

Princess Anne Police Department

Policy Manual

CHIEF'S PREFACE

I am pleased to present to you a best practices policy manual. Lexipol is the leader in law enforcement risk management and policy development. By adopting the Lexipol system you can be assured that our policy manual is current with applicable state and federal law and law enforcement best practices. Although our manual is considered to be a model policy there is no policy manual that can cover every situation that you may encounter. Good judgment and training must also be exercised. I believe that all employees should have an enjoyable, safe and productive workplace.

In order to provide such an environment, PAPD members are responsible for knowing all policies published in the manual. Manual reviews will be conducted for all members to ensure knowledge of all current information during the employee's period of evaluation and at other times at the discretion of the Chief.

Timothy Bozman

Chief of Police

Princess Anne Police Department

Princess Anne Police Department

Policy Manual

LAW ENFORCEMENT CODE OF ETHICS

As a law enforcement officer, my fundamental duty is to serve the community; to safeguard lives and property; to protect the innocent against deception, the weak against oppression or intimidation and the peaceful against abuse or disorder; and to respect the constitutional rights of all to liberty, equality and justice.

I will keep my private life unsullied as an example to all and will behave in a manner that does not bring discredit to me or to my agency. I will maintain courageous calm in the face of danger, scorn or ridicule; develop self-restraint; and be constantly mindful of the welfare of others. Honest in thought and deed both in my personal and official life, I will be exemplary in obeying the law and the regulations of my department. Whatever I see or hear of a confidential nature or that is confided to me in my official capacity will be kept ever secret unless revelation is necessary in the performance of my duty.

I will never act officiously or permit personal feelings, prejudices, political beliefs, aspirations, animosities or friendships to influence my decisions. With no compromise for crime and with relentless prosecution of criminals, I will enforce the law courteously and appropriately without fear or favor, malice or ill will, never employing unnecessary force or abuse and never accepting gratuities.

I recognize the badge of my office as a symbol of public faith, and I accept it as a public trust to be held so long as I am true to the ethics of police service. I will never engage in acts of corruption or bribery, nor will I condone such acts by other police officers. I will cooperate with all legally authorized agencies and their representatives in the pursuit of justice.

I know that I alone am responsible for my own standard of professional performance and will take every reasonable opportunity to enhance and improve my level of knowledge and competence.

I will constantly strive to achieve these objectives and ideals, dedicating myself before God to my chosen profession . . . law enforcement.

Princess Anne Police Department

Policy Manual

MISSION STATEMENT

The mission of the Princess Anne Police Department is to safeguard life and property, preserve the peace, prevent and detect crime, enforce the law and protect the rights of all citizens. We are committed to working in partnership with the community to identify and resolve problems that impact public safety.

Princess Anne Police Department

Policy Manual

Table of Contents

Chief's Preface	1
Law Enforcement Code of Ethics	2
Mission Statement	3
Chapter 1 - Law Enforcement Role and Authority	7
100 - Law Enforcement Authority	8
101 - Chief Executive Officer	10
102 - Oath of Office	11
103 - Policy Manual	12
Chapter 2 - Organization and Administration	16
200 - Organizational Structure and Responsibility	17
201 - General Orders	19
202 - Emergency Operations Plan	20
203 - Training	22
204 - Electronic Mail	26
205 - Administrative Communications	28
206 - Supervision Staffing Levels	29
207 - Retiree Concealed Firearms	30
Chapter 3 - General Operations	33
300 - Use of Force	34
301 - Use of Force Review Boards	42
302 - Handcuffing and Restraints	44
303 - Control Devices	49
304 - Conducted Energy Device	54
305 - Officer-Involved Shootings and Deaths	61
306 - Firearms	70
307 - Vehicle Pursuits	81
308 - Foot Pursuits	94
309 - Officer Response to Calls	99
310 - Canines	103
311 - Domestic Violence	113
312 - Search and Seizure	119
313 - Child Abuse	121
314 - Adult Abuse	128
315 - Discriminatory Harassment	133
316 - Missing Persons	138
317 - Public Alerts	145
318 - Victim and Witness Assistance	149
319 - Hate Crimes	152
320 - Standards of Conduct	154

Princess Anne Police Department

Policy Manual

322 - Report Preparation	161
326 - Registered Offender Information	166
327 - Major Incident Notification	168
328 - Death Investigation	170
329 - Identity Theft	173
330 - Private Person's Arrest	175
331 - Limited English Proficiency Services	177
332 - Communications with Persons with Disabilities	185
334 - Chaplains	193
336 - Child and Dependent Adult Safety	199
338 - Volunteers	203
340 - Off-Duty Law Enforcement Actions	211
342 - Community Relations	213
343 - Extreme Risk Protective Orders	218
Chapter 4 - Patrol Operations	222
400 - Patrol	223
401 - Bias-Based Policing	225
402 - Roll call	228
403 - Crime and Disaster Scene Integrity	230
404 - Critical Incident Response	232
405 - Ride-Alongs	233
411 - Foreign Diplomatic and Consular Representatives	236
414 - Utility Service Emergencies	240
418 - Air Support	242
419 - Contacts and Temporary Detentions	243
420 - Criminal Organizations	248
421 - Supervisors	252
425 - Public Recording of Law Enforcement Activity	254
431 - First Amendment Assemblies	257
433 - Suspicious Activity Reporting	263
Chapter 6 - Investigation Operations	265
600 - Investigation and Prosecution	266
601 - Sexual Assault Investigations	270
602 - Asset Forfeiture	275
603 - Informants	282
604 - Eyewitness Identification	288
605 - Brady Information	292
606 - Unmanned Aerial System (UAS) Operations	295
Chapter 8 - Support Services	298
800 - Crime Analysis	299
Chapter 10 - Personnel	301
1004 - Anti-Retaliation	302
1005 - Reporting of Arrests, Convictions and Court Orders	305

Princess Anne Police Department

Policy Manual

1006 - Drug- and Alcohol-Free Workplace	307
1007 - Sick Leave	312
1010 - Personnel Complaints	314
1013 - Personnel Records	324
1017 - Meal Periods and Breaks	329
1019 - Payroll Records	330
1020 - Overtime Compensation	331
1022 - Work-Related Injury and Illness Reporting	333
1030 - Employee Speech, Expression and Social Networking	335
1032 - Line-of-Duty Deaths	339
Attachments	

Chapter 1 - Law Enforcement Role and Authority

Law Enforcement Authority

100.1 PURPOSE AND SCOPE

The purpose of this policy is to affirm the authority of the members of the Princess Anne Police Department to perform their functions based on established legal authority.

100.2 POLICY

It is the policy of the Princess Anne Police Department to limit its members to only exercise the authority granted to them by law.

While this department recognizes the power of peace officers to make arrests and take other enforcement action, officers are encouraged to use sound discretion in the enforcement of the law. This department does not tolerate abuse of law enforcement authority.

100.3 AUTHORITY OF THE AGENCY NAME

Certified members of this department are authorized to exercise peace officer powers pursuant to applicable state law (Md. Code CP § 2-102; Md. Code PS § 2-412).

100.3.1 ARREST AUTHORITY WITHIN THE JURISDICTION OF THE PRINCESS ANNE POLICE DEPARTMENT

Officers may make arrests within the jurisdiction of the Princess Anne Police Department (Md. Code CP § 2-202):

- (a) In compliance with an arrest warrant.
- (b) Without a warrant:
 - 1. When an individual commits or attempts to commit a felony or misdemeanor in the presence or within the view of the officer.
 - 2. When the officer reasonably believes that an individual is committing a felony or misdemeanor in the presence or within the view of the officer.
 - 3. When the officer has probable cause to believe that a felony has been committed or attempted, and the individual has committed or attempted to commit the felony, whether or not it was in the presence or within the view of the officer.
 - 4. When there is probable cause to believe a person is in violation of an interim, temporary, or final extreme risk protective order in effect at the time of the violation (Md. Code PS § 5-610).

100.3.2 ARREST AUTHORITY OUTSIDE THE JURISDICTION OF THE AGENCY NAME

Officers may make arrests, conduct investigations and otherwise enforce the laws of Maryland throughout the state, without limitations as to jurisdiction, while acting in accordance with Princess Anne Police Department policies and procedures, except for enforcement of the vehicle laws, when (Md. Code CP § 2-102; Md. Code CR § 5-802):

Princess Anne Police Department

Policy Manual

Law Enforcement Authority

- (a) The officer is participating in a joint investigation with officials from another state, federal or local law enforcement unit, at least one of which has local jurisdiction.
- (b) The officer is assisting another law enforcement officer.
- (c) The officer is acting at the request of a law enforcement officer or a Maryland State Police officer.
- (d) An emergency exists.
- (e) The officer is in fresh pursuit of a person who (Md. Code CP § 2-301):
 - 1. Has committed or is reasonably believed by the officer to have committed a felony within the jurisdiction of the Princess Anne Police Department.
 - 2. Has committed a misdemeanor in the presence of the officer within the jurisdiction of the Princess Anne Police Department.

An officer who acts outside his/her jurisdiction shall notify the appropriate state or local official as required by state law (Md. Code CP § 2-102; Md. Code CR § 5-802).

100.4 INTERSTATE PEACE OFFICER POWERS

Peace officer powers may be extended to other states:

- (a) As applicable under interstate compacts, memorandums of understanding or mutual aid agreements in compliance with the laws of each state.
- (b) When an officer enters the following states as follows:
 - 1. In Delaware, while in the pursuit of a person believed to have committed a felony, a misdemeanor or a violation of the motor vehicle code (11 Del. C. § 1932).
 - 2. In the District of Columbia, while in pursuit of a person who has committed a felony or who the pursuing officer has reasonable grounds to believe has committed a felony (D.C. Code § 23-903).
 - 3. In Pennsylvania, while in fresh pursuit of a person in order to arrest him/her (42 Pa.C.S. § 8922).
 - 4. In Virginia while in fresh pursuit of a person to arrest him/her for committing a felony (Va. Code § 19.2-79).
 - 5. In West Virginia while in fresh pursuit of a person to arrest him/her for committing a felony (W. Va. Code § 62-11-1).

Whenever an officer makes an arrest in Delaware, the District of Columbia, Pennsylvania, Virginia or West Virginia, the officer shall take the offender to the appropriate judicial officer where the arrest occurred as soon as practicable (11 Del. C. § 1933; D.C. Code § 23-902; 42 Pa.C.S. § 8923; Va. Code § 19.2-79; W. Va. Code § 62-11-2).

100.5 CONSTITUTIONAL REQUIREMENTS

All members shall observe and comply with every person's clearly established rights under the United States and Maryland constitutions.

Chief Executive Officer

101.1 PURPOSE AND SCOPE

All law enforcement Chief Executive Officers employed within the State of Maryland are required to meet specific requirements for appointment. This policy provides guidelines for the appointment of the Chief Executive Officer of the Princess Anne Police Department, who is required to exercise the powers and duties of the office as prescribed by state law.

101.2 POLICY

It is the policy of the Princess Anne Police Department that the Chief of Police meets the minimum standards for exercising his/her authority granted by law.

101.3 CHIEF OF POLICE REQUIREMENTS

The Chief of Police of this department should have successfully completed the course of training prescribed by the Maryland Police Training and Standards Commission (MPTSC) and be certified pursuant to COMAR 12.04.01.06.

Oath of Office

102.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that, when appropriate, oaths are administered to department members.

102.2 POLICY

It is the policy of the Princess Anne Police Department that, when appropriate, department members affirm the oath of their office as an expression of commitment to the constitutional rights of those served by the Department and the dedication of its members to their duties.

102.3 OATH OF OFFICE

All department members, when appropriate, shall take and subscribe to the required oath or affirmation to the Clerk of the Circuit Court in addition to any other form of oath or affirmation required by the Maryland Constitution, state law or ordinance (Md. Const. Art. I § 9; Md. Code CJ § 2-104; Md. Code PS § 3-309).

102.4 MAINTENANCE OF RECORDS

The oath of office shall be filed as prescribed by law (Md. Const. Art. I § 10; Md. Code PS § 3-309).

Policy Manual

103.1 PURPOSE AND SCOPE

The manual of the Princess Anne Police Department is hereby established and shall be referred to as the Policy Manual or the manual. The manual is a statement of the current policies, procedures, rules and guidelines of this department. All members are to conform to the provisions of this manual.

All prior and existing manuals, orders and regulations that are in conflict with this manual are rescinded, except to the extent that portions of existing manuals, orders and other regulations that have not been included herein shall remain in effect where they do not conflict with the provisions of this manual.

103.2 POLICY

Except where otherwise expressly stated, the provisions of this manual shall be considered as guidelines. It is recognized that the work of law enforcement is not always predictable and that circumstances may arise which warrant departure from these guidelines. It is the intent of this manual to be viewed from an objective standard, taking into consideration the sound discretion entrusted to members of this department under the circumstances reasonably available at the time of any incident.

103.3 DISCLAIMER

The provisions contained in the Policy Manual are not intended to create an employment contract nor any employment rights or entitlements. The policies contained within this manual are for the internal use of the Princess Anne Police Department and shall not be construed to create a higher standard or duty of care for civil or criminal liability against the Town, its officials or members. Violations of any provision of any policy contained within this manual shall only form the basis for department administrative action, training or discipline. The Princess Anne Police Department reserves the right to revise any policy content, in whole or in part.

103.4 AUTHORITY

The Chief of Police shall be considered the ultimate authority for the content and adoption of the provisions of this manual and shall ensure compliance with all applicable federal, state and local laws. The Chief of Police or the authorized designee is authorized to issue General Orders, which shall modify those provisions of the manual to which they pertain. General Orders shall remain in effect until such time as they may be permanently incorporated into the manual.

103.5 DEFINITIONS

The following words and terms shall have these assigned meanings, unless it is apparent from the content that they have a different meaning:

Adult - Any person 18 years of age or older (Md. Code CJ § 3-8A-01).

Princess Anne Police Department

Policy Manual

Policy Manual

APS - Adult Protective Services.

Town - The Town of Princess Anne.

Civilian - Employees and volunteers who are not sworn peace officers.

CJIS - Maryland Criminal Justice Information System.

COMAR - Maryland Code of Regulations (Example: COMAR 10.38.03.02).

Custodian of Records - The authorized person having physical custody and control of the records of the Department (Md. Code GP § 4-101).

Department/PAPD - The Princess Anne Police Department.

DJS - Maryland Department of Juvenile Services.

DPSCS - Maryland Department of Public Safety and Correctional Services.

Employee - Any person employed by the Department.

Manual - The Princess Anne Police Department Policy Manual.

May - Indicates a permissive, discretionary or conditional action.

Md. Code - Maryland Annotated Codes (Example: Md. Code PS § 1-301). Following are abbreviations for sections of the Maryland Annotated Codes referenced in this Policy Manual:

- **CJ** - Courts and Judicial Procedure
- **CL** - Commercial Law
- **CP** - Criminal Procedure
- **CR** - Criminal Law
- **CS** - Correctional Services
- **ED** - Education
- **EL** - Election Law
- **ET** - Estates and Trusts
- **FL** - Family Law
- **GP** - General Provisions
- **HG** - Health – General
- **HS** - Human Services
- **IL** - Insurance Law
- **LE** - Labor and Employment
- **LG** - Local Government
- **NR** - Natural Resources

Princess Anne Police Department

Policy Manual

Policy Manual

- **PS** - Public Safety
- **SG** - State Government
- **SP** - State Personnel and Pensions
- **TG** - Tax – General
- **TR** - Transportation

Md. Const. - Maryland Constitution (Example: Md. Const. Art. IV § 44).

MDOT - Maryland Department of Transportation.

MEMA - Maryland Emergency Management Agency.

Member - Any person employed or appointed by the Princess Anne Police Department, including:

- Full- and part-time employees
- Sworn peace officers
- Reserve, auxiliary officers
- Civilian employees
- Volunteers

METERS - Maryland Electronic Telecommunications Enforcement Resource System.

MPTSC - Maryland Police Training and Standards Commission.

MSP - Department of Maryland State Police.

MVA - Motor Vehicle Administration.

OAG - Maryland Office of the Attorney General.

Officer - Those employees, regardless of rank, who are sworn members of the Princess Anne Police Department.

On-duty - A member's status during the period when he/she is actually engaged in the performance of his/her assigned duties.

Order - A written or verbal instruction issued by a superior.

Peace Officer - Those employees, regardless of rank, who are sworn members of the Princess Anne Police Department.

Rank - The title of the classification held by an officer.

Shall or will - Indicates a mandatory action.

Should - Indicates a generally required or expected action, absent a rational basis for failing to conform.

Supervisor - A person in a position of authority that may include responsibility for hiring, transfer, suspension, promotion, discharge, assignment, reward or discipline of other department

Princess Anne Police Department

Policy Manual

Policy Manual

members, directing the work of other members or having the authority to adjust grievances. The supervisory exercise of authority may not be merely routine or clerical in nature but requires the use of independent judgment.

The term "supervisor" may also include any person (e.g., officer-in-charge, lead or senior worker) given responsibility for the direction of the work of others without regard to a formal job title, rank or compensation.

When there is only one department member on-duty, that person may also be the supervisor, except when circumstances reasonably require the notification or involvement of the member's off-duty supervisor or an on-call supervisor.

103.6 ISSUING THE POLICY MANUAL

An electronic version of the Policy Manual will be made available to all members on the department network for viewing and printing. No changes shall be made to the manual without authorization from the Chief of Police or the authorized designee.

Each member shall acknowledge that he/she has been provided access to and has had the opportunity to review the Policy Manual and General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions that they do not fully understand.

103.7 PERIODIC REVIEW OF THE POLICY MANUAL

The Chief of Police will ensure that the Policy Manual is periodically reviewed and updated as necessary.

103.8 REVISIONS TO POLICIES

All revisions to the Policy Manual will be provided to each member on or before the date the policy becomes effective. Each member will be required to acknowledge that he/she has reviewed the revisions and shall seek clarification from an appropriate supervisor as needed.

Members are responsible for keeping abreast of all Policy Manual revisions.

The Captain will ensure that members are aware of any Policy Manual revision.

All department members suggesting revision of the contents of the Policy Manual shall forward their written suggestions to their Supervisor, who will consider the recommendations and forward them to the command staff as appropriate.

Chapter 2 - Organization and Administration

Organizational Structure and Responsibility

200.1 PURPOSE AND SCOPE

This policy establishes the organizational structure of the Department and defines general responsibilities of department members.

200.2 POLICY

The Princess Anne Police Department will implement and maintain an organizational structure that provides clear and identifiable roles for command, control and guidance of the Department. Each position and assignment should have clearly identified responsibilities and a defined chain of command.

200.3 DIVISIONS

The Chief of Police is responsible for administering and managing the Princess Anne Police Department. There are three divisions in the police department:

- Administration Division
- Patrol Division
- Criminal Investigations Division

200.3.1 ADMINISTRATION DIVISION

The Administration Division is commanded by the Captain, whose primary responsibility is to provide general management, direction and control for the Administration Division. The Administration Division consists of technical and administrative services.

200.3.2 PATROL DIVISION

The Patrol Division is commanded by the Captain, whose primary responsibility is to provide general management, direction and control for the Patrol Division. The Patrol Division consists of uniformed patrol and special operations.

200.3.3 CRIMINAL INVESTIGATIONS DIVISION

The Criminal Investigations Division is commanded by the Captain, whose primary responsibility is to provide general management, direction and control for the Criminal Investigations Division. The Criminal Investigations Division consists of the Criminal Investigations, Evidence Room, crime analysis and forensic services.

200.4 COMMAND PROTOCOL

200.4.1 SUCCESSION OF COMMAND

The Chief of Police exercises command over all members of the Princess Anne Police Department. During planned absences, the Chief of Police will designate a Captain to serve as the acting Chief of Police.

Princess Anne Police Department

Policy Manual

Organizational Structure and Responsibility

Except when designated as above, the order of command authority in the absence or unavailability of the Chief of Police is as follows:

- (a) The Captain
- (b) On-duty Supervisor

200.4.2 UNITY OF COMMAND

The principles of unity of command ensure efficient supervision and control within the Department. Generally, each member shall be accountable to one supervisor at any time for a given assignment or responsibility. Except where specifically delegated authority may exist by policy or special assignment (e.g., Canine, Bicycle Patrol), any supervisor may temporarily direct any subordinate if an operational necessity exists.

200.5 AUTHORITY AND RESPONSIBILITY

Each member will be assigned duties and responsibilities. Each member is delegated the authority necessary to effectively execute those responsibilities. Each member will also be held accountable for the appropriate application of that delegated authority.

General Orders

201.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for issuing General Orders.

201.2 POLICY

General Orders will be used to modify policies of the Princess Anne Police Department when an immediate need to adapt a policy or procedure exists, in order to best meet the mission of the Department. Applicable memorandums of understanding and other alternatives should be considered before a General Order is issued.

201.3 PROTOCOL

General Orders will be incorporated into the Policy Manual, as required, upon approval. General Orders will modify existing policies or create a new policy as appropriate and will be rescinded if incorporated into the manual.

The Captain or the authorized designee should ensure that all General Orders are disseminated appropriately. General Orders should be numbered consecutively and incorporate the year of issue. All members will be notified when a General Order is rescinded or has been formally adopted into the Policy Manual.

201.4 RESPONSIBILITIES

201.4.1 COMMAND STAFF

Command staff shall periodically review General Orders to determine whether they should be formally incorporated into the Policy Manual, and, as appropriate, will recommend necessary modifications to the Chief of Police.

201.4.2 CHIEF OF POLICE

Only the Chief of Police or the authorized designee may approve and issue General Orders.

201.5 ACCEPTANCE OF DIRECTIVES

All members shall be provided access to the General Orders. Each member shall acknowledge that he/she has been provided access to, and has had the opportunity to review the General Orders. Members shall seek clarification as needed from an appropriate supervisor for any provisions they do not fully understand.

Emergency Operations Plan

202.1 PURPOSE AND SCOPE

This policy clarifies the role of the Princess Anne Police Department and responsibilities of its members pertaining to large scale emergencies and the Maryland Emergency Management Agency (MEMA) operating under the State of Maryland Emergency Operations Core Plan.

202.2 POLICY

The Princess Anne Police Department will prepare for large scale emergencies within and outside its jurisdiction through planning and mutual cooperation with other agencies.

The Town of Princess Anne complies with the County's emergency operations plan.

202.3 ACTIVATING THE EMERGENCY OPERATIONS PLAN

The Emergency Operations Plan can be activated in a number of ways. For the Princess Anne Police Department, the Chief of Police or the highest ranking on-duty supervisor may activate the local Emergency Operations Plan in response to a major emergency.

The declaration of a local state of emergency may only be made by the Town's principal executive officer or the appointee if required by the circumstances. Such a declaration activates the jurisdiction's response (if not already activated) and recovery plan (Md. Code PS §14-111; Md. Code PS § 14-403).

Upon activation of the plan, the Chief of Police or the authorized designee should contact MEMA to assist with mutual aid response from local, state and federal law enforcement agencies (Md. Code PS §14-701; Md. Code PS §14-801; Md. Code PS § 14-601; Md. Code CP § 2-105).

202.3.1 RECALL OF PERSONNEL

In the event that the Emergency Operations Plan is activated, all employees of the Princess Anne Police Department are subject to immediate recall to service. Employees may also be subject to recall during extraordinary circumstances as deemed necessary by the Chief of Police or the highest ranking on-duty supervisor.

Failure to promptly respond to an order to report for duty may result in discipline.

202.4 LOCATION OF THE EMERGENCY OPERATIONS PLAN

Copies of the Emergency Operations Plan are available in Administration, the Supervisor's office and Somerset Community Services. All supervisors should familiarize themselves with the Emergency Operations Plan and the roles members will play when the plan is implemented. The Administration Captain should ensure that department members are familiar with the roles they will play when the plan is implemented.

Princess Anne Police Department

Policy Manual

Emergency Operations Plan

202.5 EMERGENCY OPERATIONS PLAN REVIEW

The Chief of Police or the authorized designee should review the Emergency Operations Plan at least once every two years to assist in identifying any revisions made by the National Incident Management System (NIMS). The Chief of Police or the authorized designee should appropriately address any needed revisions with the County.

202.6 TRAINING

The Department should provide annual training on the Emergency Operations Plan for all supervisors and other appropriate personnel. All supervisors should familiarize themselves with the Emergency Operations Plan and personnel responsibilities when the plan is implemented. Training should incorporate a full or partial exercise, tabletop or command discussion.

Training

203.1 PURPOSE AND SCOPE

This policy establishes general guidelines for how training is to be identified, conducted and documented. This policy is not meant to address all specific training endeavors or identify every required training topic.

203.2 POLICY

The Department shall administer a training program that will meet the standards of federal, state, local and the Maryland Police Training and Standards Commission (MPTSC) training requirements. It is a priority of this department to provide continuing education and training for the professional growth and development of its members.

