- Review and approve the Case Record prior to the end of their shift.

Supervisors shall notify the Shift Commander, or in their absence another commissioned officer, when a missing person case is classified as critical.

The Supervisor shall immediately report the Missing Person (Juvenile or Juvenile Runaway) to the National Center for Missing and Exploited Children and fax a copy of the Case Record to the State Clearinghouse for Missing Children, at fax number (800) 637-5437.

Shift Commander's Responsibilities

Once the Shift Commander or other commissioned officer is notified of a critical missing person, they shall assess the situation to determine the scope of the investigation and search.

2. Critical Missing Person – Field Procedures

On the scene of a critical missing person, the Supervisor shall:

- Notify the Shift Commander
- Establish a command post and advise PSC of its location
- Request additional personnel and equipment if needed
- For confirmed cases involving a Missing juvenile, when appropriate, enlist the aid of Maryland State Police
- Ensure that a thorough search is conducted, including the missing person's home
- Ensure that friends and relatives of the missing person are contacted to establish when the missing person was last seen or heard from
- Request a Division Investigator
- For substantiated Missing Juvenile cases, institute appropriate intensive search procedures, including coordination of volunteer search teams

Notifications

Notifications shall be made to the following:

- Media Relations Division (MRD)
- Child and Vulnerable Adult Abuse Section for juvenile abductions or custody disputes
- Robbery Section for cases involving ransom demands
- Homicide Section for possible homicide cases
- MSP Headquarters for cases that meet the criteria for a Silver or Amber Alert, the MSP duty officer's name and identification number shall be documented on the missing person report

The decision to end the search for a critical missing person will be made by a commissioned officer.

3. Follow-Up & Additional Information – All Missing Persons

If additional information regarding the missing person is obtained after the initial report is submitted, the reporting officer shall:

- Complete a Case Record prior to the end of shift
- Contact the Teletype Unit via phone within one hour of receiving the information

This notification shall be documented in the Case Record with the date, time, and name and ID# of the Teletype operator notified on the administrative tab.

Division Investigator's Responsibilities

Since each missing person case is unique, follow-up contacts with reporting persons or others who might have information about the missing person will be made as dictated by the nature and complexity of the missing person case.

The National Child Search Assistance Act of 1990 requires that all missing person juvenile reports be updated. This update, regardless of whether new information is obtained, must take place within 60 days of the original date of entry. It will include any additional information and medical and dental records when available.

Any additional information shall be documented in a new Case Record in the original Case Folder.

Follow-up Investigations

Any follow-up investigation conducted by a patrol officer will be coordinated with the Investigator assigned to the case.

Searches for missing persons beyond the checking of neighborhoods, congregating areas, etc., will be conducted as the circumstances warrant and based on available information. If it is believed that air support or canine would aid in the search for a missing person (regardless of age), it should be requested via PSC upon Supervisor approval.

When a search is conducted, a command post should be established and all persons participating in the search should be briefed and provided with a photograph (if available). Searches shall be methodical, and all participants shall be equipped with an appropriate means of communications. Maps of the area to be searched should be present at the command post.

Return of Missing Persons

Upon finding or the voluntary return of a missing person, the reporting officer shall:

- Create a Case Record for missing persons reported missing in another jurisdiction or update an existing Case Folder with a new Case Record for returned missing persons originally reported missing in the County. Details of the missing person's return and the circumstances surrounding it, should be documented in the Case Record prior to the end of shift
- Contact the Teletype Unit within one hour of receiving this information to have any computer entries cancelled
- Ensure the reporting person is notified
- Notify the Division Investigative Unit
- Notify MRD

These notifications shall be documented in the Case Record, including the date, time, name and ID# of the Teletype operator notified on the administrative tab.

4. Unidentified Juveniles

The most frequent type of found juvenile call that officers will respond to involve children that have become separated from their parents. Most of the time, these children are very young. Officers shall be especially sensitive and compassionate when dealing with these children.

Unless removal of the child from the area is necessary for their protection, every effort should be made by officers to resolve the situation and reunite the child with their parents, guardian, or custodian at the location where the child was found.

43. CHAPTER REDACTED

An officer may take an unidentified juvenile into custody if the juvenile is in danger due to their surroundings, ***See*: VOLUME II, CHAPTER 38. JUVENILE PROCEDURES.**

The juvenile may be taken into custody for the purpose of an emergency evaluation, ***See:* VOLUME II, CHAPTER 26. EMERGENCY PETITIONS & RESPONSES TO INDIVIDUALS WITH MENTAL DISORDERS**.

When attempting to determine the juvenile's identity, NCIC/METERS should be checked using the "MPN" function (a non-unique inquiry since the person's name is unknown). This function requires physical descriptors only and is generally useful when attempting to identify recovered bodies, a person unable to communicate, or an uncooperative person.

The types of data included in this file are non-unique or uncommon, and include blood type, estimated year of birth, approximate height and weight, jewelry (if worn), medical conditions, and dental characteristics.

There are three different categories for records entered into NCIC/METERS Unidentified Person File:

- Unidentified deceased persons, including victims of a catastrophe
- Unidentified living persons who are unaware of their identities, such as amnesia victims, small children, persons with Alzheimer's, etc.
- Body parts

The website for the National Center for Missing and Exploited Children, www.missingkids.com, can also be checked.

If the officer is unsuccessful in establishing the juvenile's identity, the officer should contact the County's Department of Social Services for assistance.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 41.2.5, 41.2.6 and 41.2.7

Governing Legislation:

- Maryland Code, Health Article, Section 10-622
- Maryland Family Law, Section 9-301
- Maryland Family Law, Section 9-401
- Maryland Family Law, Section 9-402 (2012)
- 42 USC 5779 – National Child Search Assistance Act of 1990
- Public Law 108-21 Sec.204 – Suzanne's Law
- PGPD Criminal Investigations Manual
- Maryland Code, Public Safety Article, Title 6, Sections 3-601 and 3-362
- Annotated Code of Maryland, Public Safety Article, Section 3-604, Silver Alert Program
- NCIC Operating Manual Section 1.1 through 1.3 Criteria for Entry

44. OBSCENE MATTER
(July 2019)

I. POLICY

County Code 14-147 prohibits any person from knowingly selling, displaying, loaning, or allowing the perusal by juveniles any picture, photograph, drawing, or other graphic, pictorial, or visual representation or image of a person or portion of the human body that depicts nudity, sexual excitement, or sadomasochistic abuse, and that is predominately harmful or potentially harmful to juveniles.

II. CHECKLIST (N/A)

III. DEFINITIONS (N/A)

IV. FORMS

- Case Record

V. PROCEDURES

Upon receiving a call regarding obscene matter, the officer shall respond to the scene and verify the complaint.

If verified, the officer shall complete a Case Record. The officer shall ensure copies are forwarded to the State's Attorney's Office and the Office of Law.

If appropriate, the officer shall advise the owner/manager of the establishment of the law, the complaint, and the violation.

Officers shall not make on-scene arrests or charge individuals with violations of County Code 14-147. Obscene matter cases must be reviewed for legal sufficiency prior to individuals being charged.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.6, 1.2.7, 42.1.4, 82.2.1, 82.2.2,

Governing Legislation:

- County Code 14-147

45. OBTAINING PRESCRIPTION MEDICATION BY FRAUD
(July 2019)

I. POLICY

Officers shall respond to and investigate incidents where individuals obtain or attempt to obtain prescription medication by fraud.

II. CHECKLIST (N/A)

III. DEFINITIONS

Forged/Uttered Prescription: When a person illegally obtains or attempts to obtain prescription drugs using:

- A fraudulent prescription
- A fraudulently called-in prescription
- An altered prescription
- A forged prescription

IV. FORMS

- Case Record
- Booking Record

V. PROCEDURES

This section applies to any of the following offenses:

- Forged prescriptions
- Uttered prescriptions
- Theft of prescription forms
- Theft of pharmaceutical drugs

1. Officer's Responsibilities

In prescription fraud cases, the responding officer shall:

- Interview the pharmacy employee who received the prescription
- Contact the issuing physician's office to determine the validity of the prescription
- Seize the original prescription form(s) for evidence. The officer shall photocopy the prescription and write their name and ID#, the RMS #, and date on the copy. They shall give this copy to the pharmacist as a receipt
- Complete a Case Record prior to the end of their shift. Any remarks the suspect made to the complainant shall be included in the narrative of the Case Record.

In prescription cases, the doctor is usually the victim, not the pharmacy. If the doctor's DEA number is printed on the prescription form, it should be listed in the Case Record. The common name and the scientific name of the prescription drug (i.e., Percocet/ Oxycodone) should be listed in the Case Record and, if an arrest is made, the Booking Record.

If the suspect is on the scene and the responding officer verifies the prescription fraud, they shall seize the evidence and make an arrest. Officers may contact the Narcotics Enforcement Division (NED) for assistance.

Officers shall seize all evidence related to the prescription violation. Examples include: other doctors' DEA numbers or addresses; pharmacy names and phone numbers; prescription bottles; and Medicaid, Medicare, or insurance cards not in the suspect's name. All evidence shall be processed and submitted in accordance with the directives in **VOLUME II, CHAPTER 47. PROPERTY & EVIDENCE**.

Officers shall determine if a security video is available from the pharmacy. If a video is

available, the officer shall seize it for evidence or request that the videotape be set aside to ensure that it is not taped over. The officer shall contact the Diversion Unit for follow-up investigation.

Copies of all prescription order forms, and the suspect photograph, if available, shall be uploaded to the RMS Case folder and completed by the end of the shift.

A Diversion Unit investigator shall be contacted when circumstances indicate that the suspect has engaged in multiple forgery or uttering offenses. The officer shall document the name of the investigator and the date and time contacted in the Case Record.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 41.2.5, 42.1.4, 42.2.1, 42.2.2, 82.2.1, 82.2.2, 83.2.1, 84.1.1

Governing Legislation:

- Maryland Code, Criminal Law, Sections 5-501, 5-601, 5-606

46. PRODUCT TAMPERING
(July 2019)

I. POLICY

When an officer responds to a product tampering complaint, they shall conduct a thorough preliminary investigation to determine the complaint's validity. Crime scenes shall be preserved until the scene is relinquished to the proper investigative authority.

II. CHECKLIST (N/A)

III. DEFINITIONS

Product Tampering: Act of intentionally altering a consumer product to cause or threaten harm

IV. FORMS

- Case Record

V. PROCEDURES

1. Officer's Responsibilities

Officers responding to complaints of product tampering shall notify the Office of Environmental Health through Public Safety Communications in all cases involving suspected or verified food or drug tampering. This notification shall be made as soon as possible to facilitate notification to other agencies having concurrent investigative authority.

In most cases, environmental health investigators respond, determine which public health agencies have jurisdiction, and make the appropriate notifications.

Officers shall immediately notify the FBI when they determine tampering involves any of the following:

- Death
- Serious threat to human life
- Extortion demands
- Threatened tampering

The reporting officer shall complete a Case Record detailing the circumstances of the complaint. The following shall be included in the narrative of the report:

- Names of environmental health organizations contacted including the name of the individual notified and their response
- Other agencies contacted as well as their response

Officers conducting preliminary investigations of product tampering complaints should bear in mind that they might not be dealing with an isolated incident. Reports shall be detailed and thorough in order to aid in linking similar incidents. Officers may use the below list to assist them with preparing the report:

- Caller's identity
- Caller's message
- Description of the caller's voice
- Location of the product tampered with
- Threats or demands made
- Background noise
- Type of product(s) tampered with
- Manner of tampering

2. Regional Investigator's Responsibilities

Regional Investigators shall respond to complaints of product tampering that evoke an Environmental Health response whether they are verified or not.

The Regional Investigator shall aid environmental health officers. Regional Investigators are also responsible for investigating incidents that do not fall under the jurisdiction of another agency, typically:

- FBI
- Food and Drug Administration
- Office of Environmental Health
- U.S. Department of Agriculture

3. CID Investigator's Responsibilities

CID investigators shall handle cases of product tampering that involve:

- Extortion
- Homicide

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standard 42.1.4, 42.2.1, 42.2.2, 82.2.1, 82.2.2

47. PROPERTY & EVIDENCE
(January 2023)

I. POLICY

It is the policy of the Department to collect, process, and preserve physical evidence in the field. The circumstances under which evidence or property comes into the Department's possession shall be documented in a Case Record on the property tab and itemized in the RMS Property and Evidence Modules.

Whenever available, materials and substances will be collected from a known source for submission to a laboratory for comparison with physical evidence collected.

Evidence collection shall be handled in accordance with practices taught in the training academy, in-service training, the Property and Evidence Manual and any other written directives.

II. CHECKLIST (N/A)

III. DEFINITIONS

Chain of Custody: The documented continuity of custody of material and items collected as physical evidence; to minimize court challenges, the item introduced as evidence must be proven to be the same item recovered during the investigation

Crime Scene: Any location where a crime or other incident that the subject of an investigation has occurred, and within which evidence may be found, collected, and/or documented

Evidence: Any type of proof that has the potential to be introduced in a legal proceeding that is intended to convince the judge and/or jury of alleged facts material to the case; it can include records, documents, substances, materials, objects, photographs, fluids, etc.

Field Transfer: The transfer of an item between two or more officers prior to the submission to an initial drop location

Handgun: Any pistol, revolver, or other firearm that can be concealed on a person, including short-barreled shotguns and rifles; short-barreled shotguns have a barrel less than 18" long or an overall length less than 26" and short-barreled rifles have a barrel less than 16" long or an overall length less than 26".

The following are not considered handguns:

- Any shotgun, rifle, or antique firearm manufactured before 1898
- Any firearm with matchlock, flintlock, percussion cap, or similar type of ignition
- BB or pellet guns
- Starter pistols

Initial Drop Location: Division's secure property storage area that is used to temporarily store property and evidence

Master Persons Number: Former PGID Number. A unique number that remains constant for an individual

Police STOP: A verbal notification from a sworn Prince George's County Police investigator to a pawnshop manager to hold suspected stolen property for later recovery by police

Property: Any item taken into custody by an officer for an official purpose that has no apparent evidentiary value

Two Man Rule: A procedure that requires electronic verification of a second supervising officer for the initial submission or transfer of money, narcotics, suspected narcotics, firearms, jewelry, or any seized/recovered item worth one million dollars ($1,000,000) or more

IV. FORMS

- Biohazard Warning Label
- Booking Record
- Case Record
- CDS Chain of Custody Log generated in RMS
- DNA Laboratory Request for Analysis (PGDNA Form #77)
- DNA Laboratory Request for Analysis Supplemental (PGDNA #90)
- DNA Laboratory VAWA Submission (PGDNA Form #42)
- e-Trace Form (PGC Form #5255)
- FEU Request for Analysis Form (PGC Form #4449)
- Latent Evidence Envelope (PGC Form #2619)
- Latent Print Lift Card (PGC Form #24)
- Pawn Recovery Sheet (PGC Form #5265)
- Property Notification Letter generated through RMS
- Property Release Letter generated through RMS
- Property Sheet generated in through RMS
- Request for Latent Fingerprint Examination Form (PGC Form #2643)
- RMS Evidence Label
- Serology/DNA Laboratory Chain of Custody (PGDNA Form #1)
- Short Property Release Form (PGC Form #127)
- Transmittal Sheet Report (PGC Form #3350)
- Vehicle/Asset Forfeiture Summary Report (PGC Form #4321)

V. PROCEDURES

Officers shall respond to the scene of all calls for service regarding found or recovered property. Citizens shall not be instructed to bring found or recovered property to a police facility.

Employees shall account for property and evidence taken into custody. They shall protect items from contamination, damage, and destruction.

Questions concerning the preservation and submission of property and evidence can be directed to an on-duty Supervisor, Division Burglary Prevention Officer (BPO), or Crime Scene Investigator (CSI).

Submission of property and evidence shall comply with the SOP of the receiving Division.

1. Cancellations & Entries to Computer Systems

Employees shall check found or recovered property with unique identifying numbers through NCIC/METERS and enter the results into a Property Sheet within RMS.

The following shall be done when stolen property is recovered:

- NCIC/METERS stolen property information must be removed
- Recovering employee shall contact the Teletype Unit, providing any identification/serial numbers, a description of the property, and the RMS Number
- Recovering officer shall update the Case Record within the same RMS folder as the stolen property
- A Property Sheet shall be created within the same RMS folder as the stolen

property when the stolen item is recovered

All stolen property with unique identifying numbers shall be entered into NCIC/ METERS, MILES, and NLETS via the Teletype Unit. Employees will review and be responsible for the accuracy and currency of entries and cancellations.

2. Submission Procedures

Employees shall document all items of property taken into custody in RMS. They shall describe the items in enough detail to allow them to be easily identified.

The following information shall be recorded:

- Manufacturer
- Model name and/or number
- Color

Employees shall affix the RMS generated RFID barcode label or tag to each item of property and shall submit recovered property along with the completed Property Sheet record to a Supervisor prior to the end of their shift. Supervisors will approve all entries prior to the end of shift and prior to placing said item within an initial drop location.

Knives and other objects with sharp edges shall be placed in a biohazard sharp object disposal pouch or a biohazard tube. Syringes shall be placed in a sealed biohazard tube.

Employees shall not substitute one item of property for another, such as one piece of currency for another having the same face value.

Defense sprays (e.g., OC, pepper, mace), shall be placed in a biohazard box to protect the trigger from an accidental discharge. The biohazard box shall be placed in a heat-sealed package with an RMS Property Label attached and "DEFENSE SPRAY" written on the outside of the packaging.

Employees shall immediately submit the following property to a Supervisor:

- CDS and suspected CDS
- Items recovered from a crime scene
- Jewelry
- Money
- Narcotic-related paraphernalia
- Negotiable paper (*bonds or checks*)
- Firearms

Off-duty employees who recover property of minor value, such as license plates, may retain it for a maximum of 96 hours from the time of recovery.

The Supervisor shall ensure that the property is properly packaged and approve all property entered in RMS. The Supervisor shall then place the property in the Division's Initial Holding Location/secure property storage area and log the property in.

Retention by Officers

Employees shall not retain property solely for court presentation. Non-monetary paper evidence, such as written statements or photographs, may be stored in the case file. Commanders/Managers may authorize exceptions in unusual circumstances.

Retention for Forensic Analysis

Employees are authorized to retain certain recovered property when the component responsible for processing or analyzing it, such as the DNA Lab, Computer Forensics

Unit (CFU), or Firearm Examination Unit (FEU), is not available for regular service.

Employees shall obtain supervisory approval before retaining property. The authorizing Supervisor shall ensure items to be analyzed are not held for more than 96 hours. Items shall be packaged based on the nature of the item. ***See:*** section **13. Forensic Science Division (FSD) Examinations** below.

3. Property Storage Area

Designated secured areas shall be used to store only in-custody property and evidence. No other property or items of any kind are authorized to be stored in the designated property storage area.

The following employees are authorized access to property storage areas:

- Division Commanders/Managers
- Assistant Division Commanders/ Managers
- Shift and Section Commanders
- Sector Supervisors
- Assistant Sector Supervisors
- Drug vault custodians
- Property supply clerks
- Property Management Warehouse personnel
- Crime Scene Investigators

4. Evidence

(Criminal Investigations Manual)

If an employee requires the services of a Crime Scene Investigator, they shall request one through Public Safety Communications (PSC).

5. Evidence Collection by Maryland Attorney General's Independent Investigation Division (IID) for Special Circumstances

The Maryland Attorney General's Independent Investigation Division (IID) will lead the primary investigation of all police-involved incidents that result in the death of a civilian or injuries likely to result in death, to include shootings, pursuits and in-custody deaths. When the on-scene PGPD Commander requests a Special Response Section (SRS) Investigator for such incidents they shall also notify the Maryland State Police (MSP) Headquarters Duty Officer at (410) 653-4474. All other PGPD notifications remain the same.

Personnel from the MSP Forensic Science Division (MSP-FSD) and MSP Criminal Enforcement Division will oversee the scene of IID investigations and will make every effort to arrive at the scene within one to two hours after notification.

No Imminent Threat to Evidence

If there is no imminent threat of losing, damaging, or contaminating evidence, the evidence should be collected by MSP-FSD. PGPD will not collect evidence, but will locate, identify and secure all evidence and crime scenes until MSP-FSD arrives. PGPD may begin scanning the scene prior to the arrival of IID personnel, if scanning devices are available.

Imminent Threat to Evidence

Imminent threat may include, but is not limited to; weather such as, rain, wind, flood, heat, or potential interference with

evidence from citizens, medical personnel or animals.

In a situation where evidence may be lost, damaged, or contaminated if on scene personnel do not take action, PGPD crime scene investigators may document, photograph, and collect evidence per PGPD evidence protocols prior to the arrival of MSP-FSD. If no PGPD crime scene investigators are available, PGPD officers on site may collect the evidence. If time allows, the collecting PGPD officer should contact IID for guidance prior to the collection of evidence. Evidence that is not subject to an imminent threat will be left for MSP-FSD to process.

Submission of Evidence to the Maryland Attorney General's Independent Investigation Division (IID)

All evidence collected as part of an IID investigation shall be submitted to MSP-FSD regardless of who collects the evidence. If there is a dispute as to whether evidence is a part of the IID investigation, IID personnel will make the final determination regarding the evidence.

PGPD may request transfer of evidence held by MSP-FSD for a PGPD investigation or prosecution. Evidence transfer requests will be evaluated by MSP-FSD on a case-by-case basis.

PGPD Requests for Analysis of Evidence held by IID

If PGPD determines the need to have IID held evidence analyzed, they may request IID to conduct an analysis. IID will decide on a case-by-case basis if analysis will be done. If IID denies the request they will make every effort to transfer the evidence to another crime lab as soon as practicable without prejudicing the IID investigation or potential prosecution.

Criminal Investigations PGPD Responsibilities

IID only investigates law enforcement personnel. PGPD shall follow departmental protocol to conduct criminal investigations and prosecutions of criminal activity arising from the same general incident as the IID investigation.

PGPD will collect evidence necessary for their investigation if IID does not require the evidence for IID investigation. IID will make the final determination if evidence can be released to PGPD or is necessary for an IID investigation.

6. Evidence Collection

When the crime scene or evidence will not be processed by a specialized unit, e.g., Collision Analysis & Reconstruction Unit (CARU) or Crime Scene Investigation Division, the reporting employee is responsible for ensuring all evidence is processed and recovered.

Whenever a crime scene is not processed, supervisory concurrence will be obtained and documented on the case report within RMS.

Photographing Incident Scenes

All crime scene photographs shall be made using a digital camera, conventional film will not be used.

When archiving digital images, the following information will be recorded:

- RMS Case number
- Address
- Name of photographer
- Name of detective
- Any other information deemed pertinent

Digital photographs shall be archived within the DIMS (Digital Imaging Management System). Photographic evidence shall not be stored within RMS. The only photographs that can be stored within RMS are those images which are identification in nature.

Photographing or Videotaping Incident Scenes – Cellular/ Electronic Devices Photography

Photographing, videotaping, or transmitting any crime scene images using a mobile electronic communication device (e.g., cell phone) is generally prohibited. Exceptions to this shall be made during exigent circumstances, such as the potential loss of evidence due to weather conditions or other uncontrollable conditions. Should an officer/investigator/member of the Media Relations Division (MRD) find that they must use a mobile device to capture an image before a crime scene investigator (CSI) arrives on scene, they will work with CSI to ensure any pictures captured inside the crime scene are archived and stored in DIMS. Digital photographs taken in relation to an investigation by responding patrol officers and investigators shall be archived in DIMS. For specific guidance on crime scene photography, ***See:*** **Criminal Investigations Manual.**

Surgically Recovered Evidence

When investigating an incident that has resulted in the hospitalization of a suspect or victim, and items of evidence will be surgically removed, the employee will wait at the hospital to recover the evidence.

When possible, the employee shall speak to a member of the surgical team before the operation, explaining the Department's interest in recovering the evidence as undamaged as possible.

If surgery will not occur immediately, the investigator shall request to be notified when the surgery is scheduled. The investigator shall leave a number by which they can be contacted, as well as the number for PSC, in the event that they cannot be reached.

If the hospital staff notifies the investigator of the pending surgical procedure, they will ensure that a Crime Scene Investigator is present to take custody of the evidence. In the absence of a Crime Scene Investigator, the investigator will personally respond to the hospital.

The recovering employee will protect the item to ensure its evidentiary value. The investigator shall enter the item in RMS, noting the following:

- Name, age, race, and sex of the patient
- Date, time, and location of recovery
- The anatomic location from which the object was removed

The removing physician's printed name and signature shall be noted on the container in which the item is placed. This step is taken to preserve the chain of custody. The recovering employee may provide a receipt of transfer for the evidence to the medical staff if one is requested.

If a patient is transferred to a medical facility outside the County, the investigator shall request assistance from the police agency that provides police service to the medical facility.

Chain of Custody

A chain of custody will be maintained for each item of evidence recovered.

For non-narcotic property, the chain of custody is documented in the RMS property modules when custody is transferred. Receiving employees are responsible for the documentation. This provision does not apply when evidence is submitted to a Supervisor for storage pending pickup by the Property Management Warehouse as long as the recovering employee is present when the item is placed in storage.

Chain of custody information is maintained in RMS and employees shall document any transfer of property in a RMS Property sheet or within the Property and Evidence Transaction Module as applicable, to include transfers to outside agencies.

Evidence Retained by Court

Property removed from the Property Management Warehouse must be documented in RMS within the Property and Evidence Transaction Module and returned within 30 days. The Property Management Warehouse shall track removed property. Problems with the expeditious return of property will be noted in a memorandum submitted to the delinquent employee's Commander/Manager.

Employees shall complete the Short Property Release Form whenever the courts retain property for evidentiary purposes. The employee shall contact the State's Attorney's Office (SAO) prior to court to verify which items will be introduced as evidence. The form must be completed in quadruplicate and presented to the SAO or court clerk. The employee may only include those items that will be used as evidence.

If the property has been introduced as evidence, but the employee is excused from court, the court clerk must sign the form and accept custody of the evidence.

The employee will scan Copy #3 into the RMS case folder, and forward Copy #4 to the Property Management Warehouse within 48 hours.

When the evidence can be released, the court shall contact the Property Management Warehouse and arrange for retrieval of the property.

7. Property

Division Property Files

Property and Evidence is incorporated in the RMS. There is no need for Divisions to maintain a property file for evidentiary items. The only property file that shall be maintained by Divisions are those related to the MVS system.

Notification to Owner

When property is recovered, the recovering employee shall notify the owner, if known. Notification may be made in person, by phone, or mail. The employee shall inform the owner, they must provide a government issued photo ID as proof of identity and claim the property within 90 days of its recovery. This provision does not apply for items being held for forensic analysis.

If the owner does not retrieve the recovered property during the recovering officer's shift, the employee making the notification shall indicate the method of notification in the RMS Property and Evidence sheet and send a Notification Letter by mail, if not previously sent. The employee shall attach a copy of the letter to the property prior to

submission to the Property Management Warehouse.

If the owner information is discovered later, the employee shall notify the owner via the Notification Letter. The employee shall also forward a copy of the Notification Letter to the Property Management Warehouse to be filed with the item and/or entered into RMS.

Release to Owner

Employees shall use the Property Release Form generated by RMS to release property to owners.

The Property Management Warehouse will hold recovered property for 90 days (except seized firearms). If not claimed or returned to the owner within that time, the property will be submitted to the County purchasing agent for disposal.

Claimants must provide proper identification and proof of ownership.

Property will not be released to owners if it is:

- Contraband
- Held as evidence
- Money confiscated for vice violations

If ownership cannot be clearly established through provided documentation or the preponderance of facts, the property may only be released with the approval of a command officer the rank of Lieutenant or above. The review and approval shall be noted in RMS within a case report record.

