

41.0 PATROL

PURPOSE: To define responsibilities of the Patrol Division and to establish procedures for its efficient administration.

41.1 Administration

41.1.1 Patrol Schedule

- A. **Continuous Patrol Coverage:** The Sheriff's Office maintains uniformed Patrol shifts, offering public service 24 hours a day, each day of the year, accompanied by 24 hour radio communications. Calls for service from citizens will be answered at all times, in accordance with established departmental policy.

Shift Change Coverage: The department will conduct operations in such a way as to eliminate any lapses of coverage. Deputies of the outgoing shift will be available for calls, if needed, until the end of their tour of duty. If at all possible, members of the oncoming shift will relieve deputies on a call at the end of their shift. The majority of sworn personnel have assigned vehicles. Deputies are also subject to calls, if needed, while enroute to the department for the beginning of their shift.

- B. **Assignments to Patrol Shifts:** Ultimate authority for assignment and utilization of personnel lies with the Sheriff. Shift assignments, temporary or fixed, will be designed to maintain or improve efficient operations of the Department. Factors to be considered in making shift assignments include, but are not limited to:

1. Rank
2. Work performance history
3. Training record
4. Individual skills or expertise
5. Previous duty assignments
6. Number of incidents received in a specified period on a shift.
7. Average amount of time required per call on a shift.

- C. **Shift Rotation:** The Sheriff will decide upon shift rotations. Rotations will be systematic in nature, if at all possible, in order for personnel to plan personal activities. If at all possible, notice of a change in the entire shift rotation will be given three weeks or more before it occurs.

- D. **Assignment to a Specified Service Area:** Due to manpower availability, it may be impossible to assign uniformed personnel to a single sector for a continuous period of time, (excluding contracted deputies). The Duty Officer for a specific

tour of duty will assign uniformed deputies' sectors. Factors to be considered in sector assignments will include, but not be limited to:

1. Number of personnel working the shift. Limited numbers may result in a larger area of assignment.
 2. Statistical history for number of calls for service in a sector.
 3. Number of offenses committed within a sector.
 4. Follow-up investigation of reported activity within a sector. If a deputy has follow-up activities in a certain area, he should make the Duty Officer aware and be assigned that sector, if at all possible.
- E. Service Area Rotation: Duty officers will rotate sector assignments in such a way as to allow basic orientation of the whole county for all personnel. Personnel should share information with co-workers regarding activity in a given sector due to the necessity of all sworn personnel working varied sectors.
- F. Regularly Scheduled Days Off: Regularly scheduled days off will be in a systematic fashion, with changes in scheduled days off only when necessary because of departmental requirements. For uniformed personnel, statistics will be periodically reviewed in an effort to coordinate days off of a maximum number of personnel with days having the least amount of criminal activity or calls for service. Other factors may, at times, effect regular days off such as manpower shortages due to illness, training, vacations, emergencies, or major events.

41.1.2 Shift Briefing

- A. Roll call will be held on the first day of each rotating squads 0730-1600 hours tour of duty. Roll call will be held by the midnight squad during a time at the discretion of the Duty Officer.

Scheduled personnel will be punctual in attending roll call except in the following instances:

1. While observing a violation of law or other situation requiring immediate attention while in route to the Department. If so, the deputy will advise Communications who will make the Duty Officer aware that the deputy will be late.
2. The deputy is assigned a call or dispatched as a backup by Communications while enroute to the department.
3. The deputy was previously given an assignment that would preclude attending roll call. The Duty Officer should have knowledge of this absence.
4. If a deputy is late or absent, or works an odd hour shift; i.e., K-9 or permanent sector personnel, it is the responsibility of that deputy to review material on roll call boards for pertinent information.

- B. It is the responsibility of each Duty Officer to conduct and control roll call in a professional manner, and to review all pertinent information. The Duty Officer should review material from previous days, especially information regarding public or law enforcement safety. Such information should be presented in roll call over a period of several days.
- C. Roll calls serve the following functions:
 - 1. Brief deputies on wanted subjects, safety hazards, stolen articles, criminal activity, etc.
 - 2. Brief deputies on schedule changes/assignments.
 - 3. Brief deputies on departmental policies/notices.
 - 4. Provide a time of inspection of personnel.
 - 5. Provide a forum for brief in-service training

41.1.3 Operation of Special Purpose Vehicles

- A. Authorization to drive any of the special purpose vehicles (i.e.: Polaris 4-wheeler and Kubota UTV) belonging to the Sheriff's Office will be given by the departmental mechanic or higher authority.

Operation of WCSRT Bearcat (Armored Vehicle) or the WCSRT Equipment Truck will be authorized by the WCSRT Commander or designated Team Leaders.

- B. Training to operate any of the WCSRT vehicles will be completed annually during a designated training day.

Operation of any other special purpose vehicle i.e.: Polaris 4-Wheeler and Kubota will be the responsibility of the departmental mechanic or higher authority prior to operation.

- C. Maintenance of all special purpose vehicles is the responsibility of the departmental mechanic unless designated by high authority.

- D. Equipment list for all WCSRT vehicles are kept by the designated member and listed under standard 46.2.3.

41.1.3 Bicycle Patrol

- A. Operation in inclement weather shall be according to the following procedures:

- 1. There will be no deployment during extreme weather conditions such as:
 - a) Heavy rain
 - b) Thunder/lightning storms

- c) Snow and ice on the road
- d) Extreme temperatures
- e) Winds in excess of 20 m.p.h.

2. When weather conditions are marginal, the on-duty supervisor will consult with the uniformed bicycle deputy to determine whether the bicycle will be deployed.
3. Only approved rain/cold weather outerwear will be worn by the uniformed bicycle patrol deputy.
4. Utilization of Bicycle Patrol/Duty Assignment
 - a. Bicycle Patrol Deputies will be responsible for answering calls for service within their established patrol area and enforcement of traffic regulations when enforcement does not jeopardize the safety of the Bicycle Patrol Deputy.
 - b. Bicycle Patrols may be performed on appropriate dates/times and during accommodating weather conditions. There will be no deployment during extreme weather conditions. During marginal weather conditions, the on-duty supervisor will consult with the Bicycle Patrol Deputy to determine deployment.
 - c. Bicycle Patrols will be at the discretion of the Bicycle Patrol Deputy unless ordered by higher authority and may be used during all shifts depending on manpower levels.
 - d. The bicycle is not an emergency vehicle and for that reason, the bicycle deputy shall ensure that a patrol vehicle is always readily available in case he/she has to redeploy to another area; needs the vehicle for prisoner transport or other activity; or is called to return to normal vehicular patrol duties.
 - e. In the event of an emergency, which requires immediate response of a patrol vehicle, the deputy shall secure the bicycle and respond as soon as possible.
 - f. Use of the bicycle as forceful contact will be limited to those situations where all other means of arrest have failed or to protect the physical safety or life of the deputy or any other person.

B. Bicycle Patrol Selection Standards

1. Bicycle Patrol Deputies must maintain an above average job performance rating.
2. Applicants must be in sound physical condition to meet the rigors of Bicycle Patrol training and subsequent activities involved in Bicycle Patrol. A full physical examination will be required if there are any doubts as to the fitness of the deputy.

3. Applicants must attend and successfully complete a Bicycle Patrol training course that is approved by the Maryland Police Training Commission.
 - a. Bicycle Patrol training must contain training sessions, which address the following minimum requirements:
 1. Basic/advanced bicycle operating techniques
 2. Maintaining endurance
 3. Overtaking obstacles
 4. Rapid dismounts
 5. Officer safety
 6. Bicycle care and maintenance
 7. Operator health awareness
4. In addition to the mandated annual firearms qualification, bicycle patrol deputies will qualify with their issued firearm (day and night courses) and the issued shotgun at least once per calendar year wearing the gloves normally worn on bicycle patrol.

C. Selection of Equipment/Acquisition, Maintenance and Care

1. The purchase of a multi-speed “mountain bike” is highly recommended by all available information on police bicycle patrols. This is due to the stronger frame/components, etc. Therefore, any bicycle purchased for use by the bicycle patrol unit will be a multi-speed “mountain bike” or similar type.
2. If a bicycle / related equipment is purchased by a municipality in connection with the Resident Deputy Program, that municipality will retain ownership of the bicycle and any related equipment.
3. Repairs to the bicycle/related equipment will be the responsibility of the municipality that purchased the bicycle/equipment. Repairs will be made by a department authorized bicycle repair facility.
4. Repairs will be authorized, in writing, by the municipality’s town manager or mayor prior to the repairs being made.
5. The Bicycle Patrol Deputy will be responsible for daily inspections of the bicycle, prior to use, and for routine preventative maintenance.
6. The Bicycle Patrol Deputy will be responsible for notifying the town manager or Mayor of the need for repairs and ensuring repairs are made.

Repairs will not be made to the bicycle unless approved by the Mayor, the Town Manager, the Assistant Patrol Commander, or higher authority.

7. Damage to any bicycle will be documented on the appropriate form and forwarded to the Patrol Commander with a copy to the town manager or Mayor.
8. If the problem is mechanical and will jeopardize the safety of the Bicycle Patrol Deputy, the bicycle shall not be used until repairs are completed.
9. The bicycle shall be secured to a bicycle carrier on the patrol vehicle during transport.

D. Bicycle Equipment

1. All bicycles will be equipped with the following:
 - a. A lamp that emits a white light visible from a distance of at least 500 feet to the front, and
 - b. A red reflector of a type approved by the Maryland Motor Vehicle Administration that is visible from all distances from 600 feet to 100 feet to the rear when directly in front of lawful upper beams of head lamps on a motor vehicle, and
 - c. A lamp that emits a red light visible from a distance of 500 feet to the rear, and
 - d. A bell or other device (excluding sirens or whistles) capable of giving a signal audible for a distance of at least 100 feet.
2. A lock and cable will be used to secure the bicycle whenever it is unattended and out of view of the deputy.
3. Uniform Specifications
 - a. Bicycle Patrol Deputies will wear a uniform approved by the Patrol Commander or higher authority.
 - b. Body Armor will be worn by Bicycle Patrol Deputies at all times.
4. Standard issue gun belt and equipment will be worn at all times.
5. Bicycle Patrol Deputies will wear a portable radio with lapel microphone
6. A helmet that meets or exceeds the standards listed in the Transportation Article, 21-1207.1c will be worn at all times.
 - a. Damage to the helmet will be documented on the appropriate form and forwarded to the Patrol Commander with a copy to the town manager or Mayor. The damaged helmet will be replaced.

- b. Damaged helmets will not be used
- 7. Wearing appropriate eye protection is strongly suggested to protect the eyes.
- 8. Black riding gloves are optional.
- 9. Bicycle Patrol uniforms will not be worn to court. If the Bicycle Patrol Deputy is assigned to a patrol car for his/her tour of duty, the uniform of the day will be worn.

E. Record Keeping Requirements

- 1. Bicycle Patrol Deputies will complete the following reports and submit them as stated below:
 - a. A Bicycle Patrol Daily Activity/Inspection Log will be completed and forwarded to the Resident Deputy Program supervisor on a daily basis.
 - b. A Bicycle Maintenance Record will be completed when any maintenance is performed on the bicycle and forwarded to the Resident Deputy Program supervisor.
 - c. A Bicycle Patrol Monthly Activity Log will be completed and submitted to the Sheriff and the Mayor of the town by the fifth day of every month.

41.1.4 Canine Unit

Purpose: To establish the Washington County Sheriff’s Office policy regarding the management and tactical deployment of Sheriff’s Office police service dogs for operational purposes.

Policy: Because of their superior senses of smell and hearing and physical capabilities, the trained law enforcement police service dog is a valuable supplement to the Sheriff Office abilities. However, utilization of police service dogs requires adherence to procedures that properly control their use-of-force potential and that channel their specialized capabilities into legally acceptable crime prevention and control activities.

Definitions:

Handler – A Deputy certified by the Washington County Sheriff’s Office to care for and use an agency canine.

Canine– A dog certified by the Washington County Sheriff’s Office to perform law enforcement functions.

Canine Team – A handler and his/her assigned canine.

Certified – A handler and/or a canine meeting the minimum performance standards of the Washington County Sheriff's Office as defined in this order.

Accidental Bite – a bite by an agency canine not directed by the handler, and not in defense of the canine handler.

Intentional Bite – a bite by an agency canine directed by the handler or in defense of the handler.

PackTrack – computer software that tracks the training and use of law enforcement canines.

A. Use of Canine/Assistance to Canine Team

Police Service Dog Team Utilization for Location/Apprehension of Suspects.

1. The deployment of a police service dog to locate and apprehend a suspect is a use of force that must follow the Washington County Sheriff's Office principles of escalation and de-escalation of force. Reference, General Order 40.0 Use of Force.
2. A canine team may be used to locate and apprehend a suspect if the canine handler reasonably believed that the individual has either committed or threatened to commit any serious offense and if any of the following conditions exist:
 - a. There is a reasonable belief the individual poses an eminent threat of violence, or serious harm to the public, and [officer/deputy] or the handler.
 - b. The individual is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
3. The individual(s) are believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of [officers/deputies] or the public.
4. It is recognized that situations may arise that do not fall within the provisions set for the in this policy. In any such case, a standard of objective reasonableness shall be used to review the decision to use a canine in view of the totality of the circumstances.
5. A primary use of Sheriff's Office police service dogs is for locating suspect hiding in buildings or other structures. These searches should be governed by the following:
 6. The building perimeter shall be secured by deputies and assisting police personnel.
 7. Whenever possible, the building's owner should be contacted to determine whether there may be tenants or others in the building and to ascertain the building layout.

8. When a police service dog building search is anticipated, a preliminary search by officers should not be conducted because this will interfere with the dog's ability to discriminate scents.
9. The on-scene supervisor should also take the following steps in preparation for the police service dog search:
 - a. Evacuate all tenants, workers, or others from the facility.
 - b. Request that all air conditioning, heating or other air blowing systems be shut off so that they will not interfere with the police service dog's scent discrimination abilities.
10. Upon entrance to the building, all exits should be secured, and communications limited to tactical communications.
11. The dog may be unleashed during a buildings search unless there is an imminent risk of injury to innocent persons within the facility.
 - a. Generally the dog should be released once a backup officer is available to work with the police service dog team.
 - b. Except in exigent circumstances or where there is an imminent danger of death or serious injury, the dog should be kept in visual contact by the police service dog handler.
12. The police service dog should not be used to search facilities that contain substances potentially harmful to the animal unless overriding risk to human life is present.
13. The use of a canine will be in accordance with Use of Force Policy.
 - a. While the canine is not considered a deadly force weapon, it can be used with deadly force. The handler will allow the dog to use only that amount of force necessary to effect an arrest or to defend the life/safety of the team or others, to apprehend and render safe a fleeing, hiding, or combative suspect. The handler in determining the amount of force to permit the dog to use will evaluate the seriousness of the incident or situation. Generally, the refusal of a suspect to move when ordered, or the commission of a minor misdemeanor is not justification for an attack/apprehension by the canine. The canine will not be used against mentally handicapped subjects, (when the handler is aware of the condition), except in extreme life/safety threatening situations. The dog may be used in situations where relatively minor crimes have been committed if it becomes evident the suspect is contemplating violence or escape; but again, only with the amount of force necessary to effect the arrest.
14. In every instance where the canine will be utilized and a possibility exists of injury to a suspect, a verbal warning will be given first.
15. Unless it would otherwise increase the risk of injury or escape, a clearly audible warning to announce that a Police Service Dog will be released if the person does not come forth shall be made prior to releasing a dog.
16. A Police Service Dog handler, when practical, shall first advise the supervisor of his decision if a verbal warning is not given prior to releasing the Police Service Dog.

K-9 Deployment Warnings

1. There have been several cases where the suspect claims he did not hear the K-9 deployment warning.
2. These warnings must be made unless a deputy can articulate specific officer safety issues. The K-9 deployment warnings must be:
 - Loud, clear, and documented as being heard at the far side of the building/area.
 - The text of the warning must be documented in deployment report.
 - The warning must be in the language of the community you are deploying in.
 - In a large building/area, multiple warnings must be made while progressing through the search to ensure the warning was heard. If made, these additional warnings must be documented.
 - A K-9 handler may have another deputy or allied officer give the K-9 deployment announcement for tactical reasons.
 - The handler must make sure the announcements are correct and documented in the deployment report.
3. When apprehending suspects the police service dog shall be commanded to disengage as soon as the suspect is subdued or readily complies with the handler's direction.

Crowd Control

Police service dog teams may respond as backup but may not deploy the dog for crowd control at peaceful demonstrations.

Police service dog teams may be used upon approval of the Sheriff or Incident Commander to protect life or property during a riot or other major unlawful assembly after an order to disperse has been made. In these situations, the dog should:

1. Be leashed at all times to protect individuals from serious injure, and;
Not initiate any offensive action unless to guard against imminent loss of life, serious bodily injury or substantial property damage.
2. If a bite results from a crowd control incident, every effort will be made to arrest the person bitten.
3. When a canine is requested for tracking or building searches, it is necessary to secure the scene to preserve the scent of the person or object being sought. If a building is discovered with open doors or signs of forcible entry, the exterior of the building will be secured to prevent possible escape from the structure. No entry will be made into the building prior to arrival of the canine except in emergency circumstances.

Tracking

When deputies are pursuing a suspect and contact with the suspect is lost, the deputy, prior to summoning a police service dog team, should:

1. Stop and pinpoint the location where the suspect was last seen.
2. If a vehicle was involved, shut off engines of vehicles in the area if possible and

avoid vehicle or foot movement in the area where the suspect or subject was last seen.

3. If the canine is requested in a tracking situation, the known direction of travel or “track” will be secured so as to prevent subjects or vehicles from crossing it. The area will be secured at the direction of the deputy in charge of the scene who will also direct incoming support units away from the track to prevent contamination.
4. A canine may be requested to maintain order at the Washington County Detention Center in the case of a disturbance. In such cases, the dog will be worked on leash and the team will not enter hostile areas without backup support.
The Correctional supervisor in charge of the scene will take into account the handlers’ professional judgment and expertise when assigning duties to the canine team.
5. Requests for agency canines to be used outside of Washington County must be approved by the Patrol Commander or higher authority.
Canine Assistance will only be provided to agencies that have an MOU with the Sheriff’s Office.
6. Requests for utilization of the canine by other law enforcement agencies within Washington County, may be approved by the on duty Shift Supervisor or higher authority.
7. The Assistant Patrol Division Commander/ K-9 Supervisor will process and assign all requests for demonstrations of the canine unit.
8. Canine personnel will be available for routine calls except time allotted for canine maintenance. Discretion will be used, however, by the Duty Officer/Dispatcher in assigning calls that may have potential transports. If the unit is on an assigned call and a need for the canine occurs, the unit will be relieved and freed for response to the canine request.
9. There have been past cases, both criminal and domestic, which if the following rules had been applied, would have resulted in using only half the time and manpower in regard to use of a canine team. The dogs are only as good as the situation presented to them. In most cases, the scene of a crime or a tracking situation is fouled by the police officer or the public present at the scene. This is not done intentionally but is due to the lack of knowledge of what precautions and actions should be taken to preserve the scene for the dog.
10. The following steps will be taken by those involved in an incident where a canine team may be used for tracking and, if followed, will enhance the possibility for a successful operation:
 - a. Upon arrival at the scene, turn off the vehicle engine and direct others in the immediate area to do so. Carbon monoxide emitted will neutralize the scent.
 - b. Do not establish a command post in close proximity to the scene. The deputy and others should stay away from the area of a crime or lost person as far as reasonably practical and establish a perimeter. Do not permit anyone to enter the immediate or adjacent area of a crime scene or location where a lost person was last observed. Once a canine team has

started a search, allow approximately 20 minutes, and then continue your investigation at the scene.