203.3 OBJECTIVES

The objectives of the training program are to:

- (a) Enhance the level of law enforcement service to the public.
- (b) Increase the technical expertise and overall effectiveness of department members.
- (c) Provide for continued professional development of department members.
- (d) Ensure compliance with MPTSC rules and regulations concerning law enforcement training.

203.4 TRAINING PLAN

It is the responsibility of the Training Officer to develop, review, update and maintain a training plan and to ensure that mandated basic, in-service and department-required training is completed by all members as needed or required. The training plan should include the anticipated costs associated with each type of training, including attendee salaries and backfill costs. The plan should include a systematic and detailed method for recording and logging of all training for all members.

While updates and revisions may be made to any portion of the training plan at any time it is deemed necessary, the Training Officer shall review the entire training plan on an annual basis.

The plan will include information on curriculum, training material, training facilities and scheduling. The plan will address federal, state and department-required, minimum-mandated training of officers and other members.

203.4.1 GOVERNMENT-MANDATED TRAINING

The following lists, while not all inclusive, identify training that is required under state and federal laws and regulations.

- (a) Federally mandated training:
 - 1. National Incident Management System (NIMS) training.

Princess Anne Police Department

Policy Manual

Training

(b) State-mandated training:

1. MPTSC-approved Police Entry Level Training Program or, when applicable, the Comparative Compliance Training Course and successfully pass the licensing examination before being issued a peace officer's license (COMAR 12.04.01.09).
2. MPTSC-approved entrance-level firearms training and qualification (COMAR 12.04.02.04).
3. No less than the MPTSC-required duration of field training (COMAR 12.04.01.17).
4. No less than 18 hours of MPTSC-approved training annually (COMAR 12.04.01.12).
5. Annual MPTSC-approved firearms training and qualification (COMAR 12.04.02.08).
6. Promotion of an officer to a first-line, or higher, supervisor position requires successful completion of MPTSC-approved supervisor training no more than two years preceding, or one year after, the promotion.
7. Promotion of an officer to a first-line, or higher, administrator position requires successful completion of MPTSC-approved administrator training no more than two years preceding, or one year after, the promotion.
8. If MPTSC-approved supervisor training has not previously been completed, supervisor training shall also be completed within the same timeline.
9. Completion of MPTSC-approved training program on life-saving techniques, including CPR, every two years (Md. Code PS § 3-207; COMAR 12.04.01.12).
10. The proper level and use of force (Md. Code PS § 3-207).
11. Sensitivity to cultural and gender diversity (Md. Code PS § 3-207).
12. Issues related to individuals with physical, intellectual, developmental and psychiatric disabilities (Md. Code PS § 3-207).
13. Any additional training required by the MPTSC (Md. Code PS § 3-207).

(c) Locally mandated training (including county or city).

203.5 TRAINING COMMITTEE

The Training Officer may establish a Training Committee, on a temporary or as-needed basis, which will assist with identifying training needs.

The Training Committee should be comprised of at least three members, with the senior ranking member of the committee acting as the chairperson. Committee members should be selected based on their abilities at post-incident evaluation and at assessing related training needs. The Training Officer may remove or replace members of the committee at his/her discretion.

Princess Anne Police Department

Policy Manual

Training

The Training Committee should review certain incidents to determine whether training would likely improve future outcomes or reduce or prevent the recurrence of the undesirable issues related to an incident. Specific incidents the Training Committee should review include, but are not limited to:

- (a) Any incident involving the death or serious injury of a member.
- (b) Incidents involving a high risk of death, serious injury or civil liability.
- (c) Incidents identified by the Department to determine possible training needs.

The Training Committee should convene on a regular basis as determined by the Training Officer, to review the identified incidents. The committee shall determine by consensus whether a training need exists and then submit written recommendations of its findings to the Training Officer. The recommendation should not identify specific facts of any incidents, such as identities of members involved or the date, time and location of the incident but should focus on the type of training being recommended.

The Training Officer will consider the recommendations of the committee and determine what training should be addressed, taking into consideration the mission of the Department and the available resources. Training recommendations as determined by the Training Officer shall be submitted to the command staff for review.

203.6 TRAINING ATTENDANCE

- (a) All members assigned to attend training shall attend as scheduled unless previously excused by their immediate supervisors. Excused absences should be limited to:
 - 1. Court appearances.
 - 2. Previously approved vacation or time off.
 - 3. Illness or medical leave.
 - 4. Physical limitations preventing the member's participation.
 - 5. Emergency situations or department necessity.
- (b) Any member who is unable to attend training as scheduled shall notify his/her supervisor as soon as practicable but no later than one hour prior to the start of training and shall:
 - 1. Document his/her absence in a memorandum to his/her supervisor.
 - 2. Make arrangements through his/her supervisor or the Training Officer to attend the required training on an alternate date.

203.7 DAILY TRAINING BULLETINS

The Lexipol Daily Training Bulletins (DTBs) are contained in a Web-accessed system that provides training on the Princess Anne Police Department Policy Manual and other important topics.

Princess Anne Police Department

Policy Manual

Training

Generally, one training bulletin is available for each day of the month. However, the number of DTBs may be adjusted by the Training Officer.

Members assigned to participate in DTBs shall only use the login credentials assigned to them by the Training Officer. Members should not share their passwords with others and should frequently change their passwords to protect the security of the system. After each session, members should log off the system to prevent unauthorized access. The content of the DTBs is copyrighted material and shall not be shared with others outside of the Department.

Members who are assigned to participate in the DTB program should complete each DTB at the beginning of their shift or as otherwise directed by their supervisors. Members should not allow uncompleted DTBs to build up over time, and may be required to complete DTBs missed during extended absences (e.g., vacation, medical leave) upon returning to duty. Although the DTB system can be accessed from any Internet-enabled computer, members shall only take DTBs as part of their on-duty assignment, unless directed otherwise by a supervisor.

Supervisors will be responsible for monitoring the progress of those under their command to ensure compliance with this policy.

203.8 TRAINING RECORDS

The Training Officer is responsible for the creation, filing and storage of all training records. Training records shall be retained in accordance with the established records retention schedule.

Electronic Mail

204.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the proper use and application of the electronic mail (email) system provided by the Department.

204.2 POLICY

Princess Anne Police Department members shall use email in a professional manner in accordance with this policy and current law, remaining aware that emails are subject to public disclosure under the Maryland Public Information Act (Md. Code GP § 4-101 et seq.).

204.3 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

204.4 RESTRICTIONS ON USE OF EMAIL

Messages transmitted over the email system are restricted to official business activities, or shall only contain information that is essential for the accomplishment of business-related tasks or for communications that are directly related to the business, administration or practices of the Department.

Sending derogatory, defamatory, obscene, disrespectful, sexually suggestive, and harassing or any other inappropriate messages on the email system is prohibited and may result in discipline.

Email messages addressed to the entire Department are only to be used for official business-related items that are of particular interest to all users. In the event that a member has questions about sending a particular email communication, the member should seek prior approval from a supervisor in his/her chain of command.

It is a violation of this policy to transmit a message under another member's name or email address or to use the password of another to log into the system unless directed to do so by a supervisor. Members are required to log off the network or secure the workstation when the computer is unattended. This added security measure will minimize the potential misuse of a member's email, name or password. Any member who believes his/her password has become known to another person shall change their password immediately.

204.5 EMAIL RECORD MANAGEMENT

Email may, depending upon the individual content, be a public record under the Maryland Public Information Act and must be managed in accordance with the established records retention schedule and in compliance with state law (Md. Code SG § 10-610; COMAR 14.18.02.04).

Princess Anne Police Department

Policy Manual

Electronic Mail

The Custodian of Records shall ensure that email messages are retained and recoverable as outlined in the Records Maintenance and Release Policy.

Administrative Communications

205.1 PURPOSE AND SCOPE

This policy sets forth the manner in which the Department communicates significant changes to its membership, such as promotions, transfers, hiring and appointment of new members, separations, individual and group awards and commendations, or other changes in status. This policy also provides guidelines for the professional handling of electronic and non-electronic administrative communications from the Department.

205.2 POLICY

The Princess Anne Police Department will appropriately communicate significant events within the organization to its members. Both electronic and non-electronic administrative communications will be professional in appearance and comply with the established letterhead, signature and disclaimer guidelines, as applicable.

205.3 MEMORANDUMS

Memorandums may be issued periodically by the Chief of Police or the authorized designee to announce and document promotions, transfers, military leave of absence, hiring and appointment of new members, reinstatements, separations, individual and group awards and commendations, or other changes in status.

205.4 CORRESPONDENCE

To ensure that the letterhead and name of the Department are not misused, all official external correspondence shall be on department letterhead. All department letterhead shall bear the signature element of the Chief of Police. Official correspondence and use of letterhead requires approval of a supervisor. Department letterhead may not be used for personal purposes.

Official internal correspondence shall be on the appropriate department electronic or non-electronic memorandum forms.

Electronic correspondence shall contain the sender's department-approved signature and electronic communications disclaimer language.

205.5 SURVEYS

All surveys made in the name of the Department shall be authorized by the Chief of Police or the authorized designee.

205.6 OTHER COMMUNICATIONS

General Orders and other communications necessary to ensure the effective operation of the Department shall be issued by the Chief of Police or the authorized designee (see the General Orders Policy).

Supervision Staffing Levels

206.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines to ensure that proper supervision is available to meet the needs of the Department and members throughout all Divisions.

206.2 POLICY

The Princess Anne Police Department will ensure that proper supervision is available to meet the needs of its members and to achieve the goals of the Department. The needs of its members should be balanced with the needs of the Department for flexibility and discretion in assigning members to meet supervisory needs. While balance is desirable, the paramount concern is to meet the needs of the Department.

206.3 MINIMUM SUPERVISION STAFFING LEVELS

Minimum staffing levels should be established by the Captain and work group. The supervision staffing levels should support proper supervision, span of control, compliance with any memorandums of understanding and activity levels to meet the needs of members and the goals of the Department.

206.3.1 TEMPORARY SUPERVISORS

In order to accommodate training and other unforeseen circumstances, a qualified lower-ranking member may be used as a temporary supervisor in place of a regularly assigned supervisor.

Retiree Concealed Firearms

207.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the issuance, denial, suspension or revocation of Princess Anne Police Department identification cards under the Law Enforcement Officers' Safety Act (LEOSA) (18 USC § 926C).

207.2 POLICY

It is the policy of the Princess Anne Police Department to provide identification cards to qualified former or retired officers as provided in this policy.

207.3 LEOSA

The Chief of Police may issue an identification card for LEOSA purposes to any qualified former officer of this department or former officer from an agency in the State of Maryland who (18 USC § 926C(c)):

- (a) Separated from service in good standing from this department as an officer.
- (b) Before such separation, had regular employment as a law enforcement officer for an aggregate of 10 years or more or, if employed as a law enforcement officer for less than 10 years, separated from service after completing any applicable probationary period due to a service-connected disability as determined by this department.
- (c) Has not been disqualified for reasons related to mental health.
- (d) Has not entered into an agreement with this department where the officer acknowledges that he/she is not qualified to receive a firearm qualification certificate for reasons related to mental health.
- (e) Is not prohibited by federal law from receiving or possessing a firearm.

207.3.1 LEOSA IDENTIFICATION CARD FORMAT

The LEOSA identification card should contain a photograph of the former officer and identify him/her as having been employed as an officer.

If the Princess Anne Police Department qualifies the former officer, the LEOSA identification card or separate certification should indicate the date the former officer was tested or otherwise found by the Department to meet the active duty standards for qualification to carry a firearm.

207.3.2 AUTHORIZATION

Any qualified former law enforcement officer, including a former officer of this department, may carry a concealed firearm under 18 USC § 926C when he/she is:

- (a) In possession of photographic identification that identifies him/her as having been employed as a law enforcement officer, and one of the following:
 - 1. An indication from the person's former law enforcement agency that he/she has, within the past year, been tested or otherwise found by the law enforcement

Princess Anne Police Department

Policy Manual

Retiree Concealed Firearms

agency to meet agency-established active duty standards for qualification in firearms training to carry a firearm of the same type as the concealed firearm.

2. A certification, issued by either the state in which the person resides or by a certified firearms instructor who is qualified to conduct a firearms qualification test for active duty law enforcement officers within that state, indicating that the person has, within the past year, been tested or otherwise found to meet the standards established by the state or, if not applicable, the standards of any agency in that state.
 - (b) Not under the influence of alcohol or another intoxicating or hallucinatory drug or substance.
 - (c) Not prohibited by federal law from receiving a firearm.
 - (d) Not in a location prohibited by Maryland law or by a private person or entity on his/her property if such prohibition is permitted by Maryland law.

207.4 MARYLAND RETIRED LAW ENFORCEMENT OFFICER IDENTIFICATION CARD

The Chief of Police shall provide a retiring officer with an identification card within 45 days after the officer's retirement if the officer (Md. Code PS § 3-513):

- (a) Retired in good standing for reasons other than mental instability.
- (b) Before retirement, was certified by the Maryland Police Training and Standards Commission (MPTSC), had statutory powers of arrest in Maryland and completed an applicable probationary period.
- (c) Pays a fee set by the Princess Anne Police Department (not to exceed \$20).

Upon request, any officer who retired prior to Oct. 1, 2015, shall be issued an identification card if the criteria set forth above are satisfied.

207.4.1 MARYLAND RETIRED LAW ENFORCEMENT OFFICER IDENTIFICATION CARD FORMAT

A Maryland retired law enforcement officer identification card shall be in the form approved by the MPTSC and include the information specified in Md. Code PS § 3-513.

207.5 FORMER OFFICER RESPONSIBILITIES

A former officer with a card issued under this policy shall immediately notify the Supervisor of his/her arrest or conviction in any jurisdiction, or that he/she is the subject of a court order, in accordance with the Reporting of Arrests, Convictions and Court Orders Policy.

The retiree is responsible for obtaining the proper handgun training and qualification for active law enforcement officers. The retiree may obtain handgun certification and a LEOSA certification card from the MPTSC.

207.5.1 RESPONSIBILITIES UNDER LEOSA

In order to obtain or retain a LEOSA identification card, the former officer shall:

Princess Anne Police Department

Policy Manual

Retiree Concealed Firearms

- (a) Sign a waiver of liability of the Department for all acts taken related to carrying a concealed firearm, acknowledging both his/her personal responsibility as a private person for all acts taken when carrying a concealed firearm as permitted by LEOSA and also that these acts were not taken as an employee or former employee of the Department.
- (b) Remain subject to all applicable Department policies and federal, state and local laws.
- (c) Demonstrate good judgment and character commensurate with carrying a loaded and concealed firearm.
- (d) Successfully pass an annual criminal history background check indicating that he/she is not prohibited by law from receiving or possessing a firearm.

207.6 DENIAL, SUSPENSION OR REVOCATION

A LEOSA identification card may be denied or revoked upon a showing of good cause as determined by the Department. In the event that an identification card is denied, suspended or revoked, the former officer may request a review by the Chief of Police. The decision of the Chief of Police is final.

207.7 FIREARM QUALIFICATIONS

The Training Officer may provide former officers from this department an opportunity to qualify. Written evidence of the qualification and the weapons used will be provided and will contain the date of the qualification. The Training Officer will maintain a record of the qualifications and weapons used.

Chapter 3 - General Operations

Use of Force

300.1 PURPOSE AND SCOPE

This policy provides guidelines on the reasonable use of force. While there is no way to specify the exact amount or type of reasonable force to be applied in any situation, every member of this department is expected to use these guidelines to make such decisions in a professional, impartial, and reasonable manner.

In addition to those methods, techniques, and tools set forth below, the guidelines for the reasonable application of force contained in this policy shall apply to all policies addressing the potential use of force, including but not limited to the Control Devices and Conducted Energy Device policies.

300.1.1 DEFINITIONS

Definitions related to this policy include:

Deadly force - Force reasonably anticipated and intended to create a substantial likelihood of causing death or very serious injury.

Feasible - Reasonably capable of being done or carried out under the circumstances to successfully achieve the arrest or lawful objective without increasing risk to the officer or another person.

Force - The application of physical techniques or tactics, chemical agents, or weapons to another person. It is not a use of force when a person allows him/herself to be searched, escorted, handcuffed, or restrained.

Imminent - Ready to take place; impending. Note that imminent does not mean immediate or instantaneous.

Totality of the circumstances - All facts and circumstances known to the officer at the time, taken as a whole, including the conduct of the officer and the subject leading up to the use of force.

300.2 POLICY

The use of force by law enforcement personnel is a matter of critical concern, both to the public and to the law enforcement community. Officers are involved on a daily basis in numerous and varied interactions and, when warranted, may use reasonable force in carrying out their duties.

Officers must have an understanding of, and true appreciation for, their authority and limitations. This is especially true with respect to overcoming resistance while engaged in the performance of law enforcement duties.

The Princess Anne Police Department recognizes and respects the value of all human life and dignity without prejudice to anyone. Vesting officers with the authority to use reasonable force and to protect the public welfare requires monitoring, evaluation, and a careful balancing of all interests.

Princess Anne Police Department

Policy Manual

Use of Force

300.2.1 DUTY TO INTERCEDE AND REPORT

Any officer present and observing another law enforcement officer or a member using force that is clearly beyond that which is objectively reasonable under the circumstances shall, when in a position to do so, intercede to prevent the use of unreasonable force.

Any officer who observes another law enforcement officer or a member use force that is potentially beyond that which is objectively reasonable under the circumstances should report these observations to a supervisor as soon as feasible.

300.2.2 PERSPECTIVE

When observing or reporting force used by a law enforcement officer, each officer should take into account the totality of the circumstances and the possibility that other law enforcement officers may have additional information regarding the threat posed by the subject.

300.3 USE OF FORCE

Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

The reasonableness of force will be judged from the perspective of a reasonable officer on the scene at the time of the incident. Any evaluation of reasonableness must allow for the fact that officers are often forced to make split-second decisions about the amount of force that reasonably appears necessary in a particular situation, with limited information and in circumstances that are tense, uncertain and rapidly evolving.

Given that no policy can realistically predict every possible situation an officer might encounter, officers are entrusted to use well-reasoned discretion in determining the appropriate use of force in each incident.

It is also recognized that circumstances may arise in which officers reasonably believe that it would be impractical or ineffective to use any of the tools, weapons or methods provided by this department. Officers may find it more effective or reasonable to improvise their response to rapidly unfolding conditions that they are confronting. In such circumstances, the use of any improvised device or method must nonetheless be reasonable and utilized only to the degree that reasonably appears necessary to accomplish a legitimate law enforcement purpose.

While the ultimate objective of every law enforcement encounter is to avoid or minimize injury, nothing in this policy requires an officer to retreat or be exposed to possible physical injury before applying reasonable force.

300.3.1 FACTORS USED TO DETERMINE THE REASONABLENESS OF FORCE

When determining whether to apply force and evaluating whether an officer has used reasonable force, a number of factors should be taken into consideration, as time and circumstances permit. These factors include but are not limited to:

- (a) Immediacy and severity of the threat to officers or others.

Princess Anne Police Department

Policy Manual

Use of Force

- (b) The conduct of the individual being confronted, as reasonably perceived by the officer at the time.
- (c) Officer/subject factors (e.g., age, size, relative strength, skill level, injuries sustained, level of exhaustion or fatigue, the number of officers available vs. subjects).
- (d) The effects of suspected drug or alcohol use.
- (e) The individual's mental state or capacity.
- (f) The individual's ability to understand and comply with officer commands.
- (g) Proximity of weapons or dangerous improvised devices.
- (h) The degree to which the individual has been effectively restrained and his/her ability to resist despite being restrained.
- (i) The availability of other reasonable and feasible options and their possible effectiveness.
- (j) Seriousness of the suspected offense or reason for contact with the individual.
- (k) Training and experience of the officer.
- (l) Potential for injury to officers, suspects, and others.
- (m) Whether the individual appears to be resisting, attempting to evade arrest by flight, or is attacking the officer.
- (n) The risk and reasonably foreseeable consequences of escape.
- (o) The apparent need for immediate control of the individual or a prompt resolution of the situation.
- (p) Whether the conduct of the individual being confronted no longer reasonably appears to pose an imminent threat to the officer or others.
- (q) Prior contacts with the individual or awareness of any propensity for violence.
- (r) Any other exigent circumstances.

300.3.2 PAIN COMPLIANCE TECHNIQUES

Pain compliance techniques may be effective in controlling a physically or actively resisting individual. Officers may only apply those pain compliance techniques for which they have successfully completed department-approved training. Officers utilizing any pain compliance technique should consider:

- (a) The degree to which the application of the technique may be controlled given the level of resistance.
- (b) Whether the individual can comply with the direction or orders of the officer.
- (c) Whether the individual has been given sufficient opportunity to comply.

The application of any pain compliance technique shall be discontinued once the officer determines that compliance has been achieved.

Princess Anne Police Department

Policy Manual

Use of Force

300.3.3 CAROTID CONTROL HOLD

A carotid control hold is a technique designed to control an individual by temporarily restricting blood flow through the application of pressure to the side of the neck and, unlike a chokehold, does not restrict the airway. The proper application of the carotid control hold may be effective in restraining a violent or combative individual. However, due to the potential for injury, the use of the carotid control hold is limited to those circumstances where deadly force is authorized and is subject to the following:

- (a) At all times during the application of the carotid control hold, the response of the individual should be monitored. The carotid control hold should be discontinued when circumstances indicate that the application no longer reasonably appears necessary.
- (b) Any individual who has had the carotid control hold applied, regardless of whether he/she was rendered unconscious, shall be promptly examined by paramedics or other qualified medical personnel and should be monitored until such examination occurs.
- (c) The officer shall inform any person receiving custody, or any person placed in a position of providing care, that the individual has been subjected to the carotid control hold and whether the individual lost consciousness as a result.
- (d) Any officer attempting or applying the carotid control hold shall promptly notify a supervisor of the use or attempted use of such hold.
- (e) The use or attempted use of the carotid control hold shall be thoroughly documented by the officer in any related reports.

300.3.4 USE OF FORCE TO SEIZE EVIDENCE

In general, officers may use reasonable force to lawfully seize evidence and to prevent the destruction of evidence. However, officers are discouraged from using force solely to prevent a person from swallowing evidence or contraband. In the instance when force is used, officers should not intentionally use any technique that restricts blood flow to the head, restricts respiration or which creates a reasonable likelihood that blood flow to the head or respiration would be restricted. Officers are encouraged to use techniques and methods taught by the Princess Anne Police Department for this specific purpose.

300.3.5 ALTERNATIVE TACTICS – DE-ESCALATION

When circumstances reasonably permit, officers should use non-violent strategies and techniques to decrease the intensity of a situation, improve decision-making, improve communication, reduce the need for force, and increase voluntary compliance (e.g., summoning additional resources, formulating a plan, attempting verbal persuasion).

300.4 DEADLY FORCE APPLICATIONS

When reasonable, the officer shall, prior to the use of deadly force, make efforts to identify him/herself as a peace officer and to warn that deadly force may be used, unless the officer has objectively reasonable grounds to believe the person is aware of those facts.

Use of deadly force is justified in the following circumstances involving imminent threat or imminent risk:

Princess Anne Police Department

Policy Manual

Use of Force

- (a) An officer may use deadly force to protect him/herself or others from what he/she reasonably believes is an imminent threat of death or serious bodily injury.
- (b) An officer may use deadly force to stop a fleeing subject when the officer has probable cause to believe that the individual has committed, or intends to commit, a felony involving the infliction or threatened infliction of serious bodily injury or death, and the officer reasonably believes that there is an imminent risk of serious bodily injury or death to any other person if the individual is not immediately apprehended. Under such circumstances, a verbal warning should precede the use of deadly force, where feasible.

Imminent does not mean immediate or instantaneous. An imminent danger may exist even if the suspect is not at that very moment pointing a weapon at someone. For example, an imminent danger may exist if an officer reasonably believes that the individual has a weapon or is attempting to access one and intends to use it against the officer or another person. An imminent danger may also exist if the individual is capable of causing serious bodily injury or death without a weapon, and the officer believes the individual intends to do so.

300.4.1 MOVING VEHICLES

Shots fired at or from a moving vehicle involve additional considerations and risks, and are rarely effective.

When feasible, officers should take reasonable steps to move out of the path of an approaching vehicle instead of discharging their firearm at the vehicle or any of its occupants.

An officer should only discharge a firearm at a moving vehicle or its occupants when the officer reasonably believes there are no other reasonable means available to avert the imminent threat of the vehicle, or if deadly force other than the vehicle is directed at the officer or others.

Officers should not shoot at any part of a vehicle in an attempt to disable the vehicle.

300.5 REPORTING THE USE OF FORCE

Any use of force by a member of this department shall be documented promptly, completely, and accurately in an appropriate report, depending on the nature of the incident. The officer should articulate the factors perceived and why he/she believed the use of force was reasonable under the circumstances.

To collect data for purposes of training, resource allocation, analysis, and related purposes, the Department may require the completion of additional report forms, as specified in department policy, procedure, or law. See the Report Preparation Policy for additional circumstances that may require documentation.