Once any firearm is logged into police custody, it may only be released through the Property Management Warehouse. For additional guidance on the release of firearms, ***See:*** **Section 15. Firearm Examination Unit (FEU)** of this chapter.

Release to Finder

When an employee recovers property found by another, and ownership cannot be established, they shall notify the finder that the property may be released to them if:

- The property is not claimed by the owner within 90 days of the date of recovery
- The finder lays claim within 90 days of the date of recovery
- The property is not contraband or a firearm
- The finder has proper identification

Property found by departmental personnel while acting in an official capacity, will not be released to the finder.

Property Receipts

The Property Notification Letter generated in RMS may be used as a citizen's receipt. Employees shall issue receipts to those who find property having monetary value. Employees shall not issue receipts to those who find the following items, but shall indicate the items in the Case Record and items must still be entered as a Property Sheet within RMS:

- CDS
- Contraband
- Evidence recovered from a crime scene, whatever its value

Receipts are not issued for inherently worthless items or items that are so extensively damaged as to have no monetary value.

8. Assisting the Fire Department with Major Fires

Property recovered by Fire Department personnel as a result of an overhaul operation shall be turned over to an officer. Officers shall accept custody of the recovered property when:

- The items have value and are small enough to be concealed in a person's clothing or are firearms
- A reasonable effort by Fire Department personnel has failed to locate the owner of the property

An officer receiving property from Fire Department personnel shall document the following information in a Case Record:

- The name, ID number, and assignment of the individual who recovered the property
- The exact location that the property was found
- Efforts made to locate the owner

9. Submission of Large Sums of Money & Valuables

Submitted money or valuables worth less than $5,000.00 shall be stored in a secure mailbox. The items shall be logged and processed in the same manner as narcotic property, ***See below:*** **16. Drug Analysis Lab**. Money and narcotics shall not be stored in the same mailbox.

Money or valuables worth $5,000.00 or more shall be transported to the Property Management Warehouse during the shift in which it was recovered. Officers who recover large sums of money shall request that a Supervisor respond to the scene. The Supervisor shall count the money in the presence of the recovering officer.

A Supervisor shall make the determination when doubt exists as to the value of non-monetary property. They shall also decide whether the item should be transported to the Property Management Warehouse. Supervisors may authorize the transport of money or valuables worth less than $5,000.00. The Supervisor shall notify the Property Management Warehouse prior to transport.

Prior to leaving for the Property Management Warehouse, the transporting employee shall transmit their odometer reading and destination to the dispatcher via police radio. Upon arrival, the employee shall transmit the word "arrival," followed by another odometer reading. The dispatcher shall acknowledge the employee with a time check.

If the Property Management Warehouse is closed, a Supervisor may authorize the storage of money or valuables worth $5,000.00 or more in the currency mailbox. The property supply clerk shall check submitted property for this notation and notify the Property Management Warehouse to arrange for the transport of the money or valuables.

Currency Seized for Forfeiture

(Maryland Criminal Procedure Title 12)

The County must petition for the forfeiture of money and personal property when seized during gambling and CDS investigations. The County's Office of Law handles forfeiture proceedings involving currency. The SAO handles forfeiture proceedings involving property. Petitions must be made within the earlier of (1) 90 days after the seizure: or (2) one year after final disposition of the criminal charge for the violation giving rise to the forfeiture.

Employees who seize currency for forfeiture as a result of gambling or CDS investigations shall write "CONFISCATED MONEY" in the narrative section of the Booking Record. Employees shall forward copies of the following to the Office of Law:

- Booking Record
- Case Record
- Vehicle/Asset Forfeiture Summary Report
- RMS Property Sheet Chain of Custody

The Office of Law will monitor cases involving confiscated money through disposition. The SAO, Asset Forfeiture Unit coordinates the processing of forfeiture cases from initial seizure through final court disposition in cooperation with the Office of Law.

Authority to Seize CDS-Related Currency

Currency may be seized and subject to forfeiture if the currency has a direct relationship to CDS-related violations.

The following are examples of such cases:

- Currency used to facilitate a CDS transaction
- Currency located in close proximity to seized CDS (when the CDS constitutes PWID or a felony amount)
- Currency that is proceeds from the distribution of CDS

Notifications

NED's Narcotic Asset Forfeiture Unit (NAFU) shall be notified of all CDS-related currency seizures in excess of $1,000.00. The seizing officer shall make telephone notification within 24 hours of the seizure.

Officer's Responsibilities

Upon seizure of assets in CDS-related cases, the reporting officer shall complete an Asset Forfeiture Summary Report within 24 hours and distribute it as follows:

- White and pink copies – SAO/Asset Forfeiture Unit
- Yellow copy – Records Section
- Green copy – NED/NAFU
- Photocopy – Commander/Manager

The officer shall also forward copies of the Case Record and RMS Property Sheet Chain of Custody(s) to NED/NAFU.

Currency Held as Evidence

If currency seized for evidence or forfeiture is needed for legal proceedings, the officer shall photograph, not photocopy, the currency. Photographs may be substituted for the currency in criminal cases. Seizures of currency involving more than one bill shall be photographed as a whole, not separately.

Unless the employee advises the Property Management Warehouse of the need for the actual currency as evidence, it will be deposited in the County treasury.

Currency Not Needed as Evidence

When currency is recovered but not needed for court or forfeiture proceedings, the

officer shall:

- Photograph the currency
- Record the total number of bills by denomination in an RMS Property Sheet

Counterfeit Currency

When submitting counterfeit currency, a copy of the Case Record shall be attached to the evidence bag prior to being placed in the money/valuables mailbox at the Division Station. Counterfeit money shall be entered in RMS as counterfeit currency. ***See:*** **VOLUME II, CHAPTER 30. FINANCIAL CRIMES. 6. Counterfeit Currency**, for additional Officer Responsibilities regarding counterfeit currency.

Currency or Valuables of Historical Value

The Chief of Police, with approval of the County Purchasing Agent, may turn over currency or valuables to the Smithsonian Institution or other appropriate museum in lieu of being destroyed if it is determined to have historical value.

10. Routine Deaths

When an officer determines that the deceased has no living next of kin or relatives or cannot locate any, they shall:

- Contact the Office of the Sheriff (OSPG) to arrange for a court order securing the deceased's property
- Request that a deputy respond to the scene and take custody of the property

The following information will be supplied to the OSPG:

- Name of the deceased
- Address and description of the property to be safeguarded
- The reason for the request
- Materials needed to properly safeguard the property
- Phone number where the officer can be contacted

After OSPG has been contacted, they should arrive on the scene within two hours with a court order that legally authorizes the safeguarding of the deceased's property.

The requesting officer will note in the report the name and ID number of the deputy who receives custody of the property.

Removing Property from the Deceased

If the deceased is removed from the scene before the arrival of a deputy, the officer handling the case shall:

- Inspect the deceased for articles of value
- Remove those articles from the body and enter in RMS

Officers shall indicate in RMS the name and ID number of the Deputy to whom the property was released.

If the removal of property from the body would result in damage to the item, destruction of evidence, or desecration of the body, the officer shall:

- Note the item on the report documenting why it was not removed
- Photograph the items before the body is removed

Photographs shall be uploaded to DIMS. When photographs are taken, it shall be noted in the Case Record.

Release of Property to Next-of-Kin

Provided that an immediate family member's identity and relationship to the deceased is established to the officer's

satisfaction, property belonging to the deceased may be released by the officer at the scene.

In cases involving persons that are not immediate family, officers may not release the deceased's property. Interested parties will be advised to contact the office of Register of Wills.

Immediate family includes:

- Parent
- Spouse
- Child

11. Recovering Stolen Property from Pawn Shops & Scrap Facilities

The Pawn & Scrap Unit is responsible for recovering stolen property from pawn shops and scrap facilities. The Unit shall initiate a STOP number, complete a Pawn Recovery Sheet, and forward it to the investigator handling the case. The investigator shall:

- Meet with the victim at the pawn shop or scrap facility to recover the property
- Have the victim or their designee and the employee from the pawn shop or scrap facility releasing the property sign the Pawn Recovery Sheet
- Distribute the copies of the Pawn Recovery Sheet to the following:
  - Employee from the pawn shop or scrap facility
  - Pawn & Scrap Unit
  - PGPD Investigator
- Forward copies of Pawn Recovery Sheet and Case Record to the Pawn & Scrap Unit

12. Computer Forensic Unit (CFU)

CFU collects and examines data contained within computer systems, computer hardware and other devices capable of capturing and/or storing data electronically. The recovered data is then analyzed for its evidentiary value. CFU also conducts computer crime investigations.

CFU is the point of contact for investigative sections within and outside the Department when it is believed that a computer crime has been committed. Criminal acts discovered by CFU beyond computer crime shall be referred to the responsible investigative unit.

All requests for examination shall be directly related to an investigation.

Seizure of Computer Media

CFU has primary responsibility for seizing any devices capable of capturing and/or storing data electronically. Investigators who target computer systems and any other devices capable of capturing and/or storing data electronically in a search and seizure warrant shall notify CFU at least 48 hours prior to the execution of the warrant. When available, a CFU investigator will respond to the scene and assist by safely shutting down the computer system and collecting items to be analyzed. The CFU investigator will take custody of seized computer items and transport them to CFU.

Submitting Items to CFU

Investigators who request analysis of electronic media shall transport the items directly to CFU. Officers are cautioned regarding the properties of electronic storage devices and shall take steps to prevent their exposure to harsh conditions and magnetic

fields. Officers intending to transport items to CFU shall first contact the unit by telephone to ensure that a CFU investigator is available to accept custody of the evidence.

When circumstances prevent a timely response to CFU, a Supervisor may authorize placing the items in temporary storage. Officers shall submit the property as they would under normal circumstances. The requesting officer shall notify the Property Supply Clerk.

The Property Supply Clerk shall ensure such property is held until the requesting officer can transport the items to CFU. Requesting officers shall transport the items to CFU as soon as possible. Items to be analyzed shall not be held at a temporary storage facility for more than 96 hours. Upon completion of analysis, CFU will send a Report of Findings to the requesting officer.

Copies of the original evidence, under certain circumstances, may be stored at CFU. If the SAO requires that the actual item be analyzed, the request will be honored by CFU. CFU will submit analyzed items to the Property Management Section or back to the submitting officer. This will be indicated in the last paragraph of the analysis report.

CFU's hours of operation are:

- Monday to Friday
- 0700 hours to 1500 hours

13. Forensic Science Division (FSD) Examinations

(Evidence Handbook)

FSD details submission and examination procedures for the Department's forensic analysis components. The Crime Scene Investigation Division (CSID) is the point of contact regarding the submission of evidence for forensic examination outside the Department.

All property and evidence submitted for forensic examination must be entered into RMS.

14. DNA Lab

The chemists in the DNA Lab analyze submitted property for the presence of biological evidence, develop DNA profiles, and when possible, determine the source of the evidence. Biological evidence may include blood, semen, saliva, sweat, hair, bones, tissue, etc.

Evidence shall not be released for analysis at an outside laboratory without prior approval from the Manager of the Forensic Science Division or their designee. Submission of evidence to an outside laboratory may compromise the ability for laboratories to perform analysis.

All items which may require submission to the DNA Lab for analysis shall be documented on a singular RMS Property Sheet. The RMS Property Sheet shall not contain other items on the Property Detail Tab. One Property Sheet can be authored for multiple items which may require submission to the Serology and DNA Lab recovered from the same incident.

The DNA Lab reserves the right to reject any item of evidence for analysis if the item

does not conform to RMS documentation standards, packaging requirements or is unsuitable for analysis.

Submission Limits

The number of items that can be submitted for each case will be limited as follows:

- Homicide cases will be limited to 10 probative evidentiary items
- Sexual assault cases will initially be limited to the Sexual Assault Evidence Collection Kit, unless no kit exists, or the case scenario indicates the kit is not the most probative evidentiary item. If the kit is negative, a maximum of 2 additional probative evidentiary items will be accepted.
- Cases with other crimes against persons will be limited to 5 probative evidentiary items
- Property crimes and handgun possessions offenses will be limited to 2 probative evidentiary items

Any exceptions will be made on a case-by-case basis and require the approval of the DNA Lab Manager or their designee.

All necessary known DNA standards must be submitted when requesting analysis.

Handling & Collection Procedures

Proper handling and submission of biological evidence is vital for reliable examination. Officers having questions regarding biological evidence may request guidance from the DNA Lab.

When recovering biological evidence employees shall:

- Always assume the evidence is a biohazard and handle accordingly
- Always handle the evidence with gloves, face mask, and protective clothing
- Package each item separately in paper or cardboard, not in plastic bags
- Seal each item with evidence tape and sign over the seal
- Label each evidence container with the case and item numbers, and affix a biohazard label
- Items of evidence should not be stored in extreme heat or placed in direct sunlight

Submitting Items for DNA Analysis

All submissions require a singular RMS Property Sheet. Each individual item must have an RMS property label attached and chain of custody documented in RMS.

DNA Lab hours of operation are:

- Monday to Friday
- 0800 hours to 1600 hours
- Closed on holidays

Crime Scene Clean-up

Employees investigating incidents where biohazards such as bodily fluids exist and require removal will refer the property owner to the Crime Scene Investigation Division (CSID).

CSID personnel will provide the citizen with the names and phone numbers of companies who provide crime scene clean up services.

15. Firearm Examination Unit (FEU)

PGPD officers and those from other agencies submit firearms and related items to FEU for examination.

Evidence shall not be released for analysis at an outside laboratory without prior approval

from the Manager FSD or their designee. Submission of evidence to an outside laboratory may compromise the ability for laboratories to perform analysis.

All recovered firearms shall be documented on a singular RMS Property Sheet. The RMS Property Sheet shall not contain other items on the Property Detail Tab. One Property Sheet can be used for multiple firearms recovered from the same incident.

FEU reserves the right to reject any item of evidence for analysis if the item does not conform to RMS documentation standards, packaging requirements or is unsuitable for analysis.

Firearms

The proper handling and submission of firearms allows for reliable examination by FEU and other investigative entities. All PGPD submissions require an RMS Property and Evidence Sheet entry. All ammunition and gun parts are entered in RMS as a Property Sheet entry.

Whenever possible, investigators or Crime Scene Investigators shall recover firearms. FEU shall be contacted whenever a firearm needs to be recovered from water.

Employees having questions regarding the proper handling of firearms may request guidance from CSID or FEU. Loaded firearms shall not be submitted to FEU.

Employees shall never:

- Assume a weapon is unloaded and safe
- Attempt to test fire a firearm
- Clean the barrel, chamber, or cylinder of a firearm
- Disassemble a firearm
- Insert pens, pencils, or foreign objects into the barrel or chamber of a firearm
- Point a weapon at others

Required Packaging

- Clips or magazines shall not be stored in a weapon
- Ammunition shall not be stored in a clip or magazine
- Firearms and ammunition shall be packaged separately and submitted as different items

Any questions shall be directed to FEU or CSID. If an employee cannot safely unload a weapon, they shall contact FEU and FEU will unload the weapon.

Packaging for Forensic Evidence

In order to ensure proper packaging for evidence integrity, all forensic evidence shall be properly sealed with tamperproof evidence tape. The evidence tape must be initialed with an identification number and dated prior to submission to FEU. Any corrections to the evidence packaging must be made by the submitting personnel before it can be accepted by FEU personnel. If the person submitting the evidence is different than the person who is listed in RMS, then they must initial the evidence tape that seals the evidence that is to be submitted. It will not be accepted in any other condition.

Evidence must be submitted as follows:

- Handguns must be sealed in a clear plastic bag or cardboard box
- Long guns must be sealed in a paper bag, plastic bag or cardboard box
- "Other" evidence must be sealed in a clear plastic bag
- NIBIN (National Integrated Ballistic Information Network) entry evidence

items must be sealed in a clear plastic bag
- Items must be submitted in individual bags to correspond with the crime scene details

Test Firing

Test firing of firearms is conducted when employees take custody of firearms obtained from illegal possession, narcotic possession, and other related charges.

The submission process for test firing is as follows:

- Evidence must be sealed prior to submission
- Seizing or witnessing employees will witness test firings
- The witnessing employee will be given a "Test Fire Certificate," which is required for court presentation, for immediate upload to the appropriate RMS case folder
- The witnessing employee is to scan and upload the "Test Fire Certificate" before leaving FEU and is responsible for ensuring it is appropriately named and in the correct RMS case folder
- FEU will ensure evidence is properly resealed after test fire

Firearm Holds

- Holds are non-evidence items that are submitted for safekeeping or storage by a Department employee. The items do not need to be sealed as described in previous sections; however, they must be secured to maintain contents.
- Any holds that are re-submitted should be secured to maintain contents
- Any questions regarding submissions or testing should be directed to the FEU

Notification of Recovered Firearms

A 24-Hour Fusion Report shall be written and submitted to Police_JAIC@co.pg.md.us prior to the end of the shift, on the day a firearm is recovered by:

- Patrol officers conducting an on-scene arrest
- Follow-up investigation
- Search Warrant execution by any unit
- Any officer taking enforcement action to include non-arrest situations and safekeeping

The 24-Hour Fusion Report Form shall include:

- RMS Number
- Full firearm description to include make, model, serial number, and any unique markings (note if the serial number is missing or obliterated)
- Location of arrest/recovery
- Identifiers of arrested person(s) and/or owner/possessor (as much as known)
- Recovering officer name, ID, and assignment
- Narrative denoting circumstances of the firearm(s) recovery
- Notation in the narrative when Crime Scene Investigation Division (CSID) recovers a firearm causing the firearm information to be unknown to the officer

NCIC/METERS Checks

When a firearm is taken into custody that is not listed as stolen in NCIC/METERS or cannot be checked through NCIC/METERS, the recovering employee shall contact the Teletype Unit and provide the:

- Make
- Model name and number

- Serial number or unique identifying number
- Physical description of the firearm, including size, type, and color

Teletype shall make an entry in the NCIC/ METERS Recovered Gun File. NCIC/ METERS retains the information for the balance of the year of entry plus two years. The recovering officer shall document the stolen status and gun file entry in RMS.

Submitting Items to FEU

An appointment is strongly recommended for all FEU submissions. When submitting more than two firearms, an officer must make an appointment prior to going to FEU.

Firearms submitted to FEU for analysis must have an FEU Request for Analysis Form, completed in full and one of the following:

- A supervisory approved Case Record
- Fusion Report

Associated ballistic evidence or leather goods shall be packaged separately and submitted on a separate RMS entry. A Fusion Report or Case Record shall be attached. Employees shall document the exact address, beat, and Division for all firearm seizures and recoveries.

Submission hours:

- Monday to Friday
- 0730 hours to 1630 hours
- FEU is closed on Holidays

Employees shall transport all recovered firearms and firearms-related evidence to FEU within 96 hours of recovery or seizure. Chain of custody information and a receipt stamp will be applied by FEU and the officer's copy returned to them.

Property Management Warehouse personnel will only receive recovered firearms from FEU. Employees intending to transport such evidence to FEU shall first contact the unit by telephone to ensure that an FEU analyst is available to accept the item. When circumstances prevent a timely response to FEU, a Supervisor may authorize the requesting officer to place the items in temporary storage as indicated below.

If FEU is closed, officers shall submit the items as they would under normal circumstances, except they shall indicate "FOR FEU ANALYSIS" on the associated paperwork. The Supervisor authorizing the temporary storage shall notify the property supply clerk who shall then ensure such property is held. The authorizing Supervisor shall ensure that items to be analyzed are not held at a temporary storage facility for more than 96 hours.

Requests for assistance after normal business hours shall be made through the PSC Supervisor to the Commander/ Manager, Forensic Science Division.

FEU shall send an analysis report to the requesting employee through the chain of command when the analysis is complete. FEU shall submit the evidence to the Property Management Warehouse or notify the outside agency when the analysis is complete. This information shall be noted in the last paragraph of the analysis report.

Submission of Handguns Involving Criminal Charges

Officers seizing handguns when criminal charges are filed shall:

- Complete the RMS Property Sheet entry, describing the handgun by make, model, and serial number

- If the owner is different from the possessor, include the owner's name and address, if known
- Transport the weapon to FEU or place it in Property prior to the end of shift

When firearms and/or ammunition are seized pursuant to an arrest, ongoing investigation, or the execution of a search warrant, Officers **MAY**:

- Process the firearm and/or ammunition for latent prints and DNA evidence prior to submission
  - To prove constructive possession/ possessory interest
  - For future investigative value

Maryland Criminal Law Article, Title 4, Section 4-203 – Wearing, Carrying, or Transporting a Handgun

Handguns seized pursuant to the provisions of Maryland Criminal Law Article, Title 4, Section 4-203 are subject to forfeiture. When an officer seizes a handgun pursuant to the aforementioned statute, they shall select YES in the forfeiture question within the Property Detail tab of the RMS Property Sheet. This applies even if the possessor is not charged with a violation of the aforementioned statute, though they may be charged with another crime, such as armed robbery. The Property Management Warehouse shall notify the owners of these handguns regarding the forfeiture appeal process.

Officers seizing handguns under this law can help expedite the return of a gun to its owner if the gun has been reported stolen. In these cases, the owner will be advised to apply to the Property Management Warehouse for the return of the gun.

If the handgun has not been reported stolen, the owner shall be referred to the Property Management Warehouse for retrieval procedures.

Submission of Handguns Not Involving Criminal Charges

Handguns seized, found, or recovered shall be submitted to FEU using the same procedures detailed above. Officers seizing such handguns shall notify the registered owner, if known, and advise them to contact the Property Management Warehouse within 90 days of the notification for retrieval of the weapon.

Submission of Long Guns Involving Criminal Charges

When a rifle or shotgun is seized and charges are filed, officers shall immediately:

- Complete the RMS entry including the name and address of the owner if different from the possessor
- Notify the owner
- Submit the firearm to FEU using the same procedures detailed above

Other Weapons

Police employees that seize weapons other than firearms shall handle the weapon in the same manner as other property.

Firearms of Historical Value

The Chief of Police, with approval of the County Purchasing Agent, may turn firearms over to the Smithsonian Institution or the United States Army Ordnance Museum in lieu of being destroyed if it is determined by the institution to have historical value.

Special Police Officer (SPO) Responsibilities

SPOs are required to follow the same procedures as PGPD Officers when submitting firearms for test firing. They are responsible for transporting firearms to FEU during normal business hours. If seized after hours, the SPO may place the firearm in temporary storage. The Supervisor placing the weapon in storage shall inform the SPO that they must retrieve and transport the weapon to FEU within 96 hours.

The property supply clerk will send firearms that are not retrieved from storage by SPOs within 96 hours to FEU. FEU shall test fire the weapon according to their procedures and forward it to the Property Management Warehouse. In such cases, the SPO must:

- Retrieve the firearm from the Property Management Warehouse
- Transport the firearm to FEU for additional test firing

16. Drug Analysis Lab

Employees seizing Controlled Dangerous Substances (CDS) or suspected CDS shall maintain strict control and supervision over the property until submission. Other employees shall be brought into the chain of custody only as necessary, and every transfer shall be documented within the RMS Property Sheet, specifically within the "Field Transfer" and "Initial Holding Location" sections.

Evidence shall not be released for analysis at an outside laboratory without prior approval from the Manager of the Forensic Science Division or their designee.

All recovered narcotics and suspected narcotics shall be documented on a singular RMS Property Sheet. The RMS Property Sheet shall not contain other items on the Property Detail Tab. One Property Sheet can be used for multiple narcotics recovered during the same incident.

The Drug Analysis Lab reserves the right to reject any item of evidence for analysis if the item does not conform to RMS documentation standards, packaging requirements or is unsuitable for analysis.

On-duty or off-duty officers shall submit seized or recovered CDS immediately, unless custody is transferred to another officer. If the CDS is transferred, the accepting officer shall be responsible for its submission.

Submission Procedures & Reporting

All submissions of CDS require:

- A Chain of Custody Log (from RMS)
- Adhesive Evidence Label (from RMS)
- Case Record
- A biohazard label if the CDS was recovered from a body cavity or is contaminated by body fluids

Due to the electronic chain of custody, as well as the implementation of the *Two-Man Rule*, the Division Station CDS logbook, shall not be completed by the submitting officer. The Chain of Custody Log shall document every transfer of custody. The Chain of Custody Log and packaged items shall be dropped in the narcotics mailbox.

Submission Procedures for Cannabis seized under Civil Citation

When submitting cannabis seized under a civil citation, the officer will process the cannabis in the same manner as other CDS, except the officer shall write "Civil

Citation" in the description field within the RMS Property Sheet, Property Detail Tab. Cannabis seized for civil citation will not be tested by the Drug Analysis Lab but will be held for safekeeping for 365 days.

If cannabis less than 2.5 ounces (70.9 grams) is seized as part of a criminal case and requires testing, the officer must request examination of the CDS.

Weighing CDS

All CDS materials shall be weighed before being packaged for submission. Whenever practical, to ensure the most accurate weight, officers should attempt to remove the CDS from the container or wrapping in which it was seized. The weight of the CDS shall be listed in the RMS Property Sheet, Property Detail Tab. Property items suspected of containing minimal residue or trace amounts of CDS shall be counted and not weighed.

A Supervisor shall witness the weighing or counting of CDS and place their signature on the RMS generated Chain of Custody once it has been printed using the RMS Property and Evidence Transaction Module. The Supervisor's signature indicates only that they witnessed the weighing or counting and submission.

Narcotics require a "Move" using the RMS Property and Evidence Transaction Module. This "Move" will require the electronic authentication of the "Two-Man Rule". The Supervisor and the submitting officer shall comply with the on-screen prompts to satisfactorily complete the "Two-Man Rule".

Packaging CDS

All CDS shall be submitted in clear 9½" x 16" heat-sealable, plastic pouches. Different types of CDS shall be submitted in separate pouches. Items found in different locations or recovered from different defendants shall be packaged separately.

If seized items are too large to be placed in a pouch, they should be placed in a box or other suitable container. The container should then be sealed with evidence tape, initialed, and dated by the submitting officer. A specific description of the contents of the box shall be placed on the outside for the safety of the drug analysis Lab chemists.

Recovered packaging, such as glass vials, film canisters, and envelopes, shall be placed within the pouch. Glass and fragile containers shall be wrapped with sufficient clear plastic padding to prevent breakage.

All containers shall be securely taped to prevent leakage or spillage. Sharp edges that might appear on pipes or broken items shall be wrapped or boxed to prevent injury. Syringes shall be packaged as described in the section of this directive titled ***Paraphernalia***.

After packaging, the employee shall affix the completed adhesive RMS Evidence Label to the top center of the pouch at the opposite end of the heat seal next to a biohazard label, if required. The pouch shall then be placed in the heat sealer and sealed approximately one inch from the top. The employee shall place their initials over the heat seal. Employees shall not fill the pouch to the extent that it would prevent laboratory personnel from opening and resealing it.

After weighing and packaging, the employee shall attach the Chain of Custody Log to the pouch above the RMS Evidence Label on

the rear of the bag as to not obstruct the view of the RMS Evidence Label.

Employees shall take care to not puncture the actual bag itself. Each submission will require its own Chain of Custody. The employee shall then drop the CDS in the narcotics mailbox. The Supervisor who witnessed the weighing shall:

- Review the paperwork
- Observe the dropping of the CDS
- Approve the RMS Property Sheet via Workflow

If the amount of CDS is too large to fit in the narcotics mailbox, the employee shall personally deliver the CDS to the Drug Analysis Lab. If the Drug Analysis Lab is closed, the employee shall transfer custody to a Narcotics Enforcement Division (NED) investigator, who shall arrange storage at the NED facility until the CDS can be delivered to the Drug Analysis Lab.

Analysis of CDS

The Drug Analysis Laboratory does not analyze all CDS evidence that it receives. Analyses are conducted only on receipt of a subpoena from the SAO or a memorandum from an employee to the Manager of the Drug Analysis Lab requesting the analysis. This memorandum can go directly to the Manager of the Drug Analysis Lab.