- c. If a suspect is chased on foot into a wooded or other type area, mark the area where the chase or search was terminated. Do not permit anyone to enter this area, if at all possible. The canine team will be directed to the scene by the deputy initiating the investigation.
- d. If a scent article is needed, endeavor to locate freshly worn underwear, socks, t-shirt, recently used sheets or pillowcases, etc. **DO NOT TOUCH OR PERMIT ANYONE TO TOUCH THE SCENT ARTICLE. DO NOT** place the articles in a plastic bag or container, as they are chemically treated and will neutralize the scent. Place the scent article in a paper bag and seal by rolling up tight. If the article is touched contrary to these instructions, bring the person who touched it to the scene, along with the article, if no other article can be found.

The senior deputy at the scene shall ensure at least one backup deputy accompanies the canine team, unless instructed otherwise by the handler.

Do not place departmental vehicles in the area of the search to observe the canine. This distributes foreign scent in the area of the search; again carbon monoxide creates a problem. Stay on patrol in and around the area to be searched. Do not stop or get out of your vehicle in the area unless absolutely necessary or directed to do so by the canine handler.
- e. If the sought after subject is observed, mark the exact area where observed and establish security for a canine team tracking situation. Contact a handler immediately and apprise them of the situation.
- f. When organizing search parties and entering the search area, do not follow in the direction of the canine team. Establish a search pattern best suited to the area, after the canine team has exhausted its efforts.
- g. If there are other dogs in the area of the tracking operation, request their owners remove them or restrain them in some manner.
- h. In the event of a stolen vehicle, permit the canine team to start their track from the vehicle before your search of the vehicle. The seats of the vehicles are a good scent article. Again, it is imperative no one is permitted in or around the vehicle prior to the canine team. If at all possible, remain in your vehicle until tracking is underway.
- i. The dogs may or may not be successful, however, their potential of being successful will be increased approximately 50% if the above rules are followed. Remember, the dogs will only be as good as you allow them to be.
- j. Prior to conducting a sniff for CDS on an occupied vehicle, the canine deputy will:
 - Ask all occupants to exit the vehicle and remain a safe distance from the vehicle while the sniff is being performed, or ask all occupants to remain in the vehicle and to close all windows/doors.
 - If the occupants are asked to exit the vehicle, they will be observed by another deputy for their safety and the safety of the deputies.

- A canine deputy will not, under any circumstances, perform a sniff unless there is at least one other deputy present.

B. Qualifications and Selection of Handlers.

1. Minimum Requirements

- a. Candidates must be employed with the Washington County Sheriff's Office. Selection will be based on experience, education, work performance and interview scores.
- b. Candidates will be required to successfully pass a physical agility test that consists of the following:
 - 300 meter run on unpaved terrain
 - Pull a 75lb weighted bag attached to a 25ft. K-9 lead to an area of concealment and cover.
 - Lift a 75lb. weighted bag and walk 15ft, proceed up 24 steps, walk another 15ft. and then place the weighted bag in a departmental issued vehicle. This phase will be completed without stopping or placing the bag on the ground.
 - Run a course consisting of five marker cones set 15 yards apart in a back and forth configuration.

These testing phases will be completed in succession and must be completed in less than 2:50 minutes to remain eligible in the K-9 candidate selection process.

- c. Candidates must have received an overall minimum score of "2 – Satisfactory" on his/her last two annual performance appraisals.
- d. Candidates must own property or have a rental property agreement allowing installation of the kennel for the canine.
- e. Candidates must agree upon canine working conditions with his/her spouse.
- f. Candidates must be able to complete basic/entry level training.
- g. Candidates must show an interest and be well versed and motivated in canine activities.

2. Application for Canine Assignment

- a. If a vacancy in the canine program exists, the Patrol Commander will publish notification of the vacancy and instruct applicants to submit a letter requesting assignment to the canine program to him, via the chain of command.
- b. The notification will indicate a closing date for applications.

3. Selection Process

- a. All applicants will be interviewed by a three-person board selected by the Patrol Commander. At least one board member must be a current or former handler.

- b. Upon completion of the interviews, the interview board will examine the applicants' employment history, performance appraisals for the past two years, results of the interview, and compliance with any portion of this order.
- c. The interview board will make a written recommendation to the Sheriff who will make the final decision as to assignment.

4. Program supervisor

- a. The Patrol Commander will appoint a supervisor as the Canine Program Supervisor.
- b. The Canine Program Supervisor should, if possible, be a current or former handler with this agency.
- c. Duties/Responsibilities of Canine Supervisor:
 - Ensuring all reports/forms are submitted by the handler as required by this order.
 - Coordinating canine sniffs/demonstrations.
 - Supervising handlers in their canine duties.
 - Providing input to the shift commander in reference to annual performance appraisals.
 - Conducting canine/handler inspections as required by this order.
 - Conducting and/or coordinating canine bite (accidental/intentional) investigations.
 - Completing probationary evaluations of handlers.
 - Ensuring handlers attend and successfully complete basic and monthly training.
 - Ensuring all medical care/treatment of canines is kept up to date by the handler.
 - Maintaining liaison with agencies that provide basic and monthly training for Sheriff's Office canines/handlers.
 - Recommending approval/disapproval of basic/entry level and monthly canine training programs to the Patrol Commander.
 - Other duties related to the canine program that are not specifically assigned by this order.

5. Probationary period

- a. All canine teams will serve a probationary period of two year from the time of initial assignment to the canine program.
- b. At least thirty days prior to the expiration of the probationary period, the Canine Program Supervisor will review all training reports, canine evaluations, handler evaluations and seek input from the handlers' shift commander.
- c. The Canine Program Supervisor will forward, via the chain of command, a written recommendation to the Patrol Commander as to the canine team's probationary status.

6. Canine Handler Compensation Agreement.

- a. All handlers shall sign a "Canine Handler Compensation Agreement" prior to basic/entry level canine training.

C. Care of Canine.

1. Housing

The handler will erect an agency approved kennel and dog box on his/her property prior to receipt of the canine. An approved kennel consists of:

- One concrete pad and dog box with appropriate bedding material.
- Woven wire fencing enclosing the pad at least 6 ft. high with covered top.
- The kennel will be kept clean and inspected daily by the handler.
- The kennel will be cleaned with disinfectant at least once a week by the handler.

2. Feeding/Water

- The handler will be responsible for feeding and watering his/her canine.
- The canine will be fed a minimum of once per day unless a veterinarian orders otherwise. Fresh water will be maintained in the kennel at all times.
- If the handler cannot provide care for the canine for any reason, he/she will notify the canine supervisor. The canine supervisor will coordinate any arrangements that are to be made for the proper care of the departmental canine. The arrangements could include boarding at an agency-approved kennel.
- Family members shall not feed the canine.
The Sheriff's Office will pay for all required food for the canine.
- Food will be purchased at a local commercial feed outlet and a receipt will be obtained for billing purposes.

3. Medical Care/Medication

- The canine health records and canine vaccination record will be maintained for all canines by the Chief Deputy.
- The forms will be completed by the handler anytime the canine is examined or treated by a veterinarian.
- Any medication given to the canine will be given by the handler or the agency veterinarian and will be given in prescribed doses.
- The canine supervisor will review all diagnosis of major medical problems (surgeries, etc.) and forward his recommendations to the Patrol Commander prior to any procedure being done.
- The canine shall be examined by an agency-approved veterinarian annually.

4. Handling

- Canines will never be allowed to run loose without the direct supervision of the handler.
- Family members will not be allowed to feed, exercise, handle or care for the canine.
- Handlers will not use another handler's canine except in an emergency situation.
- If a handler is unavailable, incapacitated or otherwise unable to care for his canine, another Sheriff's Office handler will be notified to respond and gain control of the canine.

5. Care/Maintenance Time Allotted

- a. Handlers will receive compensations for care/maintenance per “Handler Compensation Agreement” signed by each handler upon entrance to K-9 program.
- b. The handler shall not receive the overtime compensation if he is not in possession of the canine, i.e., canine is retired, deceased, returned to provider for any reason, etc.
- c. The Canine Handler will notify the Office Manager of any permanent change in handler status within three (3) business days of the change. Failure to comply with this section will result in disciplinary action.

6. Housing Inspections

- a. The Canine Program Supervisor will conduct unscheduled inspections of the housing of all Sheriff’s Office canines on an annual basis.
- b. The inspection will be to assure the canine is being given proper care and suitable housing arrangements.
- c. The inspection will be documented on a “Canine Inspection Form” and submitted, via the chain of command, to the Chief Deputy.
- d. Disciplinary action may be taken against a handler who habitually fails to maintain the canine or kennel in acceptable condition:
 - Inspections shall be performed with the handler present and with his permission.
 - If a handler refuses to allow such inspections without good reason, disciplinary action may be taken, up to and including termination.
- e. Discipline of the Canine - The Sheriff’s Office recognizes that canines may require correction to ensure they perform as trained. The use of correction is for training purposes, canine/handler safety and the safety of others.
 - Correction will never be used to punish a departmental canine.
 - Departmental canines will never be subjected to physical or emotional abuse.
 - Departmental canines will never be subjected to any type of mistreatment.

7. Selection/Licensing of Canine.

- a. Ownership of Canine - Canines are the property of the Washington County Sheriff’s Office and will remain so if the handler should leave the canine program.
- b. All Sheriff’s Office canines shall be licensed by the Maryland State Police as required by the Public Safety Article, 2-313.
- c. The Canine Program Supervisor shall complete an “Application for Canine License” and submit it to the Maryland State Police Licensing Division within 15 days of completion of basic/entry level canine training.
- d. As required by Maryland law, the metal tag issued by the Maryland State Police Licensing Division will be “affixed to a substantial collar” and “kept on the licensed dog

at all times unless the dog is confined to a kennel or is under the personal charge” of the handler.

- e. The Chief Deputy shall maintain a list of all agency canines on a “Canine License Record”.

8. Minimum requirements.

- a. Dogs selected for training may be selected from the general public, other law enforcement agencies, or a commercial establishment specializing in the sale and training of police canines.
- b. Canines should be between 12 and 24 months of age, in excellent health, and of good temperament.
- c. A “Canine Donation and Release Form” shall be completed on all canines donated to this agency.
- d. Prior to purchase or acceptance of a donated canine, the canine will be evaluated by the Canine Program Supervisor and the assigned handler. A “Canine Donation Evaluation” shall be completed.
- e. The form and a written recommendation will be forwarded, via the chain of command, to the Patrol Commander.
- f. A Sheriff’s Office approved veterinarian will administer a physical examination to the dog before acceptance of the dog by the Sheriff’s Office.

D. Canine Vehicle, Uniform, Equipment

1. Vehicle

- a. All canine vehicles will be equipped with a cage mounted in place of the back seat or rear compartment of the vehicle.
- b. All canine vehicles will be kept clean and free of odor and hair collection and will stand inspection with that shift to which it is administratively assigned.
- c. Whenever the handler leaves his vehicle unattended, the center sliding window will be secured if it is apparent the dog will not be needed.
- d. When securing the vehicle, the handler will lock all doors and utilize the air conditioner/heater to maintain proper temperature for the canine.

2. Uniform

- a. The handler duty uniform will be designated by the Patrol Commander.
- b. Class “B” uniforms will be worn to all court appearances by handlers.

3. Equipment

a. If the Handler is operating a patrol vehicle, the handler will be equipped with an operable portable radio in case of an emergency call out. If available, the handler will also be assigned a pager or cellular phone, with the understanding that he be available at all times, if needed.

b. Standard canine equipment shall consist of:

- Six foot leather leash
- Leather attack collar
- Choke chain
- Leather muzzle
- Six foot ground chain
- Tracking harness
- Dog kennel and box

c. Canine materials, such as leather gear, shall be oiled and kept in good condition at all times.

d. Canine materials/equipment, excluding medical treatment, will be purchased with the approval of the quartermaster, who will maintain an inventory of all equipment issued to handlers.

e. Upon leaving the canine program, the handler will return all canine related equipment/uniforms to the quartermaster.

E. Basic/Entry Level Canine Training

1. Types of canine disciplines, training and certification are;

- a. Utility
- b. Controlled Dangerous Substances (CDS)
- c. Explosive
- d. Bloodhound

2. If a canine is trained in a discipline at time of purchase, the canine team shall be evaluated by an appropriate representative of a canine unit that is approved by the Patrol Commander prior to any use of the canine. If the representative's evaluation is positive, the team shall be certified by the Sheriff's Office. If the representative's evaluation indicates the team needs further training, the team shall attend the minimum amount of training recommended by the representative and upon completion of the training and a positive evaluation by the representative; the team shall be certified by the Sheriff's Office.

3. If a canine is not trained prior to purchase, the canine team shall attend and successfully complete basic/entry level training in the particular discipline(s) the dog was chosen for.

a. Minimum standards for Utility training

- Basic obedience
- Care and maintenance
- Various forms of tracking
- Aggression control
- Agitation
- First Aid
- Obstacle (with and without gunfire) 20
- Tactical (officer/canine safety)
- Apprehension
- Scent discrimination
- Evidence collection
- Various types of searches
- Canine use of force/liability/case law

b. Minimum standards for CDS training

- Basic obedience
- Care and maintenance
- Various forms of searches/scans
- First Aid
- Tactical (officer/canine safety)
- Scent discrimination
- Evidence collection
- Canine use of force/liability/case law
- Recognition of cocaine, heroin, black tar heroin, methamphetamine, ecstasy,

4. Upon successful completion of an agency approved basic/entry-level canine school, the canine team shall be certified as a Law Enforcement Canine Team by the Washington County Sheriff's Office.

Upon completion of all certification requirements of this order, the handler shall be issued an agency "Law Enforcement Canine Handler" certification card

5. Within five (5) working days of successful completion of basic canine training, the handler will enter the appropriate information in K-9 reporting software. The handler will file a report of training received, documenting the successful completion with the Training Coordinator.

6. Canine Teams may be cross-trained in various disciplines; however, they must attend the basic/entry level and monthly training for each discipline.

7. Canine Teams will not be allowed to perform law enforcement functions until successful completion of a basic/entry level canine training program and will not perform law enforcement functions for which they are not trained / certified.

F. Periodic Certification and Handler Requirements.

1. All canine teams shall attend and successfully complete monthly training and/or evaluation in the particular discipline(s) the dog was trained / certified in. All training events will be recorded in the canine reporting software.
2. Agency canines are evaluated once per calendar year for certification purposes by the North American Work Dog Association or approved national police canine organization.
3. K-9 Handlers will be required to successfully perform the physical agility test annually that is outlined in Section B, Qualifications and Selection of Handlers.
 - a. The physical agility requirements will be demonstrated by the K-9 handler at least once per calendar year. If the K-9 handler fails to pass the required yearly physical fitness requirements, the handler will have 90 days to train and re-take the test. Failure to pass the test a second time will result in removal from the K-9 handler assignment for an additional 30 days or until such time the handler can demonstrate the physical requirements. Failure to pass the required physical fitness test after the subsequent 30 days will result in the removal from the K-9 handler assignment.
4. Removal of departmental canines and/or handlers from program for unsatisfactory performance:
 - a. A K-9 Handler may be removed from the Canine Program if the handler receives unacceptable ratings for two successive performance appraisals.
 - b. A canine may be removed from the program if the canine exhibits a pattern of unacceptable evaluations.
 - c. A canine and/or handler may be removed from the program if the canine and/or handler are unable to successfully complete a basic/entry level training program.
 - d. The Sheriff shall be the final authority regarding the status of agency canines, handlers and the Canine Program.

G. Canine Bites

1. In the event of a canine bite, the following procedure will apply:
 - a. EMS personnel shall respond and evaluate the subject and provide medical attention to the subject. If the subject refused medical treatment, he/she will be asked to sign a refusal form.
 - b. A supervisor will be assigned to investigate the bite and he will complete the following forms:
 - Canine Human Bite and Dog Disposition Form
 - A detailed report stating the circumstances of the bite, the results of the investigation and his recommendations as to disciplinary action (if warranted).
 - c. A change in current law does not require police service dogs to complete a Maryland Animal Bite Report and Rabies Quarantine Agreement.

- d. The detailed report will be completed by the supervisor investigating the bite and forwarded to the Canine Program Supervisor within five (5) working days of the bite.
- e. The Canine Program Supervisor will review all forms and the detailed letter, attach a written recommendation and forward all paperwork to the Patrol Commander, via the chain of command, within 5 working days of receipt.
- f. If the Patrol Commander determines that disciplinary action is warranted, the action shall be taken in accordance with departmental disciplinary procedures.
- g. At least one photograph will be taken of the wound(s) and attached to the “Canine Human Bite and Dog Disposition Form”
- h. The Patrol Commander or higher authority will be advised of the bite as soon as practical. The severity of the bite will influence the urgency of the notification.
- i. If the Canine Handler is not aware of the incident, he/she will be made aware as soon as possible. The handler will complete a “Canine Human Bite and Dog Disposition Form”.
- j. The Patrol Commander, or his designate, will coordinate necessary action with the Washington County Division of Human Resources.

H. Canine Ballistic Coverings

- a. Some handlers may be issued a ballistic vest and foot coverings for their canines.
- b. Ballistic vests and foot coverings will be cared for in the same manner as bullet resistant vests issued to deputies.
- c. Vests and foot coverings will be kept clean at all times or be cleaned as soon as practical after use.
- d. Use of the vests and foot coverings will be at the discretion of the handler unless the canine is to be used in any raid or arrest situation where there is a likelihood of an armed encounter.

I. Death, Retirement, Reassignment of Canine

- 1. In the event a handler resigns from the Canine Program, the Sheriff will make final disposition as to the reassignment, retirement or sale of the canine.
- 2. If the canine’s age or physical impairment indicates it can no longer perform its law enforcement function, the canine may be donated to his/her current handler, if desired and all expenses will become the responsibility of the handler.
- 3. If the handler chooses not to keep the canine, the Sheriff will make a final determination as to disposition of the canine.
- 4. Upon retirement, death, or reassignment of a canine, the handler will return to regular patrol duties and the “Canine Agreement” is terminated.

J. Canine Reports

1. Canine Reports will be filed within 2 duty days following the use of a canine in a law enforcement function, Canine Deputies will enter required information on the use of a canine in "PackTrack", to include the CIR, Event Number and if needed an allied agency case number. The Canine Program Supervisor will review and approve the reports in "PackTrack."
2. The Records Section shall place the Canine Report in the appropriate case file if needed for court proceedings.
3. The Records Section shall provide a copy of the Canine Report to the States Attorney's Office upon request for the case file.
4. The Handler shall provide a copy of the Canine Report to an allied police agency, if that agency takes police action, because of the canine response.

41.2 Operations

Definitions:

Emergency Vehicles: For the purpose of this Order, an "Emergency Vehicle" is a vehicle of the Washington County Sheriff's Office, a local law enforcement agency as enumerated in Transportation Article 11-118, and equipped as specified in Transportation Article 22-218 and 22-401.