300.5.1 REPORTING DEADLINE

Any use of force by a member of this department shall be documented as required in the Report Preparation Policy (Md. Code PS § 3-514).

Princess Anne Police Department

Policy Manual

Use of Force

300.5.2 NOTIFICATIONS TO SUPERVISORS

Supervisory notification shall be made as soon as practicable following the application of force in any of the following circumstances:

- (a) The application caused a visible injury.
- (b) The application would lead a reasonable officer to conclude that the individual may have experienced more than momentary discomfort.
- (c) The individual subjected to the force complained of injury or continuing pain.
- (d) The individual indicates intent to pursue litigation.
- (e) Any application of the CEW or control device.
- (f) Any application of a restraint device other than handcuffs, shackles, or belly chains.
- (g) The individual subjected to the force was rendered unconscious.
- (h) An individual was struck or kicked.
- (i) An individual alleges unreasonable force was used or that any of the above has occurred.

300.6 MEDICAL CONSIDERATIONS

Once it is reasonably safe to do so, medical assistance shall be obtained for any person who exhibits signs of physical distress, has sustained visible injury, expresses a complaint of injury or continuing pain, or was rendered unconscious. Any individual exhibiting signs of physical distress after an encounter should be continuously monitored until he/she can be medically assessed. Individuals should not be placed on their stomachs for an extended period, as this could impair their ability to breathe.

Based upon the officer's initial assessment of the nature and extent of the individual's injuries, medical assistance may consist of examination by an emergency medical services provider or medical personnel at a hospital or jail. If any such individual refuses medical attention, such a refusal shall be fully documented in related reports and, whenever practicable, should be witnessed by another officer and/or medical personnel. If a recording is made of the contact or an interview with the individual, any refusal should be included in the recording, if possible.

The on-scene supervisor or, if the on-scene supervisor is not available, the primary handling officer shall ensure that any person providing medical care or receiving custody of a person following any use of force is informed that the person was subjected to force. This notification shall include a description of the force used and any other circumstances the officer reasonably believes would be potential safety or medical risks to the subject (e.g., prolonged struggle, extreme agitation, impaired respiration).

Individuals who exhibit extreme agitation, violent irrational behavior accompanied by profuse sweating, extraordinary strength beyond their physical characteristics, and imperviousness to pain (sometimes called "excited delirium"), or who require a protracted physical encounter with multiple officers to be brought under control, may be at an increased risk of sudden death. Calls involving

Use of Force

these persons should be considered medical emergencies. Officers who reasonably suspect a medical emergency should request medical assistance as soon as practicable and have medical personnel stage away.

See the Medical Aid and Response Policy for additional guidelines.

300.7 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to a reported application of force resulting in visible injury, if reasonably available. When a supervisor is able to respond to an incident in which there has been a reported application of force, the supervisor is expected to:

- (a) Obtain the basic facts from the involved officers. Absent an allegation of misconduct or excessive force, this will be considered a routine contact in the normal course of duties.
- (b) Ensure that any injured parties are examined and treated.
- (c) When possible, separately obtain a recorded interview with the individual upon whom force was applied. If this interview is conducted without the individual having voluntarily waived his/her *Miranda* rights, the following shall apply:
 1. The content of the interview should not be summarized or included in any related criminal charges.
 2. The fact that a recorded interview was conducted should be documented in a property or other report.
 3. The recording of the interview should be distinctly marked for retention until all potential for civil litigation has expired.
- (d) Once any initial medical assessment has been completed or first aid has been rendered, ensure that photographs have been taken of any areas involving visible injury or complaint of pain, as well as overall photographs of uninjured areas.
 1. These photographs should be retained until all potential for civil litigation has expired.
- (e) Identify any witnesses not already included in related reports.
- (f) Review and approve all related reports.
- (g) Determine if there is any indication that the individual may pursue civil litigation.
 1. If there is an indication of potential civil litigation, the supervisor should complete and route a notification of a potential claim through the appropriate channels.
 2. Evaluate the circumstances surrounding the incident and initiate an administrative investigation if there is a question of policy noncompliance or if for any reason further investigation may be appropriate.

In the event that a supervisor is unable to respond to the scene of an incident involving the reported application of force, the supervisor is still expected to complete as many of the above items as circumstances permit.

Princess Anne Police Department

Policy Manual

Use of Force

300.7.1 SUPERVISOR RESPONSIBILITY

The Supervisor shall review each use of force by any personnel within his/her command to ensure compliance with this policy and to address any training issues.

300.8 TRAINING

Officers will receive periodic training on this policy and demonstrate their knowledge and understanding.

Subject to available resources, officers should receive periodic training on:

- (a) Guidelines regarding vulnerable populations, including but not limited to children, elderly, pregnant persons, and individuals with physical, mental, or intellectual disabilities.
- (b) De-escalation tactics, including alternatives to force.

300.9 USE OF FORCE ANALYSIS

At least annually, the Captain should prepare an analysis report on use of force incidents. The report should be submitted to the Chief of Police. The report should not contain the names of officers, suspects or case numbers, and should include:

- (a) The identification of any trends in the use of force by members.
- (b) Training needs recommendations.
- (c) Equipment needs recommendations.
- (d) Policy revision recommendations.

Use of Force Review Boards

301.1 PURPOSE AND SCOPE

This policy establishes a process for the Princess Anne Police Department to review the use of force by its members.

This review process shall be in addition to any other review or investigation that may be conducted by any outside or multi-agency entity having jurisdiction over the investigation or the evaluation of the use of force.

301.2 POLICY

The Princess Anne Police Department will objectively evaluate the use of force by its members to ensure that their authority is used appropriately and consistent with training and policy.

301.3 ADMINISTRATIVE ASSIGNMENT

Generally, whenever a member's actions or use of force in an official capacity, or while using department equipment, results in death or very serious injury to another, that member will be placed in a temporary administrative assignment by the Chief of Police. The Chief of Police may exercise discretion and choose not to place a member in an administrative assignment.

301.4 REVIEW BOARD

The Use of Force Review Board will be convened when the use of force by a member results in very serious injury or death to another.

The Use of Force Review Board will also investigate and review the circumstances surrounding every discharge of a firearm, whether the member was on- or off-duty, excluding training or recreational use.

The Chief of Police may request the Use of Force Review Board to investigate the circumstances surrounding any use of force incident.

The Captain will convene the Use of Force Review Board as necessary. It will be the responsibility of the supervisor of the involved member to notify the Captain of any incidents requiring board review. The involved member's supervisor will also ensure that all relevant reports, documents and materials are available for consideration and review by the board.

301.4.1 COMPOSITION OF THE BOARD

The Captain should staff the Use of Force Review Board with five individuals from the following, as appropriate:

-
- Command staff representative
- Training Officer

Princess Anne Police Department

Policy Manual

Use of Force Review Boards

- Non-administrative supervisor
- A peer officer/department member
- A law enforcement officer from an outside law enforcement agency, as appropriate
- Department instructor for the type of weapon, device or technique used

The senior ranking command staff representative will serve as chairperson.

301.4.2 RESPONSIBILITIES OF THE BOARD

The Use of Force Review Board is empowered to conduct an administrative review and inquiry into the circumstances of an incident.

The board members may request further investigation, request reports be submitted for the board's review, call persons to present information.

The board does not have the authority to recommend discipline.

The board should delay its review until after completion of any criminal investigation, review by any prosecutorial body, filing of criminal charges, the decision not to file criminal charges or any other action. The board should be provided all relevant available material from these proceedings for its consideration.

The review shall be based upon those facts which were reasonably believed or known by the officer at the time of the incident, applying any legal requirements, department policies, procedures and approved training to those facts. Facts later discovered but unknown to the involved member at the time shall neither justify nor call into question a member's decision regarding the use of force.

The board shall make one of the following recommended findings:

- (a) The member's actions were within department policy and procedure.
- (b) The member's actions were in violation of department policy and procedure.

The board may also recommend additional investigations or reviews, such as disciplinary investigations, training reviews to consider whether training should be developed or revised, and policy reviews, as may be appropriate. The board chairperson will submit the written recommendation to the Chief of Police.

The Chief of Police shall review the recommendation, make a final determination as to whether the member's actions were within policy and procedure, and will determine whether any additional actions, investigations or reviews are appropriate. Those findings will be forwarded to the Captain for review and appropriate action. If the Chief of Police concludes that discipline should be considered, a disciplinary process will be initiated.

At the conclusion of any additional reviews, copies of all relevant reports and information will be filed with the Chief of Police.

Handcuffing and Restraints

302.1 PURPOSE AND SCOPE

This policy provides guidelines for the use of handcuffs and other restraints during detentions and arrests.

302.2 POLICY

The Princess Anne Police Department authorizes the use of restraint devices in accordance with this policy, the Use of Force Policy and department training. Restraint devices shall not be used to punish, to display authority or as a show of force.

302.3 USE OF RESTRAINTS

Only members who have successfully completed Princess Anne Police Department-approved training on the use of restraint devices described in this policy are authorized to use these devices.

When deciding whether to use any restraint, officers should carefully balance officer safety concerns with factors that include, but are not limited to:

- The circumstances or crime leading to the arrest
- The demeanor and behavior of the arrested person
- The age and health of the person
- Whether the person is known to be pregnant
- Whether the person has a hearing or speaking disability. In such cases, consideration should be given, safety permitting, to handcuffing to the front in order to allow the person to sign or write notes
- Whether the person has any other apparent disability

302.3.1 RESTRAINT OF DETAINEES

Situations may arise where it may be reasonable to restrain a person who may, after brief investigation, be released without arrest. Unless arrested, the use of restraints on detainees should continue only for as long as is reasonably necessary to assure the safety of officers and others. When deciding whether to remove restraints from a detainee, officers should continuously weigh the safety interests at hand against the continuing intrusion upon the detainee.

302.3.2 RESTRAINT OF PREGNANT PERSONS

Persons who are known to be pregnant should be restrained in the least restrictive manner that is effective for officer safety and should not be restrained by the use of leg irons or waist chains. Handcuffs behind the body should not be used unless the officer has a reasonable suspicion that the person may resist, attempt escape, injure self or others, or damage property (Md. Code CS § 1-101; Md. Code CS § 9-601).

Princess Anne Police Department

Policy Manual

Handcuffing and Restraints

No person who is in labor, delivery, or recovery after delivery shall be handcuffed or restrained except in extraordinary circumstances and only when a supervisor makes an individualized determination that such restraints are necessary for the safety of the arrestee, officers, or others (Md. Code CS § 1-101; Md. Code CS § 9-601).

302.3.3 RESTRAINT OF JUVENILES

A juvenile under 14 years of age should not be restrained unless he/she is suspected of a dangerous felony or when the officer has a reasonable suspicion that the juvenile may resist, attempt escape, injure him/herself, injure the officer or damage property.

302.3.4 NOTIFICATIONS

Whenever an officer transports a person with the use of restraints other than handcuffs, the officer shall inform the jail staff upon arrival at the jail that restraints were used. This notification should include information regarding any other circumstances the officer reasonably believes would be potential safety concerns or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration) that may have occurred prior to, or during, transportation to the jail.

302.4 APPLICATION OF HANDCUFFS OR PLASTIC CUFFS

Handcuffs, including temporary nylon or plastic cuffs, may be used only to restrain a person's hands to ensure officer safety.

Although recommended for most arrest situations, handcuffing is discretionary and not an absolute requirement of the Department. Officers should consider handcuffing any person they reasonably believe warrants that degree of restraint. However, officers should not conclude that in order to avoid risk every person should be handcuffed regardless of the circumstances.

In most situations, handcuffs should be applied with the hands behind the person's back. When feasible, handcuffs should be double-locked to prevent tightening, which may cause undue discomfort or injury to the hands or wrists.

In situations where one pair of handcuffs does not appear sufficient to restrain the person or may cause unreasonable discomfort due to the person's size, officers should consider alternatives, such as using an additional set of handcuffs or multiple plastic cuffs.

Handcuffs should be removed as soon as it is reasonable or after the person has been searched and is safely confined within a detention facility.

302.5 APPLICATION OF SPIT HOODS

Spit hoods are temporary protective devices designed to prevent the wearer from biting and/or transferring or transmitting fluids (saliva and mucous) to others.

Spit hoods may be placed upon persons in custody when the officer reasonably believes the person will bite or spit, either on a person or in an inappropriate place. They are generally used during application of a physical restraint, while the person is restrained, or during or after transport.

Handcuffing and Restraints

Officers utilizing spit hoods should ensure that the spit hood is fastened properly to allow for adequate ventilation and that the restrained person can breathe normally. Officers should provide assistance during the movement of a restrained person due to the potential for impairing or distorting that person's vision. Officers should avoid comingling those wearing spit hoods with other detainees.

Spit hoods should not be used in situations where the restrained person is bleeding profusely from the area around the mouth or nose, or if there are indications that the person has a medical condition, such as difficulty breathing or vomiting. In such cases, prompt medical care should be obtained. If the person vomits while wearing a spit hood, the spit hood should be promptly removed and discarded. Persons who have been sprayed with oleoresin capsicum (OC) spray should be thoroughly decontaminated, including hair, head and clothing, prior to application of a spit hood.

Those who have been placed in a spit hood should be continually monitored and shall not be left unattended until the spit hood is removed. Spit hoods shall be discarded after each use.

302.6 APPLICATION OF AUXILIARY RESTRAINT DEVICES

Auxiliary restraint devices include transport belts, waist or belly chains, transportation chains, leg irons and other similar devices. Auxiliary restraint devices are intended for use during long-term restraint or transportation. They provide additional security and safety without impeding breathing, while permitting adequate movement, comfort and mobility.

Only department-authorized devices may be used. Any person in auxiliary restraints should be monitored as reasonably appears necessary.

302.7 APPLICATION OF LEG RESTRAINT DEVICES

Leg restraints may be used to restrain the legs of a violent or potentially violent person when it is reasonable to do so during the course of detention, arrest or transportation. Only restraint devices approved by the Department shall be used.

In determining whether to use the leg restraint, officers should consider:

- (a) Whether the officer or others could be exposed to injury due to the assaultive or resistant behavior of a person.
- (b) Whether it is reasonably necessary to protect the person from his/her own actions (e.g., hitting his/her head against the interior of the patrol vehicle, running away from the arresting officer while handcuffed, kicking at objects or officers).
- (c) Whether it is reasonably necessary to avoid damage to property (e.g., kicking at windows of the patrol vehicle).

302.7.1 GUIDELINES FOR USE OF LEG RESTRAINTS

When applying leg restraints the following guidelines should be followed:

Handcuffing and Restraints

- (a) If practicable, officers should notify a supervisor of the intent to apply the leg restraint device. In all cases, a supervisor shall be notified as soon as practicable after the application of the leg restraint device.
- (b) Once applied, absent a medical or other emergency, restraints should remain in place until the officer arrives at the jail or other facility or the person no longer reasonably appears to pose a threat.
- (c) Once secured, the person should be placed in a seated or upright position, secured with a seat belt, and shall not be placed on his/her stomach for an extended period, as this could reduce the person's ability to breathe.
- (d) The restrained person should be continually monitored by an officer while in the leg restraint. The officer should ensure that the person does not roll onto and remain on his/her stomach.
- (e) The officer should look for signs of labored breathing and take appropriate steps to relieve and minimize any obvious factors contributing to this condition.
- (f) When transported by emergency medical services, the restrained person should be accompanied by an officer when requested by medical personnel. The transporting officer should describe to medical personnel any unusual behaviors or other circumstances the officer reasonably believes would be potential safety or medical risks to the person (e.g., prolonged struggle, extreme agitation, impaired respiration).

302.8 REQUIRED DOCUMENTATION

If a person is restrained and released without an arrest, the officer shall document the details of the detention and the need for handcuffs or other restraints.

If a person is arrested, the use of handcuffs or other restraints shall be documented in the related report. Officers should document the following information in reports, as appropriate, when restraints other than handcuffs are used on a person:

- (a) The factors that led to the decision to use restraints.
- (b) Supervisor notification and approval of restraint use.
- (c) The types of restraint used.
- (d) The amount of time the person was restrained.
- (e) How the person was transported and the position of the person during transport.
- (f) Observations of the person's behavior and any signs of physiological problems.
- (g) Any known or suspected drug use or other medical problems.

302.9 TRAINING

Subject to available resources, the Training Officer should ensure that officers receive periodic training on the proper use of handcuffs and other restraints, including:

Princess Anne Police Department

Policy Manual

Handcuffing and Restraints

- (a) Proper placement and fit of handcuffs and other restraint devices approved for use by the Department.
- (b) Response to complaints of pain by restrained persons.
- (c) Options for restraining those who may be pregnant without the use of leg irons, waist chains, or handcuffs behind the body.
- (d) Options for restraining amputees or those with medical conditions or other physical conditions that may be aggravated by being restrained.

Control Devices

303.1 PURPOSE AND SCOPE

This policy provides guidelines for the use and maintenance of control devices that are described in this policy.

303.2 POLICY

In order to control individual subjects who are violent or who demonstrate the intent to be violent, the Princess Anne Police Department authorizes officers to use control devices in accordance with the guidelines in this policy and the Use of Force Policy. The Chief of Police may also authorize other positions or individual department members to use specific control devices.

303.3 ISSUING, CARRYING AND USING CONTROL DEVICES

Control devices described in this policy may be carried and used by members of this department only if the device has been issued by the Department or approved by the Chief of Police or the authorized designee.

Only those members who have successfully completed department-approved training in the use of any control device are authorized to carry and use the device.

Control devices may be used when a decision has been made to control, restrain or arrest a person who is violent or who demonstrates the intent to be violent and the use of the device appears reasonable under the circumstances. When reasonable, a verbal warning and opportunity to comply should precede the use of these devices.

303.4 RESPONSIBILITIES

303.4.1 SUPERVISOR RESPONSIBILITIES

The Supervisor may authorize the use of a control device by selected department members or those in specialized assignments who have successfully completed the required training.

303.4.2 TRAINING OFFICER RESPONSIBILITIES

The Training Officer shall control the inventory and issuance of all control devices and shall ensure that all damaged, inoperative, outdated or expended control devices or munitions are properly disposed of, repaired or replaced.

Every control device will be periodically inspected by the Training Officer or the designated instructor for a particular control device. The inspection shall be documented.

303.4.3 USER RESPONSIBILITIES

All normal maintenance, charging or cleaning shall remain the responsibility of personnel using the various devices.

Princess Anne Police Department

Policy Manual

Control Devices

Any damaged, inoperative, outdated or expended control devices or munitions, along with documentation explaining the cause of the damage, shall be returned to the Training Officer for disposition. Documentation shall also be forwarded through the chain of command, when appropriate, explaining the cause of damage.

303.5 BATON GUIDELINES

The need to immediately control a suspect must be weighed against the risk of causing serious injury. The head, neck, throat, spine, heart, kidneys and groin should not be intentionally targeted except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to him/herself or others.

When carrying a baton, uniformed personnel shall carry the baton in its authorized holder on the equipment belt. Plainclothes and non-field personnel may carry the baton as authorized and in accordance with the needs of their assignments or at the direction of their supervisors.

303.6 TEAR GAS GUIDELINES

Tear gas may be used for crowd control, crowd dispersal or against barricaded suspects based on the circumstances. Only the Supervisor, Incident Commander or XXX Commander may authorize the delivery and use of tear gas, and only after evaluating all conditions known at the time and determining that such force reasonably appears justified and necessary.

When practicable, fire and emergency medical services personnel should be alerted or summoned to the scene prior to the deployment of tear gas to control any fires and to assist in providing medical aid or gas evacuation, if needed.

303.7 OLEORESIN CAPSICUM (OC) GUIDELINES

As with other control devices, OC spray and pepper projectiles may be considered for use to bring under control an individual or groups of individuals who are engaging in, or are about to engage in, violent behavior. Pepper projectiles and OC spray should not, however, be used against individuals or groups who merely fail to disperse or do not reasonably appear to present a risk to the safety of department members or the public.

303.7.1 OC SPRAY

Uniformed members carrying OC spray shall carry the device in its holster on the equipment belt. Plainclothes and non-field members may carry OC spray as authorized, in accordance with the needs of their assignments or at the direction of their supervisors.

303.7.2 PEPPER PROJECTILE SYSTEMS

Pepper projectiles are plastic spheres that are filled with a derivative of OC powder. Because the compressed gas launcher delivers the projectiles with enough force to burst the projectiles on impact and release the OC powder, the potential exists for the projectiles to inflict injury if they strike the head, neck, spine or groin. Therefore, personnel using a pepper projectile system should not intentionally target those areas, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

Control Devices

Officers encountering a situation that warrants the use of a pepper projectile system shall notify a supervisor as soon as practicable. A supervisor shall respond to all pepper projectile system incidents where an individual has been hit or exposed to the chemical agent. The supervisor shall ensure that all notifications and reports are completed as required by the Use of Force Policy.

Each deployment of a pepper projectile system shall be documented. This includes situations where the launcher was directed toward an individual, whether or not the launcher was used. Unintentional discharges shall be promptly reported to a supervisor and documented on the appropriate report form. Only non-incident use of a pepper projectile system, such as training or a product demonstration, is exempt from the reporting requirement.

303.7.3 TREATMENT FOR OC EXPOSURE

Persons who have been sprayed with or otherwise affected by the use of OC should be promptly provided with clean water to cleanse the affected areas. Those who complain of further severe effects shall be examined by appropriate medical personnel.

303.8 POST-APPLICATION NOTICE

Whenever tear gas or OC has been introduced into a residence, building interior, vehicle or other enclosed area, the owners or available occupants should be provided with notice of the possible presence of residue which could result in irritation or injury if the area is not properly cleaned. Such notice should include advisement that clean-up will be at the owner's expense. Information regarding how and when the notice was delivered and the individuals notified should be included in related reports.

303.9 KINETIC ENERGY PROJECTILE GUIDELINES

This department is committed to reducing the potential for violent confrontations. Kinetic energy projectiles, when used properly, are less likely to result in death or serious physical injury and can be used in an attempt to de-escalate a potentially deadly situation.

303.9.1 DEPLOYMENT AND USE

Only department-approved kinetic energy munitions shall be carried and deployed. Approved munitions may be used to compel an individual to cease his/her actions when such munitions present a reasonable option.

Officers are not required or compelled to use approved munitions in lieu of other reasonable tactics if the involved officer determines that deployment of these munitions cannot be done safely. The safety of hostages, innocent persons and officers takes priority over the safety of individuals engaged in criminal or suicidal behavior.

Circumstances appropriate for deployment include, but are not limited to, situations in which:

- (a) The suspect is armed with a weapon and the tactical circumstances allow for the safe application of approved munitions.
- (b) The suspect has made credible threats to harm him/herself or others.

Control Devices

- (c) The suspect is engaged in riotous behavior or is throwing rocks, bottles or other dangerous projectiles at officers, other department members and/or other people.
- (d) There is probable cause to believe that the suspect has already committed a crime of violence and is refusing to comply with lawful orders.

303.9.2 DEPLOYMENT CONSIDERATIONS

Before discharging projectiles, the officer should consider such factors as:

- (a) Distance and angle to target.
- (b) Type of munitions employed.
- (c) Type and thickness of subject's clothing.
- (d) The subject's proximity to others.
- (e) The location of the subject.
- (f) Whether the subject's actions dictate the need for an immediate response and the use of control devices appears appropriate.

A verbal warning of the intended use of the device should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to give the individual a reasonable opportunity to voluntarily comply and to warn other officers and individuals that the device is being deployed.

Officers should keep in mind the manufacturer's recommendations and their training regarding effective distances and target areas. However, officers are not restricted solely to use according to manufacturer recommendations. Each situation must be evaluated on the totality of circumstances at the time of deployment.

The need to immediately incapacitate the suspect must be weighed against the risk of causing serious injury or death. The head and neck should not be intentionally targeted, except when the officer reasonably believes the suspect poses an imminent threat of serious bodily injury or death to the officer or others.

303.9.3 SAFETY PROCEDURES

Shotguns specifically designated for use with kinetic energy projectiles will be specially marked in a manner that makes them readily identifiable as such.

Officers will inspect shotguns and projectiles at the beginning of each shift to ensure that the shotguns are in proper working order and the projectiles are of the approved type and appear to be free from defects.

When they are not deployed, shotguns will be unloaded, and properly and securely stored in police department vehicles. When deploying a kinetic energy projectile shotgun, officers shall visually inspect the kinetic energy projectiles to ensure that conventional ammunition is not being loaded into the shotgun.

Control Devices

Absent compelling circumstances, officers who must transition from conventional ammunition to kinetic energy projectiles will employ the two-person rule for loading. The two-person rule is a safety measure in which a second officer watches the unloading and loading process to ensure that the weapon is completely emptied of conventional ammunition.

303.10 TRAINING FOR CONTROL DEVICES

The Training Officer shall ensure that those members who are authorized to carry a control device have been properly trained and certified to carry the specific control device and are retrained or recertified as necessary.