CDS to be Destroyed

The employee shall select "TO BE DESTROYED" in the "Hold Status" field within the RMS Property Sheet and follow submission instructions as indicated above.

Paraphernalia

Hypodermic syringes and needles shall be packaged in leak proof, puncture-resistant, plastic biohazard tubes. The sealed tubes shall be placed in a heat-sealed pouch. Syringes and needles will be inserted sharp end first into the plastic tube and the cap firmly tightened.

Employees shall not attempt to make the needle safe or unusable by resheathing with protective cap, cutting, bending, or removing the needle from the syringe. Syringes will be packaged separately from other evidence. Biohazard labels will be placed on the biohazard tube and the evidence pouch.

Plants

Whole plants greater than one foot in length shall not be submitted for analysis. Employees shall weigh and photograph the plant in its natural form. They shall cut or break the plant apart and then submit leaves, flowering tops, stems, and seeds for analysis. The remainder of the plant, including mature stalks and roots, shall be submitted on a separate Chain of Custody Log and marked for destruction.

Wet vegetable matter shall not be placed in a pouch. If the material does not dry naturally during the seizing employee's shift, custody shall be transferred to a NED employee. If the material does not dry during the NED employee's shift, they shall photograph the material and arrange for its secure storage until the material dries.

The NED employee shall submit an RMS Property Sheet to a Supervisor indicating the material is located within the secure drying room. Once the material has dried and been packaged, the Supervisor shall use the

Transaction Module to "Move" the suspected narcotic to the Drug Analysis Lab for analysis.

Only trained NED personnel or Crime Scene Investigators may use hair dryers or other devices to dry wet CDS.

Loose or Compacted Powders

Employees seizing suspected powdered CDS (loose or compacted), shall use a small inner plastic bag, which must be closed to prevent the spilling of evidence inside of the outer heat-sealed pouch. Double bagging avoids the potential danger of highly toxic chemicals becoming spilled and possibly airborne. Employees seizing this type of CDS should wear nitrile gloves and a mask to avoid exposure. Submission of fine powdery substances with suspected CDS must have a Dangerous Substance sticker affixed to the heat-sealed evidence bag.

Liquid CDS

Employees seizing suspected liquid CDS shall exercise extreme caution in handling, considering potentially carcinogenic, toxic, flammable, and explosive properties. If the container is leaking, employees shall not touch it and shall contact either the Drug Analysis Lab or NED for assistance. They shall wear gloves when handling containers of suspected CDS and shall not open the container. The seizing officer shall immediately submit liquid CDS seizures to the Drug Analysis Lab. If the Drug Analysis Lab is closed, the CDS shall be packaged in compliance with the taping and padding procedures described above in ***Packaging CDS***. For assistance in packaging, officers may consult the Drug Analysis Lab during normal business hours or NED after hours.

Seizures of one pint or more of liquid CDS requires notification to NED. An NED investigator shall respond to the officer's location and take custody of the material.

Employees encountering unknown substances, unmarked CDS containers, raw CDS manufacturing chemicals, or other possible evidence of clandestine laboratories shall immediately notify NED and obtain specific guidance. Employees shall wear protective gloves and handle such items as little as possible.

Narcotic Enforcement Division (NED) Notification

If circumstances require a notification to NED, the employee handling the incident shall make the notification. If no NED employees are working, the employee shall request PSC to call one out.

Pills, Tablets, & Capsules

Pills, tablets, and capsules shall be counted individually and weighed as a group, provided all items within the group are the same. Different pill types, such as tablets and capsules, require separate groupings.

Pick-up of CDS by Drug Vault Custodian

Drug vault custodians make scheduled visits to facilities that have narcotics mailboxes. In the presence of the Station NCO or appropriate authority, custodians remove CDS submissions from the mailbox. The drug vault custodian shall use the RMS Property and Evidence Transaction Module to "Move" items from their initial holding location to the Drug Analysis Lab. The drug vault custodian shall also accept custody of the items via the RMS workflow. If the Chain of Custody Log is incorrect or

incomplete, the drug vault custodian will leave the evidence to be corrected by the seizing officer and reject the item via RMS workflow. Division NCOs will follow up with the submitting officer to ensure that corrections are completed.

Only the drug vault custodian and the property supply clerk shall possess keys to the narcotics mailbox. Other personnel, including the submitting employee and witnessing Supervisor, are prohibited from opening the mailbox or attempting to remove CDS from it.

Obtaining CDS Evidence for Court

Employees needing CDS evidence for court shall obtain the evidence from the Drug Analysis Lab on the court date. It shall be returned to the Drug Analysis Lab immediately following the conclusion of that day's court proceedings. The Drug Analysis Lab Vault will be open for pick up and return from 0800 to 1600 each day the courts are open.

Officers are not required to bring cannabis evidence to court for which a civil citation was issued. Officers shall notify the Drug Analysis Lab when the case is adjudicated.

If the Drug Analysis Lab is closed when court proceedings end, the employee shall resubmit the evidence using the narcotics mailbox at any Division Station. A Supervisor shall witness the resubmission. The RMS Property and Evidence Transaction Module shall be used to "Check-out" the items from the possession of the Drug Analysis Lab to the transporting employee. Employees shall never possess checked-out CDS evidence overnight

There is no need to weigh the evidence prior to its resubmission unless the evidence pouch is opened during court proceedings. Should a court require that an evidence pouch be opened, the employee and the SAO are responsible for maintaining the integrity of the evidence. If the court opened the evidence pouch, Drug Analysis Lab personnel will weigh the pouch upon its receipt.

If the court retains possession of the evidence, the employee shall obtain documentation attesting to that fact from the court and immediately deliver that documentation to the Drug Analysis Lab or the narcotics mailbox at Division III.

When returning CDS property to the Drug Analysis Lab that is no longer needed as evidence, the employee shall notify the Drug Analysis Lab in writing. The Drug Analysis Lab shall then prepare the CDS for the next destruction date by marking the item using the RMS Property and Evidence Transaction Module. The Drug Analysis Lab shall create a transaction type Mark Item for Disposal.

If forfeitures of money or property are involved in a civil proceeding, the employee shall verify with the County Attorney's Office that the drugs are not needed.

Destruction of Narcotics

The Drug Analysis Lab will obtain permission to destroy narcotic property from the reporting employee, except in the case of cannabis seized under a civil citation.

Subsequently, all narcotic property will be inventoried to ensure that the documented drugs are present. This inventory shall be conducted by any two of the following witnesses:

- Employee assigned to the Drug Analysis Lab

- Internal Affairs Division employee
- Any commissioned officer

After the drugs have been inventoried and sealed in boxes for destruction, the witnesses will initial the seal.

An employee assigned to the Drug Analysis Lab shall transport those drugs to the destruction facility, accompanied by a witness as described above. A team from the Special Operations Division shall escort the transport.

The sealed boxes containing the drugs will be placed in an incinerator for destruction. The assigned employee and witness shall remain until all narcotics have been destroyed, checking the incinerator's contents before leaving to ensure destruction.

After destruction, employees of the Drug Analysis Lab shall use the RMS Property and Evidence Transaction Module to document the completion. The Drug Analysis Lab shall create a transaction type Mark Item Disposed for each item that was incinerated or otherwise destroyed.

Destruction of Paraphernalia

All paraphernalia contained in a heat-sealed bag will be removed and inventoried in preparation for destruction.

An employee of the Property Management Warehouse will transport paraphernalia such as bongs, pipes, or scales to the County landfill in Upper Marlboro. The items will be placed on the ground and a bulldozer used to crush the items. All paraphernalia will then be pushed into a hole and covered. The transporting employee will witness the entire destruction process.

17. Submission of Latent Evidence to the Latent Print Unit (LPU)

Evidence shall not be released for analysis at an outside laboratory without prior approval from the Manager of the Forensic Science Division or their designee.

Submission of evidence to an outside laboratory may compromise the ability for laboratories to perform analysis

All evidence submitted to LPU for analysis shall be documented on a singular RMS Property Sheet. The RMS Property Sheet shall not contain other items on the Property Detail Tab. One Property Sheet can be authored for multiple items of evidence submitted to LPU for analysis recovered during the same incident.

LPU reserves the right to reject any item of evidence for analysis if the item does not conform to RMS documentation standards, packaging requirements or is unsuitable for analysis.

Evidence submitted to LPU for analysis must have the following information listed on each lift card:

- RMS Number
- Type of Case
- Address
- Lifted From (Specific Item or Surface)
- Name of individual who lifted the evidence and ID# (Unique number for each lifted print)
- Lift Number
- Date/Time

All completed latent lift cards shall be placed in a Latent Evidence Envelope, sealed with evidence tape, and initialed to maintain the chain of custody. All latent evidence shall be submitted to a Supervisor

prior to the end of the submitting employee's end of shift. The Supervisor shall ensure that:

- All information fields on the Latent Evidence Envelopes have been completed
- An RMS label has been generated
- The envelope has been secured with evidence tape
- The items have been approved in RMS before placing them in a secure storage container specifically designated for Latent Evidence in the Division's property room

On a bi-weekly basis, an employee designated by the Division Commander/ Manager shall complete a Transmittal Sheet for the Latent Evidence Envelopes and transfer the evidence in RMS as a "MOVE". The employee shall then hand-carry the completed Latent Evidence Envelopes and the completed Transmittal Sheet directly to LPU.

LPU personnel shall be available to accept latent fingerprint evidence on Tuesdays, Wednesdays and Thursdays during normal business hours. Upon receipt of a Division's Latent Evidence Envelopes and Transmittal Sheet, a LPU employee will verify the submission and provide the Division employee with a copy of the Transmittal Sheet.

A case requiring immediate or "rushed" analysis shall be individually hand-carried to LPU by an employee of the submitting unit. Prior to responding to LPU the employee shall notify the LPU Supervisor of the need for immediate analysis. The LPU Supervisor or the Lab Manager, shall confirm the availability of a Latent Print Examiner and shall also determine the priority level of the case.

All requests for examination must be accompanied with a Request for Latent Fingerprint Examination Form. Only incoming latent evidence of sufficient quality will be entered in the Automated Fingerprint Identification Systems (AFIS) and noted on the Latent Evidence Envelope. The Latent Print Examiner assigned to the case will make this decision.

When an officer makes an arrest in a case that was previously submitted for analysis, the submitting officer shall notify LPU and submit a Request for Latent Fingerprint Examination Form, listing the name, ID#, Race, Sex and Date of Birth of all arrested subjects.

Latent Evidence Comparison Results

Whenever a suspect is identified by latent prints, the Latent Print Examiner will

provide the following information to the requesting employee:

- Name and Master Persons Number of the Subject(s) identified in the case
- Name of employee who compared the evidence and made the identification
- Forward a copy of final report

When an examination is made, and the results are negative, this information will be noted on the report and a copy returned to the requesting employee.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 42.2.1, 42.2.3, 55.2.6, 81.2.9, 83.1.2, 83.2.1, 83.2.2, 83.2.3, 83.2.5, 83.3.1, 83.3.2, 84.1.1, 84.1.4, 84.1.5, 84.1.7

Governing Legislation:

- Maryland Criminal Procedure Title 12
- Criminal Law Article 4-203
- Criminal Law Article 5-601, 5-601.1
- Maryland Annotated Code, State Government Article § 6-602
- Maryland House Bill 837, 2022

Reference:

- Criminal Investigations Manual
- Evidence Handbook

48. PURSUITS
(August 2023)

I. POLICY

When sworn officers engage in pursuits, whether in vehicles or by foot, their primary concern shall be the preservation of life. Officers must not disregard safety with the single-minded goal of apprehension.

Officers must maintain a balance between the need to apprehend the violator and the risks of potential danger to themselves and citizens. The identification and apprehension of the violator are secondary concerns during any pursuit.

The decision to engage in a pursuit can only be justified by the facts or information known at the time. Facts unknown to those involved, no matter how compelling, cannot be considered later in determining whether the pursuit was justified under this policy.

As a matter of policy, there are no offense criteria that would limit foot pursuits. Vehicle pursuits are permissible if there is a reasonable and articulable suspicion that the fleeing individual is committing, has committed, or attempted to commit any of the following:

A Shift Commander may authorize a vehicle pursuit in situations that fall outside of the current pursuit policy if they can specifically articulate the potential danger created by the pursuit would be less than the immediate or potential danger to the public if the suspect remains at large.

II. CHECKLIST (N/A)

III. DEFINITIONS

Emergency Equipment: Emergency lights and siren

Emergency Vehicle: A vehicle equipped with audible and visual emergency equipment as defined in Sections 11-118 and 21-106 of the Maryland Transportation Article (Maryland Vehicle Law)

Federal Removal: A document authorizing the transfer of custody of an individual from a local jurisdiction to a federal agency (United States Code)

Foot Pursuit: When an officer pursues, on foot or bicycle, a person who is attempting to evade law enforcement

Fresh Pursuit: A pursuit initiated in another County or State (including the District of Columbia), duly organized State, County, or municipal law enforcement agency by a sworn officer. Fresh pursuit shall not necessarily imply instant pursuit, but pursuit without unreasonable delay

Primary Pursuit Unit: The emergency vehicle that initiated the pursuit or the emergency vehicle closest to the suspect; could change during the pursuit

Reasonable and Articulable Suspicion: A well founded suspicion based on specific, objective, articulable facts, taken together with the officer's training and experience, that an individual has committed, is committing, or is about to commit a crime

Secondary Pursuit Unit: Any emergency vehicle authorized to be involved in a vehicle pursuit, that is not the primary unit

Supervisor: Personnel holding the rank of Sergeant and above, or a Corporal formally appointed in writing as an Officer in Charge (OIC) of a Departmental component

Shift Commander: A Shift Commander is a sworn officer the rank of Lieutenant, or a Sergeant who is in an acting position as a Lieutenant, who is responsible for the operation of a shift

Unit Commander: The senior supervisor responsible for the operation of an investigative or other enforcement unit or section, specifically a Lieutenant or Acting Lieutenant. A unit or Section Commander who approves a pursuit shall assume all responsibilities of a Shift Commander as identified in this chapter

Vehicle Pursuit: An active attempt by an officer in an emergency vehicle to apprehend a motorist who is refusing to stop or exhibits a clear intention to avoid apprehension by some combination of:

- High-speed driving
- Evasive tactics, such as making unexpected movements

IV. FORMS

- Case Record
- BlueTeam Module

V. PROCEDURES

1. Vehicle Pursuits

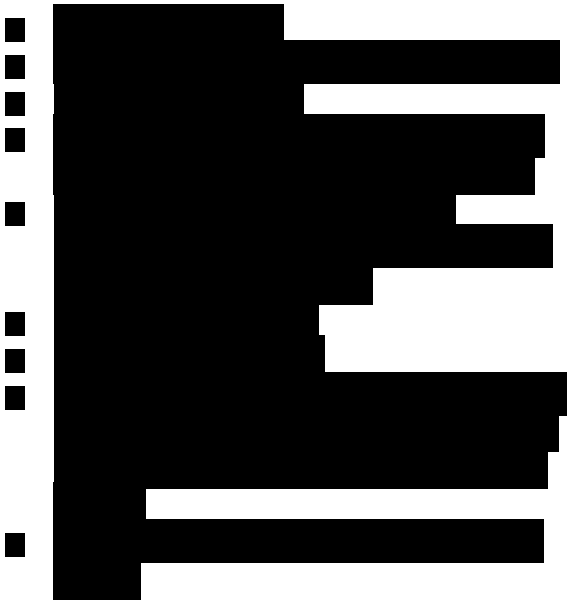
Officers are granted special privileges under State law while operating emergency vehicles with their emergency equipment activated. They are not relieved of the responsibility of driving with due regard for the safety of all persons and are not protected from the consequences of failing to exercise reasonable care under these circumstances.

The driver of an emergency vehicle, with emergency lights and siren activated, may proceed through a stop signal, or other cautionary signage, but only after slowing down or stopping to ensure that the intersection may be safely entered.

Nothing in this directive shall be construed to release the operator of a Departmental vehicle from civil or criminal liability for failure to use reasonable care in the operation of an emergency vehicle.

The decision to initiate a vehicle pursuit shall be at the discretion of the individual officer if there is a reasonable and articulable suspicion that the fleeing individual is committing, has committed, or attempted to commit any of the following:

The following factors should also be considered:



Occasionally, motorists do not react normally to police presence due to physical or mental impairments, including but not limited to, driving while intoxicated or under the influence of alcohol or drugs and certain medical conditions. Such persons may not stop upon observing police lights or sirens. Following a motorist in such situations is not a vehicle pursuit but requires notification and approval from the officer's Supervisor.

After supervisory approval, the officer may only follow the motorist if the motorist obeys all traffic laws (excluding failing to stop). Once the motorist attempts to elude the officer by violating traffic laws, the officer shall cease any further attempts to stop the motorist, unless the criteria for an authorized vehicle pursuit exists.

Closing in and stopping a motorist that is not attempting to flee and stops on police signal is not a vehicle pursuit.

Vehicle Pursuits Within/Outside the County

Officers may only engage in vehicle pursuits in the County and neighboring jurisdictions outside of the County if there is a reasonable and articulable suspicion that the fleeing individual is committing, has committed, or attempted to commit any of the following:

A Shift Commander may authorize a vehicle pursuit in situations that fall outside of the current pursuit policy if they can specifically articulate the potential danger created by the pursuit would be less than the immediate or potential danger to the public if the suspect remains at large.

A suspect must pose an immediate danger to the public or demonstrate a willful disregard for public safety before a Shift Commander may authorize a pursuit outside of the current policy.

A vehicle pursuit may only be continued inside or outside of the County once permission has been granted by a Shift Commander. That Commander's approval to pursue shall be transmitted on the appropriate talk group. The Commander's approval shall be documented in the narrative section of the Pursuit Critique.

A Shift Commander who initiates a pursuit may not authorize their own pursuit. Should such a circumstance arise, another Shift Commander must be consulted to approve or deny the pursuit. The approval or denial of any pursuit shall be transmitted by the deciding Shift Commander on the appropriate talk group and must also be documented in the narrative section of any subsequent Pursuit Critique.

2. Pursuit Driver's Responsibilities

(Transportation Article 21-405)

Under no circumstances will officers pursue at a speed so great as to render their vehicle uncontrollable, thereby endangering the lives of themselves or others.

Officers participating in a vehicle pursuit shall not proceed through intersections or against the direction of traffic signals or traffic control devices without first slowing or stopping. They shall ensure that they are in a clear position to see that no vehicles or pedestrians will be encountered.

No more than three vehicles shall be involved in a pursuit into a neighboring Maryland County, the District of Columbia, or Virginia, unless authorized by a Shift Commander. Officers shall notify the dispatcher of their intention to leave the County or State. Public Safety Communication (PSC) dispatchers shall notify the entered jurisdiction's police agency and keep them informed of the pursuit's status. Dispatchers shall notify the approving Shift Commander of the entered jurisdiction's involvement in the vehicle pursuit.

Pursuit units leaving the County or State will become secondary units when the neighboring jurisdiction enters the pursuit. Pursuits will be terminated as sufficient units of the entered jurisdiction join the pursuit.

[redacted]

If officers of the entered jurisdiction successfully stop the suspect, the approving Shift Commander will direct necessary officers to respond to that location in a non-priority status.

If apprehension is made by Prince George's County officers in a neighboring Maryland County, officers may arrest and return the suspect to Prince George's County without further legal process. However, if an officer of the neighboring jurisdiction requests that the suspect be processed at the neighboring jurisdiction's facilities before return, the arresting officer shall comply.

Emergency Equipment

No Departmental vehicle shall be used to initiate or participate in any vehicle pursuit unless it is equipped with emergency lights and siren. Emergency lights and siren shall be used throughout the pursuit. If more than one officer is involved in a pursuit, they should use different siren tones from each other.

In addition to emergency lights and siren, officers driving unmarked Departmental vehicles involved in pursuits shall use high beam or flashing headlights throughout their involvement.

To diminish the likelihood of a pursuit, officers intending to stop a vehicle will attempt to be close to the suspect vehicle before activating emergency signal devices.

Pursuits Resulting in a Citizen Death

The Attorney General's Independent Investigation Division (IID) will lead the investigations of all alleged or potential officer-involved deaths of citizens, relating to pursuits. When the on-scene Commander requests a Special Response Section (SRS) Investigator for such incidents they shall

also notify the Maryland State Police (MSP) Headquarters Duty Officer at [redacted]. All other Departmental notifications remain the same.

Personnel from the MSP Forensic Sciences Division (MSP-FSD) and MSP Criminal Enforcement Division will oversee the scene of potential IID investigations and will make every effort to arrive at the scene within one to two hours after notification.

Radio Transmissions During Pursuits

Following evaluation of the circumstances and initiation of a vehicle pursuit, officers shall broadcast the following:

- Advise the dispatcher of the pursuit. The dispatcher shall immediately notify the Shift Commander and request authorization of the pursuit
- Location/direction of travel
- Vehicle license number (including state), color, make, and model
- Reason for pursuit
- Information regarding number of occupants and weapons involved, if known

Failure to transmit the above information as soon as possible may be cause for a Shift Commander to terminate the pursuit.

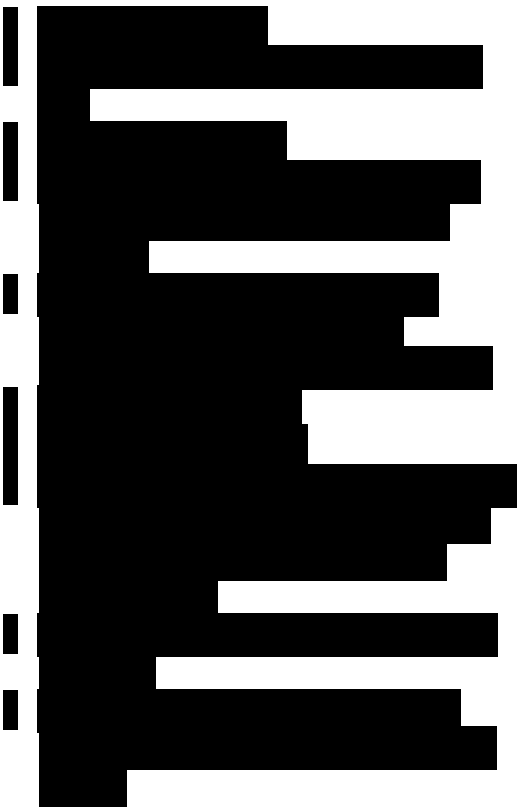
The primary pursuit officer shall maintain a clear narrative of the pursuit, providing speed and location to the dispatcher. They shall broadcast compass direction, hundred block numbers, and cross streets as necessary to describe the progress of the pursuit.

When officers become involved in vehicle pursuits as secondary units, they shall notify the dispatcher and limit radio transmissions to those essential to the pursuit or to acknowledge an inquiry. In certain cases, they may handle communications for the primary unit. Other back-up units will not advise their location or other information unless deemed necessary for apprehension efforts.

3. Shift Commander's Responsibilities

Upon notification of a vehicle pursuit, the Shift Commander shall:

- Acknowledge via the radio that they are monitoring the pursuit
- Authorize or prohibit the continuation of the pursuit after obtaining all relevant information such as:
  - Seriousness of the offense that led to the pursuit
  - Reasonable expectation that the suspect(s) can be later identified for apprehension
  - Whether the suspect(s) would be of further danger to the community
- Determine the need for aerial support and advise PSC
- [redacted]
- Ensure only the authorized units are involved in the pursuit
- Ensure the pursuit is conducted within Departmental guidelines established in Section **13. Assisting Other Agencies with Pursuits Into Prince George's County** below are also followed
- Monitor and continuously assess the progress of the pursuit
- [redacted]



The Shift Commander shall assert control of the pursuit by:

- Monitoring and directing specific units into or out of the pursuit
- Re-designating primary, secondary, or other back-up unit responsibilities
- Approving or ordering alternative tactics
- Terminating the pursuit in accordance with Departmental policy

Only a Shift Commander may authorize units in the direct vicinity of a pursuit to respond priority to the area of the pursuit. Incoming units must exercise extraordinary caution when approaching the vicinity of the pursuit.

The Shift Commander who approves a pursuit shall be responsible for the entire pursuit until its conclusion. The Shift Commander approving the pursuit shall be responsible for completing all reports associated with the pursuit.

4. PSC Responsibilities

PSC dispatchers shall provide all practical assistance to officers involved in a vehicle pursuit in accordance with PSC Standard Operating Procedures.

The dispatcher shall immediately notify the Shift Commander and request authorization for the continuation of any vehicle pursuit. If the Shift Commander is not available, a Shift Commander from another Division shall be contacted for approval. If the dispatcher cannot contact a Shift Commander, the pursuit will be terminated.

When pursuits involve officers from more than one Division, PSC shall determine the appropriate channel to broadcast the pursuit.

5. Uses & Restrictions for Certain Departmental Vehicles

[redacted]

[redacted]

6. Vehicle Pursuit Tactics

[redacted] Any pursuit unit may request the Shift Commander to approve the use of additional units if it is believed that such assistance is necessary. Additional units shall be limited to the assistance needed for officer safety.

All units in pursuits, including the primary [redacted]

Officers and Shift Commanders involved in a vehicle pursuit must continually assess the pursuit and consider alternatives. Alternative strategies may include, but are not limited to:

[redacted]

[redacted]

[redacted]

[redacted]

[redacted]

8. Aviation Section

Once the Shift Commander has determined the need for aerial support, the Shift Commander will notify PSC.

[redacted]

Aviation units will be given radio priority to relay speed, direction of travel, potential hazards, and possible apprehension sites to patrol units and Supervisors.

When the Shift Commander determines the ground pursuit is to be terminated, the Shift Commander shall notify the Aviation Section to:

[redacted]

The decision to terminate the assistance of an aviation unit is the Shift Commander's responsibility and will be dictated by the circumstances.

[redacted]

The use of the searchlight [redacted] will be at the observer's discretion.

[redacted]

[redacted]

[redacted]

10. Prohibited Tactics

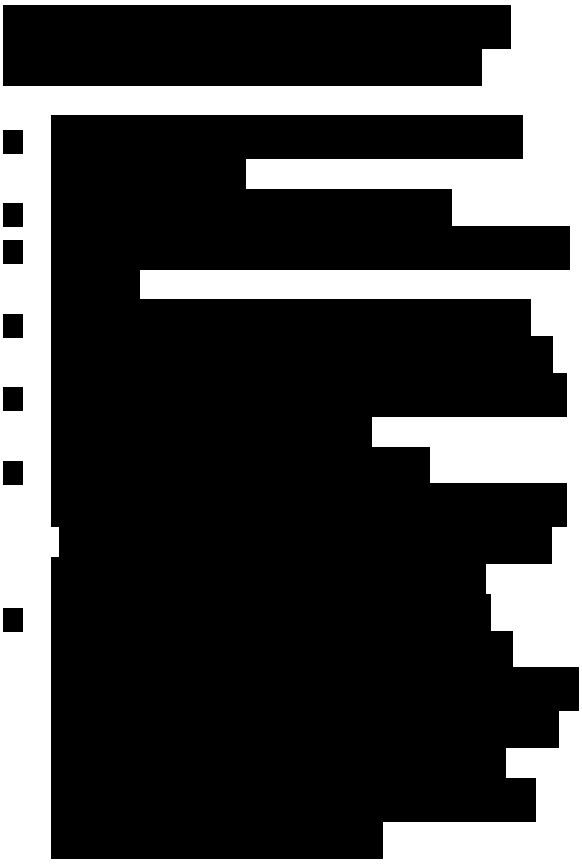
[redacted]

11. Termination of Vehicle Pursuit

Everyone involved has the responsibility to closely monitor the progress of each pursuit. The need for apprehension must be weighed against the dangers created by the pursuit.