High Speed Vehicle Operations: "High Speed Vehicle Operations" depend upon the vehicle in use, the skills of its driver, and the prevailing road condition. The following are all components making up a definition of "High Speed Vehicle Operations":

A. Limitations upon the vehicle:

1. Type and condition of tires and ambient temperature.
2. Brakes related to the known characteristics of fading under severe use.
3. The limit of the suspension system to support the vehicle at maximum side thrust.

B. Driver's Limitations: Every driver has a limit to his ability to safely operate a vehicle at high speeds on a given roadway. Some of the limiting factors are:

1. Experience/training in high-speed operations.
2. Degree of familiarity with road being traveled.
3. Degree of understanding of the handling characteristics of vehicle being used.
4. Visibility and illumination availability to the operator in the area.

5. Obstacles, present and potential, that must be avoided.
- C. Roadway Limitations: Every roadway has a maximum speed at which a particular vehicle may be operated safely. Some of the limiting factors include:
1. Condition and type of roadway surface
 2. Presence of rain, snow, ice, loose gravel, or other foreign substance on the road surface.
 3. Presence of intersection(s) that could allow other vehicles to suddenly and unexpectedly obstruct the roadway.

When the speed of a patrol car nears 100 percent of the maximum of any one of the preceding limits or conditions, that speed is defined as high speed regardless of the actual indicated miles-per-hour. There is little or no margin for error when a driver approaches 100 percent of an absolute maximum.

4. Vehicle Pursuit: Vehicle Pursuit is the active attempt by a deputy, in an authorized emergency vehicle, to apprehend fleeing suspects who are attempting to avoid apprehension through evasive tactics and/or a refusal to yield to the pursuing deputy's authority.

41.2.1 Responding to Routine and Emergency Calls

41.2.1. A Level of Response to Routine and Emergency Situations

1. "CODE 1" Responses: "CODE 1" Responses will be the exception and not the rule. CODE 1 operations entail the utilization of the emergency bar/magnetic lights, grill lights, flashers, and siren in order to reduce travel time in response to some emergency situation. The Duty Officer or higher authority will approve CODE 1 Responses before being utilized. The use of the emergency audio and visual equipment coupled with increased speed increases the possibility for an accident while enroute to the incident. Therefore, only situations that are life or safety threatening should be responded to in a CODE 1 mode. The intensity of a CODE 1 Response will be influenced by road condition, traffic density, nature of incident and any other applicable circumstances.

The use of the siren may be discontinued on approached to crimes in progress that do not involve ongoing or imminent violence, to enhance the chances for suspect apprehension. CODE 1 operations may be utilized in the following instances:

- a. Pursuit of traffic or criminal law violators operating a vehicle.
- b. Crimes known to be in progress, (excluding automatic burglar alarms unless visual confirmation has been made that a crime is in progress.)

- c. Any situation, which presents a clear and present danger to deputies or public.
 - d. As may be ordered by higher authority.
1. CODE 1 operations will not be initiated with prisoners or non-departmental personnel in the vehicle unless their safety, health, or security is in question. If a deputy has any non-departmental personnel in the vehicle, the deputy will adhere to the guidelines prior to initiating a CODE 1 Response.
 2. “CODE 2” Operations: “CODE 2” Operations entails normal vehicle operation with abeyance to all traffic laws and non-utilization of emergency and visual equipment.
 3. Members will operate departmental vehicles in a careful and prudent manner, and will not, through negligent or careless operation, incur or cause damage to be incurred to departmental property or to the property of another. Employees will obey all laws of the State of Maryland and all local ordinances, and to conform to all departmental procedures and regulations pertaining to operation and maintenance of any departmental vehicle assigned to them on a permanent or temporary basis. An employee will, at all times, set a proper example for other persons by his operation of a vehicle.

41.2.1. B Emergency Vehicle Operation (General)

1. Deputies, in the course of their duties, are often required to initiate emergency vehicle operations in response to calls for assistance, crimes in progress, pursuit of traffic or criminal law violators, or other emergencies which place the life/wellbeing of themselves or others in jeopardy. Drivers of authorized emergency vehicles are granted exemptions from obeying certain traffic laws while in the performance of official duties. Exemptions to certain laws granted in the MD. Motor Vehicle Law (21-106) are granted with the caveat in 21-106(d). “This section does not relieve the driver of an emergency vehicle from the duty to drive with due regard for the safety of all persons”. Exemptions granted in 21-106 are as follows:
2. The law permits necessary escalation of reasonable force to affect apprehension. The escalation of force must be balanced, however, against the threat that is being presented. Deputies found to be operating departmental vehicles in a negligent manner are in violation of this order and will be disciplined accordingly. The duty to protect the safety and lives of innocent parties is superior to that of pursuit or emergency response. The necessity for emergency vehicle operations, therefore, must be balanced against the possibility of serious injury or death as a result of the operation.

3. It is difficult, if not impossible, to describe exactly how emergency vehicle operations should be conducted; except to say it must be done legally and with relative safety to innocent cohabiters of the roadway. Each instance of emergency vehicle operations will have unique aspects. The deputy operating the vehicle and his shift supervisor must, in a short period of time, use their best judgment, training, experience, and guidance from departmental policies to make a decision whether the emergency operation is justified and can be performed in relative safety, especially to innocent parties. If the pursuit or emergency response places the deputy, innocent parties, or the suspect in danger not commensurate with the severity of the crime or incident, the emergency operation will not be initiated, or will be terminated. Departmental personnel will be held accountable for the consequences of disregard for safety of others and preservation of property, with appropriate discipline forthcoming.
4. It must be remembered at all times that operating a vehicle in an emergency mode does not guarantee total right of way. It does require other vehicles to yield but it also requires the deputy to operate the vehicle with due regard for the safety of all persons on the road. Other vehicles must yield, but they must be given the opportunity to yield. The utilization of an emergency vehicle does not demand the right of way, but rather requests it.

41.2.1.C ECHO Responses

1. If a deputy is in the vicinity of an ECHO call and elects to respond to the scene of the emergency, the deputy will;
 - a. Notify the Emergency Communication Center of their current location and response to the ECHO call.
 - b. Contact the Duty Officer to receive permission for a “CODE 1” response prior to responding to the scene. Otherwise, a “CODE 2” response will be utilized.
 - c. Upon arrival, render any first responder care that the deputy is qualified to administer.
2. This policy does not require a deputy to respond to any ECHO call.

41.2.2 Vehicle Pursuits

a. General Policy Statement

- i. The Sheriff’s office has developed procedures that dictate the circumstances in which sworn members of this agency may engage in a vehicle pursuit. The responsibility of engaging in a vehicle pursuit requires that everyone involved recognize the inherent risk to suspects, law enforcement officers, and the general public. This order has been established to define the limited circumstances in which the legitimate law

enforcement objectives sought by the initiation or authorization of a vehicle pursuit outweigh the well-established risk to public safety.

b. Definitions

- i. Vehicle Pursuit: The active attempt by a deputy, in an authorized emergency vehicle, to apprehend a fleeing suspect(s) who are attempting to avoid apprehension through evasive tactics and/or a refusal to yield to the pursuing deputy's lawful commands as defined in any section of [Md. Transportation Code Ann., § 21-904](#).
- ii. Duty Officer: The Patrol Division Supervisor actively managing a patrol shift from the Duty Officer's desk at the Washington County Sheriff's Office, Patrol Division Building. For the purposes of this order, Duty Officer is synonymous with "approving supervisor".
- iii. Primary Unit: The law enforcement vehicle immediately behind a fleeing vehicle. In most circumstances, the primary unit will be the law enforcement officer who initiated the pursuit; however, the primary unit may change during the course of the pursuit.
- iv. Secondary Unit: A law enforcement vehicle(s) actively engaged in the pursuit but not immediately behind the suspect vehicle. The secondary units are responsible for calling the pursuit by providing communications with the Duty Officer, Dispatch, and other personnel and providing back up to the primary pursuit unit.
- v. Support Unit: A law enforcement vehicle not actively engaging in the pursuit but providing support to the pursuing units. Examples include units that block intersections or deploy tire deflation devices.
- vi. Pursuit Rated Vehicle: An emergency vehicle designed by its manufacturer as being specifically equipped with enhanced features to support vehicle performance during high-speed pursuits.
- vii. Calling the Pursuit: The action of announcing the location, direction, speed, roadway conditions, traffic conditions, and any other information deemed necessary. The secondary unit should assume this responsibility shortly after joining the pursuit.
- viii. Terminating the Pursuit: The action of immediately discontinuing any attempts to pursue, follow, keep in sight, or otherwise immediately apprehend the fleeing suspect.

c. Circumstances allowing or requiring termination of a vehicle pursuit

i. Initiating a pursuit

1. A deputy may initiate a pursuit only if the deputy reasonably believes that all of the following statements are true:

- a. The driver and/or target of arrest is unknown,

- b. There are no known minors in the vehicle,
- c. Weather, road, and/or traffic conditions do not cause unnecessary risk to the general public, the deputy, or the suspect,
- d. The fleeing vehicle is not a motorcycle, ATV, or UTV,
- e. The driver or occupant(s) of a fleeing vehicle has:
 - i. Committed a felony criminal offense,
 - ii. Committed any assault as defined within any section or subsection of [Md. Criminal Law Code Ann., § 3-202](#) or [§ 3-203](#), either on a deputy or in the presence of a deputy, or
 - iii. Been involved in a hit and run accident in which the deputy has reason to believe caused injury to another person in violation of any section or subsection of [Md. Transportation Code Ann., § 20-102](#).
- ii. Termination of a pursuit
 - 1. If, during an authorized pursuit, any of the statements in [41.2.2 c](#) become untrue, the deputy or duty officer must immediately terminate the pursuit.
- d. Exceptions
 - i. Risk Based: If a deputy has reason to believe the driver or occupant of a fleeing vehicle poses an imminent risk of death or serious bodily injury to another person, or the public in general, if not immediately apprehended, the deputy may initiate a pursuit that does not comply with one or more of the above statements in [41.2.2 c](#). In that circumstance, the deputy must immediately announce the pursuit and relay all pertinent information to the Duty Officer. The Duty Officer will then decide if the pursuit is to be authorized or terminated.
 - ii. [Md. Transportation Code Ann., § 21-405](#) recognizes that not every instance in which a vehicle fails to yield to a deputy's emergency equipment rises to the definition of a pursuit. A deputy is authorized to follow and attempt to stop a vehicle, with emergency equipment engaged, until the deputy or Duty Officer reasonably believes the driver is aware of the deputy's attempt to stop the vehicle and is making a conscious decision not to stop in violation of [Md. Transportation Code Ann., § 21-904](#) and/or takes other evasive action(s).
- e. Safety
 - i. Sworn Law Enforcement officers who are authorized to engage in vehicle pursuits will utilize their training in emergency vehicle operations,

coupled with the statutory authority defined in [Md. Transportation Code Ann., § 21-106](#).

1. A deputy engaged in a vehicle pursuit has a duty to drive with due regard for the safety of all persons.
2. The deputy and the Duty Officer assume a level of liability when they are directly involved in a vehicle pursuit. At any time during a vehicle pursuit, either the Duty Officer or the deputy may terminate a vehicle pursuit when the risks of the pursuit to the deputy, the suspect, or a member of the public outweigh the legitimate law enforcement objective the agency member is attempting to achieve.

f. Pursuit Operations

i. Initiating Deputy's Responsibilities

1. The deputy initiating the pursuit is responsible for communicating to the ECC and the Duty Officer the following:
 - a. The description of the vehicle being pursued to include the tag number and state, if known.
 - b. The location of the pursuit.
 - c. The reason for the pursuit.
 - d. Traffic and pedestrian conditions.
 - e. Weather and roadway conditions.
 - f. Any other pertinent information known at the time of pursuit.
2. The deputy initiating the pursuit will seek approval of the Duty Officer to continue or to terminate the pursuit.
 - a. If the Duty Officer fails to respond to the pursuit notification, the pursuit must be terminated, unless the pursuit falls under the risk exception noted in [41.2.2 d \(i\)](#).
 - b. Units transporting non-law enforcement passengers will not become engaged in a pursuit.

ii. Approval to Continue Pursuit

1. A deputy initiating a pursuit must receive approval from the Duty Officer to continue said pursuit.
2. The decision to authorize, continue, or terminate a pursuit should be based on the following information:
 - a. The reason for the pursuit;
 - b. The seriousness of the crime; and

- c. Safety concerns to include:
 - i. Location of the pursuit,
 - ii. Time of day,
 - iii. Amount of vehicular and pedestrian traffic in the area,
 - iv. Weather conditions,
 - v. Conditions of the roadway surface,
 - vi. Speed of the pursuit, and
 - vii. Any other information deemed pertinent by the Duty Officer/Supervisor at the time.

3. The Duty Officer should clearly relay their decision over the radio for the benefit of all law enforcement units involved and the ECC. A relayed decision by the Duty Officer not authorizing, to discontinue, or terminate a pursuit will be verbally acknowledged over the radio by all involved law enforcement units prior to adhering to the stipulations outlined in [41.2.2 f \(viii\)](#).

iii. Duty Officer Responsibilities

1. The Duty Officer will:

- a. Monitor the progress of all vehicle pursuits involving personnel from this agency.
- b. Direct, control, and be responsible for the actions of the officers of this agency.
- c. Determine if and when to use tire deflating devices.
- d. Authorize additional units to participate in the active pursuit, if required.
- e. Coordinate other units to act as covering units, paralleling the pursuit or following the pursuit at a safe distance.
- f. Coordinate aerial assistance, if needed.

2. In the time continuum of the pursuit, the Duty Officer begins to share more responsibility for all the potential outcomes. The Duty Officer must view the entire operation with an objective perspective and interject coordination, control, and, ultimately, terminate the operation if the risks to the deputy or the suspect are not commensurate with the crime, or if the risk to the general public begins to outweigh the benefit of accomplishing any legitimate law enforcement objective.

iv. Responsibilities of Secondary Units

1. Once a Secondary Unit becomes involved in the pursuit, they will take over radio communications from the initiating deputy and provide frequent radio updates. This is commonly referred to as “Calling the Pursuit”. The radio updates will include:
 - a. Speeds of the pursuit.
 - b. Changes in direction and the roadway names.
 - c. Traffic violations occurring during the pursuit and the locations of these violations.
 - d. Any changes in the violator’s driving behavior.
 - e. Any changes in traffic and pedestrian conditions.
 2. The Secondary Unit will assist in the apprehension of the violator and/or passengers as required.
 3. No more than two Secondary Units will become engaged in the pursuit unless specifically authorized by the Duty Officer.
 4. The Duty Officer may base the decision on additional units on factors such as:
 - a. The seriousness of the alleged offense,
 - b. The number of passengers in the vehicle,
 - c. The training and/or capabilities of the suspects/deputies involved in the pursuit,
 - d. The known criminal history of the occupants in the vehicle, and/or
 - e. Any other facts known to the Duty Officer at the time.
- v. Roles of Marked, Unmarked, and Other Types of Vehicles
1. Deputies operating unmarked vehicles may initiate or engage in a pursuit if the vehicle is equipped with departmental equipment that provides emergency lighting to all four corners of the vehicle, emergency lighting to the front and rear of the vehicle, and a siren.
 2. Whenever a marked vehicle is able to enter the pursuit to replace the unmarked vehicle, the unmarked vehicle will withdraw from the pursuit or take over as the Secondary Unit if a second marked vehicle is not available. Once a second marked vehicle is available to take over the Secondary Unit role, the unmarked vehicle will completely withdraw from the pursuit unless otherwise authorized by the Duty Officer/Supervisor.
 3. Deputies are responsible for knowing whether the vehicle they operate is pursuit rated. Vehicles that are not pursuit rated are not authorized to initiate or engage in vehicle pursuits.

- a. Vehicles that are not pursuit rated may serve as a support unit(s), as defined in [41.2.2 b \(v\)](#).
 4. It is the responsibility of the operator of the law enforcement vehicle to check emergency audio/visual equipment before commencing their tour of duty or operating the vehicle.
- vi. Pursuits / Arrests Outside of Washington County, Maryland
1. The Duty Officer must authorize a pursuit that crosses into another Maryland County or across State lines. The only exception to this rule is if the initial pursuit falls under the risk exception defined in [41.2.2 d \(i\)](#). In those circumstances, the deputy may initiate a pursuit and continue into an adjoining jurisdiction until the Duty Officer is raised and makes a determination on the continuation of the pursuit.
 2. Upon conclusion of a pursuit that ends outside of Washington County, deputies may make an arrest as long as they are still within the boundaries of Maryland ([Md. Criminal Procedure Code Ann., § 2-102](#) and/or [§ 2-103](#)). In that case, deputies will retain custody of the suspect unless law enforcement in the Maryland jurisdiction entered is placing charges of their own.
 3. If the arrest occurs outside of Maryland, deputies will relinquish custody of the individual to the law enforcement agency within the jurisdiction of the State entered. In that situation, custody of the individual should be regained through the extradition process.
- vii. Joining Pursuits Initiated by Other Agencies /Jurisdictions
1. When there is a pursuit in the county that was initiated by another law enforcement agency or from another jurisdiction, the ECC should advise the Duty Officer of the pursuit and the name of the radio talk group the agency is using to call the pursuit.
 2. The Duty Officer will determine if deputies are to join the pursuit based on the reason for the pursuit, as advised by the pursuing agency.
 3. If the stated reason complies with the policies of the Washington County Sheriff's Office as outlined in [41.2.2 c](#) and/or [41.2.2 d](#), units may be allowed to engage in the pursuit at the discretion of the duty officer.
 4. If the criteria does not meet Sheriff's Office policy, deputies will be advised not to engage in the pursuit. In those circumstances:
 - a. The ECC will monitor the pursuit and inform Sheriff's Office units and the Duty Officer of the location of the other agency units involved in the pursuit.

- b. Deputies may position themselves to ensure sufficient backup to the pursuing units should the suspect(s) flee on foot, wreck, attack the pursuing officer(s), or be arrested while in Washington County.

viii. Terminating the Pursuit

1. When a pursuit is terminated, either at the discretion of the initiating deputy or the Duty Officer, all units will discontinue the use of their emergency equipment and return to normal driving in compliance with Maryland Law.
2. After a pursuit is terminated, units will not continue to follow the vehicle, keep the vehicle in sight, or intercept the vehicle.
3. After a pursuit is terminated, the ECC should broadcast a notification via all primary radio channels for agencies within Washington County, advising that the pursuit has been terminated.
4. While no pre-established timeframe can be set, following the termination of a pursuit, a deputy should not re-engage the suspect vehicle while said vehicle is still in the time continuum of the initial pursuit.
 - a. Expressed authorization from the Duty Officer is required to re-engage in the pursuit of a suspect vehicle after a pursuit has been terminated.
 - b. This restriction is not intended to prevent all future pursuits with the suspect vehicle of a terminated pursuit. It is intended to prevent a continuation of the danger posed to the general public, the deputy, or the suspect which resulted in the termination of the original pursuit.

ix. Actions Upon Suspect's Vehicle Stopping

1. Upon the suspect's vehicle stopping, the pursuing deputies should treat the incident as a felony stop and follow the procedures for High Risk Vehicle Stops as outlined in [General Order 61.1.7 C.](#)

g. Written Report, Administrative Review, and Post Pursuit Vehicle Inspection

- i. The Duty Officer, at the time of the initial pursuit, will ensure the deputy involved in the pursuit (either as the primary or secondary agency) submits a "Pursuit Report".
- ii. In addition to the "Pursuit Report", the Duty Officer will attach a written, detailed report relating his reasons for authorizing the pursuit.
- iii. Both reports are to be submitted to the Chief Deputy through the chain of command within 24 hours from the time of the pursuit.
- iv. There will be an administrative review of each pursuit report.