- (a) Proficiency training shall be monitored and documented by a certified, control-device weapons or tactics instructor.
- (b) All training and proficiency for control devices will be documented in the member's training file.
- (c) Members who fail to demonstrate proficiency with the control device or knowledge of the Use of Force Policy will be provided remedial training. If a member cannot demonstrate proficiency with a control device or knowledge of the Use of Force Policy after remedial training, the member will be restricted from carrying the control device and may be subject to discipline.

303.11 REPORTING USE OF CONTROL DEVICES

Any application of a control device shall be documented in the related incident report and reported pursuant to the Use of Force Policy.

Conducted Energy Device

304.1 PURPOSE AND SCOPE

This policy provides guidelines for the issuance and use of the CEW (COMAR 12.04.05.02).

304.2 POLICY

The CEW is used to control a violent or potentially violent individual. The appropriate use of such a device should result in fewer serious injuries to officers and suspects.

304.3 ISSUANCE AND CARRYING CEWS

Only members who have successfully completed department-approved training may be issued and carry the CEW (COMAR 12.04.05.03(B)).

CEWs are issued for use during a member's current assignment. Those leaving a particular assignment may be required to return the device to the department inventory.

Officers shall only use the CEW and cartridges that have been issued by the Department (COMAR 12.04.05.02(C)(1)). Uniformed officers who have been issued the CEW shall wear the device in an approved holster. Non-uniformed officers may secure the CEW in the driver's compartment of their vehicles.

Members carrying the CEW should perform a spark test prior to every shift.

When carried while in uniform, officers shall carry the CEW in a weak-side holster on the side opposite the duty weapon.

- (a) All CEWs shall be clearly and distinctly marked to differentiate them from the duty weapon and any other device.
- (b) Whenever practicable, officers should carry two or more cartridges on their person when carrying the CEW.
- (c) Officers shall be responsible for ensuring that the issued CEW is properly maintained and in good working order.
- (d) Officers should not hold a firearm and the CEW at the same time.

304.4 VERBAL AND VISUAL WARNINGS

A verbal warning of the intended use of the CEW should precede its application, unless it would otherwise endanger the safety of officers or when it is not practicable due to the circumstances. The purpose of the warning is to:

- (a) Provide the individual with a reasonable opportunity to voluntarily comply.
- (b) Provide other officers and individuals with a warning that the CEW may be deployed.

If, after a verbal warning, an individual fails to voluntarily comply with an officer's lawful orders and it appears both reasonable and feasible under the circumstances, the officer may, but is not

Conducted Energy Device

required, to display the electrical arc (provided that a cartridge has not been loaded into the device) or the laser to gain compliance prior to the application of the CEW. The aiming laser should not be intentionally directed into anyone's eyes.

The fact that a verbal or other warning was given or the reasons it was not given shall be documented by the officer deploying the CEW in the related report.

304.5 USE OF THE CEW

The CEW has limitations and restrictions requiring consideration before its use. The CEW should only be used when its operator can safely approach the subject within the operational range of the device. Although the CEW is effective in controlling most individuals, officers should be aware that the device may not achieve the intended results and be prepared with other options.

304.5.1 APPLICATION OF THE CEW

The CEW may be used in any of the following circumstances, when the circumstances perceived by the officer at the time indicate that such application is reasonably necessary to control a person:

- (a) The subject is violent or is physically resisting.
- (b) The subject has demonstrated, by words or action, an intention to be violent or to physically resist, and reasonably appears to present the potential to harm officers, him/herself or others.

Mere flight from a pursuing officer, without other known circumstances or factors, is not good cause for the use of the CEW to apprehend an individual.

The CEW shall not be used to psychologically torment, elicit statements or to punish any individual.

304.5.2 SPECIAL DEPLOYMENT CONSIDERATIONS

The use of the CEW on certain individuals should be avoided unless the totality of the circumstances indicates that other available options reasonably appear ineffective or would present a greater danger to the officer, the subject or others, and the officer reasonably believes that the need to control the individual outweighs the risk of using the device. This includes:

- (a) Individuals who are known to be pregnant.
- (b) Elderly individuals or obvious juveniles.
- (c) Individuals with obviously low body mass.
- (d) Individuals who are handcuffed or otherwise restrained.
- (e) Individuals who have been recently sprayed with a flammable chemical agent or who are otherwise in close proximity to any known combustible vapor or flammable material, including alcohol-based oleoresin capsicum (OC) spray.
- (f) Individuals whose position or activity may result in collateral injury (e.g., falls from height, operating vehicles).

Princess Anne Police Department

Policy Manual

Conducted Energy Device

Because the application of the CEW in the drive-stun mode (i.e., direct contact without probes) relies primarily on pain compliance, the use of the drive-stun mode should be limited to supplementing the probe-mode to complete the circuit, or as a distraction technique to gain separation between officers and the subject, thereby giving officers time and distance to consider other force options or actions.

304.5.3 TARGETING CONSIDERATIONS

The preferred targeting areas include the individual's back or front lower-center mass. The head, neck, chest and groin should be avoided when reasonably practicable. If the dynamics of a situation or officer safety do not permit the officer to limit the application of the CEW probes to a precise target area, officers should monitor the condition of the subject if one or more probes strikes the head, neck, chest or groin until the subject is examined by paramedics or other medical personnel.

304.5.4 MULTIPLE APPLICATIONS OF THE CEW

Officers should apply the CEW for only one standard cycle and then evaluate the situation before applying any subsequent cycles. Officers should not intentionally apply more than one CEW at a time against a single individual.

If the first application of the CEW appears to be ineffective in gaining control of an individual, the officer should evaluate the situation and consider certain factors before additional applications of the CEW, including:

- (a) Whether it is reasonable to believe that the need to control the individual outweighs the potentially increased risk posed by multiple applications.
- (b) Whether the probes are making proper contact.
- (c) Whether the individual has the ability and has been given a reasonable opportunity to comply.
- (d) Whether verbal commands, other options or tactics may be more effective.

304.5.5 ACTIONS FOLLOWING DEPLOYMENTS

Officers should take appropriate actions to control and restrain the individual to minimize the need for longer or multiple exposures to the CEW. As soon as practicable, officers shall notify a supervisor any time the CEW has been discharged. Confetti tags should be collected and the expended cartridge, along with both probes and wire, should be submitted into evidence. The cartridge serial number should be noted and documented on the evidence paperwork. The evidence packaging should be marked "Biohazard" if the probes penetrated the subject's skin.

304.5.6 DANGEROUS ANIMALS

The CEW may be deployed against an animal as part of a plan to deal with a potentially dangerous animal, such as a dog, if the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

Conducted Energy Device

304.5.7 TASER® CAM™

The TASER CAM is activated any time the safety is in the off position. The safety should be in the safe position unless the officer intends to use the device. Because the TASER CAM memory is limited, the video and audio data should be downloaded frequently and retained as required by the department records retention schedule.

304.5.8 OFF-DUTY CONSIDERATIONS

Officers are not authorized to carry department CEWs while off-duty.

Officers shall ensure that CEWs are secured while in their homes, vehicles or any other area under their control, in a manner that will keep the device inaccessible to others.

304.6 DOCUMENTATION

Officers shall document all CEW discharges in the related arrest/crime reports and the CEW report forms. Unintentional discharges, pointing the device at a person, laser activation and arcing the device, other than for testing purposes, will also be documented on the report form. Notification shall also be made to a supervisor in compliance with the Use of Force Policy.

304.6.1 CEW FORM

Items that shall be included in the CEW report form are:

- (a) The type and brand of CEW and cartridge and cartridge serial number.
- (b) Date, time and location of the incident.
- (c) Whether any display, laser or arc deterred a subject and gained compliance.
- (d) The number of CEW activations, the duration of each cycle, the duration between activations, and (as best as can be determined) the duration that the subject received applications.
- (e) The range at which the CEW was used.
- (f) The type of mode used (probe or drive-stun).
- (g) Location of any probe impact.
- (h) Location of contact in drive-stun mode.
- (i) Description of where missed probes went.
- (j) Whether medical care was provided to the subject.
- (k) Whether the subject sustained any injuries.
- (l) Whether any officers sustained any injuries.

The Training Officer should periodically analyze the report forms to identify trends, including deterrence and effectiveness. The Training Officer should also conduct audits of data downloads and reconcile CEW report forms with recorded activations. CEW information and statistics, with identifying information removed, should periodically be made available to the public.

Princess Anne Police Department

Policy Manual

Conducted Energy Device

304.6.2 REPORTS

The officer should include the following in the arrest/crime report:

- (a) Identification of all personnel firing CEWs.
- (b) Identification of all witnesses.
- (c) Medical care provided to the subject.
- (d) Observations of the subject's physical and physiological actions.
- (e) Any known or suspected drug use, intoxication or other medical problems.

304.7 MEDICAL TREATMENT

Consistent with local medical personnel protocols and absent extenuating circumstances, only appropriate medical personnel should remove CEW probes from a person's body. Used CEW probes shall be treated as a sharps biohazard, similar to a used hypodermic needle, and handled appropriately. Universal precautions should be taken.

All persons who have been struck by CEW probes or who have been subjected to the electric discharge of the device or who sustained direct exposure of the laser to the eyes shall be medically assessed prior to booking. Additionally, any such individual who falls under any of the following categories should, as soon as practicable, be examined by paramedics or other qualified medical personnel:

- (a) The person is suspected of being under the influence of controlled substances and/or alcohol.
- (b) The person may be pregnant.
- (c) The person reasonably appears to be in need of medical attention.
- (d) The CEW probes are lodged in a sensitive area (e.g., groin, female breast, head, face, neck).
- (e) The person requests medical treatment.

Any individual exhibiting signs of distress or who is exposed to multiple or prolonged applications (i.e., more than 15 seconds) shall be transported to a medical facility for examination or medically evaluated prior to booking. If any individual refuses medical attention, such a refusal should be witnessed by another officer and/or medical personnel and shall be fully documented in related reports. If an audio recording is made of the contact or an interview with the individual, any refusal should be included, if possible.

The transporting officer shall inform any person providing medical care or receiving custody that the individual has been subjected to the application of the CEW (see the Medical Aid and Response Policy).

Conducted Energy Device

304.8 SUPERVISOR RESPONSIBILITIES

When possible, supervisors should respond to calls when they reasonably believe there is a likelihood the CEW may be used. A supervisor should respond to all incidents where the CEW was activated.

A supervisor should review each incident where a person has been exposed to an activation of the CEW. The device's onboard memory should be downloaded through the data port by a supervisor or Training Officer and saved with the related arrest/crime report. Photographs of probe sites should be taken and witnesses interviewed.

304.9 TRAINING

Personnel who are authorized to carry the CEW shall be permitted to do so only after successfully completing the initial department-approved training (COMAR 12.04.05.03). Any personnel who have not carried the CEW as a part of their assignments for a period of six months or more shall be recertified by a qualified CEW instructor prior to again carrying or using the device.

Proficiency training for personnel who have been issued CEWs should occur every year (COMAR 12.04.05.04). A reassessment of an officer's knowledge and/or practical skills may be required at any time if deemed appropriate by the Training Officer. All training and proficiency for CEWs will be documented in the officer's training files.

Command staff, supervisors and investigators should receive CEW training as appropriate for the investigations they conduct and review.

Officers who do not carry CEWs should receive training that is sufficient to familiarize them with the device and with working with officers who use the device.

The Training Officer is responsible for ensuring that all members who carry CEWs have received initial and annual proficiency training. Periodic audits should be used for verification.

Application of CEWs during training could result in injuries and should not be mandatory for certification.

The Training Officer should ensure that all training includes:

- (a) A review of this policy.
- (b) A review of the Use of Force Policy.
- (c) Performing weak-hand draws or cross-draws to reduce the possibility of unintentionally drawing and firing a firearm.
- (d) Target area considerations, to include techniques or options to reduce the unintentional application of probes near the head, neck, chest and groin.
- (e) Handcuffing a subject during the application of the CEW and transitioning to other force options.
- (f) De-escalation techniques.

Princess Anne Police Department

Policy Manual

Conducted Energy Device

- (g) Restraint techniques that do not impair respiration following the application of the CEW.
- (h) The requirements established in COMAR 12.04.05.05.

304.9.1 TRAINING CERTIFICATION

The Training Officer should ensure certification is made to the Maryland Police Training and Standards Commission (MPTSC), on forms or in a manner determined by the MPTSC, that officers have successfully completed training requirements (COMAR 12.04.05.02).

Officer-Involved Shootings and Deaths

305.1 PURPOSE AND SCOPE

The purpose of this policy is to establish policy and procedures for the investigation of an incident in which a person is injured or dies as the result of an officer-involved shooting or dies as a result of other action of an officer.

In other incidents not covered by this policy, the Chief of Police may decide that the investigation will follow the process provided in this policy.

305.2 POLICY

The policy of the Princess Anne Police Department is to ensure that officer-involved shootings and deaths are investigated in a thorough, fair and impartial manner.

305.3 TYPES OF INVESTIGATIONS

Officer-involved shootings and deaths involve several separate investigations. The investigations may include:

- (a) A criminal investigation of the suspect's actions.
- (b) A criminal investigation of the involved officer's actions.
- (c) An administrative investigation as to policy compliance by involved officers.
- (d) A civil investigation to determine potential liability.

305.4 CONTROL OF INVESTIGATIONS

Investigators from surrounding agencies may be assigned to work on the criminal investigation of officer-involved shootings and deaths. This may include at least one investigator from the agency that employs the involved officer.

Jurisdiction is determined by the location of the shooting or death and the agency employing the involved officer. The following scenarios outline the jurisdictional responsibilities for investigating officer-involved shootings and deaths.

305.4.1 CRIMINAL INVESTIGATION OF SUSPECT ACTIONS

The investigation of any possible criminal conduct by the suspect is controlled by the agency in whose jurisdiction the suspect's crime occurred. For example, Princess Anne Police Department would control the investigation if the suspect's crime occurred in Princess Anne.

If multiple crimes have been committed in multiple jurisdictions, identification of the agency that will control the investigation may be reached in the same way as with any other crime. The investigation may be handled by the agency in control of the criminal investigation of the involved officer, at the discretion of the Chief of Police and with concurrence from the other agency.

Princess Anne Police Department

Policy Manual

Officer-Involved Shootings and Deaths

305.4.2 CRIMINAL INVESTIGATIONS OF OFFICER ACTIONS

The control of the criminal investigation into the involved officer's conduct during the incident will be determined by the employing agency's protocol. When an officer from this department is involved, the criminal investigation will be handled according to the Criminal Investigation section of this policy.

Requests made of this department to investigate a shooting or death involving an outside agency's officer shall be referred to the Chief of Police or the authorized designee for approval.

305.4.3 ADMINISTRATIVE AND CIVIL INVESTIGATION

Regardless of where the incident occurs, the administrative and civil investigation of each involved officer is controlled by the respective employing agency.

305.5 INVESTIGATION PROCESS

The following procedures are guidelines used in the investigation of an officer-involved shooting or death.

305.5.1 UNINVOLVED OFFICER RESPONSIBILITIES

Upon arrival at the scene of an officer-involved shooting or death, the first uninvolved PAPD officer will be the officer-in-charge and assume the responsibilities of a supervisor until properly relieved. This officer should, as appropriate:

- (a) Secure the scene, identify and eliminate hazards for all those involved.
- (b) Take reasonable steps to obtain emergency medical attention for injured individuals.
- (c) Request additional resources from the Department or other agencies.
- (d) Coordinate a perimeter or pursuit of suspects.
- (e) Check for injured persons and evacuate as needed.
- (f) Brief the supervisor upon arrival.

305.5.2 SUPERVISOR RESPONSIBILITIES

Upon arrival at the scene, the first uninvolved PAPD supervisor should ensure completion of the duties as outlined above, plus:

- (a) Attempt to obtain a brief overview of the situation from any uninvolved officers.
 1. In the event that there are no uninvolved officers who can supply adequate overview, the supervisor should attempt to obtain a brief voluntary overview from one involved officer.
- (b) If necessary, the supervisor may administratively order any PAPD officer to immediately provide public safety information necessary to secure the scene, identify injured parties and pursue suspects.
 1. Public safety information shall be limited to such things as outstanding suspect information, number and direction of any shots fired, perimeter of the incident

Princess Anne Police Department

Policy Manual

Officer-Involved Shootings and Deaths

scene, identity of known or potential witnesses and any other pertinent information.

2. The initial on-scene supervisor should not attempt to order any involved officer to provide any information other than public safety information.
- (c) Provide all available information to the Supervisor and Somerset Community Services. If feasible, sensitive information should be communicated over secure networks.
 - (d) Take command of and secure the incident scene with additional PAPD members until properly relieved by another supervisor, or other assigned personnel or investigator.
 - (e) As soon as practicable, ensure that involved officers are transported (separately, if feasible) to a suitable location for further direction.
 1. Each involved PAPD officer should be given an administrative order not to discuss the incident with other involved officers or PAPD members pending further direction from a supervisor.
 2. When an involved officer's weapon is taken or left at the scene for other than officer-safety reasons (e.g., evidence), ensure that he/she is provided with a comparable replacement weapon or transported by other officers.

305.5.3 SUPERVISOR RESPONSIBILITIES

Upon learning of an officer-involved shooting or death, the Supervisor shall be responsible for coordinating all aspects of the incident until he/she is relieved by the Chief of Police or a Captain.

All outside inquiries about the incident shall be directed to the Supervisor.

305.5.4 NOTIFICATIONS

The following persons shall be notified as soon as practicable:

- Chief of Police
- Criminal Investigations Captain
- Officer Involved Shooting rollout team
- Outside agency investigators (if appropriate)
- Administration supervisor
- Civil liability response team or department legal counsel
- Psychological/peer support personnel
- Chaplain
- Medical Examiner (if necessary)
- Involved officer's agency representative (if requested)

305.5.5 INVOLVED OFFICERS

The following shall be considered for the involved officer (Md. Code PS § 3-104):

- (a) Any request for legal or union representation will be accommodated.

Princess Anne Police Department

Policy Manual

Officer-Involved Shootings and Deaths

1. Involved PAPD officers shall not be permitted to meet collectively or in a group with an attorney or any representative prior to providing a formal interview or report.
 2. Requests from involved non-PAPD officers should be referred to their employing agency.
- (b) Discussions with licensed attorneys will be considered privileged as attorney-client communications.
- (c) Discussions with agency representatives will be privileged only as to the discussion of non-criminal information.
- (d) A licensed psychotherapist shall be provided by the Department to each involved PAPD officer. A licensed psychotherapist may also be provided to any other affected PAPD members, upon request.
1. Interviews with a licensed psychotherapist will be considered privileged.
 2. An interview or session with a licensed psychotherapist may take place prior to the member providing a formal interview or report. However, the involved member shall not be permitted to consult or meet collectively or in a group with a licensed psychotherapist prior to providing a formal interview or report.
 3. A separate fitness-for-duty exam may also be required (see the Fitness for Duty Policy).
- (e) Although the Department will honor the sensitivity of communications with peer counselors, there is no legal privilege to such. Peer counselors are cautioned against discussing the facts of any incident with an involved or witness officer.

Care should be taken to preserve the integrity of any physical evidence present on the involved officer's equipment or clothing, such as blood or fingerprints, until investigators or lab personnel can properly retrieve it.

Each involved PAPD officer shall be given reasonable paid administrative leave (as allowed by Md. Code PS § 3-112) following an officer-involved shooting or death. It shall be the responsibility of the Supervisor to make schedule adjustments to accommodate such leave.

305.6 CRIMINAL INVESTIGATION

It shall be the policy of this department to utilize the Office of the State's Attorney to conduct an independent criminal investigation into the circumstances of any officer-involved shooting or death.

If available, investigative personnel from this department may be assigned to partner with investigators from outside agencies or the Office of the State's Attorney to avoid duplicating efforts in related criminal investigations.

Once public safety issues have been addressed, criminal investigators should be given the opportunity to obtain a voluntary statement from involved officers and to complete their interviews. The following shall be considered for the involved officer:

Princess Anne Police Department

Policy Manual

Officer-Involved Shootings and Deaths

- (a) PAPD supervisors and Administration personnel should not participate directly in any voluntary interview of PAPD officers. This will not prohibit such personnel from monitoring interviews or indirectly providing topics for inquiry.
- (b) If requested, any involved officer will be afforded the opportunity to consult individually with a representative of his/her choosing or an attorney prior to speaking with criminal investigators. However, in order to maintain the integrity of each involved officer's statement, officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
- (c) If any involved officer is physically, emotionally or otherwise not in a position to provide a voluntary statement when interviewed by criminal investigators, consideration should be given to allowing a reasonable period for the officer to schedule an alternate time for the interview.
- (d) Any voluntary statement provided by an involved officer will be made available for inclusion in any related investigation including administrative investigations. However, no administratively coerced statement will be provided to any criminal investigators unless the officer consents.

305.6.1 REPORTS BY INVOLVED PAPD OFFICERS

In the event that suspects remain outstanding or subject to prosecution for related offenses, this department shall retain the authority to require involved PAPD officers to provide sufficient information for related criminal reports to facilitate the apprehension and prosecution of those individuals.

While the involved PAPD officer may write the report, it is generally recommended that such reports be completed by assigned investigators, who should interview all involved officers as victims/witnesses. Since the purpose of these reports will be to facilitate criminal prosecution, statements of involved officers should focus on evidence to establish the elements of criminal activities by suspects. Care should be taken not to duplicate information provided by involved officers in other reports.

Nothing in this section shall be construed to deprive an involved PAPD officers of the right to consult with legal counsel prior to completing any such criminal report.

Reports related to the prosecution of criminal suspects will be processed according to normal procedures but should also be included for reference in the investigation of the officer-involved shooting or death.

305.6.2 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an officer-involved shooting or death may become unavailable or the integrity of their statements compromised with the passage of time, a supervisor should take reasonable steps to promptly coordinate with criminal investigators to utilize available law enforcement personnel for the following:

- (a) Identification of all persons present at the scene and in the immediate area.

Princess Anne Police Department

Policy Manual

Officer-Involved Shootings and Deaths

1. When feasible, a recorded statement should be obtained from those persons who claim not to have witnessed the incident but who were present at the time it occurred.
 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, attempts to identify the witness prior to his/her departure should be made whenever feasible.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by a member of the Department.
1. A written, verbal or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transportation.
- (c) Promptly contacting the suspect's known family and associates to obtain any available and untainted background information about the suspect's activities and state of mind prior to the incident.

305.6.3 INVESTIGATIVE PERSONNEL

Once notified of an officer-involved shooting or death, it shall be the responsibility of the designated Criminal Investigations supervisor to assign appropriate investigation personnel to handle the investigation of related crimes. Department investigators will be assigned to work with investigators from the Office of the State's Attorney and may be assigned to separately handle the investigation of any related crimes not being investigated by the Office of the State's Attorney.

All related department reports, except administrative and/or privileged reports, will be forwarded to the designated Criminal Investigations supervisor for approval. Privileged reports shall be maintained exclusively by members who are authorized such access. Administrative reports will be forwarded to the appropriate Captain.

305.7 ADMINISTRATIVE INVESTIGATION

In addition to all other investigations associated with an officer-involved shooting or death, this department will conduct an internal administrative investigation of involved PAPD officers to determine conformance with department policy. This investigation will be conducted under the supervision of the Administration and will be considered a confidential officer personnel file.

Interviews and interrogations of members shall be subject to department policies and applicable laws (Md. Code PS § 3-103 et seq.).

- (a) Any officer involved in a shooting or death may be requested or administratively compelled to provide a blood sample for alcohol/drug screening. Absent consent from

Princess Anne Police Department

Policy Manual

Officer-Involved Shootings and Deaths

the officer, such compelled samples and the results of any such testing shall not be disclosed to any criminal investigative agency (Md. Code PS § 3-104(l)).

- (b) If any officer has voluntarily elected to provide a statement to criminal investigators, the assigned administrative investigator should review that statement before proceeding with any further interview of that involved officer.
 - 1. If a further interview of the officer is deemed necessary to determine policy compliance, care should be taken to limit the inquiry to new areas with minimal, if any, duplication of questions addressed in the voluntary statement. The involved officer shall be provided with a copy of his/her prior statement before proceeding with any subsequent interviews.
- (c) In the event that an involved officer has elected not to provide criminal investigators with a voluntary statement, the assigned administrative investigator shall conduct an administrative interview to determine all relevant information.
 - 1. Although this interview should not be unreasonably delayed, care should be taken to ensure that the officer's physical and psychological needs have been addressed before commencing the interview.
 - 2. If requested, the officer shall have the opportunity to select an uninvolved representative to be present during the interview. However, in order to maintain the integrity of each individual officer's statement, involved officers shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed (Md. Code PS § 3-104(j)).
 - 3. Administrative interviews should be recorded by the investigator. The officer may also record the interview (Md. Code PS § 3-104(k)).
 - 4. The officer shall be informed of the nature of the investigation. If an officer refuses to answer questions, he/she should be given his/her *Garrity* rights and ordered to provide full and truthful answers to all questions. The officer shall be informed that the interview will be for administrative purposes only and that the statement cannot be used criminally.
 - 5. The Administration shall compile all relevant information and reports necessary for the Department to determine compliance with applicable policies.
 - 6. Regardless of whether the use of force is an issue in the case, the completed administrative investigation shall be submitted to the Use of Force Review Board, which will restrict its findings as to whether there was compliance with the Use of Force Policy.
 - 7. Any other indications of potential policy violations shall be determined in accordance with standard disciplinary procedures.