When a termination is ordered, everyone shall do so immediately and verbally acknowledge the termination via the radio. The vehicle pursuit shall be immediately terminated when:

- Further pursuit will be futile
- There is an equipment failure involving:
  - Emergency equipment
  - Radio
  - Brakes
  - Steering
  - Other essential mechanical equipment
  - Damage to a departmental vehicle which creates a driving hazard
- When the pursuit causes a clear and unreasonable danger to the officer, fleeing motorist, or other persons and the danger is greater than the value of apprehending the suspect
- A clear danger exists when speeds dangerously exceed the normal flow of traffic, or when vehicular or pedestrian traffic necessitates dangerous maneuvering that exceeds the performance capabilities of the vehicle or driver



12. Apprehension

Safety is critical when the suspect's vehicle is stopped. Therefore, officers shall maintain self-control and strict operational discipline consistent with their training and officer safety practices. Officers should maintain cover and concealment and use safe arrest methods.

13. Assisting Other Agencies with Pursuits Into Prince Georges County

When officers from other jurisdictions pursue a suspect into the County, PGPD officers will only join the pursuit if:

- The pursuing jurisdiction notifies the Department of the offense for which the suspect is wanted
- The offense meets criteria for pursuits within the boundaries of Prince George's County if there is a reasonable and articulable suspicion that the fleeing individual is committing, has committed, or attempted to commit any of the following:

If these guidelines are met, the Shift Commander may authorize Prince George's County officers to assist officers from other jurisdictions that enter the County in fresh pursuit of a suspect. Assistance includes, but is not limited to, transporting prisoners, investigative support, evidence processing, and providing equipment.

All factors from sections **11. Termination of Vehicle Pursuit** above, must be considered when evaluating the necessity of participating in pursuits initiated by other agencies.

The agency initiating the pursuit is responsible for the arrest and coordination of all reports, citations, and criminal charges.

Confirmation of Probable Cause

Prince George's County officers are not required to confirm probable cause or examine all facts of a case before rendering general assistance to sworn officers from other jurisdictions. They shall initially rely upon a good faith expectation that the other officer is acting properly unless circumstances suggest otherwise.

Before any officer transports a prisoner, accepts custody of a prisoner, or makes an arrest, the facts of the case shall be examined, and the probable cause confirmed by a Shift Commander.

If the Shift Commander doubts the probable cause or finds the outside officer's actions improper, the Shift Commander shall ensure that no transfer of prisoner custody occurs, and that the prisoner is not transported by a PGPD officer. Obtaining an alternative means of transport is the outside officer's responsibility.

If probable cause is judged insufficient or the outside officer's actions are deemed improper, the outside officer shall be allowed the use of Departmental facilities, including cells and processing equipment, to expedite the prisoner's presentment to a commissioner. However, a Prince George's County desk officer shall not accept custody of the prisoner. The desk officer shall limit their control over the prisoner to the extent necessary to ensure the safety and security of all persons within the processing facility.

14. Post Vehicle Pursuit Requirements

Evaluation of officer performance and feedback are essential to maintaining and improving the way officers perform their duties. Pursuit reviews are also used to ensure compliance with Departmental policy and procedures. To accomplish this, each pursuit will be documented in the BlueTeam Module. BlueTeam pursuit incidents will be tracked monthly by the Deputy Chief, Bureau of Patrol.

Based on the actions taken by the involved officers, the Shift Commander of the area where the pursuit was initiated will

determine how the pursuit incident should be classified. If a vehicle pursuit, that Shift Commander shall obtain a "P#" from PSC prior to the conclusion of the tour of duty in which the pursuit occurred and include this number in the BlueTeam Module in the designated space.

The Shift Commander shall hold a pursuit critique meeting to evaluate the pursuit and comment on the following areas:

- Tactical considerations
- Training/safety considerations
- Possible alternatives
- Adequacy of Departmental policy on vehicular pursuit
- Adherence to Departmental policy
- Proper use of the in-car camera and body worn camera

After the critique meeting, the Shift Commander shall complete the BlueTeam Module. The BlueTeam information will contain the details of the pursuit and include the use of tire deflation devices and/or an aviation unit, if applicable.

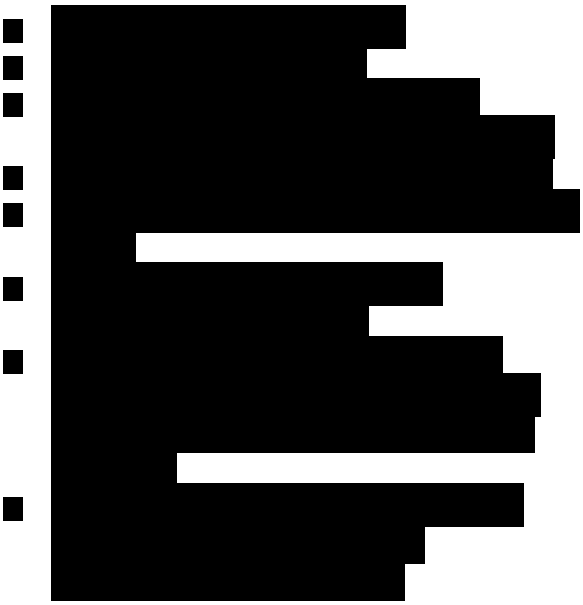
The pursuing officer's Supervisor will also review the BlueTeam information and provide feedback in either written or verbal format. The Supervisor's comments will be included with that of the Shift Commander.

The Shift Commander shall submit the pursuit information via the BlueTeam Module within 7 calendar days of the pursuit. The Shift Commander shall notify the Deputy Chief, Bureau of Patrol, through the chain of command of the pursuit. Deputy Chief, Bureau of Patrol, shall complete an annual analysis of vehicle pursuits.

15. Foot Pursuits

Officers have the authority to stop and/or detain any person when they have a reasonable and articulable belief that person has committed or is about to commit a crime.

Before initiating a foot pursuit, officers may consider the following:



Foot Pursuit Alternatives

Depending upon the severity of the crime or imminent crime, it may be necessary to consider alternatives to a foot pursuit such as:

[redacted]

Officer's Responsibilities

As soon as practicable, officers initiating a foot pursuit shall notify PSC of the following:

- Location and direction of travel
- Call sign
- Reason for pursuit, crime classification
- Number of suspects and clothing description
- If suspect is known/believed to be armed with a weapon
- If the officer is in plainclothes
- If sight of the suspect is lost and last location

Body Worn Camera (BWC)

To the extent possible, officers will activate their BWC when engaged in a foot pursuit. If an officer is unable to activate the BWC prior to the initiation of the foot pursuit, activation shall occur at the first reasonable opportunity to do so. When determining whether it is feasible to activate one's BWC, the officer's safety and the safety of others shall be the primary consideration, not merely the ability to record the event at a given time. For BWC instructions, ***See:*** **VOLUME II, CHAPTER 9. BODY WORN CAMERAS**.

Reporting Requirements for Foot Pursuits

The initiating officer shall complete the narrative section of the Case Record and, if necessary, any stated requirements in **VOLUME II, CHAPTER 58. USE OF FORCE, Section 5. Use of Force Review.**

Assisting officers taking an active role in the apprehension of the suspect(s) shall complete supplemental reports, if necessary or as directed.

16. Arrests Emanating from Pursuits into the County

When a Prince George's County officer assists an officer from another State, or the District of Columbia, with a fresh pursuit arrest, the PGPD officer shall request that a Shift Commander respond to the scene.

The Shift Commander shall interview the officer from the outside State, or the District of Columbia, to determine whether the suspect committed a crime in the County.

Pursuits with Crimes Committed in the County

If the Shift Commander determines a crime has been committed in the County, they shall assign a Prince George's County officer to charge the suspect.

All records shall be titled with the appropriate criminal violation. If the outside agency is the Metropolitan Police Department (MPD), the Shift Commander shall determine if the MPD officer intends to file charges for crimes occurring in the District of Columbia.

The Shift Commander shall advise the MPD officer that if the suspect is to be held for the crimes committed in the District, a teletype message must be sent to the PGPD Teletype Unit authorizing the federal removal. This allows the Department of Corrections (DOC) to hold the suspect once they have been charged for the crimes committed in the County. A copy of the official teletype shall be given to a DOC officer working at the

Regional Processing Center where the suspect is processed.

If the officer is from an outside state, the Shift Commander shall determine if the officer plans to file charges in their home jurisdiction.

The Shift Commander shall advise the out-of-state officer if the suspect is to be held for crimes committed in their jurisdiction, a teletype message must be sent to the PGPD Teletype Unit stating the suspect will be extradited for a warrant issued in that state. This allows DOC to hold the suspect once they have been charged for the crimes committed in the County. A copy of the official teletype shall be given to a DOC officer at the Regional Processing Center where the suspect is processed.

Pursuits With Crimes Not Committed in the County

Fresh Pursuit From DC

If the officer is from MPD, a PGPD Shift Commander will interview the MPD officer to determine if criminal charges are going to be pursued for felonies committed in the District of Columbia.

Before accepting custody, the Shift Commander shall ensure:

- The MPD officer on the scene contacts the U.S. Attorney's Office to request that a federal removal be authorized
- That an initial teletype message is sent to the Teletype Unit of the department. This initial teletype authorizes detention of the suspect until the official teletype authorizing the federal removal is received. The initial teletype must contain:
  - The name of the authorizing U.S. Attorney
  - The name, DOB, sex, and race of the suspect
  - A notation that an official teletype authorizing federal removal will be forthcoming

The Teletype Unit shall fax the initial teletype to the Regional Processing Facility in Upper Marlboro. A PGPD officer shall then transport the suspect to DOC, Upper Marlboro and transfer custody to DOC pending federal removal to the District of Columbia. Upon receiving the official teletype, the Teletype Unit shall fax a copy to DOC, Upper Marlboro.

The MPD officer may return to the District of Columbia to complete the necessary paperwork for the issuance of a federal removal.

Fresh Pursuit From Another State

If the officer is from another state, a PGPD Shift Commander will interview the officer to determine if criminal charges are going to be pursued for felonies committed in their jurisdiction. Based on their interview, the Shift Commander shall determine if there are reasonable grounds to believe a felony occurred in the out-of-state officer's jurisdiction.

If the Shift Commander believes there are reasonable grounds, they shall assign an officer to transport the suspect to DOC, Upper Marlboro. The officer shall remain until the PGPD Teletype Unit has faxed the teletype from the out-of-state officer's jurisdiction that authorizes extradition.

The out-of-state officer may return to their jurisdiction to complete the necessary paperwork for the issuance of the

extradition. If the teletype is not received within a reasonable amount of time, the PGPD officer shall notify their Shift Commander the teletype has not been sent. The Shift Commander shall contact the out-of-state officer to determine whether the suspect will continue to be held. The decision to release the suspect may be based upon available manpower, seriousness of the crime, and calls for service.

Federal Agencies

Shift Commanders shall respond to fresh pursuits into the County involving federal agencies. The Shift Commander will confer with the ranking Federal officer on the scene to determine appropriate jurisdictional and charging protocol.

Fresh Pursuits

In all fresh pursuits into the County, a PGPD officer shall complete a Case Record. The Case Record shall include the following:

- The federal agent or out-of-state/MPD officer's name, ID number, and agency phone number
- Names, addresses, and phone numbers of all victims, witnesses, and suspects
- Description of the actions of the federal agent or out-of-state/MPD officer and the assistance of the PGPD officers indicating whether any transfer of the prisoner custody occurred

The Shift Commander shall forward a copy of the Case Record to the Deputy Chief, Bureau of Patrol prior to the end of their shift. The Shift Commander shall also complete all actions under section **14. Post Vehicle Pursuit Requirements**, if PGPD officers participated in a pursuit.

PGPD officers that assist outside officers with fresh pursuit actions shall request that the outside officer or agency forward copies of the other agency's reports to PGPD.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.5, 26.1.1, 41.1.4, 41.2.2, 41.2.3, 61.3.4, 81.2.5, 81.2.6, 81.2.10, 81.3.4

Governing Legislation:

- Transportation Article, Sections 21-106 & 21-405
- United States Code 28USC1446
- Maryland House Bill 600-2021
- *Illinois vs. Wardlow (528 US 119, 2000)*

49. RADIO PROCEDURES
(December 2019)

I. POLICY

Employees will adhere to Federal Communications Commission (FCC) regulations. False calls or distress signals, unnecessary or unidentified communications, obscene or profane language, or the transmission of unassigned radio unit numbers are prohibited.

Transmissions on police radios shall be restricted to official Departmental business. Most talkgroups may be recorded by PSC at anytime.

II. CHECKLIST (N/A)

III. DEFINITIONS

[redacted]

Talkgroup: A virtual radio channel that is the primary means of communication for the Department (formerly known as a channel)

Zone – Organized collection of talkgroups

IV. FORMS (N/A)

V. PROCEDURES

Communication exchanges shall be verbally acknowledged.

When transmitting, employees shall:

- Be clear and concise
- Minimize background noise
- Use unit numbers or ID numbers instead of names

Confidential or sensitive information shall not be transmitted unless immediate communication is essential for the successful resolution of a situation.

[redacted]

Rules for alternate talkgroup use are the same as normal transmissions. Transmissions will be limited to those necessary to accomplish the assignment.

[redacted]

[redacted]

Other Zones

Officers will not use other zones unless:

- They are assigned to the unit the zone is assigned to
- It is operationally necessary

1. Entering Line-Ups

Prior to field units beginning the watch, the unit rosters will be logged into a CAD terminal.

The following minimum information will be entered for each squad:

- Call sign
- Officer ID number
- Cruiser number
- Beat assignments, if different from call sign
- Court or special assignments
- Leave

[redacted]

[redacted]

4. Officer's Responsibilities

Officers shall:

- Keep the dispatcher informed of their status at all times

- Advise the dispatcher when responding to or present at the scene of an incident
- Clear all assignments through PSC as quickly as practical
- When a call alert page is received, respond to PSC on the talkgroup that he or she was paged from
- Notify PSC Supervisor immediately when their police radio is lost or stolen
- Monitor the talkgroup in the area they are located when traveling in a departmental vehicle while off-duty

Officers shall not:

- Make any alterations to the police radio. If alternations are needed he or she shall take the radio to the Mobile Technology Center

[redacted]

5. Cancellation of Units Responding to an Incident

Only supervisors may delay or cancel an assignment, change a response code, or reassign units under their command. Calls for service that have been delayed by a supervisor must be reassigned by him or her. In doing so, the supervisor assumes responsibility for the decision.

Officers may cancel backup units after arriving on the scene.

[redacted]

[redacted]

The "900" series clearance codes are no longer to be used. All warrant services are to be cleared "700" according to the updated Clearance Code Matrix.

[redacted]

The G suffix is no longer to be used. Officers shall indicate possible gang related involvement within the applicable fields within the RMS.

[redacted]

The only time the "D" suffix is to be used is for Police Department Departmental accidents. This includes marked and unmarked cruisers, and leased vehicles.

When a departmental occurs outside of the County, the appropriate clearance code is *509D*.

In instances where a verified crime has occurred, but the suspect is dealt an Emergency Petition Service (EPS), the Clearance Code of the crime takes the higher priority and shall be given upon closing the incident.

An EPS service, by itself, shall never be coded as an arrest.

Clearance Code Changes

[redacted]

When an officer changes a code in the CAD system through PSC prior to the end of the shift, he or she must send a notification to [redacted] PSC can only make code changes during an officer's current shift and not a day later.

Once a Case Record has been generated and the scene cleared, CAD changes, such as obtaining a warrant or making an arrest at a later time or date, cannot be made on the original CAD call through PSC. The code for the verified crime must remain in place. Officers must add a new Case Record using the original RMS Case Number to document additional information or a Booking Record for a warrant service.

If an officer generates an additional CAD call for service number for a crime that has already been reported and coded, he or she must code the additional CAD numbers 300. All additional reports for the original incident must be submitted in the original RMS Case Folder.

7. Communications with Other Jurisdictions and Agencies

When an officer communicates with another jurisdiction, he or she shall:

- Use plain English [redacted]
- Identify themselves as Prince George's County Police followed by their ID number or call sign, for example "PGPD #123 to XYZ County"
- Keep communications brief and clear, without excessive talk

Off-Duty

Off-duty officers traveling outside of Prince George's County shall communicate with other jurisdictions only when they come

upon an incident that would require a 911 call.

On-Duty

On-duty officers shall not communicate with other jurisdictions or agencies unless operationally necessary or supervisor permission has been obtained.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 26.1.1, 81.1.2, 81.2.5, 81.2.6, 81.3.1

[redacted]

[redacted]

50. CHAPTER REDACTED

51. ROLL CALL
(July 2019)

I. POLICY

Roll calls are conducted daily for any grouping of officers working a patrol assignment, or plainclothes assignment in the community.

For the Bureau of Patrol, roll call is the starting point of the shift. Roll calls are generally conducted for each shift.

II. CHECKLIST (N/A)

III. DEFINITIONS (N/A)

IV. FORMS (N/A)

V. PROCEDURES

1. Supervisor's Responsibilities

Supervisors shall ensure that officers are logged into the CAD prior to the start of each shift.

During roll call, supervisors, or in their absence, the designated OICs shall:

- Notify officers of work assignments
- Distribute relevant information, such as:
  - Wanted persons and vehicles
  - Revisions to previous information
  - Information regarding other law enforcement operations in the sector such as task forces, etc.
- Provide continued training through:
  - Review of General Orders
  - Critique of specific police incidents
- Provide other county, state, and federal representatives with the opportunity to speak
- Conduct training on different topics, such as department policies and procedures, officer safety, legal and liability issues, or view videotapes or other recordings relevant to training

Supervisors may use roll call to conduct required inspections to ensure compliance with Departmental regulations. ***See*: VOLUME I, CHAPTER 30. PERSONNEL INSPECTIONS**

Supervisors may forego normal roll calls for operational necessity. When roll calls are not conducted, supervisors shall provide timely roll call information to officers in the field.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 12.1.4, 33.5.2, 41.1.3

52. RESPONDING TO SCHOOL INCIDENTS

(July 2019)

I. POLICY

Officers shall respond to school property to suppress crime or disorder and take reports. The Department has primary responsibility for all calls for service and alarms at public schools, regardless of the availability of municipal police officers.

II. CHECKLIST (N/A)

III. DEFINITIONS (N/A)

IV. FORMS (N/A)

V. PROCEDURES

General patrol activities of school properties are the responsibility of the patrol officer and the Canine Section. Officers should periodically patrol school properties and the communities in which the school is located for truants, gangs, disorderly subjects and unusual traffic.

School security officials have jurisdiction on school grounds and school buses. All other complaints will be handled by the law enforcement agency with primary jurisdiction.

School officials will report the following crimes to the Department:

- All felonies
- Narcotics violations
- Serious assaults
- Property crimes with losses in excess of $50.00
- Searches disclosing contraband or the fruits or implements of a crime

1. School Security Responsibilities

School Security is responsible for the following:

- Investigation of misdemeanors occurring on school property, unless such a case results in an extensive investigation in the general community
- Assisting the Department in developing leads and identifying suspects associated with the school community

2. Responsibility for Criminal Investigation

The Department is responsible for the investigation and clearance of all felonies. The appropriate investigator will coordinate activities with any School Security personnel who may have either responded to the scene or possess information pertinent to the case.

PGPD will provide assistance with or assume responsibility for misdemeanor investigations that lead into the community. Resolution of investigative responsibility in such cases will be determined through the cooperative efforts of the School Security and the affected police unit.

Whenever the school is the complainant or the incident occurs on school property, final case disposition will be forwarded to the School Security. However, such dispositions will not include the identity of arrested or accused juveniles, nor the identity of witnesses or other persons contacted.

3. Questioning on School Premises

Investigative questioning of students on school premises shall only be conducted in cases involving:

- A crime committed on the premises
- An investigation in which the safety of students or other persons would be unduly endangered if questioning is delayed

A school official shall be present during such interviews, and shall prohibit routine questioning of a student not under arrest.

Students shall not be removed from school premises merely for the purposes of conducting an investigative interview.

4. Search & Seizure on School Property

Officers possessing a search warrant may search that part of the school premises described in the search warrant.

Investigative searches of school premises by officers shall only be conducted pursuant to a search warrant or when a search is essential to prevent imminent danger to the safety and welfare of a student, another person, or school property.

Officers shall make reasonable efforts to conduct searches that minimize embarrassment to students and limit disruption to the school routine.

Officers will only search a student who is under arrest, or if the officer has a reasonable suspicion that the student is concealing a weapon. Officers shall not direct a school official to conduct a search of a student. Students' personal possessions, including lockers, will only be searched:

- After regular class hours
- During regular class hours with the student present
- Pursuant to a search warrant
- To prevent imminent danger to students or others
- Whenever school officials have substantial proof that a serious offense has been or is being committed

5. Arrests on School Property

When possible, arrests shall be made off school property.

Arrests on school property shall be made in a manner that avoids embarrassment for students, while maximizing officer and student safety.

When an arrest is made on school property during school hours, the officer shall provide a school official with information that will allow the official to notify the parent or guardian regarding the nature of the arrest. The officer shall provide the official with his name, ID number, and the location to which the student was taken.

6. School Disorders

No person other than the Principal, his or her assistant; the Director of School Security, his or her designee; or the Superintendent of Schools, or his or her designee may request a major deployment of officers to a school.

The ranking officer on the scene, working jointly with the Principal and Director, School Security, shall determine the number of officers that respond to the school.

During any crisis, the ranking officers of School Security and the Department will communicate with the Principal, and allow him or her to review all actions in advance. Any action taken by School Security or the Department, except during a crisis, should have prior approval of the Principal or his or her designee. Once the Principal's approval has been given, he or she will not interfere with the operation.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.3, 1.2.4, 1.2.5, 41.2.1, 42.1.4, 44.2.2, 44.2.3

53. RESPONDING TO SEX OFFENSES

(August 2021)

I. POLICY

Officers shall respond to sex offense incidents and deal with victims while balancing the need to secure evidence against the distress the victim may be experiencing.

II. CHECKLIST (N/A)

III. DEFINITIONS (N/A)

IV. FORMS

- Case Record

V. PROCEDURES

1. Officer's Responsibilities

Officers responding to these incidents shall:

- Verify the incident
- Provide medical aid to injured persons
- Broadcast a lookout, if appropriate
- Secure the crime scene
- Notify the Domestic Violence/Sexual Assault Center
- Complete a Case Record, the narrative for the Case Record need not be comprehensive

Officers shall not take investigative action, such as responding to the suspect's home, without prior authorization from the SAU investigator.

Unless the victim sustains physical injuries requiring immediate medical attention, do not have the victim transported to the Domestic Violence/Sexual Assault Center (DV/SAC) at the University of Maryland Capital Region Medical Center (UMCRMC), until authorized by SAU. The victim may, at their discretion, report to the (UMCRMC) for a sexual assault examination without the approval of SAU or involvement of the PGPD.

2. Victim at Hospital

The reporting officer shall notify SAU. If no investigator is available, the officer will have PSC contact an investigator. An investigator shall respond to the hospital. The investigator shall not request removal of the victim to another location for interviewing.

The reporting officer shall complete a Case Record and shall document notifications made to SAU.

3. Police Authorization Not Mandatory for Sexual Assault Exam

A sexual assault victim is not required to participate in the criminal justice system or cooperate with law enforcement in order to be provided with a sexual assault exam.

The victim of a sexual assault may request that a sexual assault exam be performed by the DV/SAC, (UMCRMC), without PGPD authorization. The victim is not required to provide their personal information and may remain anonymous. When a victim remains anonymous, their sexual assault exam will be referenced by a hospital case number and an RMS Number. An SAU investigator will provide the hospital with the RMS Number and take an initial report by phone or in person.

Evidence collected from an anonymous sexual assault forensic examination will be sent to the PGPD DNA laboratory and

stored for potential forensic analysis in the future as follows:

- 75 years for first and second degree rape
- 10 years for attempted first and second degree rape
- 1 year for any other sexual assault offense

The victim can request an investigation be pursued at any later date, even if the one year time frame has passed and/or evidence collected during the sexual assault forensic examination has been destroyed.

4. Use of Polygraph Examinations in Sex Offense Investigations

No officer shall ask or require a victim of an alleged sex offense to submit to a polygraph examination or other truth telling device as a condition for proceeding with the investigation of such an offense. The refusal of a victim to submit to any such examination shall not prevent the investigation, charging, or prosecution of the offense.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 12.1.4, 41.2.1, 41.2.5, 42.1.4, 55.1.3, 82.2.1
- The Violence Against Women and Department of Justice Reauthorization Act of 2005, 42 U.S.C. § 3796gg-4(d)

Reference:

- For additional details concerning these investigations, ***See:*** **VOLUME II, CHAPTER 20. CRIMINAL INVESTIGATIONS, Special Crimes Section.**

SEXUAL OFFENSES MATRIX

(Annotated Code of MD. Criminal Law Articles Sec. 3-303-308)
(July 2019)

ELEMENTS OF RAPE	1. Vaginal intercourse or sexual act 2. With another person 3. By force or threat of force 4. Against the will 5. Without the consent of the other person
ELEMENTS OF SEXUAL ACT	Cunnilingus, fellatio, analingus, and anal intercourse. Also includes using any object or part of an individual's body to penetrate, however slightly, another individual's genital opening or anus.
ELEMENTS OF SEXUAL CONTACT	The intentional touching of any part of the victim's or actor's anal, genital, or other intimate areas for the purpose of sexual arousal or gratification, or for the abuse of either party.
RAPE – First Degree FELONY – LIFE CR 3-303 ATTEMPT 3-309	A person may not engage in vaginal intercourse or sexual act with another by force, or threat of force, without the consent of the other person, AND 1. Employ or display a dangerous weapon, or a physical object that the victim reasonably believes is a dangerous weapon; 2. Suffocate, strangle, disfigure, or inflict serious physical injury on the victim or another in the course of committing the crime; 3. Threaten, or place the victim in fear, that the victim, or an individual known to the victim, imminently will be subject to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping; 4. Commit the crime while aided and abetted by another; or 5. Commit the crime in connection with a burglary in the first, second, or third degree.
RAPE – Second Degree FELONY – 20 years CR 3-304 ATTEMPT 3-310	A person may not engage in vaginal intercourse or sexual act with another, 1. By force, threat of force, without the consent of the other; 2. If the victim is a substantially cognitively impaired individual, a mentally incapacitated individual, or a physically helpless individual, and the person performing the act knows or reasonably should know that the victim is a substantially cognitively impaired individual, a mentally incapacitated individual, or a physically helpless individual; or 3. If the victim is under the age of 14 years, and per person performing the act is at least 4 years older than the victim
SEX OFFENSE – Third Degree FELONY – 10 years CR 3-307	A person may not engage in sexual contact with another person without the consent of the other, and 1. Employ or display a dangerous weapon or a physical object that the victim reasonably believes is a dangerous weapon; 2. Suffocate, strangle, disfigure, or inflict serious physical injury on the victim or another in the course of committing the crime; 3. Threaten, or place the victim in fear, that the victim, or an individual known to the victim, imminently will be subject to death, suffocation, strangulation, disfigurement, serious physical injury, or kidnapping; or 4. Commit the crime while aided and abetted by another; or Engage in sexual contact with another if the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual, and the person performing the act knows or reasonably should know the victim is a mentally defective individual, a mentally incapacitated individual, or a physically helpless individual; or Engage in sexual contact with another if the victim is under 14 years, and the person performing the sexual contact is at least 4 years older than the victim; or Engage in a sexual act or vaginal intercourse with another person who is 14 or 15 years of age and the actor is at least 21 years of age.