- h. Post Pursuit Vehicle Inspection
 - i. Following a pursuit, the operator of the departmental unit involved will:
 - 1. Submit the vehicle to the departmental mechanic for an inspection before the end of shift (if the pursuit occurred during the mechanic's workday), or
 - 2. Submit the vehicle to the mechanic for an inspection on the mechanic's next workday.
 - 3. The vehicle may be driven until the inspection unless there is a noticeable problem with the vehicle.
 - ii. A Post Pursuit Inspection will allow the mechanic to identify and correct any problems or damage that the stress of a high-speed pursuit can inflict upon a vehicle.
 - iii. The request for inspection will be made by completing a "Vehicle Maintenance Request" form with the requested service being "Post Pursuit Service Check".
 - iv. If there is any question by either the operator or the shift supervisor that the vehicle involved in the pursuit was damaged or that the drivability is affected, the vehicle will be taken out of service until it can be inspected / repaired.
 - v. Upon completion of the Post Pursuit Inspection by the departmental mechanic, all documentation regarding the inspection and/or repair will be returned to the Fleet Service Coordinator so the information can be entered into the Fleet Management Software.
 - i. Annual Analysis of Pursuit Reports
 - i. The Patrol Commander and his staff will conduct a documented annual analysis of pursuit reports. The analysis will include a review of the pursuit policy and reporting procedures. The report will be approved by the Sheriff.
 - j. Sworn members will receive initial training on the pursuit policy.
 - k. Annual Review of the Pursuit Policy
 - i. Sworn members will complete an annual review of pursuit policies and reporting procedures.
- 41.2.3 Tire Deflating Devices and Other Forcible Stopping Techniques
- a. Definitions
 - i. Tire Deflation Devices: Devices with hollow spikes that, when placed in the path of a vehicle, are designed to puncture the tires and cause a gradual and controlled deflation allowing the vehicle to come to a stop.

- ii. Other Forcible Stopping Techniques: Any other means or method(s) used to stop a fleeing vehicle against the will and efforts of its operator. Other forcible stopping techniques include, but are not limited to, roadblocks, using a patrol vehicle to ram or force a vehicle off the road, firing a department issued firearm at a fleeing vehicle.

b. Policy

- i. Unless authorized to use deadly force in compliance with [General Order 40.0 – Use of Force](#), a pursuing deputy will not utilize other forcible stopping techniques to stop a fleeing vehicle.
 - 1. In that circumstance, the appropriateness of the deputy’s actions will be measured using the Use of Force review process, in accordance with [General Order 40.0](#).
- ii. The Duty Officer will determine if a tire deflating device will be used based on road and traffic conditions at the time of the pursuit, information provided by the pursuing officer, and/or after consultation with the Duty Officer of another law enforcement agency, if they are the lead vehicle in the pursuit.
- iii. When a tire-deflating device is used, an unoccupied police vehicle may be used to block a portion of the roadway prior to deploying the tire-deflating device; however, a police vehicle will not be used to block an entire roadway (*Brower v. County of Inyo, 1989*). If a police vehicle is used to block a portion of the roadway, it should be positioned in such a manner that it will afford the deputy protection from the vehicle being pursued.
- iv. If possible, measures should be taken to divert other traffic from the area to prevent damage to non-involved vehicles. The exact location, to include lane placement, of the deployed tire-deflating device will be communicated to the Duty Officer and all pursuing vehicles.
- v. When the tire-deflating device is used on a roadway with more than one lane in each direction, consideration must be given to unsuspecting motorists who may attempt to avoid the device or stop in the roadway.
- vi. Unless circumstances are such that deadly force is justified pursuant to [General Order 40.2 B](#), a tire-deflating device will not be used when a pursuit involves a vehicle with less than four wheels (motorcycle, moped, etc.)
- vii. The appropriate section(s) of the Pursuit Report shall be completed by the deputy deploying a tire-deflating device. The Pursuit Report shall be submitted prior to the end of the deputy’s shift.
- viii. Any discharge of a firearm at or from a moving vehicle shall be in accordance with [General Order 40.2 B \(3\) \(d\)](#).

- c. Training
 - i. All sworn deputies, from this agency, from the rank of Lieutenant and below, shall receive training, approved by this agency, in the use and deployment of tire deflating devices. Only those personnel who successfully complete the training are authorized to deploy tire deflation devices.
- d. See [41.2.2. g - i](#) for the written reports and administrative review process of each of these incidents.

41.2.4 Notification of Proper Authority in Specific and /or Emergency Situations

- A. Deputies who discover potential or actual hazards will immediately contact the Duty Office and the ECS. The Deputy will provide information such as the location; the type of problem, and the urgency of response should be reported. The ECS shall then report the hazard to the appropriate authority, medical services, fire services, medical examiner, state highway department, and / or county roads department, etc.
- B. Deputies should immediately notify the Duty Officer and the ECS when a situation is brought to their attention that presents an actual or potential safety hazard to persons or property and is the responsibility of a public utility company. The ECS will then notify the appropriate public utility company.

41.2.5 Report and Investigation of Adult Missing Persons

“Missing Adult” is defined as a person who is 18 years of age or older and the subject of a missing persons report and whose whereabouts are unknown.

- A. Initial Investigation: Upon receipt of a report of a missing adult, the responding deputy shall immediately determine if the case meets the criteria of a “Critically Missing Adult” by completing a “Search Urgency Form” in addition to other documentation.

A “Critically Missing Adult” is a missing adult who meets one or more of the following criteria:

- The missing adult suffers from a mental or physical handicap or illness such as Alzheimer’s or dementia.
- The disappearance of the missing adult is of a suspicious or dangerous nature.
- The person filing the report of a missing adult has reason to believe the missing adult may have been abducted.
- The missing adult appears to have just wandered away from a location and the weather conditions are such that extended exposure to the weather could cause severe injury or death.
- The missing adult is 70 years of age or older.
- The missing adult is a client of Project Lifesaver.

1. If the missing adult is determined to be a “Critically Missing Adult”, then the following actions shall be immediately taken:
 - a. Institute appropriate intensive search procedures and include an ATL broadcast to all area police agencies.
 - b. Have two Search Managers contacted to respond to manage the search.
 - c. Notify the Sheriff of the circumstances.
 - d. Notify the Department of State Police at 1-410-953-8200 to request additional resources that may include the request for an activation of a Silver Alert.
 - e. A criminal investigator shall be immediately dispatched to the scene to conduct an interview of family and friends to get a timeline for the missing adult for information that could be useful in the search for the missing adult.
 - f. Complete a Missing Persons Report and have the person entered into NCIC within two hours.
 - g. Complete a Criminal Investigation Report in cases of abduction or where foul play is suspected.
 - h. If the person is a Project Lifesaver client, have the communications center notify Project Lifesaver officers to respond with receiving equipment.
 - i. Obtain a recent photograph of the missing adult. If possible, obtain several photographs taken at different angles. Distribute these photographs to all responders.
 - j. Secure scent articles from the missing adult that can be used by K-9 Search Teams.
 - k. Submit a completed CIR to the Duty Officer prior to the investigating deputy securing from duty. The initial report shall include:
 1. MPR and narrative.
 2. Photographs of the missing adult.
 3. Copies of all NCIC entries.
 4. Any other written documentation pertaining to the case obtained during the initial phase of the investigation.
1. The Criminal Investigation Unit shall immediately enter and supervise the investigation of a “Critically Missing Adult” case.
 1. The CIU Supervisor shall:
 - a. Complete the Washington County Sheriff’s Office long form missing person questionnaire.
 - b. Ensure the initial investigation is handled properly.
 - c. Conduct immediate follow-up investigation on the case to locate the critically missing adult.
 - d. Maintain a Missing Persons Working Case File in the Duty Officer’s Area.
 - e. Maintain a Missing Persons Log in the Duty Officer’s Area.

2. In Non-Critically Missing Adult Cases, the following actions will be taken:
 - a. Complete the Washington County Sheriff's Office long form missing person questionnaire.
 - b. Insure the missing person is entered into NCIC within two hours.
 - c. Institute appropriate search procedures to include an ATL broadcast to all area police agencies.
 - d. Have at least one Search Manager to respond to assist in managing the search.
 - e. Obtain a recent photograph of the missing adult. If possible, obtain several photographs of the missing adult taken from different angles.
 - f. Submit a completed Criminal Investigation Report to the Duty Officer prior to the investigating deputy securing from duty. The CIR shall include:
 1. MPR and narrative.
 2. Photographs of the Missing Adult.
 3. Any other written documentation pertaining to the case obtained during the initial phase of the investigation.
 - g. The reporting Deputy will ensure that the "Missing Person Documentation Form" is completed accurately and in its entirety before the conclusion of the interview with the complainant.
 - h. A report of a missing person due to a domestic circumstance can be accepted. In these instances, the code to be utilized on the "Missing Person Documentation Form" in the "Missing Person" category caption will be "D."
 3. Duty Officer Responsibilities – Non-Critically Missing Adult Cases:
 - a. Ensure the initial investigation is handled properly.
 - b. Cause immediate follow-up investigation, if the initial deputy ends his tour of duty and develops any investigative leads.
 - c. Notify the Criminal Investigation Supervisor of the missing person so they may get involved in follow-up investigation in a timely manner.
 - d. Maintain a Missing Persons Working Case File in the Duty Officer's Area.
 - e. Maintain a Missing Persons Log in the Duty Officer's Area.
- B. Dissemination of Collected Information:
1. The Emergency Communications Center (ECC) will notify allied agencies of all missing persons via NCIC, teletype, fax or by telephone.

2. The ECC will provide a lookout for the missing person via radio and will provide a detailed description of the missing person as well as a photograph, if available.
- C. Entry and Removal of Information in the Criminal Justice Information System Computer.
1. The investigating deputy shall cause all available information pertaining to the missing adult to be entered into NCIC via MILES prior to the submission of the MPR for supervisory review.
 2. The “Missing Person Documentation Form” and the “Missing Persons Report” shall be used to complete the NCIC entry.
 3. Missing Adult Case Closure: Whenever a missing adult has been located, it shall be the responsibility of the Duty Officer or if assigned, the criminal investigator assigned to the case, to ensure:
 - a. The location of the missing adult is confirmed.
 - b. The location or nature of closure is ascertained and recorded in a Supplement Report. The report shall also include the condition of the missing adult at the time they were located.
 - c. The missing adult is immediately removed from MILES/NCIC following confirmation of being located.
 - d. The working case file is completed and forwarded to Central Records for inclusion with the Master Case File.
- D. There will be follow-up contact with the complainant or reporting person no later than 24 hours after the filing of the initial report of a missing adult to ensure that the missing adult has not been located.
- E. Follow-up Investigation

If the missing adult has not been located within 24 hours of being reported as missing, the Duty Officer will reclassify the case to “Critically Missing” and implement the additional procedures as directed for in “Critically Missing Adult” cases.

1. Three (3) Day Time Period: If a missing adult has not been located within three (3) calendar days of being reported as missing, it shall be the responsibility of the CIU Supervisor to:
 - a. Ensure a comprehensive news release is prepared and disseminate according to agency policy related to media relations.
 - b. Provide a photograph for publication with the news release.

- c. Ensure a copy of the news release is placed in the missing person case file.
2. Extended Missing Adult Investigations: If a missing adult has been missing for 30 calendar days after the initial report of being missing, it shall be the responsibility of the CIU Supervisor to ensure:
 - a. A NCIC Missing Persons Packet is completed.
 - b. All additional information, including dental records, is entered into MILES/NCIC.
 - c. The investigation is continued and the complainant is periodically contacted.

F. Additional Investigative Procedures

1. The only exception to changing the time periods mandated by this General Order would be to shorten the periods between investigative steps.
2. A copy of the National Center for Missing and Exploited Children “Investigator’s Guide to Missing Child Cases” is provided as an investigative guide.
3. The identities, name, address, etc. of all persons interviewed and the information they provide, helpful or not, will be recorded in the report during a Missing Persons investigation. Occasionally, false or misleading information is given to authorities for a variety of reasons during missing person investigations, and it may be necessary to re-interview persons previously contacted.

J. Interaction with Other Law Enforcement Agencies

1. Request for Assistance by Other Agencies: When a request for assistance in a missing persons case, either child or adult, is received from another agency, it shall be the responsibility of the Duty Officer to ensure:
 - a. If the request is received by teletype, an immediate reply confirming receipt shall be caused to be sent to the originating agency with assurance of cooperation; and
 - b. An immediate investigative response to the request is assigned and conducted; and
 - c. A message is sent to the originating agency upon completion of the investigation advising the results of the investigation.
 - d. The investigation is recorded on a Criminal Investigation Report as an Assist to Other Police Agency – Missing Persons Report.

The Family Law Article, Section 9-402 establishes mandated standards for all Law Enforcement agencies within the State of Maryland to ensure prompt and thorough police action in response to reports of missing children. This General Order defines departmental policy and procedures in accordance with Section 9-402 of the Family Law Article. Deputies will complete a “Search Urgency Form” in all cases of “Missing Children.”

It shall be the policy of this agency to thoroughly investigate all reports of missing children. Additionally, every child reported missing to this agency will be considered **at risk** until significant information to the contrary is confirmed.

Jurisdictional conflicts are to be avoided when a child is reported missing. If a missing child either resides in, or was last seen in this jurisdiction, this agency will immediately initiate the required reporting process. If a child resides in this jurisdiction and was last seen in another jurisdiction, but the law enforcement agency covering that jurisdiction chooses not to take a missing child report, this agency will assume reporting and investigative responsibility.

Questions concerning parental custody occasionally arise in relation to missing child reports. It shall be the policy of this agency to accept the report of a missing child, even if custody has not been formally established. Reporting parties shall be encouraged to obtain legal custody as soon as possible; however, since the safety of the missing child or children is paramount, members of this agency will open a case when it can be shown the child has been removed, without explanation, from his or her usual place of residence. If custody has not been established by the Court, then the law enforcement responsibility is to ensure the child is safe only.

- A. “Missing Child” is defined as a person who is under the age of 18 years who is the subject of a missing persons report and whose whereabouts are unknown to his or her custodial parent, guardian, or responsible party.
- B. A missing child will be considered **at risk (critically missing)** when one or more of the risk factors below are present or the completed Search Urgency Form indicates an Urgent or Measured Response.
 - 13 years of age or younger. *This age was designated because children of this age group have not established independence from parental control and do not have the survival skills necessary to protect themselves from exploitation on the streets; or*
 - Believed or determined to be experiencing one or more of the circumstances noted below.
 - a. Is out of the zone of safety for his or her age and developmental stage. *The zone of safety will vary depending on the age of the child and his or her developmental stage. In the case of an infant, for example, the zone of safety will include the immediate presence of an adult custodian or the crib, stroller, or carriage in which the infant was placed. For a*

school-aged child, the zone of safety might be the immediate neighborhood or route taken between home and school.

- b. *Has mental or behavioral disabilities. If the child is developmentally disabled or emotionally/behaviorally challenged, he or she may have difficulty communicating with others about needs, identity, or address. The disability places the child in danger of exploitation or other harm.*

Law enforcement is presented with several unique challenges when responding to, searching for, and recovering a missing Autistic child, such as:

1. Children often seek bodies of water.
 2. A tendency for the child to wander or elope.
 3. A tendency to seek small enclosed spaces which may be overlooked during initial searches.
 4. Eluding or hiding from searches.
 5. Some children may have a diminished sense of fear.
 6. Being unable to respond to search teams.
 7. Some children are very resilient.
 8. Unique behaviors (No children are alike).
 9. Very specific interests or fascinations to the child (active roadways, road signs, trains, fire trucks, etc.)
- c. *Is drug dependent, including prescribed medication and/or illegal substances, and the dependency is potentially life-threatening. Any drug dependency puts the missing child at risk. The diabetic or epileptic child requires regular medication or his or her condition may become critical. The abuser of illegal drugs, on the other hand, may resort to crime or become the victim of exploitation.*
- d. *Has been absent from home for more than 24 hours before being reported to law enforcement as missing. While some parents may incorrectly assume 24 hours must pass before law enforcement will accept a missing person case, a delay in reporting might also indicate the existence of neglect, abuse, or exploitation within the family.*
- e. *Is in a life-threatening situation. The environment in which the child is missing may be particularly hazardous. Examples of a dangerous environment could be a busy highway for a toddler, an all-night truck stop for a teenager, or an outdoor environment in inclement weather for a child of any age.*
- f. *Is in the company of others who could endanger his or her welfare. A missing child in such circumstances is in danger not only of sexual exploitation, but also of involvement in criminal activity such as burglary, shoplifting, and robbery or other violent crimes.*

- g. Is absent in a way inconsistent with established patterns of behavior and the deviation cannot be readily explained. *Most children have an established and reasonably predictable routine. Significant, unexplained deviations from that routine increase the probability of risk to the child.*
- h. Is involved in a situation causing a reasonable person to conclude the child should be considered at risk. *Significant risk to the child can be assumed if investigation indicates a possible abduction, violence at the scene of an abduction, or signs of sexual exploitation.*

C. Actions upon determination of **risk factors (critically missing)**.

- 1. If it is determined that **risk factors** are involved in the report of a missing child, the child will be considered **at risk (critically missing)**, and an expanded investigation, including the use of all appropriate resources, will immediately commence. *While all missing child incidents should be thoroughly investigated, those involving risk factors indicate a heightened likelihood of danger to the child and, therefore, require an intensive response.*
- 2. If appropriate, existing interagency response protocols – including the **AMBER ALERT** system and/or other immediate community notification methods, if available – should be considered. While Amber Alerts are typically for abducted children, there are other tools available such as the Endangered Missing Advisory. *Preplanned strategies for responding to identifying all the services and resources a region has available to search for missing children, multiagency agreements can be reached beforehand and promptly activated when the need arises. See PROCEDURES below regarding the role of the call taker and dispatcher, the role of the initial officer or first responder, and the supervisor of the agency.*

D. PROCEDURES

- 1. **Communications Personnel** receiving the report of a missing child shall
 - a. Determine if circumstances of the report meet the definition of a missing child as set forth in the definitions. *By questioning the caller about the circumstances of the report, the call taker can make a preliminary assessment about the level of risk to the missing child. This assessment shall also prepare the dispatcher to promptly activate additional response protocols if needed. The Standard for Public Safety Telecommunicators when Responding to Calls of Missing, Abducted, and Sexually Exploited Children provides good guidance about formulating such questions. Each telecommunicator should be familiar with this guide.*
 - b. Dispatch, in a prompt manner, a deputy or deputies to the scene of the report.