305.8 CIVIL LIABILITY RESPONSE

A member of this department may be assigned to work exclusively under the direction of the legal counsel for the Department to assist in the preparation of materials deemed necessary in anticipation of potential civil litigation.

Princess Anne Police Department

Policy Manual

Officer-Involved Shootings and Deaths

All materials generated in this capacity shall be considered attorney work product and may not be used for any other purpose. The civil liability response is not intended to interfere with any other investigation but shall be given reasonable access to all other investigations.

305.9 AUDIO AND VIDEO RECORDINGS

Any officer involved in a shooting or death may be permitted to review available Mobile Audio/Video (MAV), body-worn video or other video or audio recordings prior to providing a recorded statement or completing reports.

Upon request, non-law enforcement witnesses who are able to verify their presence and their ability to contemporaneously perceive events at the scene of an incident may also be permitted to review available MAV, body-worn video or other video or audio recordings with the approval of assigned investigators or a supervisor.

Any MAV, body-worn video and other known video or audio recordings of an incident should not be publicly released during an ongoing investigation without consulting the prosecuting attorney or Town Attorney's Office, as appropriate.

305.10 DEBRIEFING

Following an officer-involved shooting or death, the Princess Anne Police Department should conduct both a critical incident/stress debriefing and a tactical debriefing.

305.10.1 CRITICAL INCIDENT/STRESS DEBRIEFING

A critical incident/stress debriefing should occur as soon as practicable. The Administration Captain is responsible for organizing the debriefing. Notes and recorded statements should not be taken because the sole purpose of the debriefing is to help mitigate the stress-related effects of a traumatic event.

The debriefing is not part of any investigative process. Care should be taken not to release or repeat any communication made during a debriefing unless otherwise authorized by policy, law or a valid court order.

Attendance at the debriefing shall only include those members of the Department directly involved in the incident, which can include support personnel (e.g., dispatchers, other civilian). Family or other support personnel may attend with the concurrence of those involved in the incident. The debriefing shall be closed to the public and should be closed to all other members of the Department, including supervisory and Administration personnel.

305.10.2 TACTICAL DEBRIEFING

A tactical debriefing should take place to identify any training or areas of policy that need improvement. The Chief of Police should identify the appropriate participants. This debriefing should not be conducted until all involved members have provided recorded or formal statements to criminal and/or administrative investigators.

Princess Anne Police Department

Policy Manual

Officer-Involved Shootings and Deaths

305.11 MEDIA RELATIONS

Any media release shall be prepared with input and concurrence from the supervisor and department representative responsible for each phase of the investigation. Releases will be available to the Supervisor, Criminal Investigations Captain and Chief of Police or designee in the event of inquiries from the media.

No involved PAPD officer shall make any comment to the media unless he/she is authorized by the Chief of Police or a Captain.

Department members receiving inquiries regarding officer-involved shootings or deaths occurring in other jurisdictions shall refrain from public comment and will direct those inquiries to the agency having jurisdiction and primary responsibility for the investigation.

Firearms

306.1 PURPOSE AND SCOPE

This policy provides guidelines for issuing firearms, the safe and legal carrying of firearms, firearms maintenance and firearms training.

This policy does not apply to issues related to the use of firearms that are addressed in the Use of Force or Officer-Involved Shootings and Deaths policies.

This policy only applies to those members who are authorized to carry firearms.

306.2 POLICY

The Princess Anne Police Department will equip its members with firearms to address the risks posed to the public and department members by violent and sometimes well-armed persons. The Department will ensure firearms are appropriate and in good working order and that relevant training is provided as resources allow.

306.3 AUTHORIZED FIREARMS, AMMUNITION AND OTHER WEAPONS

Members shall only use firearms that are issued or approved by the Department and have been thoroughly inspected by the Armorer. Except in an emergency or as directed by a supervisor, no firearm shall be carried by a member who has not qualified with that firearm at an authorized department range (COMAR 12.04.02.03).

All other weapons not provided by the Department, including, but not limited to, edged weapons, chemical or electronic weapons, impact weapons or any weapon prohibited or restricted by law or that is not covered elsewhere by department policy, may not be carried by members in the performance of their official duties without the express written authorization of the Chief of Police. This exclusion does not apply to the carrying of a single folding pocketknife that is not otherwise prohibited by law.

306.3.1 HANDGUNS

The authorized department-issued handgun is the Glock 21 .45. The following additional handguns are approved for on-duty use:

MAKE	MODEL	CALIBER
Glock	23	.40

306.3.2 SHOTGUNS

The authorized department-issued shotgun is the NONE. The following additional shotguns are approved for on-duty use:

MAKE	MODEL	CALIBER
Remington	870	12 guage

Mossberg 500 12 guage

Princess Anne Police Department

Policy Manual

Firearms

Stevens 320 12 guage

When not deployed, the shotgun shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

306.3.3 PATROL RIFLES

The authorized department-issued patrol rifle is the M16 A2 .223. The following additional patrol rifles are approved for on-duty use:

MAKE	MODEL	CALIBER

Members may deploy the patrol rifle in any circumstance where the member can articulate a reasonable expectation that the rifle may be needed. Examples of some general guidelines for deploying the patrol rifle may include, but are not limited to:

- (a) Situations where the member reasonably anticipates an armed encounter.
- (b) When a member is faced with a situation that may require accurate and effective fire at long range.
- (c) Situations where a member reasonably expects the need to meet or exceed a suspect's firepower.
- (d) When a member reasonably believes that there may be a need to fire on a barricaded person or a person with a hostage.
- (e) When a member reasonably believes that a suspect may be wearing body armor.
- (f) When authorized or requested by a supervisor.
- (g) When needed to euthanize an animal.

When not deployed, the patrol rifle shall be properly secured consistent with department training in a locking weapons rack in the patrol vehicle.

306.3.4 PERSONALLY OWNED DUTY FIREARMS

Members desiring to carry an authorized but personally owned duty firearm must receive written approval from the Chief of Police or the authorized designee. Once approved, personally owned duty firearms are subject to the following restrictions:

Princess Anne Police Department

Policy Manual

Firearms

- (a) The firearm shall be in good working order and on the department list of approved firearms.
- (b) The firearm shall be inspected by the Armorer prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (c) Prior to carrying the firearm, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the firearm functions properly.
- (d) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Firearms Officer and Armorer, who will maintain a list of the information
- (e) No modification are to be made to personally owned firearms that are carried for duty. Any modifications will be approved and completed by the Armorer or designee of the Chief of Police.

306.3.5 AUTHORIZED SECONDARY HANDGUN

Members desiring to carry department or personally owned secondary handguns are subject to the following restrictions:

- (a) The handgun shall be in good working order and on the department list of approved firearms.
- (b) Only one secondary handgun may be carried at a time.
- (c) The purchase of the handgun and ammunition shall be the responsibility of the member unless the handgun and ammunition are provided by the Department.
- (d) The handgun shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (e) The handgun shall be inspected by the Firearms Officer and Armorer prior to being carried and thereafter shall be subject to inspection whenever it is deemed necessary.
- (f) Ammunition shall be the same as department issue. If the caliber of the handgun is other than department issue, the Chief of Police or the authorized designee shall approve the ammunition.
- (g) Prior to carrying the secondary handgun, members shall qualify under range supervision and thereafter shall qualify in accordance with the department qualification schedule. Members must demonstrate proficiency and safe handling, and that the handgun functions properly (COMAR 12.04.02.03).
- (h) Members shall provide written notice of the make, model, color, serial number and caliber of a secondary handgun to the Firearms Officer and Armorer, who will maintain a list of the information.

306.3.6 AUTHORIZED OFF-DUTY FIREARMS

The carrying of firearms by members while off-duty is permitted by the Chief of Police but may be rescinded should circumstances dictate (e.g., administrative leave). Members who choose to

Princess Anne Police Department

Policy Manual

Firearms

carry a firearm while off-duty, based on their authority as peace officers, will be required to meet the following guidelines:

- (a) A personally owned firearm shall be used, carried and inspected in accordance with the Personally Owned Duty Firearms requirements in this policy.
 - 1. The purchase of the personally owned firearm and ammunition shall be the responsibility of the member.
- (b) The firearm shall be carried concealed at all times and in such a manner as to prevent unintentional cocking, discharge or loss of physical control.
- (c) It will be the responsibility of the member to submit the firearm to the Firearms Officer and Armorer for inspection prior to being personally carried. Thereafter the firearm shall be subject to periodic inspection by the Firearms Officer and Armorer.
- (d) Prior to carrying any off-duty firearm, the member shall demonstrate to the Training Officer that he/she is proficient in handling and firing the firearm and that it will be carried in a safe manner.
- (e) The member will successfully qualify with the firearm prior to it being carried.
- (f) Members shall provide written notice of the make, model, color, serial number and caliber of the firearm to the Training Officer, who will maintain a list of the information.
- (g) If a member desires to use more than one firearm while off-duty, he/she may do so, as long as all requirements set forth in this policy for each firearm are met.
- (h) Members shall only carry department-authorized ammunition.
- (i) When armed, officers shall carry their badges and Princess Anne Police Department identification cards under circumstances requiring possession of such identification.

306.3.7 AMMUNITION

Members shall carry only department-authorized ammunition. Members shall be issued fresh duty ammunition in the specified quantity for all department-issued firearms during the member's firearms qualification. Replacements for unserviceable or depleted ammunition issued by the Department shall be dispensed by the Training Officer when needed, in accordance with established policy.

Members carrying personally owned authorized firearms of a caliber differing from department-issued firearms shall be responsible for obtaining fresh duty ammunition in accordance with the above, at their own expense.

306.3.8 FIREARMS CONVERSION

An officer shall successfully complete firearms conversion requirements before being authorized to use or carry a different type of firearm than the officer is currently authorized to use or carry (COMAR 12.04.02.09).

Princess Anne Police Department

Policy Manual

Firearms

306.4 EQUIPMENT

Firearms carried on- or off-duty shall be maintained in a clean, serviceable condition. Maintenance and repair of authorized personally owned firearms are the responsibility of the individual member.

306.4.1 REPAIRS OR MODIFICATIONS

Each member shall be responsible for promptly reporting any damage or malfunction of an assigned firearm to a supervisor or the Firearms Officer or Armorer.

Firearms that are the property of the Department or personally owned firearms that are approved for department use may be repaired or modified only by a person who is department-approved and certified as an armorer or gunsmith in the repair of the specific firearm. Such modification or repair must be authorized in advance by the Firearms Officer or Armorer.

Any repairs or modifications to the member's personally owned firearm shall be done at his/her expense and must be approved by the Armorer.

306.4.2 HOLSTERS

Only department-approved holsters shall be used and worn by members. Members shall periodically inspect their holsters to make sure they are serviceable and provide the proper security and retention of the handgun.

306.4.3 TACTICAL LIGHTS

Tactical lights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Armorer. Once the approved tactical lights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

306.4.4 OPTICS OR LASER SIGHTS

Optics or laser sights may only be installed on a firearm carried on- or off-duty after they have been examined and approved by the Armorer. Any approved sight shall only be installed in strict accordance with manufacturer specifications. Once approved sights have been properly installed on any firearm, the member shall qualify with the firearm to ensure proper functionality and sighting of the firearm prior to carrying it.

Except in an approved training situation, a member may only sight in on a target when the member would otherwise be justified in pointing a firearm at the target.

306.5 SAFE HANDLING, INSPECTION AND STORAGE

Members shall maintain the highest level of safety when handling firearms and shall consider the following:

- (a) Members shall not unnecessarily display or handle any firearm.
- (b) Members shall be governed by all rules and regulations pertaining to the use of the range and shall obey all orders issued by the Training Officer. Members shall not

Princess Anne Police Department

Policy Manual

Firearms

dry fire or practice quick draws except as instructed by the Training Officer or other firearms training staff.

- (c) Members shall not clean, repair, load or unload a firearm anywhere in the Department, except where clearing barrels are present.
- (d) Shotguns or rifles removed from vehicles or the equipment storage room shall be loaded and unloaded in the parking lot and outside of the vehicle, using clearing barrels.
- (e) Members shall not place or store any firearm or other weapon on department premises except where the place of storage is locked. No one shall carry firearms into the jail section or any part thereof when securing or processing an arrestee, but shall place all firearms in a secured location. Members providing access to the jail section to persons from outside agencies are responsible for ensuring firearms are not brought into the jail section.
- (f) Members shall not use any automatic firearm, heavy caliber rifle, gas or other type of chemical weapon or firearm from the armory, except with approval of a supervisor.
- (g) Any firearm authorized by the Department to be carried on- or off-duty that is determined by a member to be malfunctioning or in need of service or repair shall not be carried. It shall be promptly presented to the Department or a Training Officer approved by the Department for inspection and repair. Any firearm deemed in need of repair or service by the Training Officer will be immediately removed from service. If the firearm is the member's primary duty firearm, a replacement firearm will be issued to the member until the duty firearm is serviceable.

306.5.1 INSPECTION AND STORAGE

Handguns shall be inspected regularly and upon access or possession by another person. Shotguns and rifles shall be inspected at the beginning of the shift by the member to whom the weapon is issued. The member shall ensure that the firearm is carried in the proper condition and loaded with approved ammunition. Inspection of the shotgun and rifle shall be done while standing outside of the patrol vehicle. All firearms shall be pointed in a safe direction or into clearing barrels.

Personally owned firearms may be safely stored in lockers at the end of the shift. Department-owned firearms shall be stored in the appropriate equipment storage room. Handguns may remain loaded if they are secured in an appropriate holster. Shotguns and rifles shall be unloaded in a safe manner outside the building and then stored in the appropriate equipment storage room.

306.5.2 STORAGE AT HOME

Members shall ensure that all firearms and ammunition are locked and secured while in their homes, vehicles or any other area under their control, and in a manner that will keep them inaccessible to children and others who should not have access. Members shall not permit department-issued firearms to be handled by anyone not authorized by the Department to do so. Members should be aware that negligent storage of a firearm could result in civil liability.

Princess Anne Police Department

Policy Manual

Firearms

306.5.3 ALCOHOL AND DRUGS

Firearms shall not be carried by any member, either on- or off-duty, who has consumed an amount of an alcoholic beverage, taken any drugs or medication, or has taken any combination thereof that would tend to adversely affect the member's senses or judgment.

306.6 FIREARMS TRAINING AND QUALIFICATIONS

All members who carry a firearm while on-duty are required to successfully complete training annually with their duty firearms. In addition to annual training, all members will qualify at least annually with their duty firearms. Members will qualify with off-duty and secondary firearms at least once a year. Training and qualifications must be on the required range course meeting minimum standards and requirements (COMAR 12.04.02.08; COMAR 12.04.02.05).

Officers may not use or carry a firearm that has been surrendered or for which authority to carry or use has been withdrawn, except during supervised training to meet the annual firearms training and qualification requirements (COMAR 12.04.02.08(E)(3)).

At least annually, all members carrying a firearm should receive practical training designed to simulate field situations including low-light shooting.

306.6.1 NON-CERTIFICATION OR NON-QUALIFICATION

If any member fails to meet minimum standards for firearms training or qualification for any reason, including injury, illness, duty status or scheduling conflict, that member shall submit a memorandum to his/her immediate supervisor prior to the end of the required training or qualification period.

Those who fail to meet minimum standards or qualify on their first shooting attempt shall be provided remedial training and will be subject to the following requirements:

- (a) Additional range assignments may be scheduled to assist the member in demonstrating consistent firearm proficiency.
- (b) Members shall be given credit for a range training or qualification when obtaining a qualifying score or meeting standards after remedial training.
- (c) No range credit will be given for the following:
 1. Unauthorized range make-up.
 2. Failure to meet minimum standards or qualify after remedial training.

Members who repeatedly fail to meet minimum standards will be removed from field assignment and may be subject to disciplinary action.

306.6.2 ANNUAL FIREARMS NON-CERTIFICATION

If an officer fails to successfully complete the annual firearms classroom instruction, training and qualification requirements for an authorized firearm within a calendar year, the Chief of Police (COMAR 12.04.02.08(E)(1)):

Princess Anne Police Department

Policy Manual

Firearms

- (a) Shall remove the firearm, or the authorization to use or carry the firearm if personally owned, from the officer by January 1 of the next calendar year.
- (b) May not return or authorize the officer to use or carry the firearm until the officer successfully completes the appropriate firearms classroom instruction, training and qualification.

306.6.3 ANNUAL FIREARMS NON-QUALIFICATION

An officer who fails an annual firearms qualification shall successfully complete the annual qualification within 30 consecutive calendar days of the initial attempt (COMAR 12.04.02.08(E) (2)).

If an officer does not successfully meet the qualification requirements, the Chief of Police shall immediately:

- Report the officer's failure to qualify to the Maryland Police Training and Standards Commission (MPTSC).
- Require the officer to surrender all department firearms.
- Withdraw the officer's authority to use or carry personally owned firearms.

306.7 FIREARM DISCHARGE

Except during training or recreational use, any member who discharges a firearm intentionally or unintentionally, on- or off-duty, shall make a verbal report to his/her supervisor as soon as circumstances permit. If the discharge results in injury or death to another person, additional statements and reports shall be made in accordance with the Officer-Involved Shootings and Deaths Policy. If a firearm was discharged as a use of force, the involved member shall adhere to the additional reporting requirements set forth in the Use of Force Policy.

In all other cases, written reports shall be made as follows:

- (a) If on-duty at the time of the incident, the member shall file a written report with his/her supervisor or provide a recorded statement to investigators prior to the end of shift, unless otherwise directed.
- (b) If off-duty at the time of the incident, a written report shall be submitted or a recorded statement provided no later than the end of the next regularly scheduled shift, unless otherwise directed by a supervisor.

306.7.1 DESTRUCTION OF ANIMALS

Members are authorized to use firearms to stop an animal in circumstances where the animal reasonably appears to pose an imminent threat to human safety and alternative methods are not reasonably available or would likely be ineffective.

In circumstances where there is sufficient advance notice that a potentially dangerous animal may be encountered, department members should develop reasonable contingency plans for dealing with the animal (e.g., fire extinguisher, CEW, oleoresin capsicum (OC) spray, animal

Princess Anne Police Department

Policy Manual

Firearms

control officer). Nothing in this policy shall prohibit any member from shooting a dangerous animal if circumstances reasonably dictate that a contingency plan has failed or becomes impractical.

306.7.2 INJURED ANIMALS

When an animal is injured in a traffic accident, the member shall notify the appropriate local organization to give such injured animal medical care (Md. Code TR § 20-106).

With the approval of a supervisor, a member may euthanize an animal that is so badly injured that human compassion requires its removal from further suffering and where other dispositions are impractical.

306.7.3 WARNING AND OTHER SHOTS

Generally, warning shots or shots fired for the purpose of summoning aid are prohibited.

306.8 FIREARMS INSTRUCTOR DUTIES

The range will be under the exclusive control of the Firearms Instructor. All members attending will follow the directions of the Firearms instructor. The Firearms Instructor will maintain a roster of all members attending the range and will submit the roster to the Captain after each range date. Failure of any member to sign in and out with the Firearms Instructor may result in non-participation or non-qualification.

The range shall remain operational and accessible to department members during hours established by the Department.

The Firearms Instructor has the responsibility of making periodic inspection, at least once a year, of all duty firearms carried by members of this department to verify proper operation. The Firearms Instructor has the authority to deem any department-issued or personally owned firearm unfit for service. The member will be responsible for all repairs to his/her personally owned firearm; it will not be returned to service until it has been inspected and approved by the Firearms Instructor.

All firearms will be inspected and cleaned by the Firearms Instructor according to the established schedule or as directed by the Firearms Officer.

The Firearms Instructor has the responsibility for ensuring each member meets the minimum requirements during training shoots and, on at least a yearly basis, can demonstrate proficiency in the care, cleaning and safety of all firearms the member is authorized to carry.

The Firearms Instructor shall complete and submit to the Captain documentation of the training courses provided. Documentation shall include the qualifications of each instructor who provides the training, a description of the training provided and, on a form that has been approved by the Department, a list of each member who completes the training. The Firearms Instructor should keep accurate records of all training shoots, qualifications, repairs, maintenance or other records as directed by the Firearms Officer.

The Firearms Officer shall report firearm qualification scores for each firearm the officer is authorized to use or carry to the Chief of Police by January 15 of the calendar year immediately

Princess Anne Police Department

Policy Manual

Firearms

following firearms qualification. The Firearms Officer shall submit the report to the MPTSC by January 31 (COMAR 12.04.02.08(D)).

306.9 FLYING WHILE ARMED

The Transportation Security Administration (TSA) has imposed rules governing law enforcement officers flying armed on commercial aircraft. The following requirements apply to officers who intend to be armed while flying on a commercial air carrier or flights where screening is conducted (49 CFR 1544.219):

- (a) Officers wishing to fly while armed must be flying in an official capacity, not for vacation or pleasure, and must have a need to have the firearm accessible, as determined by the Department based on the law and published TSA rules.
- (b) Officers must carry their Princess Anne Police Department identification card, bearing the officer's name, a full-face photograph, identification number, the officer's signature and the signature of the Chief of Police or the official seal of the Department and must present this identification to airline officials when requested. The officer should also carry the standard photo identification needed for passenger screening by airline and TSA officials (e.g., driver's license, passport).
- (c) The Princess Anne Police Department must submit a National Law Enforcement Telecommunications System (NLETS) message prior to the officer's travel. If approved, TSA will send the Princess Anne Police Department an NLETS message containing a unique alphanumeric identifier. The officer must present the message on the day of travel to airport personnel as authorization to travel while armed.
- (d) An official letter signed by the Chief of Police authorizing armed travel may also accompany the officer. The letter should outline the officer's need to fly armed, detail his/her itinerary, and include that the officer has completed the mandatory TSA training for a law enforcement officer flying while armed.
- (e) Officers must have completed the mandated TSA security training covering officers flying while armed. The training shall be given by the department-appointed instructor.
- (f) It is the officer's responsibility to notify the air carrier in advance of the intended armed travel. This notification should be accomplished by early check-in at the carrier's check-in counter.
- (g) Any officer flying while armed should discreetly contact the flight crew prior to take-off and notify them of his/her assigned seat.
- (h) Discretion must be used to avoid alarming passengers or crew by displaying a firearm. The officer must keep the firearm concealed on his/her person at all times. Firearms are not permitted in carry-on luggage and may not be stored in an overhead compartment.

Princess Anne Police Department

Policy Manual

Firearms

- (i) Officers should try to resolve any problems associated with flying armed through the flight captain, ground security manager, TSA representative or other management representative of the air carrier.
- (j) Officers shall not consume alcoholic beverages while aboard an aircraft, or within eight hours prior to boarding an aircraft.

306.10 CARRYING FIREARMS OUT OF STATE

Qualified, active, full-time officers of this department are authorized to carry a concealed firearm in all other states subject to the following conditions (18 USC § 926B):

- (a) The officer shall carry his/her Princess Anne Police Department identification card whenever carrying such firearm.
- (b) The officer is not the subject of any current disciplinary action.
- (c) The officer may not be under the influence of alcohol or any other intoxicating or hallucinatory drug.
- (d) The officer will remain subject to this and all other department policies (including qualifying and training).

Officers are cautioned that individual states may enact local regulations that permit private persons or entities to prohibit or restrict the possession of concealed firearms on their property, or that prohibit or restrict the possession of firearms on any state or local government property, installation, building, base or park. Federal authority may not shield an officer from arrest and prosecution in such locally restricted areas.

Active law enforcement officers from other states are subject to all requirements set forth in 18 USC § 926B.

Vehicle Pursuits

307.1 PURPOSE AND SCOPE

This policy provides guidelines for vehicle pursuits in order to protect the safety of involved officers, the public and fleeing suspects.

307.1.1 DEFINITIONS

Definitions related to this policy include:

Blocking or vehicle intercept - A slow-speed coordinated maneuver where two or more pursuing vehicles simultaneously intercept and block the movement of a suspect vehicle, the driver of which may be unaware of the impending enforcement stop. The goal is containment and preventing a pursuit. Blocking is not a moving or stationary road block.

Boxing-in - A tactic designed to stop a suspect's vehicle by surrounding it with law enforcement vehicles and then slowing all vehicles to a stop.

Pursuit Intervention Technique (PIT) - A low-speed maneuver designed to cause the suspect vehicle to spin out, stall and come to a stop.

Ramming - The deliberate act of contacting a suspect's vehicle with another law enforcement vehicle to functionally damage or otherwise force the suspect's vehicle to stop.

Roadblocks - A tactic designed to stop a suspect's vehicle by intentionally placing a law enforcement vehicle or other immovable object in the path of the suspect's vehicle.