SEXUAL OFFENSES MATRIX - Continued

(July 2019)

SEX OFFENSE – 4th Degree MISDEMEANOR – 1 Year CR 3-308	A person may not engage in: 1. Sexual contact with another person against the will and without the consent of the other person. 2. A sexual act with another if the victim is 14 or 15 years old, and the person performing the act is at least 4 years older than the victim 3. Vaginal intercourse with another if the victim is 14 or 15, and the person performing the act is at least 4 years older than the victim

54. SICK, INJURED, OR INTOXICATED INDIVIDUALS & SHELTERS

(July 2019)

I. POLICY

Employees shall render appropriate assistance to individuals in need according to the provisions of this directive.

II. CHECKLIST (N/A)

III. DEFINITIONS (N/A)

IV. FORMS (N/A)

V. PROCEDURES

1. Sick, Injured, or Intoxicated Individuals

An officer encountering an unconscious or unresponsive individual shall attempt to wake them and determine whether the person is sick, injured, or intoxicated. Officers shall use extreme caution when doing so, in case the individual is injured.

If the individual is sick or injured and wishes to be transported to a hospital, the officer will request an ambulance through Public Safety Communications (PSC). If the individual refuses transport to a hospital, and the officer determines that the individual is capable of making a rational decision, no ambulance will be called.

If the person is merely intoxicated, the officer may attempt to transport or send the individual home, or to a medical or detoxification facility. This can only be done with the individual's permission.

If the individual is sent to their home or a medical or detoxification facility via commercial or public transportation, the officer will take reasonable steps to ensure that the cost of transportation is paid in advance.

If the person is unresponsive, they will be transported by ambulance to a hospital.

Medic Alert Warnings

When assisting, taking into custody, or transporting a person believed to be sick or intoxicated, officers will check for a Medic-Alert necklace, bracelet, or other device that describes a medical condition. Officers discovering such devices shall take appropriate steps to aid the person according to the information provided. When the officer transfers custody of an individual wearing a Medic-Alert device, the officer shall notify those receiving custody regarding the device.

2. Shelters

The Department of Social Services (DSS) coordinates emergency shelters for the homeless. Some cold season shelters operate from religious institutions on a rotating basis. A coordinating center authorizes the placement of individuals at shelters. Officers should contact PSC for telephone numbers and shelter locations.

DSS can render assistance to officers that are handling:

- Child abuse cases
- Evictions
- Incidents involving destitute or stranded individuals

Officers may contact DSS during normal business hours, Monday through Friday (0900-1700 hours). During non-business hours, weekends, and holidays, officers may contact DSS through the Crisis Hotline, or PSC. Citizens may be referred to the Department of Social Services for routine matters.

Calls for Service at Shelters

(Administrative Procedure 505)

The Department shall maintain order when removing individuals from shelters.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standard 1.1.3

Governing Legislation:

- Administrative Procedure 505

55. STRIKES, PICKETING & DEMONSTRATIONS
(July 2019)

I. POLICY

Negotiation and collective bargaining are legally recognized methods of peacefully settling labor disputes. In such disputes, it is not the function of the Department to address the issues involved, but to protect the rights of the public and the disputants by enforcing the law and maintaining order.

Strikes and picketing are not violations of the law. It is the illegal acts that sometimes arise from these activities about which the Department is concerned. The Department's effectiveness is maintained by remaining impartial.

II. CHECKLIST (N/A)

III. DEFINITIONS

Strike: A job action during which workers refuse to work as a means to improve their working conditions or benefits

Picketing: An action that involves one or more persons gathering to demonstrate their disagreement with an issue

IV. FORMS (N/A)

V. PROCEDURES

1. Strikes & Picketing

Officers will not usually be deployed at strike scenes. When such deployment becomes necessary, the appropriate District Commander will be responsible for deterring crime and keeping the peace.

Enforcement of Laws

The Department seeks to minimize criminal violations connected with labor disputes by providing guidelines for the conduct of the parties. These guidelines shall be discussed with management and labor officials. These officials shall be advised that the use of public sidewalks and roadways, the free access to public places, and the rights of persons to enter and leave private premises shall be preserved.

In cases where there is a violation of these rights, the Department will take prompt action. Violations of court orders and injunctions do not ordinarily constitute criminal offenses for which the Department will take enforcement action.

2. Demonstrations

Upon arrival at the scene of a demonstration, the OIC shall attempt to identify the leader or leaders of the group. If the leader is located, the OIC shall communicate with the demonstrators through them. The demonstrators shall be advised regarding the laws governing the free movement of pedestrians and vehicular traffic.

The OIC shall direct that all violations cease immediately. If they do, no further police action shall be taken.

If the demonstrators do not comply and the OIC determines that arrests are appropriate, the OIC shall estimate the number of persons likely to be arrested and notify the shift commander. When the shift commander determines arrests are imminent, the shift commander shall request the appropriate assistance through Public Safety Communications (PSC). PSC shall notify the Department of Corrections of the

situation so additional detention facilities can be made available.

Once these notifications have been made, the OIC shall use a voice amplification system to announce to the crowd the following order:

"I (state your name) of the Prince George's County Police Department hereby inform all persons assembled that you are violating (state ordinance or law violated). I order all of you here assembled to disperse. Failure to do so shall subject each of you to arrest and prosecution."

The OIC shall wait a reasonable length of time for compliance and repeat the order. If the crowd does not disperse after the second announcement, the OIC shall order the arrest of all remaining persons, who are in violation of the law.

All officers reporting to the scene of a demonstration shall be deployed in squads, under the direction of a Supervisor. Each Supervisor shall be responsible for dividing their squad into arrest teams. Teams may be rotated or relieved, as necessary, to avoid fatigue.

For processing mass arrests, ***See:*** **VOLUME II, CHAPTER 4. ARRESTS, TRANSPORT, AND PROCESSING.**

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.2.3, 1.2.5, 12.1.2, 41.2.5, 46.1.2, 46.1.3, 46.1.11, 81.2.5

Governing Legislation:

- Maryland Criminal Law Article 3-904

56. TRAFFIC LAW ENFORCEMENT

(September 2022)

I. POLICY

The Department is committed to making roadways throughout the County safer through traffic enforcement**.** Conspicuous patrol in marked cruisers by uniformed officers is the principal means of promoting good driving by deterring traffic violations.

The Department uses both marked and unmarked vehicles to enforce violations of the Maryland Vehicle Law.

When necessary, enforcement efforts will be targeted at specific times and locations, such as certain stretches of roadways or intersections, which experience a large number of accidents or traffic violations.

Officers shall be alert for traffic violations and traffic complaints that come to their attention and have the discretion to issue verbal or written warnings, citations, and to make arrests. Enforcement action shall be based entirely on the violation, not the personality, race, sex, or ethnicity of the violator.

II. CHECKLIST (N/A)

III. DEFINITIONS

Authorized Departmental Vehicle: A vehicle equipped with functioning emergency lights and siren

E-Tix: Delta Plus software developed by the Maryland State Police to be used as a method to issue Maryland Uniform Complaint and Citations (E-Tix), and as the Automated Crash Reporting System (ACRS). The software may also be used to print warnings, Safety Equipment Repair Orders (SERO), and accident exchange forms

IV. FORMS

- Warning/Field Observation Notice (PGC Form #5088)
- Maryland Safety Equipment Repair Order (SERO) (MSP Form #157)
- Request for Re-Examination of Driver (MVA Form #AJ-39)
- Parking Violation Notice (PGC Form #7-A)
- Void Notice (PGC Form #3378)

V. PROCEDURES

Each Division may maintain at least one unmarked cruiser to be used for special enforcement needs. The cruiser may be assigned to an officer whose primary duties are traffic enforcement. The cruiser will be equipped with:

- Spotlight
- Emergency lights
- Siren with public address system

Officers may use any of the following methods to enforce the vehicle law:

- Moving patrol
- Overt (high visibility patrol intended to discourage violations)
- Covert (to identify and apprehend violators)

1. Uniformity of Enforcement

Officers are prohibited from stopping individuals to issue additional citations after the conclusion of the original traffic stop unless:

- The officer becomes aware of violations that were unknown at the time of the original stop
- The investigation has not been completed

Examples include, but are not limited to, DUI, fatal or hit-and-run accidents, and cases where the individual provides false information.

Officers shall not threaten to issue additional citations to a citizen in order to persuade him or her not to challenge citations that he or she has already been issued.

2. Multiple Violations

Officers are not limited as to the number of citations, Safety Equipment Repair Orders, or warnings that may be issued to a violator.

Officers will ensure that all citations issued to a single violator are linked using the space at the top of the traffic citation.

Traffic Citations & Criminal Arrests

To establish probable cause in court, officers that make traffic stops that lead to arrests should ensure that the individual is cited for the violation that led to the traffic stop. For example, a driver who commits an unsafe lane change and is subsequently arrested for DUI should be cited for the unsafe lane change. In these situations, officers are encouraged to complete both the arrest paperwork and the traffic citations themselves in order to facilitate the consolidation of charges.

Officers shall ensure that they provide a photocopy of the signed citation(s) to the District Court Commissioner and record the citation number(s) in the top margins of both the Statement of Probable Cause and the Statement of Charges. This will allow the commissioner to request that the criminal and traffic charges be consolidated into one court date.

3. Legislators

Legislators, including those of the US Congress, Maryland House of Delegates, and elected politicians of Maryland counties and municipalities, are subject to compliance with the Maryland Vehicle Law. No legal or appellate provisions exempt them from prosecution.

4. Diplomats

See: **VOLUME II, CHAPTER 16. CONTACT WITH DIPLOMATS & ARREST OR DETENTION OF FOREIGN NATIONALS.**

5. Speed Measuring Devices

An authorized Departmental vehicle's speedometer may be used to pace vehicles in order to establish a speed violation. Officers who pace a motorist and cite him or her for speeding shall ensure that the speedometer has a current calibration. Speedometer calibrations are valid for 6 months.

Information regarding the use of other types of speed measuring devices and operator qualifications are contained in the Training and Education Division's SOP.

6. Off-Road Vehicles

Officers will investigate complaints concerning off-road vehicles. In cases where they can identify or apprehend violators, officers will follow appropriate arrest or citation procedures. Off-road vehicle accidents will be investigated

consistent with the Department policy, ***See***: **VOLUME II, CHAPTER 1. ACCIDENT INVESTIGATION**.

In cases where violators cannot be identified or elude apprehension, the officer may request, through the chain of command, the assistance of motorcycles through SOD. SOD may deploy in problem areas.

7. Public Carrier & Commercial Vehicle Code Violations

Officers may seek guidance regarding public carrier and commercial vehicle code violations from the Collision Analysis and Reconstruction Unit (CARU). CARU has primary responsibility for the enforcement of public carrier and commercial vehicle violations.

8. Traffic Stops

All uniformed officers operating marked Departmental vehicles are responsible for visible traffic patrol to enforce vehicle laws. Plainclothes on-duty officers or off-duty officers operating unmarked Departmental vehicles should refrain from making traffic stops unless the violation creates a significant hazard. Officers should only make traffic stops when operating Departmental vehicles equipped with functioning emergency lights and siren.

Routine traffic stops outside the County are prohibited.

Making Traffic Stops

Officers shall ensure that a violation has occurred, unless the stop is investigatory in nature.

Officers shall select a safe location for the stop, such as a parking lot or road shoulder, where violators may wait while being issued citations or warnings. The cruiser shall be positioned behind the violator to provide protection from other motorists. When stopped behind motorists, the officer shall activate their vehicle's emergency lights or hazard flashers.

When notifying the dispatcher of the stop, officers shall provide the following information in the below order:

- Location
- License plate number and state
- Make and model of vehicle
- Color of vehicle
- Number of occupants

When providing the location, officers shall avoid using common identifiers such as "MD 450 at the McDonald's." When giving locations on ramps or spurs, officers shall provide a "from-to" location, such as "ramp from Eastbound MD 214 to Southbound I-95."

Officer Identification During Traffic Stops

At the commencement of a traffic stop, officers must (1) display proper identification (i.e., badge or work ID) to the stopped individual and (2) provide specified identifying information regarding the officer. Specific identifying information shall include, but is not limited to:

- Rank
- Last Name
- ID Number
- Duty Assignment
- Agency Name

If the violator is being recorded by MVS or BWC, the officer will advise the violator that they are being audio/visually recorded.

An officer's failure to comply with the requirements (1) may be grounds for administrative disciplinary action against the officer and (2) may not serve as the basis for the exclusion of evidence under the exclusionary rule. For additional information ***See:*** **Volume I Chapter 26 MOBILE VIDEO SYSTEM (MVS) and Volume II Chapter 9 BODY WORN CAMERAS**

Officers shall:

- Advise the violator of the reason for the stop
- Request the violator's driver's license and vehicle registration
- Avoid debating the merits of the violation, but answer procedural questions concerning the violation
- Return the violator's license and registration at the conclusion of the stop, unless required as evidence

Officers may not prohibit or prevent a citizen from recording the officer's actions if the citizen is otherwise acting lawfully and safely.

Selective Traffic Enforcement

When selective speed enforcement is employed on roadways where the posted speed limit is greater than 35mph, use of a laser type speed detection device is preferred.

Traffic accident data supplied by the State of Maryland and other sources is made available to Commanders so that officers can be responsive to areas with higher numbers of violations and/or accidents.

Traffic collision data is also compiled in databases such as CAD and CLUE. To ensure system accuracy, officers shall provide the dispatcher with a clearance code that best describes the type of call. Doing so allows for the retrieval of accurate information at a later time. Traffic collision data compiled through various databases can be accessed and reviewed by the Joint Analysis Intelligence Center (JAIC) staff for research, reports, statistical analysis, crime meeting presentations, or other official purpose. Traffic enforcement officers receiving information from the Fusion Center will review the information as part of their selective enforcement efforts.

Data compiled from sources inside and outside PGPD, including citizen complaints or requests, and DUI arrest locations, may be used by Commanders to enhance selective enforcement efforts. When enforcement activity is conducted, traffic officers will compile data relative to their efforts and report their results to their Commander or supervisor.

Activity and statistical reports for Traffic Enforcement Unit (TEU) officers will be compiled and forwarded as required by the Unit's OIC for review.

When traffic enforcement is conducted specifically for complaints or reports of traffic accidents at a given location, the traffic officer conducting the enforcement activity will complete a written report for supervisory review. The report will compare the enforcement activity with the number of accidents for the 30-day period before and after the enforcement was conducted. If the review determines the need for traffic engineering assistance, the traffic officer will ensure notification to the supervisor, CARU.

Commanders and Supervisors will implement appropriate measures and selective enforcement techniques that may include:

- The use of speed measuring devices
- Directed patrol, line patrol, or stationary observation

Prior to an officer being assigned to selective enforcement activities, he or she will be informed by their Supervisor of the nature, details, and objectives of the assignment.

Selective traffic enforcement activities conducted by TEU will be evaluated by traffic officers to determine effectiveness and whether continued enforcement or occasional monitoring is appropriate. At least annually, the TEU OIC will complete a documented evaluation of selective enforcement activities for the year just ended. The evaluation will be maintained in unit files. This review will be in conjunction with any evaluations conducted for campaigns (i.e., Click-It or Ticket-It, Law Enforcement Challenge, etc.).

Stop Teams

When conducting selective speed enforcement, when officers flag down offending motorists from a stationary position, officers shall:

- Restrict this type of activity to daytime hours
- Wear a brightly colored reflective safety vest
- Ensure they have a safe area to retreat to that will protect them from unobservant motorists

9. Inspecting Vehicle Interior Due to Window Tinting

(US v. Stanfield)

A police officer who lawfully stops a vehicle with windows so heavily tinted that the vehicle's interior is not visible, may open one of the vehicle doors to visually determine if:

- The driver is armed
- There are weapons inside
- Other occupants may pose a danger to the officer

Officers may seize any contraband or evidence they observe in plain view through a lawfully opened door.

10. Maryland Uniform Complaint & Citation

Distribution & Accountability of Citations

Citation books shall be stored in the Division's property room or other secure location. Supervisors shall sign a receipt designated by the property supply clerk noting the quantity of citation books received and their corresponding citation numbers.

When an officer obtains a citation book from their Supervisor, they shall complete the Receipt Card and top portion of the Tally Sheet, staple the two together, and return them to the issuing supervisor. The supervisor shall forward the receipt card to the property supply clerk, who will forward it to the Records Management Division.

Officers shall not lend, borrow, or share citation books.

Advice to Violator

When issuing citations, officers shall inform the violator whether or not a court appearance is mandatory, the amount of the pre-payable fine indicated on the citation, and the procedures for obtaining a court date. They shall inform the violator that

complete information and instructions are printed on the reverse of the violator's copy of the citation.

When charged with an offense for which the violator is issued a traffic citation, the officer shall advise the violator that:

- The Maryland vehicle law requires the violator to acknowledge receipt of the citation by signing it
- Signing the citation is not an admission of guilt, but the violator's promise to fulfill the requirements listed on the reverse side of the violator's copy of the citation by either paying the fine or appearing in court
- Failure to appear in court or pay the fine may result in the suspension of driving privileges

When the violator is not presented before a District Court Commissioner, the distribution of copies is as follows:

Forwarded to Records Management Division:
- Court copy (white)
- Law enforcement copy (yellow)

Retained by Officer:
- Officer's copy (pink)

Given to Violator:
- Defendant's copies (white & blue w/envelope)

If the charges require the violator to appear in court, the violator will only receive the blue copy.

When the violator is presented before a commissioner, the Commissioner places the court copy in the criminal file folder. The rest of the distribution is as above.

Actions for Refusal to Sign Citation

E-Tix

When a violator refuses to sign a citation, the officer will make it as clear as possible that a signature does not admit guilt to the violation but is only a promise to appear in court when advised to do so or to prepay the fine specified on the citation. Motorists are not required to sign E-Tix citations.

Paper Citations

Officers shall notify violators who refuse to sign a traffic citation that failure to sign may result in the issuance of an additional citation, as well as lead to their arrest. Upon continued refusal, the officer shall request that a supervisor (Sergeant or above), respond to the scene. If unavailable, a supervisor from another sector shall be requested.

The Supervisor shall explain to the violator that signing the citation is not an admission of guilt, but a written promise to either appear in court when notified or pay the fine. The supervisor shall reiterate that failure to sign may lead to the violator's arrest. Upon continued refusal, the supervisor may authorize an arrest.

If a supervisor determines that a violator, who is refusing to sign, should be arrested and presented before a District Court Commissioner, they shall ensure that a Booking Record is completed and forwarded to the Deputy Chief, Bureau of Patrol by the end of the shift.

As a substitute for requesting the response of a supervisor, the officer may print "REFUSED" in the signature block of the ticket when the violator possesses identification that allows the officer to

positively identify the violator and their home address. If the violator's identity and home address cannot be verified, they may be arrested as described in this section.

Voiding Citations

A citation that the violator has not signed may be voided administratively.

If an officer makes an error while writing a citation, they shall complete a Void Notice and forward it, along with the citation, through the Chain of Command to their Deputy Chief. If the Deputy Chief concurs, the citation will be forwarded to the Chief of Police for disposition.

A citation signed by a violator must be disposed of in Court either through dismissal by a judge or a declaration of nolle prosequi by an Assistant State's Attorney.

Voiding Electronic Citations Submitted in Error

When issuing an e-citation through E-Tix, the e-citation is sent to the courts immediately upon pressing the SUBMIT button. Therefore, once the SUBMIT button is pressed, the e-citation cannot be voided. Pressing the SUBMIT button also initiates printing of the e-citation, so if there is a problem with the printer (i.e., no paper, printer not installed, etc.), the e-citation has been issued electronically and sent to the court. The following options may correct this problem:

- Have another officer with an E-Tix printer respond to the stop and print the e-citation
- Advise the offender of the issue and deliver the e-citation to him/her once it is able to be printed
- Schedule a *nolle prosequi* of the e-citation following procedures in the above paragraph

Do not issue a handwritten traffic citation if the SUBMIT has been pressed. Issuing a handwritten citation for the violation(s) will cause the offender to be charged with the same violations twice. Even if the offender requests a court date for the handwritten citation(s), their license will be suspended for failure to comply with the e-citation(s).

Once an e-citation has been submitted, if it is determined it was submitted in error, it can only be scheduled for a *nolle prosequi* through the courts. The two options for *nolle prosequi* of an e-citation through the courts are as follows:

- On the court date when the e-citation is to be heard, the officer may ask the judge to nolle prosequi the e-citation
- Immediately request, in writing, that the e-citation(s) be scheduled for *nolle prosequi* the State's Attorney Office for District Court for Prince George's County. Include the following:
  - Offender's name and date of birth
  - Citation number
  - Whether or not it is a payable or must appear offense
  - Whether or not there are associated criminal charges

If the incident only involved a payable offense, the SAO will request to have the e-citation(s) *nolle prosequi*, which will prevent the driver's license from being suspended. If the incident involved a must appear offense, or, a criminal charge was associated with a payable offense, the SAO will note in the case file that the e-citation(s) is to be dismissed at the first court appearance.

The officer may ask the judge to *nolle prosequi* the e-citation on the court date the e-citation is to be heard.

11. Warning Notice

The Warning/Field Observation Notice may be issued to any vehicle or violator in lieu of or in conjunction with the issuance of citations.

12. Safety Equipment Repair Orders (SERO)

SEROs shall be issued for equipment violations on motor vehicles or trailers assigned permanent Maryland registrations. In cases involving unsafe vehicles, a Maryland Uniform Complaint and Citation may be issued to the operator of any motor vehicle or trailer. A citation may be issued in conjunction with an SERO.

SEROs shall be disseminated according to the directions on the form.

Certification of Safety Equipment Repair Orders

Officers may certify repairs of defects noted on the order with an asterisk. Orders may only be certified if all repairs are complete. If any defects without asterisks have also been checked, the citizen will be directed to an authorized inspection station for certification.

Inspections will not be conducted during inclement weather or darkness.
If all repairs have been completed, the officer shall enter the following information at the bottom of the SERO in the spaces provided:

- Officer's rank, signature, and ID number
- Date
- Prince George's County Police Department
- "DA" for Agency Code
- Mailing address of certifying officer's assignment

The distribution of copies is as follows:

Returned to Citizen
- Owner copy
- Hard buff copy

Transmitted to the Records Management Division
- Inspection Station copy

Window Tint Inspection

Only the Maryland State Police, Automotive Safety Enforcement Division is authorized to approve SEROs issued for window tint inspection.

13. Pedestrian & Bicycle Law Enforcement

Maryland's traffic laws apply to pedestrians and bicyclists alike. Officers shall be alert for violations of the traffic laws that jeopardize the safety of the pedestrian, bicyclist, or motorists.

Commanders may authorize selective enforcement efforts in response to ACRS (Automated Crash Reporting System) data or community requests.

14. Referral of Drivers For License Re-Examination

Officer's may identify certain individuals that have a physical, mental, or other condition that prevents, or limits, that individual from exercising adequate care and operation of a motor vehicle. If an

officer feels it necessary to request administrative action from the MVA, they should complete the electronic MVA "Request for Re-Examination" form. The form should include all the driver's information and a brief statement of facts that supports the officer's request. The electronic MVA Driver Re-Examination form is located within Delta Plus program.

15. Use of Reflective Safety Vest

The reflective safety vest shall be worn as the outermost garment whenever an employee or police explorer is engaged in traffic direction or stationary enforcement, except during emergencies or circumstances requiring brief intervention.

16. Parking Enforcement

(County Code Division 8, Section 26)

The Revenue Authority distributes Parking Violation Notice books. An officer receiving a notice book will complete the receipt form, sign, and forward it to the Revenue Authority. Officers are accountable for Violation Notices issued to them and shall not lend, borrow, or share them. Violation Notices will only be destroyed as provided for in this directive. When issuing a Violation Notice, the hard copy will be placed in a prominent location on the subject vehicle. Completing the owner's information section before placing the Violation Notice on the vehicle is not necessary.

Before submitting the Violation Notice to their supervisor, the officer shall complete the owner's information section on the remaining copies only for vehicles:

- That are unregistered
- With out-of-state registration
- With expired Maryland registration
- With Maryland dealer or transporter registration

The officer will retain a copy and submit the original and remaining copy to their Supervisor for review within 72 hours.

The Supervisor shall review the Violation Notice to ensure that it has been completed correctly. The original Violation Notice shall be placed in the Revenue Authority's Courier pick-up box, located at each Division Station. Copies shall be forwarded to the Revenue Authority where a file will be established for each notice book. Copies are not to be sent to the Records Management Division or the Treasury Division. The Revenue Authority will forward the original copy to the Treasury Division.

The Revenue Authority shall return Violation Notices containing errors to the appropriate Commander/Manager. Commanders/Managers shall ensure that the issuing officer corrects the Violation Notice.

Voiding Parking Violation Notices

This procedure will only be used when notices are issued in error. It is the only voiding procedure.

The issuing officer shall complete a Void Notice and attach it to the Violation Notice. The officer shall then forward both notices through the chain of command to their Deputy Chief. If approved, the Void Notice and the Violation Notice shall be forwarded to the Revenue Authority.

Owner Information Not Available

When a Violation Notice is issued that requires owner information, but such information is not available, an MVA

printout will be attached to the copies and forwarded to the Revenue Authority. No further explanation is required. Void Notices will not be needed in these cases.

17. Electronic Traffic Information Exchange (E-Tix)

E-tix uses an in-car computer based scanning system that allows officers to scan the bar code on a driver's license during a traffic stop. After entering the violations for which the motorist was stopped, a traffic citation is printed in the officer's vehicle and given to the violator.

Only officers who have attended an approved three (3) hour Maryland State Police training program are authorized to use E-Tix.

All guidelines for issuing traffic citations using the traditional Maryland Uniform Complaint and Citation shall apply, with the exception that the motorist is required to sign the citation(s). When issuing citations electronically, the motorist is not required to sign the citation(s).

New participants must conduct fifty (50) unique traffic stops utilizing the E-Tix platform to ensure a solid understanding of the system before they can issue state citations.

Officers will be required to fill out all mandatory fields before issuing citations.

Since E-Tix only generates one paper copy of citations, warnings, and SEROs, officers will use the Reporting/Statistics feature of E-Tix to generate a daily report of activity. This report can be printed and turned in for statistical tracking purposes.

E-Tix citations may not be issued to juveniles under the age of eighteen (18), but older than fifteen (15), for incarcerable offenses. Any related non-incarcerable offenses must also be charged with a handwritten citation for juveniles.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 61.1.2, 61.1.3, 61.1.4, 61.1.5, 61.1.5, 61.1.6, 61.1.7, 61.1.8, 61.1.9, 61.1.12, 61.1.13, 61.3.2, 82.3.4

Governing Legislation:

- Maryland Vehicle Law, Title 21, Sub-Title 501
- Maryland Vehicle Law, Title 21, Sub-Title 1202
- Maryland Vehicle Law, Title 23, Sub-Title 105
- County Code Division 8, Section 26
- US v. Stanfield
- Maryland Senate Bill 71
- Public Safety Article §3-511

57. TRANSGENDER PERSONS, INTERACTIONS

(July 2019)

I. POLICY

It is the policy of this Department to treat all individuals with dignity, respect and professionalism. No person shall be discriminated against based on gender, gender identity/expression, sexual orientation, or any other basis prohibited by local, state or federal laws.

II. CHECKLIST (N/A)

III. DEFINITIONS

Birth Sex – The sex classification of person as male or female that was assigned at birth based on their physical characteristics

Gender – An individual's biological or anatomical identity as male or female

Gender Expression – How a person expresses gender identity to others, often through their behavior, clothing, hairstyle, voice, or other characteristics

Gender Identity – A person's innate, psychological identity as male or female

Preferred Name – The name an individual prefers to use in daily life to refer to themselves (this may or may not be the individuals current legal name)

Transgender – Refers to people whose gender identity differs from their birth sex

Transgender Female – A person whose birth sex is male and whose gender identity is female. This is sometimes called a male-to-female (MTF) individual.

Transgender Male – A person whose birth sex is female and whose gender identity is male. This is sometimes called a female-to-male (FTM) individual.