Note: (1) The National Child Search Assistance Act (NCSAA, 42 U.S.C. §§ 5579 and 5780) mandates law enforcement's immediate response to reports of missing children, no establishment or observance of a waiting period before accepting a case, immediate entry of descriptive information about the missing child into the FBI National Crime Information Center (NCIC) Missing Person File, and close liaison with NCMEC in missing-child cases. (2) The Prosecutorial Remedies and Other Tools to end the Exploitation of Children Today Act of 2003 (PROTECT Act, Pub L. No. 108-21) amended the National Child Search Assistance Act to extend the same NCIC reporting responsibility and other benefits to missing young adults 18, 19, and 20 years of age. (3) The Adam Walsh Child Protection and Safety Act (Adam Walsh Act, Pub. L. No. 109-248) mandates NCIC entry must be made by law enforcement within two hours of receipt of a report of a missing or abducted child. This replaces the term "immediately" in the National Child Search Act. Current Criminal Justice Information Services guidance regarding this time limit is two hours from the moment the minimum amount of information for NCIC entry has been obtained.

- c. Immediately notify the Duty Officer because of the complexity of some missing child cases, especially those requiring the immediate mobilization of investigative resources. Dispatchers should verify the Duty Officer has been notified whenever deputies respond to such an assignment. **The Duty Officer shall immediately notify the Sheriff of the at risk (critically) missing child case.**
- d. Transmit the appropriate radio alerts and other notifications. *A critical responsibility of the telecommunicator is to obtain sufficient information from the reporting party to broadcast a radio message alerting other officers, and other agencies if necessary, about the circumstances of the missing child. Information should include the child's height, weight, hair and eye color, clothing, and the location where the child was last seen as well as any dangers or special considerations unique to this missing child. Most importantly the radio alert should contain any information known about a possible abductor with special emphasis on the description of the suspect and vehicle used as well as direction of travel. Consideration should also be given to the use of highway surveillance or "road-block plans," including those involving surrounding agencies, to apprehend a fleeing abductor.*
- e. Search agency records for related information, specifically any records such as those pertaining to the family, the place where the child was last seen, and the child's residence. *It is essential for responding officers to know if the child or family has been the subject of previous reports that might have a bearing on this incident. Records should also be reviewed to learn if any incidents*

have been reported in the area that might have investigative value in this case. Complaints of or reports about incidents such as attempted abductions, prowlers, public lewdness, loitering and suspicious people will be of particular interest. Access should also be made to Sex Offender Registries to determine if individuals designated as sex offenders reside, work, or might otherwise be associated with the area. All available background information is critical to responding officers and investigative personnel to help evaluate the incident and interview witnesses or possible suspects.

- f. *Safeguard all pertinent records. The telecommunicator should also ensure records of all communication related to this incident, such as phone conversations with the reporting party or witnesses, including written notes regarding the discussion, radio broadcasts, and all subsequent notifications, are safeguarded for future investigative reference.*
- g. *Activate established protocols for working with the media – including activation of the **AMBER ALERT** system and/or other immediate community notification methods when appropriate.*

2. Initial Deputy Assigned to the Missing Child shall:

- a. *Respond promptly to the scene of the report of the missing child. Even if the assigned deputy has been provided with initial information such as the missing child's description and other facts about the incident, it would be inappropriate to delay response to conduct a random search by doing things such as circling through parks, checking playgrounds, or stopping suspicious individuals. Unless in immediate response to the missing child's safety, these activities can be handled by other patrol units.*
- b. *Interview the parent(s) or person who made the initial report. The purpose of this interview is to gain an insight into the circumstances surrounding the missing child and other information needed to conduct an initial assessment of the case. **Note:** Using a specifically designed missing person report form to gather information will enable the deputy to more promptly reach an accurate risk assessment. One such form can be found in the NCIC's Missing Person File Information Kit, available through your agency Terminal Control Operator. All details should be thoroughly documented for more in-depth review later by investigative personnel who can compare statements made with investigative facts.*
- c. *Obtain a detailed description of the missing child including photo(s) and videos. The collection of information about the missing child, including race, height, weight, hair and eye color, clothing, and other noteworthy features, should be done promptly and relayed to other deputies who may be assisting in the investigation. Several recent photos and/or a video, if available,*

should be secured. Again, the use of a missing person report form will expedite the collection of descriptive information. Photos should be the most accurate representation available of the missing child. If no photos are immediately believed to be available, several areas commonly forgotten would include cell phones with cameras as well as photos included on social networking sites.

- b. Confirm the child is in fact missing. Deputies should never assume searches conducted by distraught parents or others have been performed in a thorough manner. Another check of the scene should be made and include places where children could be trapped, asleep, or hiding. Special attention should be paid to enclosures such as refrigerators, freezers, and the interior of parked vehicles where limited breathing air may place the child at even greater risk. In the case of older children, deputies should ask if the parents have checked with the child's friends or perhaps overlooked or forgotten something the child may have said that would explain their absence. **Note:** A search of the home should be conducted even if the missing child was last seen elsewhere.*
- c. Verify the child's custody status. Deputies should ascertain whether a dispute over the child's custody might have played a role in the missing child or might constitute a risk factor.*
- d. Identify the circumstances of the missing child. Deputies need to ascertain whether the circumstances are such that a heightened level of response is warranted. If risk factors exist, as defined in Paragraph B, a through h, of this section of the General Order, then the decision to employ additional response methods is clear. In other situations where the circumstances are not clear, deputies should keep the missing child's safety in mind and act accordingly.*
- e. Determine when, where, and by whom the missing child was last seen. This information is needed to determine factors such as abduction time frame, windows of opportunity, and verification of previously received information. Interview family members, friends/associates of the child, and friends of the family to determine when each last saw the child, what they think happened to the child, and if the child had complained about being approached by anyone. Comparison of information gathered from the reporting party, witnesses, and other sources may prove vital to case direction.*
- f. Interview the individual(s) who last had contact with the missing child. Effective questioning of those individuals who last saw or spoke with a missing child is crucial in the case assessment process. While seeking information about the child's appearance, demeanor, and actions, deputies should also be alert to any contradictions made or evasiveness demonstrated by the witness, especially if these statements cannot be readily corroborated.*

Thorough documentation will allow investigative personnel to later compare those statements with the facts of the case as they are uncovered.

- g. Identify the missing child's zone of safety for his or her age and developmental stage. Responding deputies should attempt to determine how far a missing child could travel from the location where last seen before he or she would most likely be at risk of injury or exploitation. This perimeter should, under many circumstances, define the first search zone.*
- h. Make an initial assessment of the type of incident. By employing all available assessment tools (i.e., completion of standardized forms; interviews with parents, other family members; and friends; statements of witnesses; and search of scene) a deputy should be able to reach a preliminary determination regarding the type of case and the need for additional resources. **Note:** Deputies must be cautious in "labeling" or classifying a missing child case, since the classification process will impact the way in which initial information or evidence is gathered. Even if first indications suggest a "less urgent" incident, deputies should consider all possibilities until the case category is clearly determined.*
- i. Obtain a description of the suspected abductor(s) and other pertinent information. Deputies need to immediately record witness information, not only for general investigative use but also before witnesses forget or speak to others who may confuse or make suggestions about what was actually observed. If the abduction scene involves a business or other public place, deputies may be able to supplement witness information with video from security cameras that might provide crucial information about the suspect, vehicles, and circumstances. In the case of a suspected family abduction, the reporting party may have photos of the abductor or other valuable information.*
- j. Determine the correct NCIC Missing Person File category and ensure notification is promptly transmitted. There are 5 categories within the Missing Person File applying to children. They are disability, endangered, involuntary, juvenile, and catastrophe. Simply because the child is younger than 18 does not require the juvenile category be used. The circumstances should govern category selection.*
- k. Provide detailed descriptive information to communications unit for broadcast updates. As information becomes available regarding the missing child's physical appearance, circumstances of the case, or description of the potential abductor, the initial deputy should ensure other deputies and agencies are provided with up-to-date facts.*

- l. Identify and separately interview everyone at the scene. The name, address, home and work phone numbers of everyone present at the scene, along with his or her relationship to the missing child, should be recorded. If possible, include them in photos and/or videos of the incident scene. By interviewing each person privately, deputies may be able to uncover information instrumental in resolution of the case.*

- m. Conduct an immediate search of the scene. With the assistance of additional personnel, a systematic, thorough search of the incident scene should be conducted. If appropriate, deputies should obtain written permission to search houses, apartments, outbuildings, vehicles, and other property that might hold information about the child's location. Deputies are again reminded to conduct a thorough, immediate search of the child's home and property – even if the child was last seen at another location. Evaluate the contents and appearance of the child's room/residence. When possible deputies should also search a missing child's school locker.*

- n. Seal/protect scene, area of child's home, and areas of interest as potential crime scenes. Deputies must take control of the immediate area where the incident occurred and establish an appropriate perimeter to avoid destruction of vital evidence. Extend search to surrounding areas and vehicles including those that are abandoned and other places of concealment such as abandoned appliances, pools, wells, sheds, or other areas considered "attractive nuisances." In addition to external crime scenes, the missing child's home, and particularly his or her bedroom, should be secured and protected until evidence and identification material such as hair, fingerprints, and bite marks are collected.*

- o. Inquire if the child has access to the Internet, cell phone, and/or other communications devices. Before making an initial decision the child has run away, a deputy should determine if the child may have left to meet someone he or she encountered while online. Since some offenders are known to use the Internet to identify vulnerable children, what appears at first to be a runaway case, may, in fact be a child abducted or enticed to leave by someone the child first met online. Even if a child willingly decides to leave home to join someone first met online, the child should be considered at risk. Additionally, since many children have their own cell phones/other electronic communication devices and may have them while missing, a deputy should note these devices during the information gathering process.*

- p. Prepare necessary reports and complete appropriate forms. Information gathered by the first responding deputy(s) may be instrumental in the eventual resolution of the case. To record this important information, deputies should prepare a chronological*

account of their involvement and actions in the case from time of assignment to the point of dismissal. Reports should include everything, not just events seeming to have a direct bearing on the case.

3. The **Supervisor** assigned to the report of the missing child shall:
 - a. Obtain a briefing and written reports from the first responding deputies and other agency personnel at the scene. *This briefing allows the supervisor to determine the scope and complexity of the case and develop an appropriate response. The briefing should be conducted away from the family, friends, or any other individuals who may be present. Doing so will allow officers to speak freely about case circumstances and pass along initial impressions and opinions that might be misconstrued by others.*
 - b. Notify the Sheriff of the circumstances of the missing child.
 - c. Determine if additional personnel and resources are needed to assist in the investigation. Search Managers and Criminal Investigators should be notified to respond when the child is at risk. *Depending on the situation, a supervisor may determine additional personnel, including specialized units, should be called to the scene or otherwise assist in the investigation. Certain cases may also require the supervisor to activate existing interagency response protocols as established by mutual-aid agreements or memorandums of understanding. Confirm all required resources, equipment, and assistance necessary to conduct an efficient investigation have been requested and expedite their availability. Be available to make any decisions or determinations, in consultation with the Sheriff, as circumstances develop. Contact the National Center for Missing and Exploited Children to enlist the assistance of Team A (phone number 800-843-5678) or other resources as necessary. If there is suspected foul play or the child is endangered, also contact the FBI Child Abduction Rapid Deployment (C.A.R.D.) Team (phone number 410-265-8080).*
 - d. Consider activation of the AMBER ALERT system and/or other immediate community notification methods. *If circumstances indicate the chances for the child's safe recovery would be increased by immediate public awareness, a supervisor should promptly activate such efforts.*
 - e. Establish a Command Post away from the immediate scene. *A command post is a field headquarters/office for scene management. It is used as a center for organizing personnel, launching and monitoring search and rescue operations, and directing investigative efforts as well as a focal point for deciding the division of investigative labor on-site, administering on-site change of command, responding to investigative inquiries, and gathering intelligence. As a general rule the command post should be close enough to the center of activity to facilitate control and*

coordination, but sufficiently isolated to allow a free exchange of ideas among responders. Establish a command post away from the child's residence.

- f. Organize and coordinate search efforts. *Systemic searches are common features of missing child investigations. A supervisor should appoint a Search Manager (Coordinator) who can oversee the search effort while the Supervisor (Incident Commander) remains available to manage the entire investigation.*
 - g. Ensure all required notifications have been made. *Because dissemination of information is an integral part of the search for a missing child, the supervisor should ensure all deputies, other departments and agencies, and all investigative networks are supplied with accurate details. Prepare a flier/bulletin with the child/abductor's photo and description. Distribute in appropriate geographic regions. **Note:** The National Center for Missing and Exploited Children can help with this step.*
 - h. Establish a liaison with the victim family. *Families of a missing child will experience extreme stress. Supervisors should establish a liaison with the victim family who can explain what investigative actions are being employed and what they can do to assist. In addition, the liaison can help the family work with the media.*
 - i. Confirm all agency policies and procedures are observed. *In addition to providing the innovative direction required during a missing child investigation, a supervisor must also ensure adherence to the rules and regulations of their professional law enforcement organization. Established policies and procedures, especially those related to missing children, should be regularly reviewed to ensure compliance.*
 - j. Manage media relations. *The agency Public Information Officer should be notified to respond and coordinate with the media. Many missing child investigations, especially those involving large-scale search efforts, are likely to draw media attention. Supervisors should ensure the PIO manages media presence in a way to complement rather than conflict with the investigation.*
4. The **Investigator** assigned to the report of a missing child shall:
- a. Obtain a briefing from agency personnel at the scene. *This briefing should be conducted prior to interviews with family members of the missing child or witnesses who may have been identified during the initial stage of the case. Its objective is to assist the investigator in formulating an effective interview strategy.*
 - b. Verify the accuracy of all descriptive information. *The Investigator should complete the Missing Person Questionnaire long form with the reporting person or parent. The verification process should*

include all details developed during the preliminary investigation. During the interview process the investigator should be alert to facts or statements in conflict with those gathered by the initial deputies on the scene.

- c. *Initiate a neighborhood investigation. A thorough canvass of the neighborhood should be conducted without delay. The objective is to identify and interview all people within the abduction zone who may be able to provide information related to the incident. According to a key child homicide study, unknowing witnesses are those who see some aspect of a crime but at the time do not realize they are witnessing part of a crime or potential abduction. It was found there are unknowing witnesses in 32.9% of those cases studied. This indicates a neighborhood or area canvass would be of great importance in generating investigative leads. Investigators should use a standardized set of questions during the canvass to ensure completeness and uniformity of information and facilitate establishment of a database to track leads. A record should also be made of all vehicles parked within the neighborhood and any other conditions that may have further investigative value. Access should also be made to Sex Offender Registries to determine if individuals designated as sex offenders reside, work, or are otherwise associated with the area.*
- d. *Obtain a brief history of recent family dynamics. Information about family dynamics, obtained from family members, neighbors, teachers, classmates, employers, coworkers, friends, and witnesses, can offer valuable insights into what may have happened to the missing child and where he or she may be found. Records of family contact maintained by law enforcement agencies, social service departments, schools, and other organizations should also be obtained and evaluated.*
- e. *Explore the basis for any conflicting information. When preliminary investigative steps have been taken, investigators should “compare notes” with the initial deputies on the scene, fellow investigators, and other agency personnel to identify and work through conflicting information. This collaborative evaluation will provide the investigative staff with a solid foundation upon which to structure future case directions. Correct and investigate reasons for any conflicting information.*
- f. *Complete all remaining key investigative and coordination steps. Key investigative steps include, when applicable, collecting articles of the child’s clothing for scent-tracking purposes; reviewing and evaluating all available information and evidence collected; securing the child’s last medical and dental records; contacting landfill management and requesting delay or segregation of garbage and dumping containers from key investigative areas; developing and executing an investigative plan; conducting a criminal history background check on all*

principle suspects, witnesses, and participants in the investigation; establishing a phone hotline for receipt of tips and leads; and considering establishment of an e-mail address or other methods of electronically receiving leads. Key coordination steps including ensuring details of the case have been reported to the National Center for Missing and Exploited Children and preparing and updating bulletins for local law enforcement agencies, the missing children clearinghouse, FBI, and other appropriate agencies.

- g. *Implement effective case management. An information management system is an essential part of the overall investigative process. Depending on the resources available, it is best to utilize a computerized system to record, index, cross-reference, and retrieve the facts amassed during an investigation. **Note:** The National Center for Missing and Exploited Children (NCMEC) can provide software designed for effective case management.*
 - h. *Evaluate the need for additional resources and specialized services. The complexity of many missing child incidents may necessitate the use of resources and services both from within the agency and other organizations as well. Investigators should be aware of the input obtainable from resources such as the FBI; NCIC; missing children clearinghouses; and NCMEC – in particular **Team Adam**, which is a rapid response team of experienced, retired law enforcement investigators.*
 - i. *Update descriptive information. If it appears the case will not be promptly resolved, investigators should ensure the descriptive record, especially the information entered into the NCIC Missing Person File, is updated to include dental characteristics, scars, marks, tattoos, and fingerprints along with additional articles of clothing, jewelry, or unique possessions.*
 - j. *Monitor media relations. While information gained through effective media relations is often of significant value in a missing child case, investigators should review all notices prior to release to ensure investigative objectives are not unintentionally compromised.*
5. A deputy assigned to the report of an **unidentified person**, whether living or deceased, who appears to be a child, shall:
- a. *Obtain a complete description. Deputies who are assigned to this task should use standardized information-gathering forms such as the NCIC Unidentified Person File Worksheet and data collection guide. This information should be gathered in cooperation with the medical examiner or coroner. In cases involving skeletal remains, consideration should be given to consulting with a Forensic Anthropologist and Forensic Odontologist to ensure all pertinent and accurate information has been gathered. NCMEC's Forensic Services Unit can provide assistance in this area.*

- b. Enter the unidentified child's description into the NCIC Unidentified Person File. *This file is compared daily with the contents of the NCIC Missing Person File. Entries with common characteristics are flagged and both agencies are informed. Agencies should expect to receive information/response overnight.*
 - c. Use all available resources to aid in identification of the child. *NCMEC's Forensic Services Unit; NamUs (National Missing and Unidentified Person System); missing children clearinghouses; and other professionals, such as medical examiners, may be of assistance in the identification.*
 - d. Cancel all notifications after identification is confirmed.
6. A deputy assigned to the **recovery or return** of a missing child shall:
- a. Verify the located child is, in fact, the reported missing child. *A deputy should personally verify all returns. The benefits of this practice include assessing the child's safety, gaining intelligence about possible offenders, and helping to prevent future episodes.*
 - b. Secure intervention services, if appropriate. *During the verification process, deputies should be alert for indications additional services may be needed before the child can be safely reunited with his or her family. These services may include mental and/or physical health examinations and arrangements for family counseling.*
 - c. Arrange the return of the child to his or her legal guardian or an appropriate children's shelter in the case of a runaway or missing child from within department jurisdiction who has been located and who is not wanted on a warrant of other law violation.
 - d. Place the child in custody and transport him or her to the appropriate facility for admission in the case of a runaway from another jurisdiction or from out-of-state who has been located and for whom a warrant exists or for whom an NCIC missing person "hit" is verified.
 - e. Complete the appropriate supplemental reports and cancel all outstanding notifications. *Along with cancellation of the NCIC Missing Person File entry and other notifications regarding the case, a supplemental report should be completed describing the child's activities while missing and circumstances of the recovery/return.*
7. Quality Assurance Review

- a. Calls in which it is determined that a child is actually missing or abducted will be forwarded by the Emergency Communications Center (ECC) and the Patrol Duty Officer to the Sheriff for review.
- b. The Sheriff or his designee shall review the call to ensure all the appropriate steps and procedures were followed and provide feedback to those involved in the processing, dispatching and responding to the incident, as well as the respective Supervisors.