Terminate - To discontinue a pursuit or stop chasing fleeing vehicles.

Tire deflation device - A device designed to puncture the tires of the pursued vehicle.

Trail - Following the path of the pursuit at a safe speed while obeying all traffic laws and without activating emergency equipment. If the pursuit is at a slow rate of speed, the trailing vehicle will maintain sufficient distance from the pursuit vehicles so as to clearly indicate an absence of participation in the pursuit.

Vehicle pursuit - An event involving one or more law enforcement officers attempting to apprehend a suspect, who is attempting to avoid arrest while operating a vehicle by using high-speed driving or other evasive tactics, such as driving off a highway, turning suddenly or driving in a legal manner but willfully failing to yield to an officer's emergency signal to stop.

307.2 POLICY

It is the policy of this department to weigh the importance of apprehending suspects who unlawfully flee from law enforcement against the risks associated with vehicle pursuits.

Vehicle Pursuits

307.3 OFFICER RESPONSIBILITIES

Vehicle pursuits shall only be conducted using authorized police department emergency vehicles that are equipped with, and operating emergency lighting and sirens, as required by law (Md. Code TR § 21-106).

Officers shall drive with due regard for the safety of all persons and property. However, officers may, when in pursuit of a suspect and provided there is no unreasonable risk to persons and property:

- (a) Proceed past a red or stop signal or stop sign but only after slowing down as may be necessary for safe operation.
- (b) Exceed the speed limit.
- (c) Disregard regulations governing direction of movement or turning in specified directions.

307.3.1 WHEN TO INITIATE A PURSUIT

Officers are authorized to initiate a pursuit when it is reasonable to believe that a suspect, who has been given an appropriate signal to stop by a law enforcement officer, is attempting to evade arrest or detention by fleeing in a vehicle (Md. Code TR § 21-904).

Factors that shall be considered, both individually and collectively, when deciding to initiate or continue a pursuit include, but are not limited to:

- (a) The seriousness of the known or reasonably suspected crime and its relationship to community safety.
- (b) The importance of protecting the public and balancing the known or reasonably suspected offense and the apparent need for immediate capture against the risks to officers, innocent motorists and others.
- (c) The safety of the public in the area of the pursuit, including the type of area, time of day, the amount of vehicular and pedestrian traffic (e.g., school zones) and the speed of the pursuit relative to these factors.
- (d) The pursuing officers' familiarity with the area of the pursuit, the quality of radio communications between the pursuing vehicles and dispatcher/supervisor, and the driving capabilities of the pursuing officers under the conditions of the pursuit.
- (e) The weather, traffic and road conditions that unreasonably increase the danger of the pursuit when weighed against the risks resulting from the suspect's escape.
- (f) The identity of the suspect has been verified and there is comparatively minimal risk in allowing the suspect to be apprehended at a later time.
- (g) The performance capabilities of the vehicles used in the pursuit in relation to the speed and other conditions of the pursuit.

Vehicle Pursuits

- (h) Emergency lighting and siren limitations on unmarked police department vehicles that may reduce visibility of the vehicle, such as visor or dash-mounted lights, concealable or temporary emergency lighting equipment and concealed or obstructed siren positioning.
- (i) Vehicle speeds.
- (j) Other persons in or on the pursued vehicle (e.g., passengers, co-offenders and hostages).
- (k) The availability of other resources, such as air support assistance.
- (l) The pursuing vehicle is carrying passengers other than on-duty police officers. Pursuits should not be undertaken with an arrestee in the pursuit vehicle unless exigent circumstances exist, and then only after the need to apprehend the suspect is weighed against the safety of the arrestee in transport. A vehicle containing more than a single arrestee should not be involved in a pursuit.

307.3.2 WHEN TO TERMINATE A PURSUIT

Pursuits should be terminated whenever the totality of objective circumstances known or which reasonably ought to be known to the officer or supervisor during the pursuit indicates that the present risks of continuing the pursuit reasonably appear to outweigh the risks resulting from the suspect's escape.

When a supervisor directs the pursuit to be terminated, officers will immediately terminate the pursuit.

The factors listed in this policy on when to initiate a pursuit will apply equally to the decision to terminate a pursuit. Officers and supervisors must objectively and continuously weigh the seriousness of the offense against the potential danger to innocent motorists, themselves and the public when electing to continue a pursuit.

In addition to the factors that govern when to initiate a pursuit, other factors should be considered in deciding whether to terminate a pursuit, including:

- (a) The distance between the pursuing vehicle and the fleeing vehicle is so great that further pursuit would be futile or require the pursuit to continue for an unreasonable time or distance.
- (b) The pursued vehicle's location is no longer definitely known.
- (c) The pursuing vehicle sustains damage or a mechanical failure that renders it unsafe to drive.
- (d) The pursuing vehicle's emergency lighting equipment or siren becomes partially or completely inoperable.
- (e) Hazards to uninvolved bystanders or motorists.

Princess Anne Police Department

Policy Manual

Vehicle Pursuits

- (f) The danger that the continued pursuit poses to the public, the officers or the suspect, balanced against the risk of allowing the suspect to remain at large.
- (g) When the identity of the suspect is known and it does not reasonably appear that the need for immediate capture outweighs the risks associated with continuing the pursuit.
- (h) Extended pursuits of violators for misdemeanors not involving violence or weapons (independent of the pursuit) are generally discouraged.

307.4 PURSUIT VEHICLES

When involved in a pursuit, unmarked police department emergency vehicles should be replaced by marked emergency vehicles whenever practicable (Md. Code TR § 11-118).

Vehicle pursuits should be limited to three police department emergency vehicles (two pursuit vehicles and the supervisor vehicle). However, the number of vehicles involved will vary with the circumstances.

An officer or supervisor may request that additional vehicles join a pursuit if, after assessing the factors outlined above, it appears that the number of officers involved would be insufficient to safely arrest the number of suspects. All other officers shall stay out of the pursuit but should remain alert to its progress and location. Any officer who drops out of a pursuit may then, if necessary, proceed to the pursuit termination point at legal speeds, following the appropriate rules of the road.

307.4.1 VEHICLES WITHOUT EMERGENCY EQUIPMENT

Officers operating vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in any pursuit. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicle is operated in compliance with all traffic laws. Those officers should discontinue such support immediately upon arrival of a sufficient number of authorized emergency police department vehicles or any air support.

307.4.2 PRIMARY PURSUIT VEHICLE RESPONSIBILITIES

The initial pursuing officer will be designated as the primary pursuit vehicle and will be responsible for the conduct of the pursuit unless he/she is unable to remain reasonably close to the suspect's vehicle. The primary responsibility of the officer initiating the pursuit is the apprehension of the suspect without unreasonable danger to him/herself or others.

The primary pursuing officer should notify the dispatcher, commencing with a request for priority radio traffic, that a vehicle pursuit has been initiated, and as soon as practicable provide information including, but not limited to:

- (a) The location, direction of travel and estimated speed of the suspect's vehicle.
- (b) The description of the suspect's vehicle including the license plate number, if known.
- (c) The reason for the pursuit.
- (d) The use of firearms, threat of force, violence, injuries, hostages or other unusual hazards.

Princess Anne Police Department

Policy Manual

Vehicle Pursuits

- (e) The number of occupants and identity or description.
- (f) The weather, road and traffic conditions.
- (g) The need for any additional resources or equipment.
- (h) The identity of other law enforcement agencies involved in the pursuit.

Unless relieved by a supervisor or a secondary pursuing officer, the officer in the primary pursuit vehicle shall be responsible for broadcasting the progress of the pursuit. Unless circumstances reasonably indicate otherwise, the primary pursuing officer should relinquish the responsibility of broadcasting the progress of the pursuit to an officer in a secondary pursuit vehicle or to air support joining the pursuit to minimize distractions and allow the primary pursuing officer to concentrate foremost on safe pursuit tactics.

307.4.3 SECONDARY PURSUIT VEHICLE RESPONSIBILITIES

The second officer in the pursuit will be designated as the secondary pursuit vehicle and is responsible for:

- (a) Immediately notifying the dispatcher of his/her entry into the pursuit.
- (b) Remaining a safe distance behind the primary pursuit vehicle unless directed to assume the role of primary pursuit vehicle or if the primary pursuit vehicle is unable to continue the pursuit.
- (c) Broadcasting information that the primary pursuing officer is unable to provide.
- (d) Broadcasting the progress of the pursuit, updating known or critical information and providing changes in the pursuit, unless the situation indicates otherwise.
- (e) Identifying the need for additional resources or equipment as appropriate.
- (f) Serving as backup to the primary pursuing officer once the suspect has been stopped.

307.5 PURSUIT DRIVING

The decision to use specific driving tactics requires the same assessment of the factors the officer considered when determining whether to initiate and/or terminate a pursuit. The following are tactics for officers who are involved in the pursuit:

- (a) Officers, considering their driving skills and vehicle performance capabilities, will space themselves from other involved vehicles such that they are able to see and avoid hazards or react safely to unusual maneuvers by the fleeing vehicle.
- (b) Because intersections can present increased risks, the following tactics should be considered:
 1. Available officers not directly involved in the pursuit may proceed safely to controlled intersections ahead of the pursuit in an effort to warn cross traffic.
 2. Pursuing officers should exercise due caution and slow down as may be necessary when proceeding through controlled intersections.

Vehicle Pursuits

- (c) As a general rule, officers should not pursue a vehicle driving the wrong direction on a roadway, highway or freeway. In the event the pursued vehicle does so, the following tactics should be considered:
 - 1. Request assistance from available air support.
 - 2. Maintain visual contact with the pursued vehicle by paralleling the vehicle while driving on the correct side of the roadway.
 - 3. Request other officers to observe exits available to the suspect.
- (d) Notify the Maryland State Police and/or other law enforcement agency if it appears that the pursuit may enter its jurisdiction.
- (e) Officers involved in a pursuit should not attempt to pass other pursuing vehicles unless the situation indicates otherwise or they are requested to do so by the pursuing officer and with a clear understanding of the maneuver process between the involved officers.

307.5.1 PURSUIT TRAILING

In the event that initial pursuing officers relinquish control of the pursuit to another agency, the initial officers may, with the permission of a supervisor, trail the pursuit to the termination point in order to provide information and assistance for the arrest of the suspect and reporting the incident.

307.5.2 AIR SUPPORT ASSISTANCE

When available, air support assistance should be requested. Once the air support crew has established visual contact with the pursued vehicle, they should assume communication control over the pursuit. The primary and secondary ground pursuit vehicles, or involved supervisor, will maintain operational control but should consider whether the participation of air support warrants their continued close proximity and/or involvement in the pursuit.

The air support crew should coordinate the activities of resources on the ground, report progress of the pursuit, and provide officers and supervisors with details of upcoming traffic congestion, road hazards or other pertinent information to evaluate whether to continue the pursuit. If officers on the ground are not within visual contact of the pursued vehicle and the air support crew determines that it is unsafe to continue the pursuit, the air support crew should recommend terminating the pursuit.

307.5.3 OFFICERS NOT INVOLVED IN THE PURSUIT

Officers who are not involved in the pursuit should remain in their assigned areas, should not parallel the pursuit route and should not become involved with the pursuit unless directed otherwise by a supervisor. Uninvolved officers are authorized to use emergency equipment at intersections along the pursuit path to clear intersections of vehicular and pedestrian traffic to protect the public. Those officers should attempt to place their vehicles in locations that provide

Vehicle Pursuits

some safety or an escape route in the event of an unintended collision or if the suspect intentionally tries to ram the police department vehicle.

Non-pursuing members needed at the pursuit termination point should respond in a nonemergency manner, observing the rules of the road.

The primary pursuit vehicle, secondary pursuit vehicle and supervisor vehicle should be the only vehicles operating under emergency conditions (emergency lights and siren) unless other officers are assigned to the pursuit.

307.6 SUPERVISORY CONTROL AND RESPONSIBILITIES

Available supervisory and management control will be exercised over all vehicle pursuits involving officers from this department.

The field supervisor of the officer initiating the pursuit, or if unavailable, the nearest field supervisor, will be responsible for:

- (a) Immediately notifying involved officers and the dispatcher of supervisory presence and ascertaining all reasonably available information to continuously assess the situation and risk factors associated with the pursuit. This is to ensure that the pursuit is conducted within established department guidelines.
- (b) Engaging in the pursuit, when appropriate, to provide on-scene supervision.
- (c) Exercising management and control of the pursuit even if not engaged in it.
- (d) Ensuring that no more than the required law enforcement vehicles are involved in the pursuit under the guidelines set forth in this policy.
- (e) Directing that the pursuit be terminated if, in his/her judgment, it is not justified to continue the pursuit under the guidelines of this policy.
- (f) Ensuring that assistance from air support, canines or additional resources are requested, if available and appropriate.
- (g) Ensuring that the proper radio channel is being used.
- (h) Ensuring that the Supervisor is notified of the pursuit, as soon as practicable.
- (i) Ensuring the notification and/or coordination of outside agencies if the pursuit either leaves or is likely to leave the jurisdiction of this department.
- (j) Controlling and managing Princess Anne Police Department officers when a pursuit enters another jurisdiction.
- (k) Preparing a post-pursuit review and documentation of the pursuit as required.

307.6.1 SUPERVISOR RESPONSIBILITIES

Upon becoming aware that a pursuit has been initiated, the Supervisor should monitor and continually assess the situation and ensure the pursuit is conducted within the guidelines and

Vehicle Pursuits

requirements of this policy. The Supervisor has the final responsibility for the coordination, control and termination of a vehicle pursuit and shall be in overall command.

The Supervisor shall review all pertinent reports for content and forward them to the Captain.

307.7 SOMERSET EMERGENCY SERVICES

If the pursuit is confined within the Town limits, radio communications will be conducted on the primary channel unless instructed otherwise by a supervisor or dispatcher. If the pursuit leaves the jurisdiction of this department or such is imminent, involved officers should, whenever available, switch radio communications to a tactical or emergency channel most accessible by participating agencies.

307.7.1 RESPONSIBILITIES

Upon notification or becoming aware that a pursuit has been initiated, the dispatcher is responsible for:

- (a) Clearing the radio channel of nonemergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Supervisor as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

307.8 LOSS OF PURSUED VEHICLE

When the pursued vehicle is lost, the involved officers should broadcast pertinent information to assist other officers in locating the vehicle. The primary pursuing officer or supervisor will be responsible for coordinating any further search for either the pursued vehicle or suspects fleeing on foot.

307.9 INTERJURISDICTIONAL CONSIDERATIONS

When a pursuit enters another agency's jurisdiction, the primary pursuing officer or supervisor, taking into consideration the distance traveled, unfamiliarity with the area and other pertinent facts, should determine whether to request the other agency to assume the pursuit.

Unless entry into another jurisdiction is expected to be brief, it is generally recommended that the primary pursuing officer or supervisor ensure that notification is provided to each outside jurisdiction into which the pursuit is reasonably expected to enter, regardless of whether the jurisdiction is expected to assist.

Princess Anne Police Department

Policy Manual

Vehicle Pursuits

307.9.1 ASSUMPTION OF PURSUIT BY ANOTHER AGENCY

Officers will relinquish control of the pursuit when another agency has assumed the pursuit, unless the continued assistance of the Princess Anne Police Department is requested by the agency assuming the pursuit. Upon relinquishing control of the pursuit, the involved officers may proceed, with supervisory approval, to the termination point of the pursuit to assist in the investigation. The supervisor should coordinate such assistance with the assuming agency and obtain any information that is necessary for any reports.

The roles and responsibilities of officers at the termination point of a pursuit initiated by this department shall be coordinated with appropriate consideration of the needs of the agency assuming the pursuit.

Notification of a pursuit in progress should not be construed as a request to join the pursuit. Requests to or from another agency to assume a pursuit should be specific. Because of communication limitations between local law enforcement agencies, a request for another agency's assistance will mean that its personnel will assume responsibility for the pursuit. For the same reasons, when a pursuit leaves another jurisdiction and a request for assistance is made to this department, the other agency should relinquish control.

307.9.2 PURSUITS EXTENDING INTO THIS JURISDICTION

The agency that initiates a pursuit shall be responsible for conducting the pursuit. Officers from this department should not join a pursuit unless specifically requested to do so by the pursuing agency and with approval from a supervisor. The exception to this is when a single vehicle from the initiating agency is in pursuit. Under this circumstance, an officer from this department may, with supervisor approval, immediately join the pursuit until sufficient vehicles from the initiating agency join the pursuit or until additional information is provided allowing withdrawal from the pursuit.

When a request is made for this department to assist or take over a pursuit that has entered the jurisdiction of the Princess Anne Police Department, the supervisor should consider:

- (a) The public's safety within this jurisdiction.
- (b) The safety of the pursuing officers.
- (c) Whether the circumstances are serious enough to continue the pursuit.
- (d) Whether there is adequate staffing to continue the pursuit.
- (e) The ability to maintain the pursuit.

As soon as practicable, a supervisor or the Supervisor should review a request for assistance from another agency. The Supervisor or supervisor, after considering the above factors, may decline to assist in or assume the other agency's pursuit.

Assistance to a pursuing agency by officers of this department will conclude at the Town limits, provided that the pursuing agency has sufficient assistance from other sources. Ongoing participation from this department may continue only until sufficient assistance is present.

Vehicle Pursuits

In the event that the termination point of a pursuit from another agency is within this jurisdiction, officers shall provide appropriate assistance including, but not limited to, scene control, coordination and completion of supplemental reports and any other assistance requested or needed.

307.10 PURSUIT INTERVENTION

Pursuit intervention is an attempt to stop the suspect's ability to continue to flee in a vehicle through tactical application of technology, tire deflation devices, blocking or vehicle intercept, boxing-in, the PIT, ramming or roadblock procedures.

307.10.1 WHEN USE IS AUTHORIZED

Whenever practicable, an officer shall seek approval from a supervisor before employing any intervention to stop the pursued vehicle. In deciding whether to use intervention tactics, officers/supervisors should balance the risk of allowing the pursuit to continue with the potential hazards arising from the use of each tactic to the public, the officers and persons in or on the pursued vehicle. With this in mind, the decision to use any intervention tactic should be reasonable in light of the circumstances apparent to the officer at the time of the decision.

307.10.2 USE OF FIREARMS

The use of firearms to disable a pursued vehicle is not generally an effective tactic and involves all the dangers associated with discharging firearms. Officers should not utilize firearms during an ongoing pursuit unless the conditions and circumstances meet the requirements authorizing the use of deadly force. Nothing in this section shall be construed to prohibit any officer from using a firearm to stop a suspect from using a vehicle as a deadly weapon.

307.10.3 INTERVENTION STANDARDS

Any intervention tactic, depending upon the conditions and circumstances under which it is used, may present dangers to the officers, the public or anyone in or on the vehicle being pursued. Certain applications of intervention tactics may be construed to be a use of force, including deadly force, and are subject to policies guiding such use. Officers shall consider these facts and requirements prior to deciding how, when, where and if an intervention tactic should be employed.

- (a) Blocking or vehicle intercept should only be considered in cases involving felony suspects or impaired drivers who pose a threat to the public's safety, and when officers reasonably believe that attempting a conventional enforcement stop will likely result in the driver attempting to flee in the vehicle. Because of the potential risks involved, this intervention tactic should only be employed by properly trained officers and after giving consideration to the following:
 - 1. The need to immediately stop the suspect vehicle or prevent it from leaving substantially outweighs the risk of injury or death to occupants of the suspect vehicle, officers or others.
 - 2. All other reasonable intervention tactics have failed or reasonably appear ineffective.

Princess Anne Police Department

Policy Manual

Vehicle Pursuits

3. Employing the blocking or vehicle intercept maneuver does not unreasonably increase the risk of safety to those involved or the public.
 4. The suspect vehicle is stopped or traveling at a low speed.
 5. Only law enforcement vehicles should be used in this tactic.
- (b) The PIT is limited to use by properly trained officers with the approval of a supervisor and upon assessment of the circumstances and conditions presented at the time, including the potential for risk of injury to officers, the public and occupants of the pursued vehicle.
- (c) Ramming a fleeing vehicle should be done only after other reasonable tactical means at the officer's disposal have been exhausted or would not be effective, and immediate control is necessary. Ramming should be reserved for situations where there does not appear to be another reasonable alternative method. If there does not reasonably appear to be a present or immediately foreseeable serious threat to the public, the use of ramming is not authorized. When ramming is used as a means to stop a fleeing vehicle, the following factors should be present:
1. The suspect is an actual or suspected felon, who reasonably appears to represent a serious threat to the public if not apprehended.
 2. The suspect is driving with willful or wanton disregard for the safety of other persons or is driving in a reckless and life-endangering manner or using the vehicle as a weapon.
- (d) Boxing-in a suspect vehicle should only be attempted upon approval by a supervisor. The use of such a tactic must be carefully coordinated with all involved vehicles, taking into consideration the circumstances and conditions apparent at the time, as well as the potential risk of injury to officers, the public and occupants of the pursued vehicle. Officers and supervisors should weigh the potential consequences against the need to immediately stop the vehicle.
- (e) Tire deflation devices should be deployed only after notification of pursuing officers and the supervisor of the intent and location of the intended deployment, and in a manner that:
1. Should reasonably only affect the pursued vehicle.
 2. Provides the deploying officer adequate cover and escape from intentional or unintentional exposure to the approaching vehicle.
 3. Has considered the limitations of such devices as well as the potential risk to officers, the public and occupants of the pursued vehicle.
 4. Has considered whether the pursued vehicle is a motorcycle, a vehicle transporting hazardous materials or a school bus transporting children.

Vehicle Pursuits

- (f) Because roadblocks involve a potential for serious injury or death to occupants of the pursued vehicle if the suspect does not stop, the intentional placement of roadblocks in the direct path of a pursued vehicle is generally discouraged and should not be deployed without prior approval of a supervisor. If roadblocks are deployed, it should only be done under extraordinary conditions when all other reasonable intervention tactics have failed or reasonably appear ineffective and the need to immediately stop the pursued vehicle substantially outweighs the risks of injury or death to occupants of the pursued vehicle, officers or the public.

307.11 CAPTURE OF SUSPECTS

Proper self-discipline and sound professional judgment are the keys to a successful conclusion of a pursuit and apprehension of evading suspects. Officers shall use only that amount of force that reasonably appears necessary given the facts and circumstances perceived by the officer at the time of the event to accomplish a legitimate law enforcement purpose.

Unless relieved by a supervisor, the primary pursuing officer should coordinate efforts to apprehend the suspect following the pursuit. Officers should consider the safety of the public and the involved officers when formulating plans for setting up perimeters or for containing and capturing the suspect.

307.12 REPORTING REQUIREMENTS

All appropriate reports shall be completed to comply with appropriate laws and policies or procedures.

- (a) The primary pursuing officer shall complete appropriate crime/arrest reports.
- (b) The primary pursuing officer or supervisor shall complete the appropriate pursuit report.
- (c) After first obtaining the available information, the involved, or if unavailable, on-duty field supervisor shall promptly complete a supervisor's log or interoffice memorandum, briefly summarizing the pursuit to the Chief of Police or the authorized designee. This log or memorandum should include, at a minimum:
 - 1. Date and time of the pursuit.
 - 2. Initial reason and circumstances surrounding the pursuit.
 - 3. Length of pursuit in distance and time, including the starting and termination points.
 - 4. Involved vehicles and officers.
 - 5. Alleged offenses.
 - 6. Whether a suspect was apprehended, as well as the means and methods used.

Princess Anne Police Department

Policy Manual

Vehicle Pursuits

- (a) Any use of force shall be reported and documented in compliance with the Use of Force Policy.
- 7. Arrestee information, if applicable.
- 8. Any injuries and/or medical treatment.
- 9. Any property or equipment damage.
- 10. Name of supervisor at the scene or who handled the incident.
- 11. A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.
- (d) After receiving copies of reports, logs and other pertinent information, the Chief of Police or the authorized designee shall conduct or assign the completion of a post-pursuit review, as appropriate.
- (e) Annually, the Chief of Police should direct a documented review and analysis of department vehicle pursuits to minimally include policy suitability, policy compliance and training needs.

307.13 REGULAR AND PERIODIC PURSUIT TRAINING

In addition to initial and supplementary training on pursuits, all officers will participate, no less than annually, in regular and periodic training addressing this policy and the importance of vehicle safety and protecting the public. Training will include recognition of the need to balance the known offense and the need for immediate capture against the risks to officers and others.

Foot Pursuits

308.1 PURPOSE AND SCOPE

This policy provides guidelines to assist officers in making the decision to initiate or continue the pursuit of suspects on foot.

308.2 POLICY

It is the policy of this department that officers, when deciding to initiate or continue a foot pursuit, continuously balance the objective of apprehending the suspect with the risk and potential for injury to department members, the public or the suspect.

Officers are expected to act reasonably, based on the totality of the circumstances.

308.3 DECISION TO PURSUE

The safety of department members and the public should be the primary consideration when determining whether a foot pursuit should be initiated or continued. Officers must be mindful that immediate apprehension of a suspect is rarely more important than the safety of the public and department members.