IV. FORMS

(N/A)

V. PROCEDURES

1. Addressing Individuals

Employees shall address a transgender individual using the person's clearly stated gender identity, including preferred name and appropriate pronouns. Employees who are unsure which pronoun is appropriate shall respectfully ask the transgender person which they prefer.

- Transgender Males should be addressed using masculine pronouns (i.e. he, him, and his)
- Transgender Females should be addressed using feminine pronouns (i.e. she, her, and hers)
- If a person has not clearly stated their gender identity, but the person's intended gender presentation is reasonably clear based on attire and other cues, the individual shall be treated in accordance with their expressed gender
- If a person's self-identified or expressed gender is unclear, officers should make a determination based on any other available information

Gender information on government-issued identification and other documents may be used as presumptive evidence of gender identity, but only in the absence of self-identification by the individual or some other obvious expression of gender identity.

If an individual has a gender marker on their identification that is not consistent with their self-identity, the individual should be referred to by their self-identified name and gender at all times.

Officers shall avoid unnecessary personal questions regarding an individual's anatomy or surgical status.

2. Calls for Service

All calls for service or complaints by transgender individuals shall be addressed and investigated in accordance with applicable Departmental policies for any other call for service or complaint. Discrimination based on gender-related identity is prohibited.

3. Stop and Frisk

Officers shall conduct all stop and frisk encounters, field interviews, searches, and seizures with or without a warrant in conformance with General Order, **VOLUME II, CHAPTER 4. ARREST, TRANSPORT & PROCESSING.**

A subject stop, stop and frisk, or search shall not be performed for the sole purpose of determining an individual's anatomical gender. Transgender individuals shall not be subject to more invasive search or frisk procedures than non-transgender individuals.

Officers are cautioned not to treat a transgender individual or person who appears to be transgender as the basis of suspicion and/or evidence of a crime. Officers should be aware that the presence of needles may be indicative of prescribed hormone treatment and/or therapy, not necessarily illegal drug use.

Officers should not use possession of condoms as the sole evidence of prostitution.

4. Reporting

Some transgender people may use a name different than their legal name. All written reports including, but not limited to, the following shall refer to the transgender individual's legal name:

- Case
- Death
- Statement of Charges
- Field Interview

The person's preferred name shall be listed as an alias or Also-Known-As (AKA). The first paragraph of the report narrative shall note "The (complainant)(victim)(witness) (subject) is transgender." Thereafter, the appropriate gender pronouns shall be used in the narrative. For example: If the person is male-to-female, refer to the person as "female" and use the pronouns "she" "her" and "hers" within the report narrative.

5. Prisoners

Search

Immediate cursory/pat-down searches of transgender persons in the field may be conducted by an officer of either sex, similar to field searches for non-transgender individuals. An officer shall not refuse to search an individual based upon the individual's self-identity as a transgender person.

Prisoners shall not be frisked or searched for the purpose of determining genital status, presence or absence of breasts, or for any demeaning purpose.

Prisoners with hairpieces, prosthetics, and/or items supportive of their gender presentation shall be required to remove such items to the same extent required of other individuals; and in a manner to not cause humiliation or embarrassment.

Strip and body cavity searches shall be conducted pursuant to **VOLUME II, CHAPTER 4. ARREST, TRANSPORT & PROCESSING.**

Transport

All transgender prisoners shall be secured and transported pursuant to **VOLUME II, CHAPTER 4. ARREST, TRANSPORT, &PROCESSING** and according to the prisoners stated gender identity.

If officers determine that the safety of a transgender prisoner or other prisoner would be compromised by transporting the transgender prisoner in the same vehicle as other prisoners, transgender prisoners may be transported in a separate vehicle.

When transgender prisoners are turned over to Prince George's Department of Corrections the arresting officer will advise the DOC officer that the prisoner is transgender.

Prisoner Processing in Temporary Holding Area

Transgender prisoners held in a temporary holding area shall be separated from non-transgender prisoners by sight and sound when possible. If this is not possible, a supervisor shall respond to determine the best solution.

6. Transgender Juveniles

Transgender juveniles shall be treated pursuant to this policy, and afforded the same privileges and protections as other juveniles under local, state or federal law. Officers shall interact with and process transgender juveniles in accordance with those laws and General Order Manual, **VOLUME II, CHAPTER 38. JUVENILE PROCEDURES**.

7. Confidentiality and Dissemination

A person's transgender status is considered confidential information. Except when officers disclose a person's transgender status as necessary to ensure the persons safety or to inform other law enforcement personnel/agency to ensure particular protocols will be followed, officers shall adhere to **VOLUME I, CHAPTER 33. RECORDS & REPORTS.**

8. Complaints

Any member who is notified of a complaint regarding employee misconduct towards or mistreatment of transgender individuals shall respond in accordance with General Order, **VOLUME I, CHAPTER 4. COMPLAINTS**.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

N/A

Governing Legislation:

N/A

58. USE OF FORCE
(October 2023)

I. POLICY

The use of force by law enforcement is a matter of critical concern to the public and the law enforcement community. Officers are involved daily in numerous and varied encounters with people, and when warranted to do so, may use force in carrying out their duties.

It is the policy of the Department that each incident involving the application of any degree of physical force upon a person must be evaluated based on the facts known to the officer at the time of the incident. The totality of the circumstances will be considered when reviewing use of force incidents.

Under no circumstances may the use of physical force be more than that which is necessary to achieve a lawful purpose. Officers are permitted to use only the amount of force that is necessary and proportional, under the totality of the circumstances, to effectuate a legitimate law enforcement objective, such as an arrest, to gain compliance with a lawful order, or to protect themselves or others from imminent harm, and, in the case of lethal force, protect themselves and others from an imminent threat of death or serious bodily injury. The use of verbal orders should be used to gain compliance. Whether the use of force is reasonable shall be judged from the perspective of an officer at the time of the incident, based upon facts known or reasonably available to them.

Every member of the Police Department shall refrain from using force unnecessarily. Additionally, officers have a duty to intervene and prevent other officers from subjecting a citizen to unnecessary force and may be held liable for their failure to intervene if they observe the force and have sufficient time to act to prevent.

Officers may be held criminally liable for intentionally using force that is not necessary and proportional and results in serious injury or death to a person.

When time, circumstances and safety allow, officers shall take steps to gain compliance and de-escalate conflict without using physical force. Officers shall apply nonphysical means before resorting to the use of physical force, when possible, in carrying out their duties. An officer may use physical force, when safe to do so, only if nonphysical means would be ineffective in effecting an arrest, preventing an escape, preventing an assault, or overcoming resistance to a lawful order.

Lethal force may be used to stop an imminent threat of serious bodily injury or death to the officer or another person. Chokeholds and similar carotid restraints by members of the Department are prohibited unless lethal force is justified.

An officer is justified in using lethal force to make an arrest only when all other means of apprehension are unreasonable given the circumstances and:

- The arrest is for a felony crime of violence which may include the threat of or use of lethal force
- The suspect poses an immediate threat to the officer or another person
- The force employed does not create a substantial risk of injury to other persons

When physical force is used, an officer shall:

- Use only a degree of force consistent with the minimization of injury to others
- Notify their Supervisor to ensure that any identified relatives or next-of-kin of persons who have sustained serious bodily injury or death are notified as soon as practicable **(*See:* VOLUME II, CHAPTER 31. FORCED ENTRY, HAZARD, NEXT-OF-KIN NOTIFICATIONS)**

An officer shall identify themselves as a police officer and give a clear verbal warning of their intent to use firearms or other lethal physical force, with sufficient time for warning to be observed and/or the individual to comply, unless to do so would unduly place officers at risk of injury and/or would create a risk of death or injury to other persons.

Any time an officer uses force, they shall ensure that appropriate medical treatment or first aid is provided to the subject of the force without unnecessary delay.

NOTE: For restrictions and prohibitions on the use of specific weapons including Firearms, ***See*: VOLUME II, CHAPTER 59. WEAPONS**.

II. CHECKLIST (N/A)

III. DEFINITIONS

BlueTeam Module: Web-based module of IAPro that allows users to enter data for Use of Force Reviews

Critical Firearm Discharge: Any discharge of a firearm by a Prince George's County Police Officer, with the exception of range and training firings, and discharges at animals for the purpose of humanely destroying them

De-escalation: Techniques used to minimize the need to use force and increase the likelihood of voluntary compliance- These techniques may include, but are not limited to, persuasion, warnings, creating space, use of physical barriers, slowing down the pace of an incident, and requesting additional resources, if possible

Force: Any physical coercion used to effect, influence, or persuade a subject to comply with an order from an officer; the term shall include the use of chemical irritants, oleoresin capsicum (OC) spray/gel and the deployment of canine, but shall not include ordinary, unresisted handcuffing, or unresisted use of the hobble restraint and unresisted escort

Hard Personal Weapon Strikes: Strike applied and intended to overcome a physical assault or active threat of assault upon the officer or another (a strike with a closed fist, a foot, elbow, or a knee to the head) – Use of excessive force may result in criminal or civil prosecution

Intermediate Personal Weapons Strikes: Strike applied to a nerve motor point or large muscle mass on the body as a stunning or distraction technique to cause a motor dysfunction and balance displacement in order to control a resistant subject (a hand, foot, or knee strike to the body)

Less Lethal Force: Any force that is neither likely nor intended to cause death or serious physical injury

Lethal Force: Any force likely to cause death or serious physical injury, including, but not limited to, the use of a firearm

Necessary: Absolutely needed, required or logistically unavoidable

Personal Weapon: Any use of hands, elbows, knees, and feet to deliver strikes for the purpose of stunning or distracting a suspect to overcome resistance

Proportional: Corresponding in size, degree, or intensity, or correct or appropriate in size, amount, or degree when considered in relation to something else

Reasonable Belief: Facts or circumstances that an officer knows or should know that cause a reasonable and prudent officer to act or think in a similar way under similar circumstances

Serious Physical Injury: Bodily injury that creates a substantial risk of death, causes serious permanent or protracted, disfigurement, or results in long-term impairment of the functioning of the body

Serious Use of Force: An incident in which an officer's action resulted in:

- Death or the likelihood of death
- Hospitalization
- A broken bone
- Loss of consciousness
- Serious disfigurement
- Disability
- All incidents where a person receives a bite from a Departmental canine
- Firearms discharge directed at a person
- All Critical Firearm Discharges
- Canine Bite

Shift: Hours of work per day which an employee is scheduled to work and of which they have been advised in advance.

Show of Force: Encompasses the intentional pointing of any lethal or less lethal weapon such as, the Department-issued firearm, OC spray, baton, CEW or less than lethal munitions system, and other displayed weapons, at an individual to gain tactical advantage; Officers will document this in RMS

Use of Force Record: A module in RMS that captures basic statistical information about Use of Force incidents that must be filed by each officer involved in a use of force incident, by the end of the shift

Use of Force Review: The process of reviewing a use of force incident, conducted by a Supervisor, Internal Affairs Division, or other Departmentally approved unit, within the BlueTeam Module

IV. FORMS

- BlueTeam Module
- Booking Record
- Case Record
- Use of Force Record
- Use of Force Statement Form PGC #5292

V. PROCEDURES

Officers may use force to:

- Effect an arrest
- Prevent escape
- Overcome resistance to a lawful order or action
- Protect others or themselves from bodily harm

1. Use of Force Continuum Overview

The Use of Force Continuum is designed to provide an overview and visual representation of the force options available to officers. It is a fluid instrument, which attempts to depict the dynamics of a

confrontation. The continuum is only a guide and cannot take into consideration every possible situation that an officer may face.

Certain factors, when considered collectively, may influence an officer's determination of how much force to use to overcome a subject's resistance. Examples of factors include, but are not limited to:

- Officer/subject factors such as age, size, strength, injury, exhaustion, and number of officers versus number of subjects
- Whether the subject is under the influence of drugs or alcohol or mental defect
- Proximity to weapons
- Availability of other options
- Seriousness of the offense
- Exigent circumstances

It is important to note that an officer does not need to use the lowest level of force on the continuum when the officer can articulate that a higher level of force was reasonable. This continuum should be viewed as a sliding scale, not a ladder. An officer may use force at any level on the continuum, provided that the force selected is necessary and proportional.

De-escalation

Whenever possible, officers should use de-escalation and communication skills to attempt to control situations. Verbal communication is essential throughout the arrest process to de-escalate the situation.

Distance gives an officer more time to evaluate and react appropriately to a threat. An officer must maintain tactical advantage and should continually reassess their options throughout an incident, taking into account that high-risk incidents are fluid and continually changing. An officer should look for indicators of imminent assault. An officer should consider using cover and concealment when it is available and movement (dynamic cover) when it is not. Whenever possible, subjects should be allowed to submit to arrest before force is used.

To the extent possible, officers should give a warning, and an opportunity for the individual to comply to that warning, that failure to comply will result in the utilization of force and inform the individual of the type of force that will be utilized. When safe to do so, the officer shall cease the use of force as soon as the person is under the officer's control or no longer poses an imminent threat of physical injury or death to the officer or another person. Officers should maintain a tactical advantage.

Disengagement of Tactical Options

Rushing in to make an immediate apprehension is not always necessary or appropriate. Frequently, such action reduces an officer's range of available options. Methods of tactical disengagement include, but are not limited to:

- Area containment
- Surveillance
- Waiting out a subject
- Summoning reinforcements
- Requesting specialized units

2. Use of Force Continuum

Subject's Actions

Conduct observed or intentions reasonably perceived by the officer.

- **Cooperative or Compliant:** Complies with verbal commands or other directions
- **Passive or Non-responsive:** Uncooperative when taken into custody or fails to respond to verbal commands or other directions
- **Active Resistance:** Physically evasive movements to defeat the officer's attempt at control, to include bracing, tensing, pushing, or verbally signaling an intention not to be taken into or retained in custody, provided that the intent to resist has been clearly manifested
- **Aggression:** Physical assault, or active threat of assault, upon the officer or another
- **Life Threatening Assault:** An attack or threat to attack wherein an officer reasonably believes that the assault will result in serious physical injury or death

Officer's Actions

Conduct designed to overcome resistance through force that is necessary and proportional to achieve a lawful objective. When possible, the subject should be allowed to submit to arrest before force is used.

- **No Force Necessary:** (Uniformed Officer or Identifiable Off-Duty or Plain Clothes Officer) Command presence including the display of authority as a peace officer, and non-verbal communication such as body language and manner of approach; verbal direction includes statements and commands given to the subject
- **Low Level Control (Escort Techniques):** Low Level Control includes escort techniques used to remove a non-cooperative subject; for example, open hand escort to direct movement
- **Intermediate Level of Control (Chemical agents, oleoresin capsicum (OC) spray/gel, conducted electrical weapons (CEW), Pressure Points, Joint Manipulation, and Control Holds):** Includes the use of Departmentally issued chemical agents, OC spray/gel, CEWs, and the use of approved pressure points, joint control holds, and takedowns; it may also include intermediate personal weapons strikes used to stun or distract prior to applying control holds; the use of intermediate personal weapons strikes in this instance is not a means intended to defeat resistance, but rather to gain control; for example, an open hand strike to the upper torso or a knee strike to nerve motor point in the leg for the purpose of stunning and distracting a subject in order to apply a control hold
- **High Level of Control:** Includes the use of hard personal weapon strikes, the Departmentally-issued tactical baton, less lethal launchers, the WRAP™ system, and Canine; the use of hard personal weapons strikes in this instance is intended to overcome a subject's aggressive resistance when necessary to gain control
- **Lethal Force:** Includes the use of a firearm or any force which has a reasonable likelihood of causing death or serious physical injury; officers may only use lethal force when they have an objectively reasonable belief the suspect poses an imminent threat of death or serious physical injury to the officer or another person

3. Show of Force

Officers may intentionally point a weapon at a person when they reasonably fear for their

safety or the safety of others, or to gain tactical advantage. Weapons include the Department-issued firearm, OC spray/gel, ASP baton, CEW or less than lethal munitions system, and other displayed weapons.

Officer's Responsibilities for Documenting Show of Force

Each officer who showed force in an incident that necessitated a show of force must record the details of the event on a Use of Force Record in RMS under the designated category of "Show of Force."

Members of the Civil Disturbance Unit who are deployed to an incident are exempt from documenting a show of force, should the need occur. ***See: Supervisor's Responsibilities***

4. Lethal Force

Officers may only use lethal force, that is necessary and proportional, when they have an objectively reasonable belief that the suspect poses an imminent threat of death or serious physical injury to the officer or to another person. Firearms shall not be discharged when less than lethal force would suffice.

A decision to use lethal force can only be justified by the totality of the circumstance and facts known to the officer at the time the decision is made. Facts unknown to the officer, no matter how compelling, cannot be considered in subsequent investigations, reviews, or hearings.

A verbal warning shall be given before the use of lethal force whenever possible. Except as noted in this section, firearms may only be discharged in defense of self or others when:

- The officer reasonably believes that the subject poses an imminent threat of death or serious physical injury to themselves or another person
- The force is necessary and proportional
- No reasonable alternative for apprehending a fleeing subject exists and the officer has probable cause to believe that the person has committed a felony involving the infliction or threatened infliction of serious injury or death and escape of the person would pose an imminent threat of death or serious injury to the officer or to another person

It is the policy of the Department not to shoot at occupants of a vehicle; however, there are rare times when shooting at a vehicle may be justified. The following are examples of such instances – these are not all inclusive:

- The occupants of the vehicle are using lethal force, and innocent persons would not be unduly jeopardized by the officers' actions.
- When an officer or person is pinned or being dragged by the vehicle and innocent persons would not be unduly jeopardized by the officers' actions.

Officers should avoid placing themselves in situations where vehicles may strike them.

5. Reporting by Show of Force/ Use of Force Record

Any officer who shows force or uses force, including the deployment of chemical agents, and/or OC shall immediately notify a Supervisor and complete a Use of Force Record in RMS prior to the end of the shift. The Use of Force Record must only be completed by the officer(s) who used or

showed force. No officer may file a Use of Force record on behalf of another officer. If an officer is incapacitated and unable to complete the required Use of Force Record, then the record shall be completed by their Supervisor.

Officers shall also notify a Supervisor upon receipt of an allegation of any force. ***See*: VOLUME I, CHAPTER 4. COMPLAINTS**.

6. Use of Force Review

The Use of Force Review is an administrative procedure intended to assess:

- Whether or not officers are properly trained in use of force techniques
- Whether or not the techniques, if properly executed, were effective
- If the use of force was within Departmental guidelines

Use of Force Reviews are not investigations, and in no way diminish the officer's rights.

Officer's Responsibilities by Documenting on the Use of Force Statement Form

Officers who use force shall complete a Use of Force Statement form, which must contain an accurate account of the incident, including a detailed description of the events and conditions leading up to the force that was used.

Officers may review their Body-Worn Camera (BWC) and Mobile Video System (MVS) recordings, or recordings from other on-scene officers, to complete their Use of Force Statement.

After filling out the Use of Force Statement form, the officer(s) must submit their statement form to the Supervisor responsible for conducting the Use of Force Review.

For use of force incidents that involve the deployment of chemical agents and/or OC, the following information must be included in the officer's Use of Force Statement form:

- Basis for the discharge
- Duration of the discharge
- Estimate of the distance at which the discharge occurred
- Justification provided for the level of force used

When multiple officers use force during an incident, each involved officer shall complete a Use of Force Statement form. Witness officers shall complete a witness statement form and give to the Supervisor handling the Use of Force Review. All reports shall be completed within 96 hours after the incident.

Officers that use force while working secondary employment shall notify the on-duty Sector Supervisor and complete a Use of Force Statement form and Case Record by the end of their shift.

Supervisor's Responsibilities

A Supervisor shall respond to the scene of every use of force and ensure that:

- The situation has been stabilized and all parties are safe
- The involved officer(s) and subject(s) are examined for injuries
- Photographs of any injuries to officers and/or the subject(s) are taken
- The subject is interviewed for complaints of pain
- An attempt is made to get a statement from the subject

- Medical attention is provided to those in need
- Transport from the scene is arranged for any arrestees
- A Use of Force number is obtained from PSC, by the end of shift, absent exigent circumstances
- Ensure that each officer involved in a show of force or use of force complete a Use of Force Record in RMS before the end of shift
- Ensure that Use of Force Records completed by involved officers are reviewed and approved by the appropriate Supervisor

The Supervisor must ensure that any officer who used force completes a Case Record and a Use of Force Statement form. The Supervisor must review and upload the officer's Use of Force Statement form and any witness statement forms as an attachment into the BlueTeam Module by the end of their shift.

Deployed members of the Civil Disturbance Unit are exempt from documenting a show of force, if applicable. Show of force incidents will be handled by the authorizing Commander.

Supervisor Review

All data fields in the BlueTeam Module must be filled by the Supervisor. The Supervisor will evaluate the justification for the use of force, considering factors such as the Use of Force Statement Form, witness statements, and video of the incident. The Supervisor will then determine whether the actions of the officer(s) align with the Departmental policy.

For those incidents that involve the deployment of chemical agents and/or OC the Supervisor shall additionally ensure that the following information is entered into the BlueTeam Module:

- Basis for the discharge
- Duration of the discharge
- Estimate of the distance at which the discharge occurred
- Justification provided for the level of force used

The Supervisor shall notify the Special Investigative Response Team (SIRT), when the following are used on a restrained individual:

- Chemical agents
- Oleoresin capsicum (OC) spray/gel
- Conducted energy weapon (CEW)
- Strikes

SIRT will determine investigative responsibility for these incidents and will inform the Supervisor of such.

If the use of force is serious, the Supervisor shall notify SIRT, and ensure that the information is documented in the BlueTeam Module. SIRT shall be responsible for the follow up investigation for these incidents. For a comprehensive list of Serious Incidents, ***See:*** **III. DEFINITIONS.** The Supervisor shall obtain a Use of Force number from PSC.

Supervisors shall make sure that the involved officer(s) completes a Use of Force Statement form of each use of force incident when:

- An officer under their supervision takes action resulting in or alleged to have resulted in injury of a person whether intentional or accidental
- An officer strikes a person
- An officer employs approved pressure points, joint control holds, or takedowns

- An officer uses a firearm, tactical baton, chemical agent, OC, CEW, less-lethal launcher, the WRAP™ restraint system, or Canine bite ***See:*** **VOLUME II, CHAPTER 59. WEAPONS** and **VOLUME I, CHAPTER 17. EQUIPMENT**

A Use of Force Review is not required when:

- A full custody arrest is made without the use of force and transport occurs, but the subject is released without being charged, i.e., handcuffed and released
- An individual is handcuffed for officer safety and released
- An officer employs an unresisted escort
- An officer utilizes the Hobble restraint without the use of force

Handcuff and release incidents shall be documented in a Case Record that details the circumstances of the incident. The use of the Hobble restraint shall also be documented in a Case Record. These reports will be reviewed and approved by a Shift Commander or Acting Shift Commander.

Supervisor's Responsibilities for Documenting the Use of Force

Supervisors will review and evaluate each use of force incident and will ensure the incident is documented in the BlueTeam Module.

The data entered into the BlueTeam Module will include a precise description of the facts and circumstances that either justify or fail to justify the officer's conduct. As part of this review, the Supervisor will evaluate the basis for the use of force and determine whether the officer's actions were within Departmental policy.

Any Supervisor who authorizes the involved officer's use of force is prohibited from conducting the Use of Force Review. Under this circumstance, a Supervisor of equal rank or above will be responsible for completing the review. Supervisors involved in use of force incidents shall not review their own use of force in the BlueTeam Module. The Supervisor that conducts the use of force review shall submit the BlueTeam record to their Chain of Command for approval.

The review shall be completed within 7 days of the incident and shall include:

- Statements obtained from all citizen witnesses, when feasible
- The identity of all officers who were involved in the incident or were on the scene when it occurred
- All reports which indicate whether an injury occurred, whether medical care was provided, and whether the subject refused medical treatment
- Photographs or videotapes taken of the incident or of injuries, before and after cleaning and treatment
- Any other relevant documents or observations

All non-digital documents that are collected will need to be scanned as a PDF and attached to the BlueTeam Module for that incident. Each item of evidence shall be scanned in separately. For example, if there are multiple statements or other items of evidence it would be saved as:

- Suspect-Doe.pdf or Arrested-Doe.pdf
- Witness-Jones.pdf
- Police-Smith.pdf
- Medical Record-Doe.pdf
- Medical Record-Smith.pdf
- Protective Order-Doe.pdf

- Any collected photos that were not received digitally: Photo-1 Doe.pdf, Photo-2 Doe.pdf, Photo-1 Smith.pdf, or if multiple photos of same item Photos-Doe.pdf, Photos-T/A
- Taser Download.pdf
- EMS Refusal.pdf

All digital documents that were received to include photographs, shall be labeled in a similar format as above and attached. The only item of evidence that shall not be attached are videos.

All videos (excluding MVS, BWC) shall be stored on CD/DVD or other external digital device and forwarded with a buckslip through the Chain of Command to IAD to be archived.

All written documentation that is collected and was scanned into BlueTeam will be archived at the Division that conducted the use of force review for a period of five years.

Supervisors shall ensure that all the required information is included in the BlueTeam Module.

If an officer working secondary law enforcement employment (SLEE) or County authorized overtime is involved in a use of force incident, the on-duty Sector Supervisor, or Supervisor of the overtime assignment, shall respond and ensure that the steps detailed in this section are completed prior to end of the Supervisor's shift. The Supervisor shall then forward this to their Division Commander via BlueTeam for review and approval. Once completed the Division Commander where the involved officer is stationed shall be notified of the Use of Force Review, if different from the involved officer's usual assignment.

While conducting the Use of Force Review, the Supervisor shall critically evaluate all information obtained. If the Supervisor becomes aware of facts that they believe indicate the need for an internal investigation, the Supervisor shall stop their review and contact the Commander, SIRT.

If SIRT concludes that an investigation is appropriate, all documents, obtained up to that time, shall be turned over to the assigned SIRT Investigator.

If SIRT decides that an investigation is not appropriate, the Supervisor shall complete the review, noting the SIRT Investigator who was contacted and their decision in the narrative portion of the BlueTeam Module. Based on the review, the Supervisor shall conclude whether the use of force was justified and within Departmental policy. This conclusion shall be based on the totality of the circumstances, Departmental policy, and training.

Command Review – Concurrence or Non-Concurrence

Upon completion of the review the following shall be forwarded via BlueTeam for command review:

- Use of Force Review
- Case Record
- Witness statements
- Any other relevant documents

A separate buckslip for any video evidence obtained will be routed through the Chain of Command to IAD. At any point during the command review, questions that clarify the officer's actions may be directed to the officer.

Any reviewing member within the Chain of Command may note their comments in the

BlueTeam Module, direct that additional evidence be gathered, or recommend that a formal investigation be conducted.

Each command officer receiving the BlueTeam incident shall evaluate the facts and circumstances presented, and either approve or not approve the Supervisor's findings.

If the reviewing command officer concurs with the Supervisor's finding, they shall indicate so and approve that in the BlueTeam Module. Additional comments may be added but no further action is required.

If the reviewing command officer does not approve the Supervisor's finding, they shall indicate so and document that in the BlueTeam Module. The command officer must document the specific facts or circumstances that form the basis for their decision in the BlueTeam Module. The law, directive, or other governing policy either violated or not violated must be cited, and the actions at issue described.

Division Commander/Manager Review

Division Commanders/Managers may extend the seven-day time limit for Supervisors to complete their review due to extenuating circumstances.

The Division Commander/Manager of the reporting officer shall conduct the final review within 14 days of the incident. During their review, the Division Commander/Manager shall evaluate the Use of Force Review conducted by the Supervisor, identifying any deficiencies in the review. Any discrepancies noted shall be documented in writing by the Division Commander/Manager in the BlueTeam Module. Supervisors shall be responsible for correcting any deficiencies identified by the Division Commander/Manager.