41.2.7 Interaction with mental illness subjects or suspects

POLICY: It is the policy of the Washington County Sheriff's Office to ensure a consistently high level of service is provided to all citizens. Agency personnel shall afford people who have mental illnesses the same rights, dignity, and access to the Sheriff's Office and other government and community services as are provided to all citizens.

DEFINITIONS:

Mental Illness - Any of various conditions characterized by impairment of an individual's normal cognitive, emotional, or behavioral functioning, and caused by social, psychological, biochemical, genetic, or other factors, such as infection or head trauma.

Americans with Disabilities Act (ADA) - applies to people who have a physical impairment that substantially limits one or more of their major life activities such as:

1. The ability to communicate, hold a job, or care for themselves;
2. People who have a record of such impairment;
3. People who are regarded as having such an impairment

The term "substantially limits" is not a clinical term; it is a practical term to distinguish between people who have a mild physical or mental impairment and those whose impairment substantially limits one or more major life activities.

A. Recognizing Characteristics of Mental Illness

1. While many people with mental illnesses successfully control symptoms with the use of medications, others who do not have access to mental health services, fail to take their medications, or do not recognize that they are ill can experience psychiatric difficulties. Agency personnel must be prepared to deal with situations involving persons who have mental illnesses and know how to respond to these situations in an appropriate and sensitive manner.
2. Symptoms of different mental illnesses may include, but are not limited to:
 - a. Loss of memory
 - b. Delusions
 - c. Depression, deep feelings of sadness, hopelessness or uselessness;
 - d. Hallucinations
 - e. Manic behavior, accelerated thinking and speaking, hyperactivity
 - f. Confusion
 - g. Incoherence, and

h. Extreme paranoia

3. The degree to which these symptoms exist varies from person to person according to the type and severity of the mental illness. Many of these symptoms represent internal, emotional states that are not readily observable from a distance, but are noticeable in conversation with the individual. The ECC dispatcher or deputy responding to the scene is not expected to diagnose a mental illness, but to decide on the appropriate response to the individual and situation.
4. Obtaining relevant information from family members, friends, or others at the scene who know the individual and his/her history, or seeking advice from mental health professionals can also assist agency personnel in taking the appropriate action.
5. Deputies on the scene will also have to determine the severity of the behavior, the potential for change in behavior, and the potential for danger presented by the individual to themselves or others.

B. Accessing Mental Health Resources

1. Mental Health Resources

- a. Once sufficient information has been collected about the nature of the situation, and the situation has been stabilized, there are a range of options deputies should consider when selecting an appropriate disposition. These options include the following:
 - 1) Refer or have transported for medical attention if he or she is injured or abused
 - 2) Outright release
 - 3) Release to care of family, care giver or mental health provider
 - 4) Refer or have transported to mental health services
 - 5) Refer or have transported to substance abuse services
 - 6) Assist in arranging voluntary admission to a mental health facility, if requested
 - 7) Transport for involuntary emergency psychiatric evaluation, if the person's behavior meets the criteria for this action; or
 - 8) Arrest, if a crime has been committed

2. Emergency Psychiatric Evaluation Petitions

- a. The Health Article of the Annotated Code of Maryland gives "Peace Officers" certain rights and responsibilities regarding persons who are diagnosed with, or are exhibiting behavior indicative of, a mental disorder. When dealing with such individuals, employees of the Sheriff's Office will follow the dictates of the law and any additional requirements placed by this section.

- b. A petition for emergency evaluation may be made only if the petitioner has reason to believe the individual presents a danger to the life and safety of the individual or others. The petition for emergency evaluation may be made by:
 - 1) A physician, a psychologist, or a health officer or designee of a health officer who has examined the individual.
 - 2) A deputy who personally has observed the individual's behavior, or
 - 3) Any other interested party.

- c. A deputy who makes a petition for emergency evaluation commitment may base the petition on:
 - 1) An examination or observation or
 - 2) Other information obtained that is pertinent to the factors giving rise to the petition

- d. A petition shall:
 - 1) Be signed and verified by the petitioner
 - 2) State the evaluatee's name, and description
 - 3) Whenever possible the evaluatee's address, home and work telephone numbers
 - 4) State the following information, if available, name and address of a spouse or a child, parent, or other relative of the emergency evaluatee or any other individual who is interested in the emergency evaluatee
 - 5) Contain a description of the behavior or the statements that led the petitioner to believe the emergency evaluatee has a mental disorder and that the individual presents a danger to the life or safety of the individual or others; and
 - 6) Contain any other facts supporting the need for an emergency evaluation.

C. Response to Calls for Service Involving People with Mental Illnesses

- 1. When responding to a call for service that involves a person who has, or exhibits symptoms of mental illnesses, deputies should obtain as much information as possible to assess and stabilize the situation. In particular, deputies should gather information regarding the nature of the problem behavior and events that may have precipitated the person's behavior and particularly the presence of weapons.

- 2. The following specific guidelines detail how to approach and interact with a person who may have mental illnesses and who may be a crime victim, witness or suspect.

The guidelines should be followed in all contacts, whether on the street or during more formal interviews and interrogations. Deputies, while protecting their own safety, the safety of the person with mental illnesses and others at the scene should:

- a. Remain calm and avoid overacting
- b. Be helpful and professional

- c. Provide or obtain on-scene emergency aid when treatment of an injury is urgent
 - d. Check for and follow procedures indicated on medical alert bracelets or necklaces
 - e. Indicate a willingness to understand and help
 - f. Speak simply, briefly, and move slowly
 - g. Remove distractions, upsetting influences and disruptive people from the scene
 - h. Understand that a rational discussion may not take place
 - i. Recognize that a person may be overwhelmed by sensations, thoughts, frightening beliefs, sounds ("voices") or the environment
 - j. Be friendly, patient, accepting and encouraging, but remain firm and professional
 - k. Be aware that your uniform, gun, handcuffs, and other equipment may frighten the person with mental illnesses, attempt to assure him or her that no harm is intended
 - l. Recognize and acknowledge that a person's delusional or hallucinatory experience is real to him or her
 - m. Announce actions before initiating them
 - n. Gather information from family or bystanders
 - o. If the person is experiencing a psychiatric crisis, attempt to have a local mental health professional respond to the scene
3. While each incident will be different, when dealing with a person who may have mental illnesses, deputies should be aware that their actions may have an adverse effect on the situation. Actions that deputies should avoid include:
- a. Moving suddenly, giving rapid orders or shouting
 - b. Forcing discussion
 - c. Direct, continuous eye contact
 - d. Touching the person (unless essential to safety)
 - e. Crowding the person or moving into his or her zone of comfort
 - f. Expressing anger, impatience or irritation
 - g. Assuming that a person who does not respond cannot hear
 - h. Using inflammatory language, such as "mental" or "mental subject"
 - i. Challenging delusional or hallucinatory statements
 - j. Misleading the person to believe that deputies on the scene think or feel the way the person does
4. Deputies should remember that having mental illness is not a crime. No individual should be arrested for behavioral manifestations of mental illnesses that are not criminal in nature. Taking a person who has mental illness into custody can occur only when:
- a. The individual has committed a crime
 - b. The individual presents a danger to the life and safety of the individual or others and meets the state's criteria for emergency evaluation; or

- c. In response to a court order or directive of a mental health or medical practitioner who has legal authority to commit a person to a mental health facility

5. Duty of the deputy:

- a. A deputy shall take the emergency evaluatee to the nearest emergency facility if the deputy has a petition that has been endorsed by the court within the last five (5) days; or
- b. Is signed and submitted by a physician, a psychologist, a health officer or designee of a health officer, or a peace officer.
- c. After a deputy takes the emergency evaluatee to an emergency facility, the deputy need not stay unless, the evaluatee is violent and a physician asks a deputy to stay, or the evaluatee is under arrest
- d. When a juvenile has been taken into custody for an emergency evaluation pursuant to a court order, or petition signed by a competent mental health authority, or a deputy's observations, the juvenile's parent or guardian shall be notified to respond to the treating facility as soon as possible to grant permission for treatment.

6. Arrest alternative:

- a. The arrest of a mentally disordered individual may not be the best alternative in minor law violations, however in serious cases such persons may be arrested the same as any other.

7. Completion of Required Report:

- a. The serving of an emergency petition will require completion of an incident report. The report will describe the circumstances surrounding the need for the emergency petition. A copy of the served petition will be attached to the incident report, along with any other information that might be relevant to the emergency evaluation.

D. Training:

- 1. In order to prepare personnel who, during the course of their duties may have to deal with persons with mental illnesses in an appropriate manner, the Sheriff's Office shall provide training to all agency personnel.

E. Re-Training:

- 1. The agency will provide retraining to agency personnel on an annual basis.

F. Lay Petitioner:

- 1. When deputies are questioned by a person who is not a physician, psychologist, or health officer, or designee of a health officer, concerning a person who may have a mental health disorder, and who is not in the

deputies' presence, the deputy will direct the person to the Clerk of the District Court Office. The person will be told of the requirements of the law regarding the request to the court for a petition.

41.2.8 Missing Persons Working Case File

- A. A Missing Persons Working Case File shall be maintained by the Duty Officer. This will ensure:
 - 1. Information concerning the investigation is constantly available and accessible.
 - 2. Duplication of effort is eliminated if more than one deputy is assigned to follow-up on the case at different time periods.
 - 3. The case is being properly handled.
- B. The Missing Persons Working Case File shall contain:
 - 1. A State of Maryland "Missing Persons Report" and narrative.
 - 2. Copies of the draft supplement reports of follow-up investigations.
 - 3. Copies of all teletypes, news releases, letters, posters, and any other written documentation available concerning the case.
 - 4. Maintain a "Status Board" of open Missing Persons Cases in the Duty Officer's Area.
- C. The Missing Persons Working Case File shall be arranged in chronological order.
- D. Upon closure of a Missing Persons Case, the Working Case File will be forwarded to Central Records for placement in the Master Case File.
- E. If the Criminal Investigations Unit is assigned to a missing person case because of the criteria set forth in this General Order, it shall be the CIU Supervisor's responsibility to ensure the Duty Officer's Working Case File is kept up to date.

41.2.9 Missing Persons Master Case File

A Missing Persons Master Case File shall be maintained by Central Records.

- A. The Missing Persons Master Case File shall contain:
 - 1. A copy of the Sheriff's Office CAD Event sheet.
 - 2. The original State of Maryland "Missing Person Report."
 - 3. The final approved Missing Person Report or Criminal Investigation Report filed with the State of Maryland.

4. The final approved Supplemental Criminal Investigation Reports on all follow-up investigation.
5. The original of all teletypes, news releases, letters, posters, and any other written documentation available concerning the case.
6. The Working Case File once the case has been closed.
7. All Missing Person cases will be reviewed by the Sheriff's Office Command staff to ensure that the proper procedures were followed according to policy, the missing person was entered into NCIC in the proper timeframe, and that all supporting documents have been submitted.

Missing Person Urgency Response Addendum

Evaluate and Investigate (28 – 33):

- Initial Officer response and completion of Search Urgency Form.
- Complete the Missing Persons Form and Enter into NCIC within 2 hours.
- Notify the Missing Children Center if a child is the missing person.
- Search assistance from other agency officers if needed.
- Check with friends and family members of the missing person.
- Check any places where the missing person may have gone.
- Provide a media release on the Missing Person.

Measured Response (18 – 27):

- Initial Officer response and completion of Search Urgency Form.
- Complete the Missing Person Form and Enter into NCIC within 2 hours.
- Request assistance from on-duty patrol units.
- Notify the Missing Children Center if the missing person is a child.
- Establish a Staging Area away from the location the missing person was last observed and from the location where the missing person is missing from.
- Notify the Head of the Agency responsible for the report of the missing person.
- Request a group of at least two local Search Managers.
- Request the response of the Mobile Command Vehicle and Team.
- Request a Criminal Investigator to respond for Family Interviews

Urgent Response (9 – 17):

- Initial Officer response and completion of Search Urgency Form.
- Complete the Missing Persons Form and Enter into NCIC within 2 hours.
- Notify the Missing Children Center if a child is the missing person.
- Notify the Head of the Agency responsible for the report of the missing person.
- Establish a Staging Area away from the location the missing person was last observed and from the location where the missing person is missing from.

- Request the response of the Mobile Command Vehicle and Team.
- Request the response of at least one Search Manager (60 hours class).
- Request the response of all local Search Managers.
- Request a Criminal Investigator to respond for Family Interviews
- Request the response of Canine Teams (both local and statewide teams).
- Request as many on duty police officers from all local agencies that are available to respond to the staging area.
- Request the response of EMS for standby at Staging Area.
- Notify the FBI C.A.R.D. Team and NCMEC's Team Adam if this is a missing child.
- Request the response of agency PIO to handle any media releases.
- Request that all To Go Bag portable radios be brought to the Staging Area.
- Request additional resources from off-duty personnel and allied agencies as needed.

41.2.10 Project Lifesaver

Project Lifesaver is a national program used for tracking and locating individuals with Autism, Alzheimer's, Dementia and other brain related disorders. A tracking device is worn by the individual and the Sheriff's Office and other entities within Washington County have the equipment necessary to locate these individuals if they are reported as missing.

- A. The agency shall train personnel as Project Lifesaver Electronic Search Specialists with re-certification occurring every two years.
- B. The Search Specialists shall train with the equipment on a regular basis throughout the year and report any malfunctions of the equipment to the Project Lifesaver Coordinator.
- C. The Search Specialists will not be involved in the attachment of transmitters, changing of batteries or the maintenance of transmitters or search equipment.
- D. If the agency is notified that a participant in Project Lifesaver has been reported as missing, the agency will notify Project Lifesaver trained personnel to respond to the scene with the Search equipment to assist in locating the individual.
- E. The Search Specialists may request additional manpower from the Duty Officer to assist in the search.

41.3 Equipment

41.3.1 Vehicles used general patrol services

- A. All emergency vehicles will utilize bar lights or magnetic mounted roof lights, flashers, grill lights, and sirens.
 1. The siren must be capable of emitting sound that is audible, under normal conditions, from a distance of not less than 500 feet, and be approved by the Motor Vehicle Administration as specified in 22-401.

B. Marked patrol vehicles shall have:

1. A light bar mounted on the roof
2. Sheriff on the side of the vehicle
3. 911 on the side of the vehicle
4. Reflective striping on the side and rear of the vehicle

41.3.2 Patrol Vehicle Equipment

A. All patrol vehicles shall be outfitted with and shall be replenished by the issued deputy:

1. Radio
2. Camera / Film
3. Shotgun
4. Fire Extinguisher
5. First Aid Kit
6. Blood borne pathogen kit
7. Fingerprint kit
8. Flares
9. Traffic Vest
10. Bio-Hazard Kit
11. Hazardous Material Booklet
12. Tape measure
13. Sharps pipe
14. Blanket
15. Flex cuffs
16. Shooting glasses
17. Ear Protection
18. CPR micro shield

B. The supervisor of the deputy shall inspect the vehicle quarterly to verify all patrol vehicles have the necessary equipment and that it is working properly.

41.3.3 Safety Restraint Device

A. All sheriffs' office personnel shall use safety restraint devices while operating or riding in a sheriff's office vehicle.

B. All sheriffs' office personnel shall instruct all passengers to use the passenger restraining devices, in accordance with the Maryland Transportation Article. The vehicle shall not be set in motion until all occupants are belted in.

C. All children transported by a sheriff's office vehicle shall be transported in accordance with the Maryland Transportation Article.

D. All prisoners transported in a sheriff's office patrol vehicle shall be transported in the safest manner possible, and they shall use safety restraint devices unless there is a medical or psychological reason that would endanger the prisoner's life.

- E. No person shall modify, remove, deactivate or otherwise tamper with vehicle safety belts except for vehicle maintenance and repair and not without the express permission of the Sheriff.
- F. Personnel who discover an inoperable restraint system shall report the defect to the appropriate supervisor. Prompt action will be taken to replace or repair the system. The vehicle will be removed from service until repaired.

41.3.4 Non-Issued Uniform Wear and Equipment

- A. Because of budgetary restraints, the following items of equipment may not be issued by the department. It will, however, be the responsibility of applicable employees to purchase them as a part of the uniform:
 - 1. Footwear: All approved uniform footwear will be solid black in color from the manufacturer. Footwear may be low quarter, three quarter, or boot configuration, (as long as the height does not detract from the professional look of the uniform when the pant leg is pulled over the boot top). All footwear will be kept clean and in good condition. Footwear that can be polished will be kept in a shined condition. Subdued black color footwear will not be worn for dress occasions. Boots with western style heels, smooth leather soles, and/or pointed toes will not be worn.
 - 2. Black socks will be worn with the uniform.
 - 3. Undershirts: Crew neck tee shirts, white in color, will be worn with the summer uniform. Crew neck or v-neck tee shirts may be worn with the winter uniform.
 - 4. In lieu of a tie, an approved navy blue mock turtleneck may be worn with the winter uniform.

B. Optional Articles of Uniform

- 1. Sweater: In lieu of the winter coat or as a supplement to it, in below average temperatures, personnel may wear a "Commando" type military sweater. Personnel wishing to wear such a sweater will observe the following:
 - a. Sweater will be navy blue in color and made of wool or a mixture of wool and a synthetic fiber.
 - b. Sweaters will be pull over style and will be vee neck.
 - c. The badge and nametag will be worn on the outside of the sweater if it is to be the exterior garment. A departmental shoulder patch will be attached to sleeved sweaters.
 - d. Sweaters must be kept clean and in good condition.

41.3.5 Soft Body Armor

- A. All law enforcement personnel will be issued soft body armor and are required to wear the vest while on duty.
- B. Members may be exempted from wearing a vest if:
 - 1. A medical reason is furnished by the employee's physician.
 - 2. They are Command Personnel.
 - 3. They are Plain Clothes Investigators.
 - 4. They are personnel assigned undercover.
 - 5. They are personnel assigned to administrative duties.

NOTE: Personnel who are exempt from the mandatory wearing of body armor shall use their professional judgment when deciding whether or not to wear their protective vest. Such personnel shall be required to wear their protective vest when participating in any raid or arrest situation where there is a likelihood of an armed encounter. **Personnel who are exempt must keep their body armor in their assigned vehicle if not being worn.**

- C. Any personnel struck by gunfire or some other potentially dangerous object; (i.e., knife), in an area protected by the armor will report the incident immediately and receive medical attention as soon as possible, regardless of the extent of ill effects or apparent injury.
- D. The body armor worn at the time of the incident will be submitted to the Division Commander to determine if the protective characteristics have been diminished.
- E. The effectiveness of the Kevlar material to deter injury is substantially reduced when it becomes wet. The Kevlar panels should only be cleaned when necessary for hygienic purposes and then only in accordance with the following;
 - 1. Do not machine wash or scrub the vest with a brush.
 - 2. Do not send to a commercial laundry, or dry cleaners.
 - 3. Wipe with a damp cloth and towel dry. If badly soiled, inserts may be soaked in warm water, no soap or bleach. Lie the vest flat to dry naturally.
 - 4. Inserts must be thoroughly dry before wearing.
 - 5. If Kevlar panels become so soiled, they do not respond to the above, replacement panels should be obtained.
 - 6. The "carrier" portion of the vest may be cared for according to instructions on the manufacturer's label.