Officers may be justified in initiating a foot pursuit of any individual that the officer reasonably believes is about to engage in, is engaging in or has engaged in criminal activity. The decision to initiate or continue such a foot pursuit, however, must be continuously re-evaluated in light of the circumstances presented at the time.

Mere flight by a person who is not suspected of criminal activity alone shall not serve as justification for engaging in an extended foot pursuit without the development of reasonable suspicion regarding the individual's involvement in criminal activity or being wanted by law enforcement.

Deciding to initiate or continue a foot pursuit is a decision that an officer must make quickly and under unpredictable and dynamic circumstances. It is recognized that foot pursuits may place department members and the public at significant risk. Therefore, no officer or supervisor shall be criticized or disciplined for deciding not to engage in a foot pursuit because of the perceived risk involved.

If circumstances permit, surveillance and containment are generally the safest tactics for apprehending fleeing persons. In deciding whether to initiate or continue a foot pursuit, an officer should continuously consider reasonable alternatives to a foot pursuit based upon the circumstances and resources available, such as:

- (a) Containment of the area.
- (b) Saturation of the area with law enforcement personnel, including assistance from other agencies.
- (c) A canine search.

Foot Pursuits

- (d) Thermal imaging or other sensing technology.
- (e) Air support.
- (f) Apprehension at another time when the identity of the suspect is known or there is information available that would likely allow for later apprehension, and the need to immediately apprehend the suspect does not reasonably appear to outweigh the risk of continuing the foot pursuit.

308.4 GENERAL GUIDELINES

When reasonably practicable, officers should consider alternatives to engaging in or continuing a foot pursuit when:

- (a) Directed by a supervisor to terminate the foot pursuit; such an order shall be considered mandatory.
- (b) The officer is acting alone.
- (c) Two or more officers become separated, lose visual contact with one another or obstacles separate them to the degree that they cannot immediately assist each other should a confrontation take place. In such circumstances, it is generally recommended that a single officer keep the suspect in sight from a safe distance and coordinate the containment effort.
- (d) The officer is unsure of his/her location and direction of travel.
- (e) The officer is pursuing multiple suspects and it is not reasonable to believe that the officer would be able to control the suspect should a confrontation occur.
- (f) The physical condition of the officer renders him/her incapable of controlling the suspect if apprehended.
- (g) The officer loses radio contact with the dispatcher or with assisting or backup officers.
- (h) The suspect enters a building, structure, confined space, isolated area or dense or difficult terrain, and there are insufficient officers to provide backup and containment. The primary officer should consider discontinuing the foot pursuit and coordinating containment pending the arrival of sufficient resources.
- (i) The officer becomes aware of unanticipated or unforeseen circumstances that unreasonably increase the risk to officers or the public.
- (j) The officer reasonably believes that the danger to the pursuing officers or public outweighs the objective of immediate apprehension.
- (k) The officer loses possession of his/her firearm or other essential equipment.
- (l) The officer or a third party is injured during the foot pursuit, requiring immediate assistance, and there are no other emergency personnel available to render assistance.

Foot Pursuits

- (m) The suspect's location is no longer known.
- (n) The identity of the suspect is established or other information exists that will allow for the suspect's apprehension at a later time, and it reasonably appears that there is no immediate threat to department members or the public if the suspect is not immediately apprehended.
- (o) The officer's ability to safely continue the foot pursuit is impaired by inclement weather, darkness or other environmental conditions.

308.5 RESPONSIBILITIES IN FOOT PURSUITS

308.5.1 INITIATING OFFICER RESPONSIBILITIES

Unless relieved by another officer or a supervisor, the initiating officer shall be responsible for coordinating the progress of the pursuit and containment. When acting alone and when practicable, the initiating officer should not attempt to overtake and confront the suspect but should attempt to keep the suspect in sight until sufficient officers are present to safely apprehend the suspect.

Early communication of available information from the involved officers is essential so that adequate resources can be coordinated and deployed to bring a foot pursuit to a safe conclusion. Officers initiating a foot pursuit should, at a minimum, broadcast the following information as soon as it becomes practicable and available:

- (a) Location and direction of travel.
- (b) Call sign identifier.
- (c) Reason for the foot pursuit, such as the crime classification.
- (d) Number of suspects and description, to include name if known.
- (e) Whether the suspect is known or believed to be armed with a dangerous weapon.

Officers should be mindful that radio transmissions made while running may be difficult to understand and may need to be repeated.

Absent extenuating circumstances, any officer unable to promptly and effectively broadcast this information should terminate the foot pursuit. If the foot pursuit is discontinued for any reason, immediate efforts for containment should be established and alternatives considered based upon the circumstances and available resources.

When a foot pursuit terminates, the officer will notify the dispatcher of his/her location and the status of the foot pursuit termination (e.g., suspect in custody, lost sight of suspect), and will direct further actions as reasonably appear necessary, to include requesting medical aid as needed for officers, suspects or members of the public.

Princess Anne Police Department

Policy Manual

Foot Pursuits

308.5.2 ASSISTING OFFICER RESPONSIBILITIES

Whenever any officer announces that he/she is engaged in a foot pursuit, all other officers should minimize non-essential radio traffic to permit the involved officers maximum access to the radio frequency.

308.5.3 SUPERVISOR RESPONSIBILITIES

Upon becoming aware of a foot pursuit, the supervisor shall make every reasonable effort to ascertain sufficient information to direct responding resources and to take command, control and coordination of the foot pursuit. The supervisor should respond to the area whenever possible; the supervisor does not, however, need not be physically present to exercise control over the foot pursuit. The supervisor shall continuously assess the situation in order to ensure the foot pursuit is conducted within established department guidelines.

The supervisor shall terminate the foot pursuit when the danger to pursuing officers or the public appears to unreasonably outweigh the objective of immediate apprehension of the suspect.

Upon apprehension of the suspect, the supervisor shall promptly proceed to the termination point to direct the post-foot pursuit activity.

308.5.4 SOMERSET EMERGENCY SERVICES RESPONSIBILITIES

Upon notification or becoming aware that a foot pursuit is in progress, the dispatcher is responsible for:

- (a) Clearing the radio channel of non-emergency traffic.
- (b) Coordinating pursuit communications of the involved officers.
- (c) Broadcasting pursuit updates as well as other pertinent information as necessary.
- (d) Ensuring that a field supervisor is notified of the foot pursuit.
- (e) Notifying and coordinating with other involved or affected agencies as practicable.
- (f) Notifying the Supervisor as soon as practicable.
- (g) Assigning an incident number and logging all pursuit activities.

308.6 REPORTING REQUIREMENTS

The initiating officer shall complete appropriate crime/arrest reports documenting, at a minimum:

- (a) Date and time of the foot pursuit.
- (b) Initial reason and circumstances surrounding the foot pursuit.
- (c) Course and approximate distance of the foot pursuit.
- (d) Alleged offenses.
- (e) Involved vehicles and officers.
- (f) Whether a suspect was apprehended as well as the means and methods used.

Princess Anne Police Department

Policy Manual

Foot Pursuits

1. Any use of force shall be reported and documented in compliance with the Use of Force Policy.
 - (g) Arrestee information, if applicable.
 - (h) Any injuries and/or medical treatment.
 - (i) Any property or equipment damage.
 - (j) Name of the supervisor at the scene or who handled the incident.
 - (k) A preliminary determination that the pursuit appears to be in compliance with this policy or that additional review and/or follow-up is warranted.

Assisting officers taking an active role in the apprehension of the suspect shall complete supplemental reports as necessary or as directed.

In any case in which a suspect is not apprehended and there is insufficient information to support further investigation, a supervisor may authorize that the initiating officer need not complete a formal report.

Officer Response to Calls

309.1 PURPOSE AND SCOPE

This policy provides officers with guidelines for the safe and appropriate vehicular response to emergency and non-emergency incidents or requests for assistance, whether these are dispatched or self-initiated.

309.2 POLICY

It is the policy of this department to appropriately respond to emergency and nonemergency calls for service or requests for assistance, whether these are dispatched or self-initiated.

309.3 RESPONSE TO CALLS

Officers responding to nonemergency calls shall proceed accordingly, unless they are sent or redirected to a higher priority call, and shall obey all traffic laws.

309.3.1 EMERGENCY CALLS

Officers should only respond to a call as an emergency response when so dispatched or when circumstances reasonably indicate an emergency response is required. This includes, but is not limited to (Md. Code TR § 21-106):

- (a) When in pursuit or apprehending a violator or suspected violator.
- (b) When responding to a reported emergency involving possible personal injury, death or significant property damage.
- (c) When immediate assistance is requested by an officer or other law enforcement agency.

If an officer believes an emergency response to any call is appropriate, the officer shall immediately notify the dispatcher.

Officers not responding to a call as an emergency response shall observe all traffic laws and proceed without the use of emergency lights and siren.

309.4 REQUESTING EMERGENCY ASSISTANCE

When requesting emergency assistance, the involved department member should reasonably believe there is an imminent threat to the safety of him/herself or another person, or that assistance is needed to prevent imminent serious harm to the public.

If circumstances permit, the requesting member should provide the following information:

- Identifying call sign
- Location of the emergency situation
- Suspect information, including weapons
- Reason for the request and type of emergency

Princess Anne Police Department

Policy Manual

Officer Response to Calls

- The number of officers or resources required
- Hazards and any known or potential dangers for responding officers

In any event where a situation has stabilized and emergency response is not required, the requesting member shall immediately notify the dispatcher.

309.5 SAFETY CONSIDERATIONS

Officers responding to an emergency call shall proceed immediately as appropriate and shall continuously operate the emergency vehicle lighting and siren as required by law (Md. Code TR § 21-106(c)).

Responding with emergency lights and siren does not relieve the operator of an emergency vehicle of the duty to continue to drive with due regard for the safety of all persons and property, and does not protect the operator from the consequences of reckless disregard for the safety of others. However the officer may, when responding to a call with an emergency response, and provided there is no endangerment or unnecessary risk to persons and property (Md. Code TR § 21-106(b)):

- Proceed past a red or stop signal or stop sign, but only after slowing down as may be necessary for safe operation.
- Exceed the speed limit.
- Disregard regulations governing direction of movement or turning in specified directions.
- Park or stand without regard to parking restrictions.

309.5.1 NUMBER OF OFFICERS ASSIGNED

Only the number of officers that are reasonably necessary should be assigned to respond to an emergency call or request for assistance.

An emergency response involving more than one police vehicle should be coordinated by Somerset Emergency Services to avoid any unanticipated intersecting of response routes. The dispatcher shall notify the Supervisor or field supervisor, who will make a determination regarding the appropriateness of the response and reduce or enhance the response as warranted.

309.6 EMERGENCY EQUIPMENT

Vehicles not equipped with emergency lights and siren are prohibited from initiating or joining in an emergency response. Officers in such vehicles may provide support to pursuing vehicles as long as the vehicles are operated in compliance with all traffic laws. Those officers should terminate their involvement in any emergency response immediately upon arrival of a sufficient number of emergency law enforcement vehicles.

If the emergency equipment on the vehicle should fail to operate, the officer must terminate the emergency response and continue accordingly. The officer shall notify the Supervisor, field

Princess Anne Police Department

Policy Manual

Officer Response to Calls

supervisor or the dispatcher of the equipment failure so that another officer may be assigned to the emergency response.

309.7 OFFICER RESPONSIBILITIES

The decision to initiate or continue an emergency response is at the discretion of the officer. If, in the officer's judgment, the weather, traffic and road conditions do not permit such a response without unreasonable risk, the officer may elect to respond to the call without the use of emergency lights and siren at the legal speed limit. In such an event, the officer should immediately notify the dispatcher. An officer shall also discontinue an emergency response when directed by a supervisor or as otherwise appropriate.

Upon receiving authorization or determining that an emergency response is appropriate, whenever practicable, an officer shall immediately give the location from which he/she is responding.

The first officer arriving at the emergency call should determine whether to increase or reduce the level of the response of additional officers and shall notify the dispatcher of his/her determination. Any subsequent change in the appropriate response level should be communicated to the dispatcher by the officer in charge of the scene unless a supervisor assumes this responsibility.

309.8 SOMERSET EMERGENCY SERVICES

When information reasonably indicates that the public is threatened with serious injury or death or an officer requests emergency assistance and immediate law enforcement response is needed, the dispatcher shall assign an emergency response and ensure acknowledgement and response of handling and assisting officers. In all other circumstances, the dispatcher shall obtain authorization from the Supervisor or a field supervisor prior to assigning an emergency response.

309.8.1 RESPONSIBILITIES

Upon notification or assignment of an emergency response, the dispatcher is responsible for:

- (a) Confirming the location from which the officer is responding or requesting assistance.
- (b) Attempting to assign the closest available assisting officers to the location of the emergency call.
- (c) Continuing to obtain and broadcast information as necessary concerning the response and monitoring the situation until it is stabilized or terminated.
- (d) Notifying and coordinating allied emergency services (e.g., fire, emergency medical services).
- (e) Notifying the Supervisor as soon as practicable.
- (f) Controlling all radio communications during the emergency and coordinating assistance under the direction of the Supervisor or field supervisor.

Officer Response to Calls

309.9 SUPERVISOR RESPONSIBILITIES

Upon being notified that an emergency response has been initiated or requested, the Supervisor or the field supervisor shall verify that:

- (a) The proper response has been initiated.
- (b) No more than those officers reasonably necessary under the circumstances are involved in the response.
- (c) Affected outside jurisdictions are being notified as practicable.

The field supervisor shall monitor the response until it has been stabilized or terminated and assert control by directing officers into or out of the response, if necessary. If, in the supervisor's judgment, the circumstances require additional officers to be assigned an emergency response, the supervisor may do so.

It is the supervisor's responsibility to terminate an emergency response that, in his/her judgment is inappropriate due to the circumstances.

When making the decision to authorize an emergency response, the Supervisor or the field supervisor should consider the following:

- The type of call or crime involved
- The type and circumstances of the request
- The necessity of a timely response
- Weather, traffic and road conditions
- The location of the responding officers and the location of the incident

Canines

310.1 PURPOSE AND SCOPE

This policy establishes guidelines for the use of canines to augment law enforcement services in the community, including but not limited to locating individuals and contraband and apprehending criminal offenders.

310.2 POLICY

It is the policy of the Princess Anne Police Department that teams of handlers and canines meet and maintain the appropriate proficiency to effectively and reasonably carry out legitimate law enforcement objectives.

310.3 ASSIGNMENT

Canine teams should be assigned to assist and supplement the Patrol Division to function primarily in assist or cover assignments. However, they may be assigned by the Supervisor to other functions, such as routine calls for service, based on the current operational needs.

Canine teams should generally not be assigned to handle routine matters that will take them out of service for extended periods of time. If such assignment is necessary, it should only be made with the approval of the Supervisor.

310.4 CANINE COORDINATOR

The canine coordinator shall be appointed by and is directly responsible to the Captain or the authorized designee.

The responsibilities of the coordinator include but are not limited to:

- (a) Reviewing all canine use reports to ensure compliance with policy and to identify training issues and other needs of the program.
- (b) Maintaining a liaison with the vendor kennel.
- (c) Maintaining a liaison with command staff and functional supervisors.
- (d) Maintaining a liaison with other agency canine coordinators.
- (e) Maintaining accurate records to document canine activities.
- (f) Recommending and overseeing the procurement of equipment and services for the teams of handlers and canines.
- (g) Scheduling all canine-related activities.
- (h) Ensuring the canine teams are scheduled for regular training to maximize their capabilities.

Princess Anne Police Department

Policy Manual

Canines

310.5 REQUESTS FOR CANINE TEAMS

Patrol Division members are encouraged to request the use of a canine. Requests for a canine team from department units outside of the Patrol Division shall be reviewed by the Supervisor.

310.5.1 OUTSIDE AGENCY REQUEST

All requests for canine assistance from outside agencies must be approved by the Supervisor and are subject to the following:

- (a) Canine teams shall not be used for any assignment that is not consistent with this policy.
- (b) The canine handler shall have the authority to decline a request for any specific assignment that he/she deems unsuitable.
- (c) Calling out off-duty canine teams is discouraged.
- (d) It shall be the responsibility of the canine handler to coordinate operations with agency personnel in order to minimize the risk of unintended injury.
- (e) It shall be the responsibility of the canine handler to complete all necessary reports or as directed.

310.5.2 PUBLIC DEMONSTRATION

All public requests for a canine team shall be reviewed and, if appropriate, approved by the canine coordinator prior to making any resource commitment. The canine coordinator is responsible for obtaining resources and coordinating involvement in the demonstration to include proper safety protocols. Canine handlers shall not demonstrate any apprehension work unless authorized to do so by the canine coordinator.

310.6 APPREHENSION GUIDELINES

A canine may be used to locate and apprehend a suspect if the canine handler reasonably believes that the individual has committed, is committing, or is threatening to commit any serious offense and if any of the following conditions exist:

- (a) There is a reasonable belief the suspect poses an imminent threat of violence or serious harm to the public, any officer or the handler.
- (b) The suspect is physically resisting or threatening to resist arrest and the use of a canine reasonably appears to be necessary to overcome such resistance.
- (c) The suspect is believed to be concealed in an area where entry by other than the canine would pose a threat to the safety of officers or the public.

It is recognized that situations may arise that do not fall within the provisions set forth in this policy. Such events require consideration of the totality of the circumstances and the use of an objective reasonableness standard applied to the decision to use a canine.

Absent a reasonable belief that a suspect has committed, is committing, or is threatening to commit a serious offense, mere flight from a pursuing officer, without any of the above conditions, shall not serve as the basis for the use of a canine to apprehend a suspect.

Canines

Use of a canine to locate and apprehend a suspect wanted for a lesser criminal offense than those identified above requires approval from the Supervisor. Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such canine use should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual.

In all applications, once the suspect has been located and no longer reasonably appears to present a threat or risk of escape, the handler should secure the canine as soon as it becomes reasonably practicable.

If the canine has apprehended the suspect with a secure bite, and the handler believes that the suspect no longer poses a threat, the handler should promptly command the canine to release the suspect.

310.6.1 PREPARATION FOR DEPLOYMENT

Prior to the use of a canine to search for or apprehend any suspect, the canine handler and/or the supervisor on-scene should carefully consider all pertinent information reasonably available at the time. The information should include but is not limited to:

- (a) The nature and seriousness of the suspected offense.
- (b) Whether violence or weapons were used or are anticipated.
- (c) The degree of resistance or threatened resistance, if any, the suspect has shown.
- (d) The suspect's known or perceived age.
- (e) The potential for injury to officers or the public caused by the suspect if the canine is not utilized.
- (f) Any potential danger to the public and/or other officers at the scene if the canine is released.
- (g) The potential for the suspect to escape or flee if the canine is not utilized.

As circumstances permit, the canine handler should make every reasonable effort to communicate and coordinate with other involved members to minimize the risk of unintended injury.

It is the canine handler's responsibility to evaluate each situation and determine whether the use of a canine is appropriate and reasonable. The canine handler shall have the authority to decline the use of the canine whenever he/she deems deployment is unsuitable.

A supervisor who is sufficiently apprised of the situation may prohibit deploying the canine.

Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

310.6.2 WARNINGS AND ANNOUNCEMENTS

Unless it would increase the risk of injury or escape, a clearly audible warning announcing that a canine will be used if the suspect does not surrender should be made prior to releasing a canine. The handler should allow reasonable time for a suspect to surrender and should quiet the canine

Canines

momentarily to listen for any verbal response to the warning. If feasible, other members should be in a location opposite the warning to verify that the announcement could be heard. If available, warnings given in other languages should be used as necessary.

If a warning is not to be given, the canine handler, when practicable, should first advise the supervisor of his/her decision before releasing the canine. In the event of an apprehension, the handler shall document in any related report how the warning was given and, if none was given, the reasons why.

310.6.3 REPORTING DEPLOYMENTS, BITES, AND INJURIES

Handlers should document canine deployments in a canine use report. Whenever a canine deployment results in a bite or causes injury to an intended suspect, a supervisor should be promptly notified and the injuries documented in the canine use report. The injured person shall be promptly treated by Emergency Medical Services personnel and, if appropriate, transported to an appropriate medical facility for further treatment. The deployment and injuries should also be included in any related incident or arrest report.

Any unintended bite or injury caused by a canine, whether on- or off-duty, shall be promptly reported to the canine coordinator. Unintended bites or injuries caused by a canine should be documented in an administrative report, not in a canine use report.

If an individual alleges an injury, either visible or not visible, a supervisor shall be notified and both the individual's injured and uninjured areas shall be photographed as soon as practicable after first tending to the immediate needs of the injured party. Photographs shall be retained as evidence in accordance with current department evidence procedures. The photographs shall be retained until the criminal proceeding is completed and the time for any related civil proceeding has expired.

The canine coordinator shall complete the Maryland Animal-Bite Report and Rabies Quarantine Agreement Form and make it available to the local health officer within 24 hours (COMAR 10.06.02.05).

310.7 NON-APPREHENSION GUIDELINES

Properly trained canines may be used to track or search for non-criminals (e.g., lost children, individuals who may be disoriented or in need of medical attention). The canine handler is responsible for determining the canine's suitability for such assignments based on the conditions and the particular abilities of the canine. When the canine is deployed in a search or other non-apprehension operation, the following guidelines apply:

- (a) Absent a change in circumstances that presents an imminent threat to officers, the canine, or the public, such applications should be conducted on-leash or under conditions that minimize the likelihood the canine will bite or otherwise injure the individual, if located.
- (b) Unless otherwise directed by a supervisor, assisting members should take direction from the handler in order to minimize interference with the canine.

Princess Anne Police Department

Policy Manual

Canines

- (c) Throughout the deployment, the handler should periodically give verbal assurances that the canine will not bite or hurt the individual and encourage the individual to make him/herself known.
- (d) Once the individual has been located, the handler should place the canine in a down-stay or otherwise secure it as soon as reasonably practicable.

310.7.1 ARTICLE DETECTION

A canine trained to find objects or property related to a person or crime may be used to locate or identify articles. A canine search should be conducted in a manner that minimizes the likelihood of unintended bites or injuries.

310.7.2 CONTROLLED DANGEROUS SUBSTANCE DETECTION

A canine trained in the detection of controlled dangerous substances (CDS) may be used in accordance with current law and under certain circumstances, including:

- (a) The search of vehicles, buildings, bags and other articles.
- (b) Assisting in the search for CDS during a search warrant service.
- (c) Obtaining a search warrant by using the CDS-detection trained canine in support of probable cause.

A CDS-detection trained canine will not be used to search a person for CDS unless the canine is trained to passively indicate the presence of CDS.

310.7.3 BOMB/EXPLOSIVE DETECTION

Because of the high risk of danger to the public and officers when a bomb or other explosive device is suspected, the use of a canine team trained in explosive detection may be considered. When available, an explosive-detection canine team may be used in accordance with current law and under certain circumstances, including:

- (a) Assisting in the search of a building, structure, area, vehicle, or article where an actual or suspected explosive device has been reported or located.
- (b) Assisting with searches at transportation facilities and vehicles (e.g., buses, airplanes, trains).
- (c) Preventive searches at special events, VIP visits, official buildings, and other restricted areas. Searches of individuals should remain minimally intrusive and shall be strictly limited to the purpose of detecting explosives.
- (d) Assisting in the search of scenes where an explosion has occurred and an explosive device or secondary explosive device is suspected.

At no time will an explosive-detection trained canine be used to render a suspected device safe or clear.

310.8 HANDLER SELECTION

The minimum qualifications for the assignment of canine handler include:

- (a) An officer who is currently off probation.

Canines

- (b) Residing in an adequately fenced single-family residence (minimum 5-foot-high fence with locking gates).
- (c) A garage that can be secured and can accommodate a canine vehicle.
- (d) Living within 30 minutes travel time from the Princess Anne Town limits.
- (e) Agreeing to be assigned to the position for a minimum of three years.

310.9 HANDLER RESPONSIBILITIES

The canine handler shall ultimately be responsible for the health and welfare of the canine and shall ensure that the canine receives proper nutrition, grooming, training, medical care, affection, and living conditions.

The canine handler will be responsible for the following:

- (a) Except as required during appropriate deployment, the handler shall not expose the canine to any foreseeable and unreasonable risk of harm.
- (b) The handler shall maintain all department equipment under his/her control in a clean and serviceable condition.
- (c) When not in service, the handler shall maintain the canine vehicle in a locked garage, away from public view.
- (d) When a handler is off-duty for an extended number of days, the assigned canine vehicle should be stored at the Princess Anne Police Department facility.
- (e) Handlers shall permit the canine coordinator to conduct spontaneous on-site inspections of affected areas of their homes as well as their canine vehicles to verify that conditions and equipment conform to this policy.
- (f) Any changes in the living status of the handler that may affect the lodging or environment of the canine shall be reported to the canine coordinator as soon as possible.
- (g) When off-duty, the canine shall be in a kennel provided by the Town at the home of the handler. When a canine is kenneled at the handler's home, the gate shall be secured with a lock. When off-duty, the canine may be let out of the kennel while under the direct control of the handler.
- (h) The canine should be permitted to socialize in the home with the handler's family for short periods of time and under the direct supervision of the handler.
- (i) Under no circumstances will the canine be lodged at another location unless approved by the canine coordinator or Supervisor.
- (j) When off-duty, the handler shall not involve the canine in any law enforcement activity or official conduct unless approved in advance by the canine coordinator or Supervisor.
- (k) Whenever a canine handler is off-duty for an extended number of days, it may be necessary to temporarily relocate the canine. In those situations, the handler shall give reasonable notice to the canine coordinator so that appropriate arrangements can be made.