Division Commanders/Managers shall hold Supervisors accountable for the quality of their reviews. They shall ensure that appropriate disciplinary or corrective action is taken when a Supervisor fails to:

- Conduct a timely and thorough review
- Recommend appropriate corrective action
- Implement appropriate corrective action

If the Division Commander/Manager concurs with the findings of the Use of Force Review, they shall forward a copy via BlueTeam to IAD and the involved officers' Deputy Chief.

The Division Commander/Manager shall maintain a file containing any original Use of Force Reviews and witness statements, along with copies of all other noted reports. The files shall be kept secure for a minimum of five years and access shall be limited. All videos or other items that could not be uploaded to BlueTeam shall be submitted for storage at IAD.

If the Division Commander/Manager has questions prior to concurrence or non-concurrence, with the findings of a review, they may consult with the Training and Education Division. If the Division Commander/Manager deems it appropriate, they shall notify their Deputy Chief, who may request an investigation by IAD. In other instances, the review shall be maintained as noted above.

7. Special Investigative Response Team (SIRT) Responsibilities

SIRT will respond to the scene of all serious use of force incidents. Serious incidents include those resulting in:

- Death or the likelihood of death
- Hospitalization
- A broken bone
- Loss of consciousness
- Serious disfigurement
- Disability
- All incidents where a person receives a bite from a Departmental canine
- Firearms discharges directed at a person
- All Critical Firearm Discharges

Death or the Likelihood of Death

The Maryland Attorney General's Independent Investigation Division (IID) will lead the primary investigation of all alleged police-involved incidents that result in the death of a civilian or injuries likely to result in death, to include shootings, pursuits, and in-custody deaths. When the on-scene PGPD Commander requests a Special Investigative Response Team (SIRT) Investigator for such incidents they shall also notify the Maryland State Police (MSP) Headquarters Duty Officer at (410) 653-4474. All other PGPD notifications remain the same.

Auditing Use of Force Incidents

To ensure that all use of force numbers and related reports are accounted for, IAD shall conduct a monthly audit on this information. When a discrepancy is discovered, it will be resolved between IAD and the affected Division Commander/Manager.

8. Executive Review Panel Duties & Responsibilities

The Executive Review Panel (ERP) was established by the Chief of Police to review all critical firearm discharges, investigations of serious uses of force, and to conduct evaluations of all uses of force on a quarterly basis. The ERP membership will rotate, but will include a member of the Command Staff, a member of the Training and Education Division (TED), the affected Deputy Chief, and a representative from the County Attorney's Office. Additional board members will be appointed by the Chief of Police.

Duties of the Panel

The ERP will meet to review critical firearm discharges and serious use of force investigations. The ERP shall review these investigations for compliance with Departmental policy, as well as for tactical and training issues.

The panel shall conduct an analysis of all uses of force by members of the Department on a quarterly basis and forward the results of the analysis to the Chief of Police.

In addition to these reviews, the ERP shall conduct an annual analysis of critical firearm discharges to detect patterns or problems. This analysis shall be submitted to the Chief of Police by February 1st of the following calendar year.

The ERP will act as a quality control mechanism for all shooting and firearm discharge investigations, with responsibility to return to the investigating unit all incomplete or mishandled shooting or firearm discharge investigations or Use of Force Reviews. The ERP has the authority and responsibility to recommend to the

Chief of Police, investigative protocols and standards for all critical firearm discharge investigations and Use of Force Reviews.

All requests from Division Commanders/ Managers for a change in an officer's duty status, including placing the officer on restricted duty, shall be made in writing through the Chain of Command to the Chief of Police or their designee.

Review Procedures

The panel's review shall include investigative files and interviews of the principal investigators and Supervisors. The panel shall prepare a written report with their findings and recommendations to the Chief of Police. This report shall become a part of the official investigative file for the incident.

The report shall include a description of the incident including all uses of force. It will also include a summary of all evidence that supports their findings, and an analysis that supports those findings.

The panel shall consider the following in making the recommendation to the Chief of

Police:

- Whether the use of force was consistent with Departmental training and policy
- Whether the involved officer used proper tactics
- Whether lesser force alternatives were available

Responsibilities of the Chief of Police

After considering the findings and recommendations of the ERP, the Chief of Police shall advise the Commander, IAD of the final decision regarding closure of the incident.

Confidentiality of Files

IAD shall retain a copy of the ERP findings as part of the IAD file. Access to these files is limited to the ERP and IAD.

9. Animals

Firearms may be used to destroy seriously injured animals or those posing an imminent threat to human safety.

When an officer discharges a firearm for the purpose of humanely destroying an injured animal, no Use of Force Review shall be conducted. The involved officer shall complete a Case Record and document appropriately in the BlueTeam Module (the Discharge of Firearms portion).

If an officer destroys an animal for any other purpose, a Use of Force Review shall be conducted. The involved officer's Supervisor shall conduct a Use of Force Review and document in the BlueTeam Module. ***See*: VOLUME II, CHAPTER 3. ANIMAL COMPLAINTS**.

10. Civil Disturbances & Barricades

During civil disturbances and barricades, when force is used at the direction of the on-scene Commander a Use of Force Review shall be conducted and documented in the BlueTeam Module. The Supervisor or ranking officer present when force is used shall be responsible for completing a BlueTeam Module. Each officer who used force shall complete a Use of Force Statement form and Case Record by the end of their shift. The on-scene Commander shall ensure completion of an after-action

report. SIRT shall conduct the Use of Force Review for any incident when the on-scene Commander authorized the involved officers to use force.

Officers who independently use force while involved in a civil disturbance incident or a barricade without the authorization from the on-scene Commander shall make notification to the on-scene Commander as soon as it is safe to do so. Additionally, they must complete a Use of Force Statement form and Case Record by the end of their shift.

11. Fed-Ex Field

Situations occurring at Fed-Ex Field shall be handled according to procedures established by the Special Operations Division (SOD) and detailed in the SOD Standard Operating Procedures (SOP).

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:
Governing Legislation:

- Prince George's County Code. Section 18-156
- Graham v. Connor
- Tennessee v. Garner
- Maryland Annotated Code, State Government §6-602
- Maryland Annotated Code, Public Safety §3-514
- SB 71 Maryland Police Accountability Act of 2021

Graham vs. Connor (490 U.S. 386, 109 S.Ct. 1865)

It should be noted that this case is Federal Law and state law may impose stricter regulations.

In Graham v. Connor, the U.S. Supreme Court determined the standard to be used to judge constitutional claims of excessive force brought by citizens against police officers.

Facts of the Case

On November 12, 1984, Graham, a diabetic, asked Berry, a friend, to drive him to a convenience store to purchase orange juice to prevent the onset of an insulin reaction. Upon entering the store and seeing the number of people ahead of him, Graham hurried out and asked Berry to drive him to a friend's house instead.

Connor, a city police officer, became suspicious after seeing Graham hastily enter and leave the store. Connor followed the car Graham was riding in and made an investigatory stop.

Although told that Graham was suffering from an insulin reaction, Officer Connor ordered both men to wait while he investigated what had happened in the store. Backup officers arrived on the scene, handcuffed Graham, ignoring attempts to explain and treat his condition. During the encounter, Graham sustained multiple injuries. He was released when Connor learned that nothing had happened in the store.

Graham filed suit against all the officers involved, alleging the use of excessive force in making the investigatory stop.

Court Review of the Case

During the trial, the District Court considered the following four factors in determining whether the officers used excessive force:

- The need for the application of force
- The relationship between the need and the amount of force that was used
- The extent of the injury inflicted
- Whether the force was applied in a good faith effort to maintain and restore discipline, or maliciously and sadistically for the purpose of causing harm

Using the above factors, the District Court found that the amount of force used was appropriate under the circumstances. The Fourth Circuit Court of Appeals heard the appeal from the District Court and agreed with the District Court's decision.

Supreme Court Decision

The case was appealed to the U.S. Supreme Court. The Supreme Court determined that allegations of excessive force by law enforcement officers – deadly or not – during an arrest, investigatory stop, or other seizure of a citizen should be analyzed under the Fourth Amendment.

According to the U.S. Supreme Court, the "reasonableness" of a particular use of force must be judged from the perspective of a reasonable officer on the scene, rather than with the benefit of hindsight. This "reasonableness" must include the fact that police officers are often forced to make split-second judgments – in circumstances that are tense, uncertain, and rapidly changing – about the amount of force that is necessary in a particular situation. Thus, the test used by the District Court is incompatible with a proper analysis under the Fourth Amendment.

The proper analysis is whether the officers' actions are "*objectively reasonable*" in light of the facts and circumstances confronting them, regardless of their underlying motive or intent.

The test of "reasonableness" under the Fourth Amendment cannot be precisely defined. However, its proper application requires careful attention to the facts and circumstances of each particular case, including the severity of the crime, whether the suspect posed an immediate threat to officers or citizens, and whether the suspect actively resisted arrest or attempted to flee.

In sum, the U.S. Supreme Court determined that an officer's good intentions will not make an unreasonable use of force constitutional, nor will an officer's bad intentions make a Fourth Amendment violation out of a reasonable use of force.

Tennessee vs. Garner (471 U.S. 1, 105 S. Ct. 1694)

In this case, the United States Supreme Court held that officers cannot resort to deadly force unless they have probable cause to believe that the suspect has committed a felony and poses an immediate and significant threat to the safety of the officer, or a danger to the community at large. The Court affirmed the Court of Appeals decision limiting the use of deadly force exclusively to apprehend a fleeing felon.

Facts of the Case

On October 3, 1974, a Memphis, Tennessee police officer and his partner were dispatched to a call for a prowler inside a

residence. Upon arriving on the scene, a neighbor advised that someone was breaking into the house next door. As his partner radioed for assistance, the officer went to the back of the house where he heard the door slam and saw someone running across the backyard.

The suspect stopped at a six-foot chain link fence at the edge of the yard. With the aid of a flashlight, the officer could see the suspect's face and hands. He saw no signs of a weapon, and though not certain, was "reasonably sure" that the suspect was unarmed. While the suspect was crouched at the base of the fence, the officer ordered him to stop. When the officer took a few steps toward the suspect, he started climbing the fence.

The officer was convinced that the suspect would elude capture if he got over the fence, so the officer shot the suspect. The suspect was taken to a hospital where he died on the operating table. Ten dollars and a purse taken from the house were found on his body.

In using deadly force to prevent escape, the officer was acting under the authority of a Tennessee statute and following department policy.

The Memphis Police Department's Firearms Review Board and Grand Jury reviewed this incident and neither took any action.

Court Review of the Case

The suspect's father took the matter into the Federal District Court seeking damages for the violation of the suspect's constitutional rights. The claims were dismissed in the United States District Court.

The Court of Appeals reversed and remanded the decision. It held that the killing of a fleeing suspect is a "seizure" under the Fourth Amendment, and the use of deadly force to prevent escape of all felony suspects, whatever the circumstances, is constitutionally unreasonable.

The Tennessee statute did not adequately limit the use of deadly force because it failed to distinguish between felonies of different magnitudes.

Supreme Court Decision

The U.S. Supreme Court held that apprehension by the use of deadly force is a seizure subject to the Fourth Amendment's reasonableness requirement.

To determine whether such a seizure is reasonable, the suspect's rights must be balanced against the police department's need make an arrest and enforce laws. This balancing process stipulates that, even though there is probable cause to seize a suspect, an officer may not always do so by killing him. The use of deadly force to merely to prevent the escape of felony suspects, is unreasonable under the Constitution. Use of deadly force may be used to prevent an escape when the officer has probable cause to believe that the suspect poses a significant threat of death or serious physical injury to the officer or others.

The Supreme Court went on to say that while burglary is a serious crime, the officer in this case could not reasonably have believed that the suspect – unarmed, young, and of a thin build – posed any threat. The Court further held that the fact that an unarmed suspect burglarized a dwelling at night does not automatically mean he is dangerous.

The Supreme Court affirmed the decision of the Court of Appeals on March 27, 1985.

Reference:

- Prince George's County Police Department Use of Force Continuum
- Special Operations Division SOP

59. WEAPONS
(March 2023)

I. POLICY

Sworn officers are responsible for the security and proper maintenance of all Departmental weapons issued to them. Supervisors shall ensure compliance with required maintenance schedules. Officers shall not use Departmental weapons improperly.

The Department will ensure that sufficient less lethal alternatives are available to all patrol officers.

Use of any weapon in this directive may require a Use of Force Review. ***See:*** **VOLUME II, CHAPTER 58. USE OF FORCE**.

Officers are issued a copy of and are instructed in the Department's use of force and weapons policies during their basic training, and before the issuance of any weapon; however, this section does not prohibit the emergency use of a weapon by an untrained officer.

II. CHECKLIST (N/A)

III. DEFINITIONS

ASP Tactical Baton: An expandable metal baton manufactured by Armament Systems and Procedures, Inc. (ASP) Baton; either Model F26 or F21

Authorized Firearm: Any firearm that has been inspected by the Department and approved by the Manager, Firearms, Training Section to be carried on- or off-duty; this includes on-duty firearms, alternate duty firearms, off-duty firearms, and patrol rifles

Conducted Electrical Weapon (CEW): A less lethal device that delivers electrical pulses intended to temporarily incapacitate aggressive individuals for apprehension through pain compliance and/or involuntary muscle contractions (e.g., TASER®)

Chemical Agents: A less-lethal or intermediate-level force option designed to aid officers in controlling actively resisting or actively aggressive subjects. With proper use, these agents reduce the risk of injury to officers and subjects. Authorized chemical agents may be used:

Child: In accordance with Annotated Code of Maryland, Criminal Law, § 4-104 (dealing with handguns), an individual under the age of 16

Critical Shooter: An officer who has failed to qualify on two occasions within a five-year period and faces termination if they fail to qualify on a third occasion within that five-year period

Current Qualification: An individual is qualified if they have successfully completed Departmental and MPCTC approved firearm courses within the preceding year

Decontamination: The reduction or removal of chemical agents by exposing the individual to cool water or fresh air

Departmental Firearm: Departmentally owned or controlled firearm issued to an officer

[redacted]

Failure to Qualify: All PGPD officers must qualify with their issued handgun on both the day and reduced light fire courses. Each officer will receive a maximum of three same day attempts to qualify on both the day and reduced light fire courses. Any officer who is unable to shoot a qualifying score after multiple same day attempts on either the day or reduced light fire courses or fails to complete such attempts for any reason after failing a first attempt, will have failed to qualify. Any officer who fails to qualify during routine In-Service or Tri-Annual Training, but who subsequently qualifies after remedial instruction, will be deemed to have "failed to qualify" one time. Officers enrolled in the Tri-Annual Training program, could potentially "fail to qualify" multiple times in one calendar year

Firearm: Any firearm, excluding antique firearms, as defined in Annotated Code of Maryland, Criminal Law, § 4-201

Impact Weapon: A Departmentally issued device used to control a subject's actions, to defend against an attack or to deliver a strike (i.e., tactical baton)

Less-Lethal Launcher: A device designed to launch a less-lethal projectile containing chemical agents, impact munitions, or marking rounds

Less-Lethal Weapon: Chemical agents, OC spray, tear gas, conducted electrical weapon, impact weapons, and less lethal launchers

Locked Container: A safe, lockbox, drawer, or closet, secured by a lock

Marginal Shooter: Any officer who struggles with or fails to demonstrate the required skill set necessary to obtain a qualifying score during any mandated firearms training. This would include any officer who struggles to pass or fails one or more qualification attempts of the firearms courses offered during annual In-Service Training, or other mandated firearms training. The Range Manager has complete discretion in identifying an officer as a "marginal shooter."

Oleoresin Capsicum (OC): an organic substance found in plants, including cayenne pepper, and is a naturally occurring inflammatory agent which, if sprayed, may temporarily incapacitate a person due to the swelling of their mucous membranes.

OC Device: Issued aerosol canister that delivers oleoresin capsicum as either a gel or foam

On-Duty Firearm: [redacted]

Safe Condition: When a firearm is unloaded and the ammunition is in a separate location, and is not accessible to minors or unauthorized persons

Weapon Mounted Light (WML): A lighting device designed to be affixed to a firearm

IV. FORMS

- OC Sign-Out Log (PGC Form #5090)
- Firearms Inspection Form (PGC Form #5180*)*
- Tri-Annual Firearms Qualification Notification Memorandum (PGC Form #5177)
- Taser® Discharge Report (PGC Form #5260)
- BlueTeam Module

V. PROCEDURES

1. Less-Lethal Weapons

Less-lethal weapons include oleoresin capsicum (OC), chemical agents, conducted electrical weapons (CEW), impact weapons, and less lethal launchers. Prior to being issued, all less-lethal weapons must be inspected and approved by a member of the Training and Education Division (TED) who has been certified as an instructor for the weapon to be inspected.

No officer shall carry or possess any less-lethal weapon until they have successfully completed required Departmental training in the use of the weapon.

Any officer discovering a defect in any less-lethal weapon shall return it to an authorized member of TED for inspection. TED shall maintain a record on each less-lethal weapon issued by the Department for use.

[redacted]

2. Chemical Agents, Oleoresin Capsicum, & Riot Agents

Officers shall limit the use of such agents to those cases in which force is necessary to protect the officer, subject, or another from physical harm, or is necessary to make an arrest or overcome resistance.

Oleoresin Capsicum

Oleoresin capsicum (OC) is an organically based, less-lethal weapon containing pepper, which causes no known permanent aftereffects.

[redacted]

[redacted]

OC may be used only when verbal commands and other techniques would be ineffective. Officers shall issue a verbal warning that OC will be used unless doing so would present a danger to the officer or others.

[redacted]

TED is responsible for the issuance and accountability of the duty issue OC devices, and for accounting for the ammunition used in pepper-ball and FN 303 launchers.

Canisters shall be replaced to ensure that there is enough OC for multiple deployments in subsequent incidents.

Supervisors shall provide a copy of the Use of Force Review, electronically, through the BlueTeam Module to TED. Officers shall respond to TED to receive a replacement OC device. Each device has a serial number assigned for accountability. A designated member of TED shall issue the new canister and record the serial number on the Sign-Out Log, along with the officer's information.

SOD is responsible for the issuance and accountability of all OC foam devices.

Duties Following Discharge of Oleoresin Capsicum

While most persons will exhibit an inability to function normally after being exposed, officers must use caution when approaching such persons within the first 30-60 seconds after exposure.

After deploying OC, officers should allow at least five seconds for the mist to dissipate, and then give specific commands to the subject. Exposed subjects shall be instructed to breathe normally and shall be closely monitored for the first 30-45 minutes.

If normal breathing does not resume after five minutes, or if all symptoms do not dissipate within 30-45 minutes, medical aid shall be requested. The following shall be closely monitored after being exposed:

- Obese individuals with medical conditions such as diabetes or heart trouble
- The elderly
- Those impaired by alcohol or drugs

- Those with chronic respiratory problems such as asthma

Officers shall immediately call for medical assistance when an exposed individual:

- Becomes incoherent
- Hyperventilates
- Loses consciousness
- Stops breathing
- Turns pale

Officers shall notify medical personnel that the person was exposed to OC.

Additionally, officers shall request medical assistance for subjects exposed to OC spray when they complain of continued effects after having been decontaminated or they have a pre-existing medical condition such as asthma, emphysema, bronchitis, or a heart ailment, that may be aggravated by the OC spray.

Handcuffing

Officers shall use caution when attempting to handcuff an individual exposed to a chemical agent. After handcuffing, officers shall not place the individual on their back or stomach, except as taught in the stages of deploying the WRAP™ system. The WRAP™ is a restraint system used to bring combative subjects under control by simultaneously securing their limbs. To prevent positional asphyxia, officers shall place the individual in an upright recovery seated position immediately after restraining the individual with the WRAP™.
See:* VOLUME I. CHAPTER 17. EQUIPMENT,** section **6. Restraint Devices, *The WRAP™

Officers shall remove a subject exposed to OC spray from a face down position as soon as it is safe to do so.

Subjects shall be seat-belted and transported in an upright position. Officers shall follow directives outlined in **VOLUME II, CHAPTER 4. ARREST, TRANSPORT, & PROCESSING**.

[redacted]

Decontamination

Absent exceptional circumstances, officers will decontaminate every subject exposed to OC within twenty minutes of the application of the spray.

Officers shall not attempt to decontaminate an individual when their safety would be unduly jeopardized. The person shall be exposed to fresh air (when feasible) and cool water shall be used to flush their eyes. Officers may carry water in their vehicles for decontamination purposes.

No individual who has been exposed to a chemical agent shall be left unattended unless they can function without assistance or is transferred to the custody of another law enforcement agency or hospital. Officers shall notify those accepting custody of the exposure and whether or not there were any complications.

Chemical Agents

[redacted]

[redacted]

3. Conducted Electrical Weapon (CEW)

CEWs are an intermediate-level force option designed to aid officers in controlling actively resisting or actively aggressive individuals. With proper use, it may reduce the risk of injury to officers and subjects.

The only authorized CEW is the department issued Taser®. [redacted] When the probes make contact with a target, electrical current is transmitted along the wires and into the body of the individual. It may be effective through up to two inches of clothing.

Any officer who has been issued a CEW must wear it while performing a patrol function, including secondary employment.

[redacted]

[redacted] Officers should be careful to not step on or break the wires.

CEW can be deployed in one of two modes:

- Probe mode is intended to cause neuromuscular incapacitation of an individual
- Touch/stun mode is used for pain compliance.

CEWs are a defensive weapon, and officers shall consider the reasonableness of using the CEW by evaluating the totality of the circumstances to include age of the individual and the number of officers on the scene.

[redacted]

[redacted] Individuals who have been subjected directly to the CEW or the probes shall immediately be transported to a medical care facility for evaluation and treatment. Officers shall transport the individual unless on-scene medical personnel deem transport by ambulance more appropriate.

Officers shall advise medical personnel that the individual has been subjected to the CEW, providing the approximate time since the deployment occurred. In the event of penetration, only medical personnel may remove the probes if embedded in the skin.

Officers shall obtain a hospital discharge form from the attending physician before transporting the individual to a processing facility and attach a scanned PDF copy to the Use of Force Review that is entered into the BlueTeam Module.

Anytime an officer discharges a CEW to immobilize an individual by discharging the cartridge or making direct contact with an individual utilizing the drive/stun method, they shall:

- Notify their supervisor
- Contact TED during business hours that day or the next business day to schedule an appointment to deliver the CEW for download of deployment information
- At the time of meeting with TED, complete a Taser® Discharge Report provided by TED
- Have the CEW download completed within 7 business days from the discharge date

Officers who accidentally discharge their CEWs shall:

- Notify their supervisor
- Contact TED during business hours that day or the next business day to schedule an appointment to deliver the CEW for download of deployment information
- At the time of meeting with TED, complete a Taser® Discharge Report provided by TED
- Have the CEW download completed within 7 business days from the discharge date

Supervisors shall document any intentional CEW discharges in a Use of Force Review through the BlueTeam Module with a copy forwarded to TED.

Supervisors shall document accidental CEW discharges on a confidential inter-Departmental memorandum along with a buckslip if the operator, any other person, or an animal was not struck. Ensure that a copy of the memorandum is provided to TED at the time of CEW download appointment. A Use of Force Review through the BlueTeam Module must be completed if the accidental CEW discharge strikes the operator, any other person, or animal. For intentional deployments of the CEW, ***See***: **VOLUME II. CHAPTER 58. USE OF FORCE, Use of Force Reviews.**

Failure to schedule the download appointment as required and/or failure to complete the download as required will result in the officer's removal from the CEW program.

If the discharging officer is unavailable, the discharging officer's supervisor will accomplish this task. Verification of date, time, and number of discharge(s) will be downloaded from the CEW and will be included as part of the deployment evaluation, routinely conducted anytime the CEW is discharged.

Only officers who have completed the Department's CEW Training Program will be issued and allowed to carry the Department authorized CEW. Only the Department issued holster shall be used to carry the CEW in the cross-draw fashion. Officers are prohibited from carrying non-department issued CEWs. Officers must re-qualify annually to maintain their certification to operate the CEW. Officers shall document testing of the CEW on the CEW testing log.

4. Impact Weapons & Less-Lethal Launchers

[redacted]

Expandable Tactical Baton – ASP

[redacted]

The ASP baton shall be worn in the issued scabbard. The scabbard shall be of plain black plastic.

Plainclothes and off-duty officers may carry the ASP baton at their discretion. The ASP baton shall not be visible when carried by officers in plainclothes.

[redacted]

[redacted]

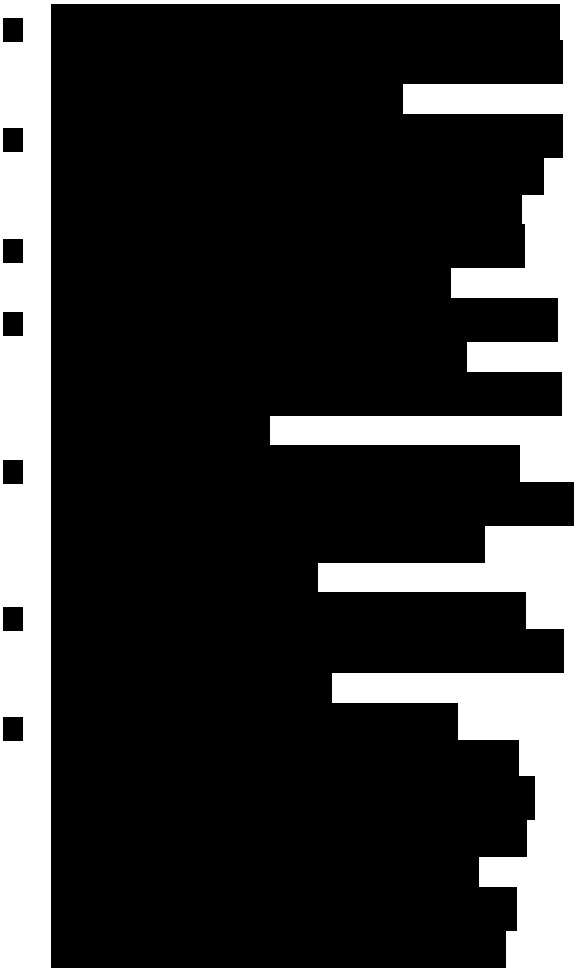
Baton Modifications & Accessories

No modifications or adjustments of any kind shall be made to any ASP baton without prior written approval from the Commander, TED.

Following modification, an authorized member of TED shall inspect the baton before it is authorized for use by any officer. Supervisors shall ensure ASP batons conform to requirements in this section.

Blackjacks/Slapjacks Prohibited

[redacted]



A Sergeant shall respond to any scene where a less-lethal launcher has been requested or deployed.

Any incident involving the discharge of a less-lethal launcher constitutes a use of force and requires a Use of Force Review. ***See:*** **VOLUME II, CHAPTER 58. USE OF FORCE, Use of Force Reviews.**

Any person struck by a less-lethal projectile shall be transported to a medical facility for evaluation and treatment.

Transportation to a medical facility will be by police transport unless the WRAP™ system has been deployed or on-scene medical personnel deem transport by ambulance appropriate.

Officers shall advise medical personnel that a less-lethal projectile has struck the individual, providing the approximate time that it occurred. Officers shall obtain a hospital discharge form from the attending physician before transporting the individual to a processing facility and attach a scanned PDF copy to the Use of Force Review that is entered into the BlueTeam Module.

6. Lethal Force

Officers may only use lethal force when they have an objectively reasonable belief that the suspect poses an imminent threat of death or serious physical injury to the officer or to another person.

A decision to use lethal force can only be justified by facts known to the officer at the time the decision is made. Facts unknown to the officer, no matter how compelling, cannot be considered in subsequent investigations, reviews, or hearings. ***See:*** **VOLUME II, CHAPTER 58. USE OF FORCE.**

7. Firearms

Officers shall be armed with an issued or authorized off-duty firearm and possess their badge, MPCTC card, and identification while traveling in the County. Firearms shall not be carried where prohibited by law. Only authorized firearms may be used when taking police action, unless the officer is confronted by an emergency and an authorized firearm is not available.