- F. It is recommended that a t-shirt be worn as a barrier to protect against chafing and perspiration when vest is worn.
- G. The body armor should not be left unprotected inside of an automobile or left exposed to sunlight for extended periods of time as ultraviolet rays have a deteriorating effect on the Kevlar material.
- H. Personnel assigned property control activities, regarding soft body armor, will be responsible for conducting evaluations to determine: the ballistic integrity of the armor through normal use; i.e., length of service, exposure, cleaning, etc. Evaluation and recommendations will be based on existing specifications while considering improved technology that may necessitate changes.
- I. Personnel that leave this agency to be employed by another agency will be permitted to retain their body armor.

Personnel who elect to retain their body armor from this agency must reimburse the agency for the cost of the body armor in the following manner:

Up to 1 year after issue	-	100% of the cost of the body armor
1 – 2 years after issue	-	70% of the cost of the body armor
2 – 3 years after issue	-	40% of the cost of the body armor
3 – 4 years after issue	-	20% of the cost of the body armor
4 + years after issue	-	No reimbursement

If the body armor was purchased with grant money, the reimbursement would be at the above scale for the amount of the cost NOT covered by the grant.

Personnel who elect to retain and use their body armor issued to them by this agency, will then be responsible for the ballistic integrity of the body armor.

41.3.6 High Risk Situations – requiring protective vests

- A. All personnel shall be required to wear their protective vest when participating in any raid or arrest situation where there is a likelihood of an armed encounter or when arriving on the scene of an incident where an armed encounter is likely and the scene has not been rendered safe..

41.3.7 Computerized Mobile Terminals

A mobile data computer (MDC) is a communications device capable of receiving and transmitting data among units, and the 911 Center. An MDC also provides direct user access to national, state, and local computer databases and others on the MDC system. The MDC will provide the ability to document incidents at remote locations via the radio system.

Policy- The use of Office mobile data computers will be limited to those operations that support the Office mission.

41.3.7.1 MDC Control

- A. No employee will install unauthorized software programs onto any MDC.
- B. No employee will modify or alter any software installed on any MDC.
- C. The Public Safety Systems Manager may install or modify software programs on any or all of the MDCs at his discretion, or at the direction of the Sheriff.

41.3.7.2 MDC Use

- A. The MDC will be turned on and logged onto at the beginning of each shift and will remain on at all times during the deputies shift.
- B. The MDC will not be used while the vehicle is in motion, as the driver must be focused on the safe operation of the vehicle.
- C. Computer Aided Dispatch (CAD)
 - 1. The MDC will be used in conjunction with the radio communications and is not intended to be a replacement for voice dispatching.
 - 2. The MDC will be used to reduce radio communications, enhance deputy safety, and provide a means of transmitting information, and messages.
 - 3. Communication personnel will dispatch calls for service over the radio and provide updates over the radio.
 - 4. The MDC should generally be used by both deputies, and communications personnel to communicate non-urgent information, which would otherwise draw on radio time.

41.3.7.3 Computer Messaging Function

- A. The messages sent on the MDC will be for Office business purposes only.
- B. All messages are recorded and are not to be considered private or secure.
- C. Short personal messages are allowed as long as they are not offensive, degrading or embarrassing in anyway to the Office or any individual. Under no circumstances will an employee use an MDC system to broadcast jokes, sexual comments, or innuendos of a provocative, or suggestive nature, or language that creates an intimidating, hostile, or offensive workplace.

41.3.7.4 Mobile Computer Security

- A. Information displayed on the MDC screen when NCIC, MILES, or MVA is the active window is confidential. The utmost caution will be exercised to ensure unauthorized persons do not view the information.
- B. Vehicles equipped with an MDC will be locked when not in operation or when not occupied by an authorized user.

- C. Issued MDCs and laptops will not be transferred to another user without approval of the Public Safety Systems Manager.
- D. No software or files are to be loaded on the MDCs by the end user.
- E. Personnel will not manipulate, disable or alter any software running on agency owned MDCs, including the AVL feature.

41.3.8 Body-Worn Audio/Video

Definitions:

BWC – Body Worn Camera

Power-on – Physically turning the BWC on, which allows the recording of video.

Activate – Physically activating the BWC after it is Power-on, this allows the camera to record both video and audio.

Pre-Event Buffering – A condition where the BWC records only video for 60 seconds while in Power-on mode prior to being activated to record both video and audio.

Inadvertent recording – A BWC recording that:

- a. Was made by the deputy wearing the BWC, and
- b. The entirety of which was made under circumstances in which the recording officer or another person who is on the recording had a reasonable expectation of privacy in their actions or words captured on the recording, and
- c. The making of which is inconsistent with this policy, and
- d. It is not part of a recording that must be retained (evidentiary, indefinite retention, complaint, etc.).

Accidental recording – A BWC recording that:

- a. Was made unintentionally by the deputy wearing the BC, and
- b. the recording is not part of a recording that must otherwise be retained by this policy (evidentiary, indefinite retention, complaint, etc.)

Treatment facility - any facility that treats patients for medical issues, substance abuse, or mental illness.

Metadata – a set of data that describes and gives information about other data.

Purpose:

A. Body Worn Cameras (BWC) are used to enhance police services to the community by accurately documenting events, actions, conditions, and statements made during citizen contacts, traffic stops, arrests, searches, and other incidents.

B. In addition to these services, there are also specific purposes as outlined below:

1. To capture crimes in progress irrespective of whether they are perpetrated against deputies or the community.

2. To aid in the documentation of crime scenes, the discovery of evidence, and the actions of police personnel.

3. To aid in the documentation of statements made by victims, witnesses, suspects, and or accused individuals.

4. To document advice of rights when applicable.

5. To promote officer safety by deterring acts of aggression against deputies.

6. To reduce unreasonable and false complaints made against deputies during the course of their duties. To enable the swift resolution of such complaints, if they are received.

7. To facilitate training to ensure the courtesy and professionalism of all WCSO personnel.

C. This policy does not govern the use of surreptitious recording devices used in undercover operations.

Training

Sworn members who are issued BWC will be trained in the use and operation of the BWC prior to being deployed into field operations.

Equipment

1. Department-issued BWC are intended for official Department use only and are not to be used for frivolous or personal activities. Intentional misuse or abuse of the units will result in disciplinary action.
2. Sworn personnel shall use only those BWC that are issued and approved by WCSO. The wearing of personally owned BWC is prohibited.

Authorized Access and Confidentiality

1. All recording equipment, all data, images, video, audio, metadata captured, recorded and otherwise produced by the equipment are the sole property of the Washington County Sheriff's Office.
2. Deputies shall not, in any manner: copy, duplicate, share, upload to a public or social media website or otherwise distribute, edit alter, erase, or permit unauthorized viewing of or access to BWC recordings, images or data without the express written consent of the Sheriff or his designee.
3. Deputies are encouraged to view their own BWC recordings to assist them in placing accurate lookouts, writing accurate reports, and to improve their safety practices and overall performance.
4. If an individual deputies' BWC recording is relevant to an administrative investigation. That deputy and their chosen representative will be permitted to view the BWC video prior to any Administrative interrogation as long as such viewing will not delay any scheduled interrogation.
5. BWC videos will not be placed or kept in any employee's personnel file.

Deputy Responsibilities

- A. Deputies will keep their BWC readily available with them at all times. The exception is when the BWC is turned in to a supervisor or the BWC administrator for maintenance or administrative functions.
- B. Sworn members of this agency will power on their assigned BWC at the beginning of their shift or prior to the start of an operation. Failure to power-on the BWC leading to an event not being video and or audio recorded could subject the deputy to disciplinary action.
- C. Deputies assigned a BWC shall not share or borrow other deputy's BWC.
- D. The BWC will be affixed to the front of the deputies' outer most garment. It should be affixed to the center torso area and be free from obstruction (coats or other gear).
- E. Deputies are required to upload video a minimum of (2) Two times during a deputy's scheduled (5) Five-day work week, absent any incident that requires the deputy to produce a report prior to the end of their shift, or at the direction of the deputy's immediate supervisor. It is recommended that the BWC be uploaded prior to a deputy's scheduled regular days off (RDO).
- F. The care of the BWC and all associated equipment is the responsibility of the deputy issued/using the equipment. BWC will be operated according to the manufacturer's instructions and recommendations. Sworn members who Intentionally damage the BWC will be subjected to disciplinary action.
- G. Each deputy operating a BWC will ensure that the BWC is operational (e.g., the camera turns on, goes into "standby" mode, and can be set to record.)
- H. Any deputy encountering a malfunction of a BWC will immediately report the malfunction to a supervisor who will make sure the BWC administrator is made aware of the malfunction.
- I. Each deputy utilizing a BWC will ensure that all proper metadata is completed for each file recorded on the BWC. Failure to comply with this procedure will result in disciplinary action.
- J. Deputies are responsible for ensuring that all BWC video and audio recordings are uploaded per this policy or immediately after the BWC memory becomes full (Data Management). Failure to comply with this procedure will result in disciplinary action.
- K. Deputies will not attempt to duplicate, erase, reuse, alter or destroy in any manner any audio and/or video recorded on a BWC. Any of these actions described in this statement could result in disciplinary action.

Supervisor Responsibilities

- A. Supervisory personnel are responsible for ensuring deputies utilize BWC equipment according to this policy.
- B. Supervisors are responsible for ensuring that deputies are properly caring for and maintaining all BWC equipment.
- C. Supervisors must ensure that all deputies BWC recordings are uploaded and properly stored per WCSO policy including the submission of required metadata for each file.

D. Supervisors will immediately retrieve the BWC from any subordinate in their command who is removed from sworn member duties. The supervisor will communicate directly with the BWC administrator on the disposition of the BWC.

E. If an incident is captured on a BWC requiring investigation by an allied agency, a supervisor will immediately contact the BWC administrator, who will make the video available to the investigating agency for investigation purposes. If the recording involves an Internal Investigation, the supervisor will get authorization from the Sheriff before the recording is released.

BWC Administrator

The Sheriff will designate a BWC administrator to oversee the BWC program.

- A. The BWC administrator will randomly review BWC recordings and equipment to ensure that the equipment is properly calibrated and operating consistent with the manufacturer's standards. The BWC administrator will also ensure deputies are using the devices appropriately and in accordance with policy.
- B. The BWC administrator will conduct WCSO training that will include the following:
 - A review of this policy and Maryland laws as they pertain to BWC.
 - The use of the BWC in the field, to include hardware and software used for uploading BWC video.
- C. The BWC administrator will be the BWC liaison with the States Attorney's Office.
- D. The BWC administrator will coordinate any repair/replacement with the BWC provider and act as the agency contact as it pertains to the BWC program.
- E. The BWC administrator will conduct any redaction as it pertains to Maryland Public Information Act/Freedom of Information requests.

One-Party Consent

A. Maryland law recognizes that some specific crimes and circumstances require only one-party of an interception and recording of oral communication give consent.

B. In Maryland, there is a statutory authority given to officers in the course of their "regular duty" to intercept an oral communication if:

1. The deputy initially detained a vehicle during a criminal investigation or for a traffic violation.
2. The deputy is a party to the oral communication;
3. The deputy has been identified as a police officer to the other parties to the oral communication;
4. The deputy informs all other parties to the communications of the interception at the beginning of the communication; and
5. The oral interception is being made as part of a video tape recording.

C. In addition, one-party consent applies to the criminal investigation of the following crimes enumerated in MD. CODE, CTS. & JUD. PROC. ART., §10-401 through §10-414 as amended and revised, in order to provide evidence of the commission of:

1. Murder;
2. Kidnapping;
3. Rape;
4. A sexual offense in the first or second degree;
5. Child abuse in the first or second degree;
6. Child pornography under §11-207, §11-208 or §11-208.1 of the Criminal Law Article;
7. Gambling;
8. Robbery under §3-402 or §3-403 of the Criminal Law Article;
9. A felony under Title 6, Subtitle 1 of the Criminal Law Article [Arson];
10. Bribery;
11. Extortion;
12. Dealing in a controlled dangerous substance, including a violation of §5-617 or §5-619 of the Criminal Law Article;
13. A fraudulent insurance act as defined in Title 27, Subtitle 4 of the Insurance Article;
14. An offense relating to destructive devices under §4-503 of the Criminal Law Article [Possess explosive material, incendiary material or toxic material with intent to create a destructive device];
15. Human Trafficking offense under §11-303 of the Criminal Law Article
16. Sexual solicitation of a minor under §3-324 of the Criminal Law Article;
17. An offense relating to obstructing justice under §9-302, §9-303, §9-305 of the Criminal Law Article [Witness Intimidation or Retaliation];
18. Sexual abuse of a minor under §3-602 of the Criminal Law Article; or
19. A theft scheme or continuing course of conduct under §7-103(f) of the Criminal Law Article involving an aggregate value of property or services of at least \$10,000;
20. Abuse or neglect of a vulnerable adult under §3-604 or §3-605 of the Criminal Law Article; or
21. An offense relating to Medicaid fraud under §8-519 through §8-515 of the Criminal Law Article; or
22. A conspiracy or solicitation or solicitation to commit any of the above offenses listed in 1 through 21; or

23. If a person has created a barricade situation and probable cause exists for the officer to believe a hostage(s) may be involved.

D. It is also lawful to intercept and record an oral communication by one-party consent pursuant to an order by a court of competent jurisdiction.

Two-Party Consent

A. The BWC will not ordinarily be utilized in places where a reasonable expectation of privacy exists, such as private homes, dressing rooms, treatment facilities, or restrooms without consent or legal authority.

B. For all other crimes or circumstances not enumerated in accordance with one-party consent, and where two-party consent is required, consent must first be obtained by all parties for the officer to intercept and record oral communications unless the recording is being made pursuant to a legal arrest or search.

C. The deputy shall visually and audibly record this request for consent and the subsequent granting of consent in order to continue the use of the BWC.

D. Absent such consent, the use of the BWC during the time of the incident or circumstances in question shall be terminated.

E. When consent is not granted, the onus is on the officer recording the lack of consent to inform other officers arriving on scene to turn off their BWC.

Operational Procedures for Divisions and Specialized Units:

Patrol Division Uniformed Deputy Criteria for Use

A. The BWC will be worn and the BWC will be in power on mode any time a deputy is in uniform and on official business while performing patrol functions.

B. Except for when emergency or exigent circumstances do not permit, deputies shall activate the BWC to record all contacts in the performance of official duties while responding to or on calls for service and on all deputy initiated investigative or enforcement contacts with citizens when One-Party consent is appropriate.

C. Unless it is unsafe, impractical or impossible, deputies should inform individuals that they are being recorded, including individuals who join the communication after the initial notice is given. In locations where individuals have a reasonable expectation of privacy, as defined in Two-Party consent, they may decline to be recorded unless the recording is being made pursuant to a legal arrest or search. The BWC shall remain activated until: the event is completed, such time as is necessary to ensure the integrity of the recording, the officer leaves the scene, the contact moves into an area restricted by this policy or when otherwise restricted by this policy.

D. With the exception of minor 'occurred earlier' property crimes (theft, vandalism, littering) deputies are required to record during all calls for service and during all law enforcement-related encounters and activities considered One-Party consent situations, unless doing so would be unsafe, impractical, or impossible.

E. The activation of the mute function on agency approved BWC can be used under the following conditions. Conversations with supervisors and other deputies while discussing operational and tactical issues. While seeking advice or asking questions on how to proceed with an investigation or incident. The deputy must deactivate the mute functions once the conversations are finished. The mute function on the BWC will automatically reset when the recording stops.

F. Recording such contacts shall be the rule not the exception.

Judicial Division Uniformed Deputy Criteria for Use:

A. The BWC will be worn and the BWC will be in power on mode any time a deputy is in uniform and on official business while performing law enforcement and or judicial functions.

B. Except for when emergency or exigent circumstances do not permit, judicial deputies assigned to court security or administrative building security will be required to activate the BWC to record the following events.

1. Incidents that occur in their presence.
2. Responding to or on calls for service and on all deputy initiated investigative or enforcement contacts with citizens when One-Party consent is appropriate.

C. Judicial exceptions for BWC use.

1. The BWC will not be used during court hearings.
2. The service of civil summons.

D. Unless it is unsafe, impractical or impossible, judicial deputies should inform individuals that they are being recorded, including individuals who join the communication after the initial notice is given. In locations where individuals have a reasonable expectation of privacy, as defined in Two-Party consent, they may decline to be recorded unless the recording is being made pursuant to a legal arrest or search. The BWC shall remain activated until: the event is completed, such time as is necessary to ensure the integrity of the recording, the officer leaves the scene, the contact moves into an area restricted by this policy or when otherwise restricted by this policy.

E. The activation of the mute function on agency approved BWC can be used under the following conditions. Conversations with supervisors and other deputies while discussing operational and tactical issues. While seeking advice or asking questions on how to proceed with an investigation or incident. The deputy must deactivate the mute functions once the conversations are finished. The mute function on the BWC will automatically reset when the recording stops.

Specialized Units Criteria for Use as Required by Law:

- A. The BWC will be worn and the BWC will be in power on mode anytime a deputy is operating in a specialized unit performing specific law enforcement functions that are listed in section B.
- B. Except for when emergency or exigent circumstances do not permit, sworn agency members operating in a specialized unit will be required to record the following events.
 1. Executing arrest warrants.

2. Executing search and seizure warrants.
3. Operating as a member of the Washington County Specialized Response Team.

C. Unless it is unsafe, impractical or impossible, sworn agency members operating in a specialized unit should inform individuals that they are being recorded, including individuals who join the communication after the initial notice is given. In locations where individuals have a reasonable expectation of privacy, as defined in Two-Party consent, they may decline to be recorded unless the recording is being made pursuant to a legal arrest or search. The BWC shall remain activated until: the event is completed, such time as is necessary to ensure the integrity of the recording, the officer leaves the scene, the contact moves into an area restricted by this policy or when otherwise restricted by this policy.

D. The activation of the mute function on agency approved BWC can be used under the following conditions. Conversations with supervisors and other deputies while discussing operational and tactical issues. While seeking advice or asking questions on how to proceed with an investigation or incident. The deputy must deactivate the mute functions once the conversations are finished. The mute function on the BWC will automatically reset when the recording stops.

RECORDING

A. When circumstances permit, officers will activate the BWC prior to contacting a citizen in any of the incidents listed in Criteria for Use.

B. As noted previously, deputies will identify themselves as police officers and notify persons that the contact is being both audibly and visually recorded.

1. Once activated, the recording will not be intentionally terminated until the conclusion of the incident or until the other parties have left the scene (this includes the recording of statements). If such termination occurs, the officer with the BWC must demonstrate compelling reasons (e.g., withdrawal of consent, privacy issues, or conferences with supervisors and peers).

If an arrest is made the BWC is to be utilized until arrival at a Central Booking or treatment facility.

2. Additional arriving units to a scene will begin recording as soon as practical and continue to record until the completion of the incident (this includes recording of statement).