Officers are responsible for the safe handling, cleanliness, and security of all

assigned firearms. They shall exercise caution when handling firearms.

Any firearm discharge directed toward a human or animal is lethal force. Firearms shall not be discharged when less than lethal force would suffice.

[redacted] Except as noted in this section, firearms may only be discharged in defense of self or others when:

- The officer reasonably believes that the subject poses an imminent threat of death or serious physical injury to themselves or another person
- No reasonable alternative for apprehending a fleeing subject exists and the officer has probable cause to believe that the person has committed a felony involving the infliction or threatened infliction of serious injury or death, and escape of the person would pose an imminent threat of death or serious injury to the officer or to another person

[redacted]

Officers shall avoid placing themselves in situations where vehicles may strike them.

Firearms may be used to destroy seriously injured animals or those posing an imminent threat to human safety. ***See*: VOLUME II, CHAPTER 58. USE OF FORCE**.

Firearms may also be discharged at public or private ranges for target shooting. When such activity results in injury or any unusual incident, the officer shall immediately notify PSC.

Use of Firearms Prohibited

The use of firearms is prohibited:

- Outside the County solely for the purpose of apprehension
- To discharge warning shots
- When less force could reasonably be used
- When innocent persons would be unduly endangered

Display of Firearm Prohibited

The display of a firearm is not lethal force. An officer shall not display or draw any firearm unless they reasonably believe that they may have to employ lethal force.

An officer may draw their firearm when they believe that doing so will provide a tactical advantage. Officers shall not use a firearm to threaten or intimidate anyone unless the use is tactically necessary. Officers shall promptly re-holster, conceal, or store firearms when the threat has ended.

Officers shall not draw, dry fire, or display a firearm in public except for official use.

Firearms & Intoxicants

Officers shall not be armed when under the influence of alcoholic beverages or

medication that may render them incapable of effectively using a firearm.

On-Duty Firearm

[redacted]

All officers shall be armed and carry their badge, MPCTC card, and identification unless:

- Prohibited by law or procedure
- Within a controlled area without public access
- In a duty status prohibiting being armed

Nothing in this directive is intended to prohibit procedures established by a Commander during a covert operation.

[redacted]

Departmental Issued Weapon Mounted Light (WML)

Only officers that have successfully completed WML training provided by the PGPD Firearms Training Section will be authorized to carry their Departmental issued firearm with a WML attached. Upon successful completion of the training, officers will be issued a WML, and a holster to accommodate the Departmental issued weapon and WML attachment.

Only Departmental issued WMLs are authorized to be attached to any Departmental issued handgun. The WML shall remain attached to the Departmental issued weapon while in uniform. The WML may be removed if the officer chooses to carry the Departmental issued handgun in an off-duty capacity. Replacement batteries for WMLs will be available from the Departmental Armorer.

The WML shall not be altered in any way. Only certified Patrol Shield Operators are authorized to have the pressure switch attached to the WML, which will be issued by the Firearms Training Section.

The WML is not a substitute for the handheld flashlight; therefore, certified officers carrying WMLs must continue to adhere to **VOLUME I, CHAPTER 17. EQUIPMENT**, ***Required Articles on Police Equipment Belt***.

The use of the WML is restricted to situations in which an officer can articulate the need to have their firearm drawn for tactical advantage (i.e., building searches, etc.) and/or pointing a firearm at an individual who poses a threat. The WML shall not be used solely to enhance an officer's vision when no threat can be articulated. Any violation of this paragraph may lead to disciplinary action, and/or removal from the WML program.

Weapon Mounted Light Holsters On-Duty

A holster designed to accommodate a weapon with a WML, shall not be used to secure a weapon without a WML attached. Only issued WML holsters, or those specifically approved by the Manager, Firearms Training Section are authorized for use/wear on-duty.

On-Duty Scoped Rifles

[redacted]

Off-Duty Firearms

[redacted]

[redacted]

Weapon Mounted Lights (WML) Personally Owned Off-Duty Weapons

Officers that have completed the WML training, may purchase at their own expense, a WML for their personally owned off-duty weapon. The WML and activation mechanism must be approved by the Range Manager and Armorer before use. Officers choosing to attach an approved WML to their personally owned off-duty weapon, must qualify day and reduced light fire with the WML attached prior to being certified to carry the weapon off-duty. The officer will be responsible for replacement batteries for any personally owned off-duty WML.

Holsters for personally owned off-duty weapons shall be:

- Designed for the make and model of firearm
- Designed to accept the weapon while a WML is attached
- Approved by the Manager, Firearms Training Section prior to use

Exceptions to Off-Duty Firearm Requirements

[redacted]

Alterations or Repairs to Firearms

The Departmental armorer or factory-trained range personnel shall perform routine repairs of Departmental firearms.

[redacted]

All other modifications are prohibited. Any alteration to the operating mechanism of any authorized firearm requires written approval from the Departmental armorer.

Holding Facilities

[redacted]
ry.

Storage Requirements

[redacted]

Firearm Safety, Exceptions

(Annotated Code of Md., Criminal Law, Section 4-104)

Except as noted below, an individual may not store or leave a loaded firearm in any location where the individual knows, or should know, that an unsupervised child can gain access to it.

Exceptions:

- A child's access to a firearm is supervised by a person 18 years of age or older
- A child's access to a firearm is a result of an unlawful entry
- A firearm is in the possession or control of a law enforcement officer while the officer is engaged in official duties
- A child has a certificate of firearm and hunter safety as established in Section 10-301.1 of the Natural Resources Article

Firearms & Ammunition in Vehicles

This subsection does not apply to firearms or ammunition recovered in the line-of-duty. For procedures dealing with the proper handling of property and evidence, ***See***: **VOLUME II, CHAPTER 47. PROPERTY & EVIDENCE**.

[redacted]

[redacted]

8. Ammunition

On-Duty

When on-duty, officers shall only use issued ammunition in any authorized firearm.

Off-Duty

[redacted]

Officers may consult the Manager, Firearms Training Section with questions regarding the acceptability of ammunition.

9. Firearms Range Administration

Given the nature of police work, and the inherent dangers associated with handling firearms, being able to qualify with the Department's issued handgun is viewed as an essential job skill. Failure to maintain this skill may result in termination. All officers affected by this policy are encouraged to take advantage of handgun practice days and shooter enhancement training routinely offered by the Firearms Training Section. The optional training days are offered to assist officers in maintaining this critical job skill, and to help prepare them for their scheduled qualification attempts.

The Manager, Firearms Training Section has complete discretion regarding weapon safety and range operations. The Manager may prohibit officers from any or all activities at the range. All persons using the range are under the functional supervision of the manager. They shall comply with applicable grooming, clothing, and equipment directives.

Failure of officers to report and successfully complete any firearms training when ordered to do so shall subject the officer to administrative and/or disciplinary action, with a maximum penalty of dismissal.

Qualification

No officer shall carry any firearm, on or off-duty, with which they are not currently qualified.

Officers shall qualify with their authorized firearm(s) annually, at day and reduced light fire.

Only officers on full duty status will be allowed to qualify with firearms. At the discretion of the Manager, Firearms Training Section, exceptions may be permitted with the submission of a doctor's report. Notification to the Commander, TED will be made when discretion is granted. Stated information will be forwarded to the Deputy Chief. Officers reporting for any scheduled or mandated firearms training who refuse or neglect to acknowledge their light duty status shall subject the officer to administrative and/or disciplinary action as determined by Commander, TED.

Qualification classifications:

Master	99.0-100
Expert	95.0-98.9
Sharpshooter	85.0-94.9
Marksman	75.0-84.9

When an officer fails to qualify either day or reduced light fire with their authorized firearm after three attempts on the same qualification date, or fails to complete such attempts following an initial failure for any reason, the Manager, Firearms Training Section or their designee shall:

- Notify the officer in writing that their police powers are suspended
- Send a copy, through the chain of command, to the appropriate Deputy Chief
- Take custody of all issued firearms, badge and Departmental vehicle (the officer retains their identification card)
- Arrange transportation for the officer
- Temporarily reassign the officer to TED for remedial training

Suspension under these circumstances is not a disciplinary action. It is an administrative action intended to limit officers' potential involvement in situations where their lack of firearm proficiency may endanger themselves or others.

The officer must undergo a course of instruction prescribed by the Manager, Firearms Training Section, and retest with a minimum qualification score to return to full duty, as outlined in the ***Failure to Qualify*** section below.

If the inability to qualify is the result of a physical impairment, a determination shall be made as to the duration of the impairment. If temporary, the officer shall be placed in a non-contact assignment until the impairment is corrected and the officer qualifies. If the impairment is long-term or permanent, the officer's Commander shall ensure that the officer receives a fitness for duty examination.

An officer unable to qualify after remedial training, as outlined in the ***Failure to Qualify*** section below, shall remain in a non-contact assignment with their police powers suspended. The Manager, Firearms Training Section shall forward a memorandum with documentation of the remedial training program through the chain of command to the Chief of Police. The Chief of Police shall determine whether or not the officer has lost a bona fide occupational qualification and take the appropriate action.

Tri-Annual Qualification

The Tri-Annual Qualification Program is for officers who fail to qualify three consecutive attempts on the same date, with a score of 75% or better (both day and reduced light fire) and/or fail to qualify with a 22 or better on the front half of day fire. Once notified of their inclusion in the Tri-Annual Program, officers shall report to the range for day and reduced light fire qualification three times per calendar year. The officer's annual in-service training qualification shall count as one of the three required dates.

Officers placed in the Tri-Annual Firearms Training Program will remain until such time that they have attended three consecutive sessions of either Tri-Annual Training or in-service training, and upon doing so, have displayed proficient firearms skills by firing a minimum front half score of 22 and minimum overall score of 75% on the first course of day fire, and a minimum overall score of 75% on the first course of reduced light fire. A return to duty

qualification after 16 hours/800 rounds of remedial training is not considered a first attempt. Once this is accomplished, the officer will be removed from the Tri-Annual Training Program.

The Manager, Firearms Training Section shall notify the Commanders of all officers in the Tri-Annual Qualification Program of the dates and times set aside for the training and qualification.

Commanders shall be responsible for providing written notification to each participant's supervisor regarding the dates and times scheduled for the tri-annual training and qualification. The Commander shall ensure that a Tri-Annual Firearms Qualification Notification Memorandum is completed for each participant under their command.

The supervisor shall ensure that the officer is served with the notification memorandum. The officer shall sign and date the notification memorandum, indicating receipt of the notification. Any known conflicts (i.e., court appearances, pre-approved leave), injuries, or other circumstances that would prevent the officer from responding on the scheduled dates shall be documented on the notification form. Supervisors shall ensure that the officer retains a copy of the notification memorandum for their records. The original signed memorandum shall be forwarded through the chain of command to the Manager, Firearms Training Section. Officers shall attend tri-annual training and qualification as scheduled. Failure to attend shall be considered insubordination and shall subject the officer to administrative and/or disciplinary action.

In the event that an officer is unable to attend tri-annual training and qualification due to an unexpected emergency, the officer's supervisor or commander shall immediately notify the Manager, Firearms Training Section.

Failure to Qualify – Probationary and Student officers

A student officer who fails to qualify following their initial firearms instruction in the Academy, will be offered remedial training. If the student officer successfully qualifies following remedial training, and is otherwise eligible, they will be allowed to graduate, and placed in the Tri-Annual Program. Following graduation, the probationary officer will be required to attend Tri-Annual Training when notified, as well as pass two cold qualifications outlined below. These qualifications will take place approximately five and ten months after graduation.

5 Month Cold Qualification

The probationary officer will be given two attempts to qualify at the five month cold qualification. If the probationary officer fails to qualify, they will be offered 16 hours of remedial training (max 800 rounds). If the probationary officer is unable to qualify following remedial training, they shall be terminated. Those who successfully qualify will be scheduled for their ten month cold qualification.

A failure to qualify at the initial five-month qualification, will be deemed a probationary officers' first "failure to qualify," and will subsequently count towards the failure to qualify policy as outlined below.

10 Month Cold Qualification

The probationary officer will be given two attempts to qualify at the ten month cold qualification. A probationary officer who

fails to qualify will have demonstrated an inability to maintain a job skill and shall be terminated. No remedial training will be offered after a failure to qualify at the ten month qualification.

Failure to Qualify – Officers

1st Remedial Training

If an officer fails to qualify during mandated firearms training, (i.e., In-Service Training or Tri-Annual Training), they shall:

- Be administratively suspended
- Scheduled to attend a 16-hour block of remedial training (maximum of 800 rounds)

Following remedial training, the officer will be given 3 attempts to qualify. If the officer successfully qualifies after remedial training, they will be returned to full duty.

2nd Remedial Training

An officer who fails to qualify after the first 16-hour block of instruction shall:

- Remain suspended
- Be rescheduled to attend a second 16-hour block of remedial training (maximum of 800 rounds)
- Be given 30-60 days before the second round of remedial training, to allow the affected officer to seek additional firearms training outside the agency

If the officer successfully qualifies following the second 16-hour block of remedial training, they will be returned to full duty. Any officer who fails to qualify after the second 16-hour block of remedial training following three attempts to qualify shall be terminated.

Vision Check

Prior to the beginning of any remedial training, the assigned firearms instructor will ensure that the officer is not experiencing any visual problems and/or in need of corrective lenses. The remedial shooter will be asked if they can clearly see the target and the sights on the weapon. The remedial shooter will be required to sign a form acknowledging their ability to see clearly. Any officer that implies they have a problem with their vision must take measures to correct the problem within 30 calendar days, after which the remedial training will continue.

Field Training Officers

Any officer who fails to qualify with their issued handgun will be ineligible to become an FTO until they are removed from the Department's Tri-Annual Training Program. Officers who fail to qualify and are currently certified as an FTO will be removed from the FTO program.

Shooter Enhancement Program

Any officer who has been identified as a marginal or critical shooter by the Manager, Firearms Training Section, shall be required to attend the agency's Shooter Enhancement Program within the thirty day period prior to their scheduled Firearms In-Service Training. This four-hour block of instruction provides the officer with one-on-one firearms instruction, and better prepares them for mandated qualification courses.

Failure to Attend Firearms Training

Officers who fail to attend their scheduled dates for mandated firearms training, without an excused absence (sick/emergency notification through both their immediate

supervisor and a member of the range staff), will face disciplinary action. Any missed training date must be rescheduled with a representative from the Range within 72 hours of the absence. The rescheduled qualification must be completed within 30 days. A failure to reschedule and/or qualify within these timelines will result in disciplinary action, and may also, at the discretion of the Range Manger, count as one "failure to qualify."

Critical Shooter Notification

When an officer is deemed a critical shooter, the Manager, Firearms Training Section, or their designee, shall forward a "Failure to Qualify" memorandum to the officer and the officer's respective chain of command, to include the President of FOP 89. This memorandum will include a warning that the officer faces termination if they fail to qualify for a third time within the five-year period. A third failure within five years represents the loss of a critical job skill.

Any officer who fails to qualify (as defined in Subsection III of this chapter) with their issued handgun on three occasions within a five-year period shall be terminated.

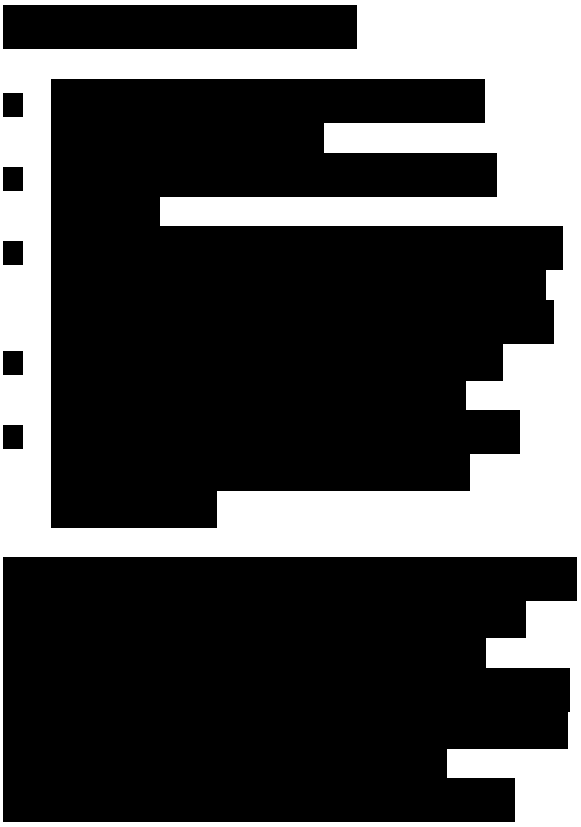
10. Patrol Rifle Program

Patrol rifles will be allocated to each Division Station and assigned to individual certified officers. Officers who desire to participate in the program must seek written approval from their Commander.

Only officers who attend and successfully complete the Patrol Rifle Training Program administered by the Firearms Training Section, are approved to carry the Patrol Rifle.

The only authorized issued rifle for use by patrol officers is the Rock River Arms AR-15, 5.56 mm/.223 caliber and Smith & Wesson M&P 15A or M&P 15X.

Configuration



Weapon Condition

[redacted]

Inspections

The Armorer or certified range personnel must inspect patrol rifles before initial use and bi-annually. All participants are responsible for submitting their weapons to the Armorer or certified range personnel for inspection during qualification. Only patrol rifles with a valid inspection may be carried.

Supervisors shall conduct monthly inspections of patrol rifles carried by their officers. The inspections shall be documented on the Firearms Inspection Report.

Repair and Maintenance of Patrol Rifles

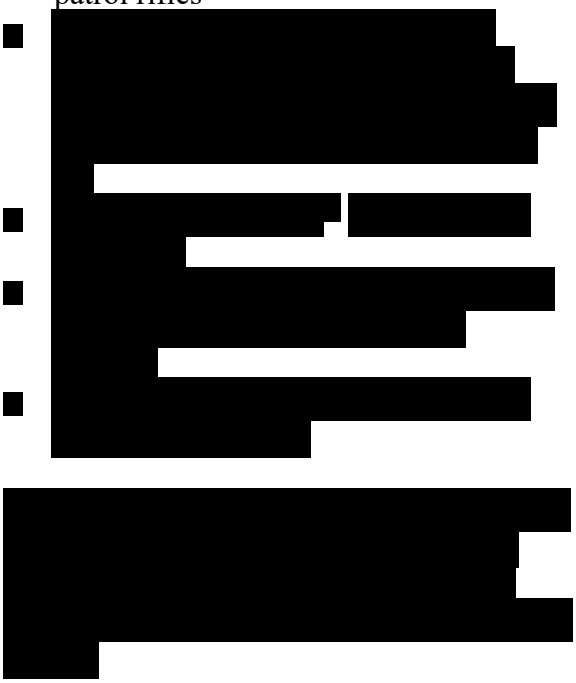
Any repairs shall only be performed by the Departmental Armorer or certified range personnel. Any modifications, accessories, or additions to any patrol rifle must be approved, in writing, by the Manager, Firearms Training Section and must be installed by the Departmental Armorer. All equipment added to a patrol rifle must be from the weapon manufacturer. The only exception to this will be equipment that is completely external and in no way effects the operation of the gun, for example, a flashlight and mount.

Officers are responsible for routine maintenance of their patrol rifles.

Patrol Rifle Procedures

[redacted]

- Only issued duty ammunition is used in patrol rifles



VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 1.3.1, 1.3.2, 1.3.3, 1.3.4, 1.3.5, 1.3.9, 1.3.10, 1.3.11, 1.3.12,17.5.3, 53.1.1, 70.2.1
- Prince George's County Police Department Electronic Control Devices/TASER® Standard Operating Procedure
- Training and Education Division, Standard Operating Procedure

Governing Legislation:

- Annotated Code of Maryland, Public Safety § 3-508, Chapter 79
- Annotated Code of Maryland, Criminal Law, § 4-104, § 4-201
- Tennessee v. Garner *(Tennessee vs. Garner, 471 U.S. 1, 105 S.Ct. 1694)*
- National Resources Article Section 10-301.1

Tennessee vs. Garner, 471 U.S. 1, 105 S.Ct. 1694

In this case, the United States Supreme Court held that officers cannot resort to deadly force unless they have probable cause to believe that the suspect has committed a felony and poses an immediate and significant threat to the safety of the officer, or a danger to the community at large. The Court affirmed the Court of Appeals decision limiting the use of deadly force to apprehend a fleeing felon.

Facts of the Case

On October 3, 1974, a Memphis, Tennessee police officer and his partner were dispatched to a call for a prowler inside a residence. Upon arriving on the scene, a neighbor advised that someone was breaking into the house next door. As his partner radioed for assistance, the officer went to the back of the house where he heard the door slam and saw someone running across the backyard.

The suspect stopped at a six-foot chain link fence at the edge of the yard. With the aid of a flashlight, the officer could see the suspect's face and hands. He saw no signs of a weapon, and though not certain, was "reasonably sure" that the suspect was unarmed. While the suspect was crouched at the base of the fence, the officer ordered him to stop. When the officer took a few steps toward the suspect, he started climbing the fence.

The officer was convinced that the suspect would elude capture if he got over the fence, so the officer shot the suspect. The suspect was taken to a hospital where he died on the operating table. Ten dollars and a purse taken from the house were found on his body.

In using deadly force to prevent escape, the officer was acting under the authority of a Tennessee statute and following department policy.

The Memphis Police Department's Firearms Review Board and Grand Jury reviewed this incident and neither took any action.

Court Review of the Case

The suspect's father took the matter into the Federal District Court seeking damages for the violation of the suspect's constitutional rights. The claims were dismissed in the United States District Court.

The Court of Appeals reversed and remanded the decision. It held that the killing of a fleeing suspect is a "seizure" under the Fourth Amendment, and the use of deadly force to prevent escape of all felony suspects, whatever the circumstances, is constitutionally unreasonable.

The Tennessee statute did not adequately limit the use of deadly force because it failed to distinguish between felonies of different magnitudes.

Supreme Court Decision

The U.S. Supreme Court held that apprehension by the use of deadly force is a seizure subject to the Fourth Amendment's reasonableness requirement.

To determine whether such a seizure is reasonable, the suspect's rights must be balanced against the police department's need make an arrest and enforce laws. This balancing process stipulates that, even though there is probable cause to seize a suspect, an officer may not always do so by killing him. The use of deadly force to prevent the escape of all felony suspects, whatever the circumstances, is unreasonable under the Constitution.

The Supreme Court went on to say that while burglary is a serious crime, the officer in this case could not reasonably have believed that the suspect – unarmed, young and of a thin build – posed any threat. The court further held that the fact that an unarmed suspect burglarized a dwelling at night does not automatically mean he is dangerous.

The Supreme Court affirmed the decision of the Court of Appeals on March 27, 1985.

60. WEATHER-RELATED EMERGENCIES & EMERGENCY MOBILIZATION

(January 2021)

I. POLICY

Weather-related emergencies can have a negative impact on police services. The Department's goal is to avert or minimize the effects of inclement weather on the level of police service in the County.

II. CHECKLIST (N/A)

III. DEFINITIONS (N/A)

IV. FORMS (N/A)

V. PROCEDURES

(County Administrative Procedure 510)

Upon notification from the Office of Emergency Management (OEM) that an emergency has been declared, the Deputy Chief, Bureau of Patrol will assign a liaison officer to respond to the Emergency Operations Center (EOC) to assist in the coordination of services during the emergency.

If an emergency is declared at a time other than normal business hours, the on-duty Watch Commander will report to the EOC.

1. Employee Work Status

All Departmental personnel are essential employees. They shall report to work as scheduled during weather-related emergencies unless otherwise directed by their Supervisor.

Civilian employees shall attempt to report to their assigned work site. If this is impossible due to impassable road conditions or severe inclement weather, civilian employees shall report to the nearest County Police facility, where arrangements can be made to transport them to their assigned work site. If employees cannot respond to the nearest County Police facility, they shall contact their Supervisor for further instruction.

2. Commander's/Manager's Responsibilities

All Commanders/Managers will develop and maintain an SOP for their commands. The SOP shall identify:

- Emergency notification procedures for the call-out of off-duty personnel
- Deployment of personnel during a Signal 26
- Shopping centers and other businesses susceptible to looting
- Shopping malls maintaining private security on a 24-hour basis where officers could seek shelter
- Police and Fire Department facilities within their District that could be used to house officers for sleeping purposes
- Procedures to ensure that vehicles parked at police facilities are moved before snow removal

The SOP developed by the Commanders of CID, NED and SOD need only identify the following:

- Emergency notification procedures for the call-out of off-duty personnel
- Deployment of personnel during a weather-related emergency
- Vehicles or equipment that are available for use during a weather-related emergency

- Procedures to ensure that vehicles parked at police facilities are moved before snow removal

3. Implementation of Signal 26

When weather conditions deteriorate making routine patrol hazardous, a Shift Commander or other Command Officer may initiate a Signal 26. The initiating Commander shall determine the geographical areas affected and notify the Public Safety Communications (PSC) Supervisor. PSC will broadcast the Signal 26.

Officers shall continue to respond to emergency calls for service during a Signal 26. All calls for service not requiring on-scene response shall be referred to the Telephone Reporting Unit (TRU) or the appropriate District Station.

Supervisor's Responsibilities

During a Signal 26, Supervisors shall:

- Assign at least one officer or investigator to take reports over the telephone
- Temporarily reassign investigators to supplement patrol officers until normal operations are resumed, if necessary

Signal 26 Cancellation

A Command Officer may cancel a Signal 26. The Command Officer will notify the PSC Supervisor and request that the dispatcher broadcast the cancellation.

For information on the use of four-wheel drive vehicles during weather-related emergencies, ***See:*** **VOLUME II, CHAPTER 22. DEPARTMENTAL PROGRAMS.**

SECTION REDACTED

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 11.3.1, 12.1.4, 46.1.2, 46.1.8, 81.2.14
- Administrative Procedure 510

61. RESPONDING TO WORKPLACE DISTURBANCES
(July 2019)

I. POLICY

Prince George's County Government recognizes the need for a violence-free environment for all County employees and visitors. The County will not tolerate violence in the workplace and is committed to maintaining an environment free of all forms of violence, threats of violence, and all forms of intimidation and criminal harassment. The Department's goal with respect to these incidents is the protection of life and property.

II. CHECKLIST (N/A)

III. DEFINITIONS

County Employee: Any person elected or appointed to, or employed by, the County or any County agency, board, commission, or similar entity, whether or not paid in whole or in part with County funds

Workplace: Any location where a County employee is working or assigned

Workplace Disturbance: Any incident involving violence, threat of violence, intimidation, or criminal harassment directed at any County employee that occurs at a workplace

IV. FORMS

- Case Record

V. PROCEDURES

County government officials who anticipate a disturbance shall be referred to the Commander of the affected District. The Commander's name and telephone number shall be provided to the official making the request.

All calls involving workplace disturbances require an on-scene response.

1. Patrol Officer's Responsibilities

All incidents of workplace violence shall be documented in a Case Record.

Supervisors shall ensure that all workplace disturbances are properly investigated and documented. Supervisors shall also ensure the District Commander is notified.

2. Commander's Responsibilities

Supervisors from other County agencies may request Departmental assistance for anticipated workplace disturbances. Commanders shall comply with these requests. The Commander shall decide the number of officers, attire, and level of response.

Commanders will review RMS Records for reports of workplace disturbances to ensure appropriate Departmental response and reporting.

VI. GOVERNING LEGISLATION & REFERENCE

This General Order addresses:

- Commission on Accreditation for Law Enforcement Agencies, Standards 12.1.4, 41.2.1, 41.2.5, 42.1.4, 46.1.2, 55.1.3, 82.2.1

Governing Legislation:

- Prince George's County, Administrative Procedure 513

62. CHAPTER REDACTED