Restricted Uses

A. Any use of the BWC for any purpose other than official law enforcement business is a violation of this policy. Non-law enforcement business can include, but is not limited to:

1. Covertly recording other law enforcement personnel;
2. Recording any communications with a supervisor, council member, or other government employee;
3. Personal use of the BWC; and

4. Recording a conversation that the deputy is not party to, unless the officer is handling a law enforcement incident, and is in a lawful position when the recording occurs.
- B. Deputies will not use the BWC to record a particular person based solely on the person's race, color, age, sex, marital status, sexual orientation, gender identity, creed religion, ancestry, national origin or disability.
- C. The BWC will not be used to record confidential informants or undercover officers.
- D. The BWC will not be used as a surreptitious/ covert recording device or used in undercover operations.
- E. The BWC will not be used as a stand-alone device in the recording of evidence at crime scenes.
- F. The BWC will not be used at any "treatment facility" where independent parties' privacy might be infringed by the use of the BWC unless the encounter becomes confrontational and the deputy has reason to believe that the use of the BWC will document the encounter.

Reporting

- A. Any time a BWC is used to record an interaction or incident, that use will be documented on any report prepared regarding the contact. The WCSO Report Management System (RMS) will be marked indicating that a BWC was used by at least one officer involved during incident.

Inadvertent Recordings

- A. If a deputy discovers that he/she has made an inadvertent BWC recording as defined in this policy, they may request, by memo, through the chain of command, to the Sheriff, requesting the recording be deleted.
- B. The memo must include the date and time of the recording, the length of the recording, and a description of the circumstances which require deleting. (e.g. the recording was made while the requesting officer was talking casually with other employees)
- C. If the memo satisfies the basic requirements, the BWC administrator will direct the employee's supervisor to review the video to determine if it meets all the criteria of an inadvertent recording as defined in this policy, and if there is any reason why the request to delete should not be satisfied.
- D. If the Sheriff decides that deleting the inadvertent recording would be proper, he will direct the BWC manager to delete the recording.
- E. The BWC manager will maintain a file documenting deleted recordings under this section.

Accidental Recordings

- A. If a deputy discovers that he/she has made an accidental BWC recording as defined in this policy, they may request the recording be deleted by the BWC Administrator.

B. The BWC Administrator will review the BWC recording to insure it does not contain any audio or video files that are required to be retained by this order and the file will be deleted and documented utilizing the BWC software.

Data Management

A. Data will not be released to any outside non-criminal justice entity, regardless of content, without explicit authority from the Sheriff or his designee. Request for data made under the Maryland Public Information Act will be immediately directed to the WCSO Public Information Act Designee. Requests for BWC recordings must comply with and are subject to the requirements of the Freedom of Information Act/Maryland Public Information Act. Where redaction is necessary the Public Information Act Designee, will assign the BWC administrator to complete redaction prior to release.

B. Under no circumstances shall any member of the Department make a personal copy of any recorded event without prior written permission from the Sheriff.

C. Designated agency system administrators/supervisors will conduct routine reviews of videos for proper use, officer safety concerns, and training issues.

Retention of BWC Recordings

The BWC coordinator will establish a schedule for archiving BWC recordings. The retention schedule will be developed using the BWC manufactures recommendations and any state mandates for BWC retention of recordings.

41.3.9 License Plate Reader Program

PURPOSE: To establish guidelines for the deployment, maintenance, training, and data storage associated with the usage of License Plate Recognition (LPR) systems by Washington County Sheriffs Office (WCSO) personnel.

MISSION: The LPR program seeks to increase the safety of Washington County, Maryland and will reducing the impact of economic losses caused by auto theft and other vehicle-related crimes. The program is also intended to enhance security at designated locations by supplementing existing security measures. The Sheriffs Office is committed to homeland security, increasing the detection of stolen vehicles, vehicles with revoked or suspended registrations, uninsured vehicles, vehicles operated by drivers with suspended or revoked licenses, wanted and missing persons, and other vehicle related crimes that impact the safety of citizens in Washington County.

OVERVIEW

A. The identification of stolen vehicles, stolen license plates, and wanted and missing persons are the primary focuses of the LPR program. LPR technology uses specialized cameras and computers to quickly capture large numbers of license plate photographs and compares them to a list of plates of interest. The plates of interest are referred to as a "hot list." LPR systems can identify a target plate within seconds of contact with it, allowing law enforcement to identify target vehicles that may otherwise be overlooked. LPR systems also record every license plate they come in contact with and record the location, date, and time of each license plate read. The technology is available in mobile systems mounted on police vehicles and

fixed camera systems that can be mounted on poles or on the roadside. Mobile LPR systems are designed to allow officers to patrol at normal speeds while the system reads every license plate they come in contact with and alerts them if there is a match to a “hot list.”

- B. All information captured by Washington County Sheriffs Office LPR System’s will be transmitted to the Maryland Coordination and Analysis Center (MCAC). MCAC currently houses the Maryland State Police LPR System Operations Center, which is the central clearinghouse for all license plates scanned by the Maryland State Police and other participating agencies LPR systems in the State of Maryland. It is maintained by MCAC personnel designated by the MCAC Director. The Operations Center is a data collection and reporting tool. All collected data will be maintained on this independent server that is not connected to, or shared with, other law enforcement databases. The Operations Center provides a database, inquiry tool, history tracking, and reporting for the entire LPR program. It manages and provides a storage and search structure for the license plate information being collected in the field.
- C. The Operations Center acts as a secure intra-net site, allowing only personnel with password protected access to some or all of the license plate data collected. The Operations Center receives all scanned reads collected by fixed and mobile LPR systems deployed throughout the State and organizes the data into a central database. The central database supports the reporting and query functions. Authorized MCAC personnel have the ability to:
 - 1. Look for a license plate or partial license plate in the history and view the image and location of matches;
 - 2. View maps with the location of plate reads and alarms;
 - 3. View statistical reports on reads and alarms; and
 - 4. View reads and alarms for a specific geographic area and time frame.

POLICY

41.3.9.1 Installation and Maintenance

- A. Mobile LPR systems will be installed in WCSO vehicles as determined by the Sheriff or his designee.
- B. The designated LPR Administrator will be responsible for the installation and maintenance of the LPR system equipment in WCSO vehicles.
- C. The Traffic Section Supervisor will be responsible for maintaining the detailed inventory record of all LPR system equipment. .
- D. The Traffic Section Supervisor will be responsible for conducting an annual physical inventory of all LPR system equipment and reconciling it with their detailed inventory record. Once reconciled, the inventory will be forwarded to the Patrol Commander.
- E. Any damage to LPR systems should be reported immediately according to established WCSO policy and procedures related to the loss of or damage to WCSO equipment.

41.3.9.2 “Hot List” Updating

The Maryland State Police Department LPR Program Administrator or designee will be responsible for logging into the LPR system website and updating the LPR system “hot lists” at the beginning of each shift. The Traffic Section Supervisor should be contacted immediately if problems are encountered with the updating of LPR systems.

41.3.9.3 Data Collection, Retention, and Dissemination at the MCAC

- A. All LPR system data collected by the Washington County Sheriffs Office's LPR program will be maintained on the Operations Center server at MCAC which is not connected to or shared with any other law enforcement databases.
- B. Only trained personnel approved by the Maryland State Police LPR Program Administrator may access LPR system data on the Operations Center server at MCAC.
- C. All LPR system data downloaded to the Operations Center will be stored no longer than one year prior to purging unless it has become, or it is reasonable to believe that it will become, evidence in a specific criminal or civil action. Evidentiary value in a criminal case includes both evidence that tends to inculcate or exculpate a suspect. To the extent that any data constitutes exculpatory evidence, also known as "Brady material" (Brady v. Maryland, 373 U.S. 83 (1963)), it must be preserved and made known to the prosecutor.
- D. In those circumstances when data is identified as having evidentiary value, the LPR Program Administrator will review the facts of the specific cases and determine if the data should be saved. If the LPR Program Administrator determines it is reasonable to believe the data has evidentiary value, the Program Administrator will authorize the downloading of the applicable data from the LPR Program server onto a CD or other portable storage device.
- E. This authorization will be documented on a supplemental report to be included in the appropriate case file. A copy of this documentation will be maintained in the LPR Program file at MCAC. The downloaded CD or other data storage device will be subject to the same logging, handling, and chain of custody requirements as other evidence.
- F. All requests for access to data stored on the Operations Center server will be made in writing to the MCAC Director or designee.
- G. All requests for data stored on the Operations Center server must serve an official law enforcement purpose.
- H. Each request for access to data will be recorded on an LPR Program Data Query Log indicating the date received, the name and department of the requestor, the purpose of the request, applicable case number, the name of the MCAC employee processing the request, and the final status of the request.
- I. The authorized personnel conducting the query must make the log entry. The log shall be retained for a minimum of current calendar year plus one year.

41.3.9.4 LPR Cleaning and Maintenance

LPR equipment should be cleaned and maintained according to the manufacturer's recommendations. The Traffic Section Supervisor is responsible to see that the LPR equipment is cleaned and maintained according to the manufactures' recommendations.

41.3.9.5 Mobile LPR Systems

- A. LPR equipment provides access to stolen and wanted files, and is also used in furtherance of criminal investigations. Use is restricted to official law enforcement purposes.
- B. No member of the Sheriff's Office may use or authorize the use of the equipment or database records for any other reason.
- C. Mobile LPR systems will be installed in WCSO vehicles and deployed as directed by the Sheriff or designee.
- D. The Patrol Commander or his designee will:
 - 1) Select the appropriate personnel to utilize LPR systems;
 - 2) Ensure they are properly deployed and maintained;
 - 3) maintain an adequate number of properly trained personnel;
 - 4) ensure all personnel assigned, utilizing, or maintaining mobile LPR systems are properly trained prior to using the system;
 - 5) designate a supervisor as the installation's LPR program supervisor;
 - 6) ensure all required LPR program logs and records are properly maintained according to policy;
 - 7) ensure all significant incidents and arrests that are related to LPR usage are properly documented and this information is forwarded to the appropriate bureau chief; and
 - 8) ensure that all mobile LPR system equipment is inspected quarterly and be documented on the WCSO Vehicle Inspection Log.
- E. The mobile data computer in the vehicle will act as a video monitoring center. This is the central clearinghouse for all license plates scanned by the mobile LPR system. Collected data will be maintained on the mobile data computer and transmitted wirelessly to the Operations Center at MCAC.
- F. The updated "hot list" will be transmitted to the WCSO mobile LPR systems wirelessly. The LPR system will automatically purge all prior "hot list" data on the mobile data computer upon completion of the data transfers.
- G. All scanned data on mobile data computers will be stored for 10 days. After 10 days, the LPR system will begin purging the data by automatically overwriting the data.
- H. All data scanned by the LPR system is transmitted to the mobile data computer inside the vehicle and checked against the daily "hot list." When an alarm is received alerting personnel of a positive "hit," a digital image of the license plate will be displayed on the mobile data computer screen for review.
- I. Personnel who receive an alarm of a positive "hit" on a scanned license plate will compare the digital image of the license plate to the NCIC information to verify the "hit." Verified positive "hits" will be accepted by activating the "accept" alarm key on the video monitoring center screen. When an alarm does not result in a verified positive "hit," personnel will activate the "reject" alarm key.
- J. When a deputy locates a vehicle related to a positive "hit," the deputy will verify the license plate information and relay this information to the Emergency Communications Center (ECC) who will confirm the "hit" according to current Department policy.

- K. The Patrol Commander, or designee will be responsible for overseeing the LPR systems assigned to personnel under their command and ensuring compliance with Department policy.
- L. WCSO personnel assigned mobile LPR systems will be responsible for the following:
 - 1) Logging onto the Maryland State Police LPR System website to activate the system and receive updated “hot lists” at the beginning of each shift.
 - 2) Ensuring that personnel who receive a positive “hit” on a scanned license plate will compare the digital image of the license plate to the NCIC information to verify the “hit.”
 - 3) Providing information by radio to the Emergency Communication Center’s (ECC) Emergency Communications Specialist (ECS) who will immediately attempt to confirm the hit according to established policy.
 - 4) Confirming a positive “hit” according to established policy prior to any enforcement action being taken.
 - 5) Ensuring that all custom manual inputs have a specific criminal investigative or patrol purpose.
 - 6) Ensuring that all data from the mobile LPR system is transferred wirelessly to the Maryland State Police LPR System Operations Center server at MCAC.
- M. The Traffic Section Supervisor is responsible for the following:
 - 1) Ensuring the Sheriff and the Patrol Commander is notified of all unusual or noteworthy events related to the LPR program.
 - 2) Maintaining a separate file for each LPR system at the installation.

41.3.9.6 Hit Verification

- A. At this time, the LPR system does not interface with real time MILES and NCIC data.
- B. The information received from license plates that are recognized as positive “hits” is dated and may be up to 24 hours old.
- C. Personnel must verify all positive “hits” through MILES and NCIC and follow all departmental policies and procedures.
- D. The LPR system is ONLY to be used as an investigative tool. Confirmation is essential prior to a stop.

41.3.9.7 Emergency Operations

- A. During the course of normal law enforcement duties, incidents may occur that require immediate assistance. The LPR system can be a valuable tool in these situations, such as AMBER alerts, bank robberies, or other violent crimes and can help bring the incident to a safe and successful conclusion.
- B. All license plate information related to an AMBER alert will be immediately entered into the Department LPR System by the Department LPR Program Administrator or designee. The “hot list” will be updated with AMBER alert information provided by Computer Crimes Unit personnel. The Department LPR Program Administrator or designee will ensure the timely wireless transfer to all LPR systems.

- C. In the event of a critical situation with vehicle registration information, the deployment of a LPR system can maximize the coverage area to search for any vehicle involved.
- D. Upon receiving notification that a critical situation requires manual entry of license plate information, the Emergency Communication Specialist (ECS) must immediately review the details and notify the duty officer.
- E. Upon receipt of updated information, the ECS will immediately provide this information to the duty officer and patrols. If an involved vehicle plate number changes, patrols using LPR equipment should be directed to update database entries.
- F. All actions taken by the ECS should be documented on the Emergency Communications Center CAD system.
- G. LPR equipped vehicles should be directed to patrol areas which are likely to increase the chance of encountering the vehicle.
- H. Personnel utilizing LPR systems must promptly search the vehicle LPR databases to determine if a record of past encounters exists. If so, information should immediately be provided to the duty officer for further investigative action.
- I. The duty officer will contact the LPR Program Administrator or designee and request that the Operations Center's LPR server be searched to determine if any mobile or fixed LPR systems had previously encountered the target plate. Logs should be updated according to the previously cited general procedures.

41.3.9.8 Data Collection and Reporting

- A. The Agency has to provide detailed information about the use, and performance of the LPR systems to GOCCP.
- B. Personnel operating LPR systems shall provide copies of all Criminal Incident Reports and Arrest Reports (Traffic and Criminal Arrests) that relate to the activity of the LRP system to the Traffic Section Supervisor.
- C. The Traffic Section Supervisor shall keep a detailed record of all necessary information that is needed to be reported to GOCCP.

41.4 Criminal Citations

- A. Purpose.

To set guidelines for completion and service of Maryland Uniform Criminal Citations (DCCR 45).

- B. Policy.

1. The Sheriff's Office will maintain a policy for sworn agency members governing the arrest and service of Criminal Citations. The process will follow all applicable laws, court decisions, and General Orders of the agency. Sworn agency members will not make custodial arrests or issue Criminal Citations or otherwise treat people differently because of their race, ethnic

background, gender, sexual orientation, religion, economic status, age, cultural group or other identifiable groups, or other potentially improper criteria.

2. All sworn agency members shall follow this policy unless directed by a supervisor or commander to deviate from the policy for good cause. "Good Cause" in this situation would be numerous minor violators, significant manpower shortage, or other significant problems as determined by a supervisor or commander.

C. Definitions:

Maryland Uniform Criminal Citation DC/CR 45:

1. For the purpose of this order, is defined as a Criminal Citation. Sworn agency members can issued Criminal Citations under certain guidelines.
2. The Criminal Citation can be utilized in the pre-printed / pre-numbered book provided by District Court or in the case of electronic format, the assigned electronic citation number provided and authorized by District Court.

Qualifying Offenses: The following offenses qualify for charge by Criminal Citation:

1. Any misdemeanor or local ordinance violation that does not carry a penalty of imprisonment;
2. Any misdemeanor or local ordinance violation for which the maximum penalty of imprisonment is 90 days or less; and
3. Possession of marijuana under § 5-601 of the Criminal Law Article.

Exceptions: The following offenses may not be charged by Criminal Citation:

1. Failure to comply with a peace order under § 3-1508 of the Courts Article;
2. Failure to comply with a protective order under § 4-509 of the Family Law Article;
3. A violation of a condition of pretrial or post-trial release while charged with a sexual crime against a minor under § 5-213.1 of the Criminal Procedure Article;
4. Possession of an electronic control device after conviction of a drug felony or crime of violence under § 4-109(b) of the Criminal Law Article;
5. Violation of an out-of-state domestic violence order under § 4-508.1 of the Family Law Article; and
6. Abuse or neglect of an animal under § 10-604 of the Criminal Law Article.

D. Criteria for Issuance of Criminal Citation.

1. Although the law mandates the issuance of a Criminal Citation for qualifying offenses, the defendant must meet certain criteria. If the defendant cannot meet the criteria listed below, the sworn agency member will charge the

defendant on a Statement of Charges and process the arrest through the Washington County Detention Center Central Booking.

- a. The sworn agency member is satisfied with the defendant's evidence of identity.
 - b. The sworn agency member reasonably believes the defendant will comply with the Criminal Citation.
 - c. The sworn agency member reasonably believes the failure to charge on a Statement of Charges will not pose a threat to public safety.
 - d. The defendant is not subject to arrest for another non-citable criminal charge arising out of the same incident.
 - e. The defendant complies with all lawful orders by the sworn agency member.
2. If a sworn agency member charges the defendant on a Statement of Charges DC/CR 2 for an offense that normally requires charging via a Criminal Citation, the sworn agency member will articulate in the Statement of Probable Cause DC/CR 4 which circumstances listed in this section existed that caused the sworn agency member to charge on a Statement of Charges versus Criminal Citation.

E. Issuance of Criminal Citations and Reporting Documentation.

1. The sworn agency member will need to complete the following information on each Criminal Citation, some of which the specific language can be found in the Commissioners Manual.
 - Exact Charging Language
 - Document / Article:
 - Section;
 - CJIS Code Include, "against the peace, government and dignity of the State."
 - Complete Victim and Witness information
2. The Defendant will be provided a completed copy of the Criminal Citation that is marked "Defendant Copy"
3. The sworn agency member will complete a CIR in Police Mobile detailing the probable cause that led to the criminal charge(s) on the Criminal Citation. The Criminal Citation number(s) will be recorded in the CIR.

4. The sworn agency member will complete an Arrest Detention report and record any evidence related to the Criminal Citation in the evidence tracking system.

F. Dissemination and Maintenance of Criminal Citations.

1. Criminal Citations and associated reports will be maintained by the records division in accordance with General Order 82.0 Central Records.
2. Dissemination of Criminal Citations and associated reports to the States Attorney's Office will occur for proper adjudication.
3. Defendants and interested parties requesting copies of Criminal Citations and associated reports will be referred to the procedures in General Order 82.0 Central Records.

G. Statistical Data Collection.

1. Delta + the application that runs ETIX, will include a race-based reporting module for Criminal Citations. Law enforcement agencies will enter all Citation data electronically via Delta +. This data gets stored by MSP who will submit citation data for all law enforcement agencies in the state to MSAC by March 1 each subsequent year.