Princess Anne Police Department

Policy Manual

Canines

310.9.1 CANINE IN PUBLIC AREAS

The canine should be kept on a leash when in areas that allow access to the public. Exceptions to this rule would include specific law enforcement operations for which the canine is trained.

- (a) A canine shall not be left unattended in any area to which the public may have access.
- (b) When the canine vehicle is left unattended, all windows and doors shall be secured in such a manner as to prevent unauthorized access to the canine. The handler shall also ensure that the unattended vehicle remains inhabitable for the canine.

310.10 HANDLER COMPENSATION

The canine handler shall be available for call-out under conditions specified by the canine coordinator.

The canine handler shall be compensated for time spent in the care, feeding, grooming, and other needs of the canine in accordance with the Fair Labor Standards Act (FLSA), and according to the terms of the collective bargaining agreement or memorandum of understanding between the handler and the Town (29 USC § 207).

310.11 CANINE INJURY AND MEDICAL CARE

In the event that a canine is injured, or there is an indication that the canine is not in good physical condition, the injury or condition will be reported to the canine coordinator or Supervisor as soon as practicable and appropriately documented.

All medical attention shall be rendered by the designated canine veterinarian, except during an emergency where treatment should be obtained from the nearest available veterinarian. All records of medical treatment shall be maintained in the handler's personnel file.

310.12 TRAINING

Before assignment in the field, each canine team shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards. Cross-trained canine teams or those canine teams trained exclusively for the detection of CDS and/or explosives also shall be trained and certified to meet current nationally recognized standards or other recognized and approved certification standards established for their particular skills.

The canine coordinator shall be responsible for scheduling periodic training for all department members in order to familiarize them with how to conduct themselves in the presence of department canines. Because canines may be exposed to dangerous substances such as opioids, as resources are available, the canine coordinator should also schedule periodic training for the canine handlers about the risks of exposure and treatment for it.

All canine training shall be conducted while on-duty unless otherwise approved by the canine coordinator or Supervisor.

Princess Anne Police Department

Policy Manual

Canines

310.12.1 CONTINUED TRAINING

Each canine team shall thereafter be recertified to a current nationally recognized standard or other recognized and approved certification standards on an annual basis. Additional training considerations are as follows:

- (a) Canine teams should receive training as defined in the current contract with the Princess Anne Police Department canine training provider.
- (b) Canine handlers are encouraged to engage in additional training with approval of the canine coordinator.
- (c) To ensure that all training is consistent, no handler, trainer or outside vendor is authorized to train to a standard that is not reviewed and approved by the Department.

310.12.2 FAILURE TO SUCCESSFULLY COMPLETE TRAINING

Any canine team failing to graduate or obtain certification shall not be deployed in the field for tasks the team is not certified to perform until graduation or certification is achieved. When reasonably practicable, pending successful certification, the canine handler shall be temporarily reassigned to regular patrol duties.

310.12.3 TRAINING RECORDS

All canine training records shall be maintained in the canine handler's and the canine's training file.

310.12.4 TRAINING AIDS

Training aids are required to effectively train and maintain the skills of canines. Officers possessing, using, or transporting controlled dangerous substances or explosives for canine training purposes must comply with federal and state requirements. Alternatively, the Princess Anne Police Department may work with outside trainers with the applicable licenses or permits.

310.12.5 CONTROLLED DANGEROUS SUBSTANCE TRAINING AIDS

Officers acting in the performance of their official duties may possess or transfer controlled dangerous substances for the purpose of CDS-detection canine training in compliance with state and federal laws and in compliance with applicable state requirements (21 USC § 823(f)).

The Chief of Police or the authorized designee may authorize a member to seek a court order to allow controlled dangerous substances seized by the Princess Anne Police Department to be possessed by the member or a CDS-detection canine trainer who is working under the direction of this department for training purposes, provided the controlled dangerous substances are no longer needed as criminal evidence.

As an alternative, the Chief of Police or the authorized designee may request CDS-detection training aids from the Drug Enforcement Administration (DEA).

These procedures are not required if the canine handler uses commercially available synthetic substances that are not controlled dangerous substances.

Princess Anne Police Department

Policy Manual

Canines

310.12.6 CONTROLLED DANGEROUS SUBSTANCE PROCEDURES

Due to the responsibilities and liabilities involved with possessing readily usable amounts of controlled dangerous substances and the ever-present danger of the canine's accidental ingestion of these controlled dangerous substances, the following procedures shall be strictly followed:

- (a) All controlled dangerous substance training samples shall be weighed and tested prior to dispensing to the individual canine handler or trainer.
- (b) The weight and test results shall be recorded and maintained by this department.
- (c) Any person possessing controlled dangerous substance training samples pursuant to court order or DEA registration shall maintain custody and control of the controlled dangerous substances and shall keep records regarding any loss of, or damage to, those controlled dangerous substances.
- (d) All controlled dangerous substance training samples will be inspected, weighed and tested quarterly. The results of the quarterly testing shall be recorded and maintained by the canine coordinator with a copy forwarded to the dispensing agency.
- (e) All controlled dangerous substance training samples will be stored in locked, airtight and watertight cases at all times, except during training. The locked cases shall be secured in the trunk of the canine handler's assigned patrol vehicle during transport and stored in an appropriate locked container. There are no exceptions to this procedure.
- (f) The canine coordinator shall periodically inspect every controlled dangerous substance training sample for damage or tampering and take any appropriate action.
- (g) Any unusable controlled dangerous substance training samples shall be returned to the Evidence Room or to the dispensing agency.
- (h) All controlled dangerous substance training samples shall be returned to the dispensing agency upon the conclusion of the training or upon demand by the dispensing agency.

310.12.7 EXPLOSIVE TRAINING AIDS

Officers may possess, transport, store, or use explosives or destructive devices in compliance with state and federal laws (18 USC § 842; 27 CFR 555.41).

Explosive training aids designed specifically for canine teams should be used whenever feasible. Due to the safety concerns in the handling and transportation of explosives, inert or non-hazardous training aids should be employed whenever feasible. The use of explosives or destructive devices for training aids by canine teams is subject to the following:

- (a) All explosive training aids, when not in use, shall be properly stored in a secure facility appropriate for the type of materials.
- (b) An inventory ledger shall be maintained to document the type and quantity of explosive training aids that are stored.
- (c) The canine coordinator shall be responsible for verifying the explosive training aids on hand against the inventory ledger once each quarter.

Princess Anne Police Department

Policy Manual

Canines

- (d) Only members of the canine team shall have access to the explosive training aids storage facility.
- (e) A primary and secondary custodian will be designated to minimize the possibility of loss of explosive training aids during and after the training. Generally, the handler will be designated as the primary custodian while the trainer or authorized second person on-scene will be designated as the secondary custodian.
- (f) Any lost or damaged explosive training aids shall be promptly reported to the canine coordinator, who will determine if any further action will be necessary. Any loss of explosives will be reported to the Bureau of Alcohol, Tobacco, Firearms and Explosives (ATF).

310.13 LICENSING

Canines and their handlers shall be licensed with the Maryland State Police prior to being used for law enforcement operations. The handler ID card should be carried by the handler whenever the canine is performing any law enforcement-related function. The canine ID tag shall be attached to the canine's collar and kept on the licensed canine at all times, except when the canine is confined in a kennel or is under the personal charge of the licensed handler. Any change in a canine's handler requires notification to the Maryland State Police (Md. Code PS § 2-313).

Missing ID cards and ID tags shall be replaced as soon as practicable.

Domestic Violence

311.1 PURPOSE AND SCOPE

The purpose of this policy is to provide the guidelines necessary to deter, prevent and reduce domestic violence through vigorous enforcement and to address domestic violence as a serious crime against society. The policy specifically addresses the commitment of the Princess Anne Police Department to take enforcement action when appropriate, to provide assistance to victims and to guide officers in the investigation of domestic violence (Md. Code FL § 4-514).

311.1.1 DEFINITIONS

Definitions related to this policy include:

Court order - All forms of orders related to domestic violence that have been issued by a court of this state or another, whether civil or criminal, regardless of whether service has been made.

Domestic violence - Abuse occurring between current or former spouses or cohabitants, persons who have a child in common, or persons currently or formerly involved in a dating relationship (Md. Code FL § 4-701(c)).

311.2 POLICY

The Princess Anne Police Department's response to incidents of domestic violence and violations of related court orders shall stress enforcement of the law to protect the victim and shall communicate the philosophy that domestic violence is criminal behavior. It is also the policy of this department to facilitate victims' and offenders' access to appropriate civil remedies and community resources whenever feasible.

311.3 OFFICER SAFETY

The investigation of domestic violence cases often places officers in emotionally charged and sometimes highly dangerous environments. No provision of this policy is intended to supersede the responsibility of all officers to exercise due caution and reasonable care in providing for the safety of any officers and parties involved.

311.4 INVESTIGATIONS

The following guidelines shall be followed by officers when investigating domestic violence cases to protect the victim from harm (Md. Code FL § 4-502(a)(2)):

- (a) Calls of reported, threatened, imminent, or ongoing domestic violence and the violation of any court order are of extreme importance and should be considered among the highest response priorities. This includes incomplete 9-1-1 calls.
- (b) When practicable, officers should obtain and document statements from the victim, the suspect, and any witnesses, including children, in or around the household or location of occurrence.
- (c) Officers should list the full name and date of birth (and school if available) of each child who was present in the household at the time of the offense. The names of other

Princess Anne Police Department

Policy Manual

Domestic Violence

children who may not have been in the house at that particular time should also be obtained for follow-up.

- (d) When practicable and legally permitted, video or audio record all significant statements and observations.
- (e) All injuries shall be photographed, regardless of severity, taking care to preserve the victim's personal privacy. Where practicable, photographs should be taken by a person of the same sex. Victims whose injuries are not visible at the time of the incident should be asked to contact the Criminal Investigations in the event that the injuries later become visible.
- (f) Officers should request that the victim complete and sign an authorization for release of medical records related to the incident when applicable.
- (g) If the suspect is no longer at the scene, officers should make reasonable efforts to locate the suspect to further the investigation, provide the suspect with an opportunity to make a statement, and make an arrest or seek an arrest warrant if appropriate.
- (h) Seize and remove any firearms upon a consent search or in plain view if appropriate and legally permitted. The officer shall provide information to the owner on the process of retaking possession of the firearm. The Department shall then provide safe storage during the pendency of any domestic violence proceeding (Md. Code FL § 4-511).
- (i) When completing an incident or arrest report for violation of a court order, officers shall include specific information that establishes that the offender has been served, including the date the offender was served, the name of the agency that served the order, and the provision of the order that the subject is alleged to have violated. When reasonably available, the arresting officer should attach a copy of the order to the incident or arrest report.
- (j) Officers shall take appropriate enforcement action when there is probable cause to believe an offense has occurred. Factors that should not be used as sole justification for declining to take enforcement action include:
 - 1. Whether the suspect lives on the premises with the victim.
 - 2. Claims by the suspect that the victim provoked or perpetuated the violence or abuse.
 - 3. The potential financial or child custody consequences of arrest.
 - 4. The physical or emotional state of either party.
 - 5. Use of drugs or alcohol by either party.
 - 6. Denial that the violence or abuse occurred where evidence indicates otherwise.
 - 7. A request by the victim not to arrest the suspect.
 - 8. Location of the incident (public/private).
 - 9. Speculation that the complainant may not follow through with the prosecution.
 - 10. Actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or marital status of the victim or suspect.

Princess Anne Police Department

Policy Manual

Domestic Violence

11. The social status, community status, or professional position of the victim or suspect.

311.4.1 IF A SUSPECT IS ARRESTED

If a suspect is arrested, officers should:

- (a) Advise the victim that there is no guarantee the suspect will remain in custody.
- (b) Provide the victim's contact information to the jail staff to enable notification of the victim upon the suspect's release from jail.
- (c) Advise the victim whether any type of court order will be in effect when the suspect is released from jail.

311.4.2 IF NO ARREST IS MADE

If no arrest is made, the officer should:

- (a) Advise the parties of any options, including but not limited to:
 1. Voluntary separation of the parties.
 2. Appropriate resource referrals (e.g., counselors, friends, relatives, shelter homes, victim witness assistance).
- (b) Document the resolution in a report.

311.5 VICTIM ASSISTANCE

Because victims may be traumatized or confused, officers should be aware that a victim's behavior and actions may be affected.

- (a) Victims shall be provided with the department domestic violence information handout, even if the incident may not rise to the level of a crime (Md. Code FL § 4-503).
- (b) Victims should also be alerted to any available victim advocates, shelters, and community resources.
- (c) When an involved person requests law enforcement assistance while removing essential items of personal property, officers shall accompany the person to the family home and stand by while personal clothing and effects are removed (Md. Code FL § 4-502(a)(2)(ii)).
- (d) If the victim has sustained injury or complains of pain, officers shall seek medical assistance for the victim as soon as practicable.
- (e) Officers should ask the victim whether he/she has a safe place to stay and assist in arranging transportation to an alternate shelter if the victim expresses a concern for his/her safety or if the officer determines that a need exists.
- (f) Officers should make reasonable efforts to ensure that any children or dependent adults who are under the supervision of the suspect or victim are being properly cared for.

Domestic Violence

- (g) If appropriate, officers should seek or assist the victim in obtaining an interim protective order.
- (h) Use the substitute address if the victim is registered in the state Address Confidentiality Program (Md. Code FL § 4-526(a)(2)).
- (i) Prepare a Lethality Assessment Form and advise victim accordingly.

311.6 DISPATCH ASSISTANCE

All calls of domestic violence, including incomplete 9-1-1 calls, should be dispatched as soon as practicable.

Dispatchers are not required to verify the validity of a court order before responding to a request for assistance. Officers should request that dispatchers check whether any of the involved persons are subject to the terms of a court order.

311.7 FOREIGN COURT ORDERS

Various types of orders may be issued in domestic violence cases. Any foreign court order properly issued by a court of another state, Indian tribe or territory shall be enforced by officers as if it were the order of a court in this state. An order should be considered properly issued when it reasonably appears that the issuing court has jurisdiction over the parties and reasonable notice and opportunity to respond was given to the party against whom the order was issued (18 USC § 2265). An otherwise valid out-of-state court order shall be enforced, regardless of whether the order has been properly registered with this state (Md. Code FL § 4-508.1(b)).

311.8 VERIFICATION OF COURT ORDERS

Determining the validity of a court order, particularly an order from another jurisdiction, can be challenging. Therefore, in determining whether there is probable cause to make an arrest for a violation of any court order, officers should carefully review the actual order when available, and, where appropriate and practicable:

- (a) Ask the subject of the order about his/her notice or receipt of the order, his/her knowledge of its terms and efforts to respond to the order.
- (b) Check available records or databases that may show the status or conditions of the order.
- (c) Contact the issuing court to verify the validity of the order.
- (d) Contact a law enforcement official from the jurisdiction where the order was issued to verify information.

Officers should document in an appropriate report their efforts to verify the validity of an order, regardless of whether an arrest is made. Officers should contact a supervisor for clarification when needed.

Princess Anne Police Department

Policy Manual

Domestic Violence

311.8.1 COURT-ORDERED SURRENDERED FIREARMS

If a respondent surrenders a firearm to the Department under a temporary or final court order, the officer shall provide the respondent information on the process for retaking possession of the firearm. The officer shall transport and store the firearm in a protective case, if one is available, and in a manner intended to prevent damage to the firearm during the time the protective order is in effect (Md. Code FL § 4-506.1).

If a defendant in a criminal case who is ordered to surrender firearms pursuant to Md. Code CP § 6-234 transfers a firearm to the Department, the officer receiving the firearm shall issue the person transferring the firearm a written proof of transfer containing:

- (a) The name of the person transferring the firearm.
- (b) The date the firearm was transferred.
- (c) The serial number (or identifying marks if the firearm was manufactured before 1968), make, and model of the firearm.
- (d) Any other information required by state or federal law.

The receiving officer should keep a copy of the written proof of transfer and should make appropriate entries in any required logs. The Chief of Police may develop additional procedures pertaining to the storage and disposal of any surrendered firearms.

311.9 STANDARDS FOR ARRESTS

Officers investigating a domestic violence report:

- (a) May arrest a person without a warrant if the report to law enforcement was made within 48 hours of the alleged incident and the officer has probable cause to believe that (Md. Code CP § 2-204):
 1. The person battered his/her spouse or another person with whom the person resides.
 2. There is evidence of physical injury.
 3. Unless the person is arrested immediately, the person:
 - (a) May not be apprehended.
 - (b) May cause physical injury or property damage to another.
 - (c) May tamper with, dispose of, or destroy evidence.
- (b) Shall arrest with or without a warrant and take into custody a person who the officer has probable cause to believe is in violation of an interim, temporary, or final protective order in effect at the time of the violation (Md. Code FL § 4-509(b)).
- (c) Shall arrest, with or without a warrant, and take into custody a person the officer has probable cause to believe is in violation of an order for protection that was issued by a court of another state or a Native American tribe, and that is in effect at the time of the violation if the person seeking the assistance (Md. Code FL § 4-508.1(c)):

Princess Anne Police Department

Policy Manual

Domestic Violence

1. Has filed a copy of the order with the District Court or circuit court for the jurisdiction in which the person seeks assistance.
2. Displays or presents to the officer a copy of the order that appears valid on its face.

311.9.1 MUTUAL BATTERY

If an officer has probable cause to believe that mutual battery occurred and arrest is necessary, the officer shall consider whether one of the persons acted in self-defense to determine who was the primary aggressor (Md. Code CP § 2-204(b)).

311.10 REPORTS AND RECORDS

The Administration shall provide a copy of the domestic violence report to the victim upon request (Md. Code FL § 4-503.1).

311.11 SERVICE OF COURT ORDERS

311.11.1 INTERIM PROTECTIVE ORDER

An officer shall immediately on receipt of a petition and interim protective order serve them on the respondent named in the order. Immediately after service, the officer shall submit the documents to the Administration, which will make a return of service to the commissioner's office or, if the Office of the District Court Clerk (Clerk) is open for business, to the Clerk; and within two hours after service of the order, electronically notify the Department of Public Safety and Correctional Services (DPSCS) of the service (Md. Code FL § 4-504.1(g)).

311.11.2 TEMPORARY PROTECTIVE ORDER

An officer shall immediately serve the temporary protective order on the alleged abuser. Immediately after service the officer shall submit the documents to the Administration which will within two hours after service of the order on the respondent, electronically notify the DPSCS (Md. Code FL § 4-505(b)).

Search and Seizure

312.1 PURPOSE AND SCOPE

Both the federal and state constitutions provide every individual with the right to be free from unreasonable searches and seizures. This policy provides general guidelines for Princess Anne Police Department personnel to consider when dealing with search and seizure issues.

312.2 POLICY

It is the policy of the Princess Anne Police Department to respect the fundamental privacy rights of individuals. Members of this department will conduct searches in strict observance of the constitutional rights of persons being searched. All seizures by this department will comply with relevant federal and state law governing the seizure of persons and property.

The Department will provide relevant and current training to officers as guidance for the application of current law, local community standards and prosecutorial considerations regarding specific search and seizure situations, as appropriate

312.3 SEARCHES

The United States Constitution generally provides that a valid warrant is required in order for a search to be valid. There are, however, several exceptions that permit a warrantless search.

Examples of law enforcement activities that are exceptions to the general warrant requirement include, but are not limited to, searches pursuant to the following:

- Valid consent
- Incident to a lawful arrest
- Legitimate community caretaking interests
- Vehicle searches under certain circumstances
- Exigent circumstances

Certain other activities are recognized by federal and state courts and by certain statutes as legitimate law enforcement activities that also do not require a warrant. Such activities may include seizure and examination of abandoned property, and observations of activities and property located on open public areas.

Because case law regarding search and seizure is constantly changing and subject to interpretation by the courts, each member of this department is expected to act in each situation according to current training and his/her familiarity with clearly established rights as determined by case law.

Whenever practicable, officers are encouraged to contact a supervisor to resolve questions regarding search and seizure issues prior to electing a course of action.

Princess Anne Police Department

Policy Manual

Search and Seizure

312.4 SEARCH PROTOCOL

Although conditions will vary and officer safety and other exigencies must be considered in every search situation, the following guidelines should be followed whenever circumstances permit:

- (a) Members of this department will strive to conduct searches with dignity and courtesy.
- (b) Officers should explain to the person being searched the reason for the search and how the search will be conducted.
- (c) Searches should be carried out with due regard and respect for private property interests and in a manner that minimizes damage. Property should be left in a condition as close as reasonably possible to its pre-search condition.
- (d) In order to minimize the need for forcible entry, an attempt should be made to obtain keys, combinations or access codes when a search of locked property is anticipated.
- (e) Whenever practicable, a search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.
- (f) When the person to be searched is of the opposite sex as the searching officer, a reasonable effort should be made to summon an officer of the same sex as the subject to conduct the search. When it is not practicable to summon an officer of the same sex as the subject, the following guidelines should be followed:
 1. Another officer or a supervisor should witness the search.
 2. The officer should not search areas of the body covered by tight-fitting clothing, sheer clothing or clothing that could not reasonably conceal a weapon.

312.5 DOCUMENTATION

Officers are responsible to document any search and to ensure that any required reports are sufficient including, at minimum, documentation of the following:

- Reason for the search
- Any efforts used to minimize the intrusiveness of any search (e.g., asking for consent or keys)
- What, if any, injuries or damage occurred
- All steps taken to secure property
- The results of the search, including a description of any property or contraband seized
- If the person searched is the opposite sex, any efforts to summon an officer of the same sex as the person being searched and the identification of any witness officer

Supervisors shall review reports to ensure the reports are accurate, that actions are properly documented and that current legal requirements and department policy have been met.

Child Abuse

313.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of suspected child abuse. This policy also addresses when Princess Anne Police Department members are required to notify the local department of social services of suspected child abuse.

313.1.1 DEFINITIONS

Definitions related to this policy include (Md. Code FL § 5-701):

Child - Unless otherwise specified by a cited statute, a child is any person under the age of 18 years.

Child abuse - Any offense or attempted offense involving violence or neglect with a child victim when committed by a person responsible for the child's care or by a member of the child's family or household, or any other act that would mandate notification to a social service agency or law enforcement.

313.2 POLICY

The Princess Anne Police Department will investigate all reported incidents of alleged criminal child abuse and ensure the local department of social services is notified as required by law.

313.3 MANDATORY NOTIFICATION

Members of the Princess Anne Police Department shall notify the local department of social services when they have reason to believe that a child has been subjected to abuse or neglect (Md. Code FL § 5-704; Md. Code FL § 5-705.1).

For purposes of notification, abuse includes physical or mental injury (or the substantial risk of such injury) inflicted by a parent, household member, family member, or anyone else who may have custody of, be caring for, or have authority over the child. Abuse also includes any sexual abuse or exploitation of a child. Abuse does not include accidental injuries. Neglect includes the failure of a caregiver to provide proper care to a child to the extent that the child is physically or mentally harmed or at risk of such harm (Md. Code FL § 5-701).

313.3.1 NOTIFICATION PROCEDURE

Notification should occur as follows (COMAR 07.02.07.04; Md. Code FL § 5-704(b)):

- (a) The handling officer shall:
 1. Make an oral report as soon as possible to the local department of social services by telephone or direct communication.
 2. Make a written report no later than 48 hours after having reason to believe that a child has been subjected to abuse, and forward a copy to the local department of social services and State's Attorney.
- (b) The notification, insofar as is reasonably possible, shall include:

Princess Anne Police Department

Policy Manual

Child Abuse

1. The name, age and home address of the child.
 2. The names and ages of other children in the home or in the care of the person alleged to be responsible for the abuse or neglect.
 3. The name and home address of the child's parent or other person who is responsible for the child's care.
 4. The whereabouts of the child.
 5. The nature and extent of the abuse or neglect of the child, including any evidence or information concerning possible previous instances of abuse or neglect of the child or by the person alleged to be responsible for the abuse or neglect.
 6. Any other information that would help to determine:
 - (a) The cause of the suspected abuse or neglect.
 - (b) The identity of any person responsible for the abuse or neglect.
 - (c) The safety of the child and risk of future abuse or neglect.
 7. In the case of suspected child abuse or neglect involving a mental injury:
 - (a) A description of the substantial impairment of the child's mental or psychological ability to function.
 - (b) An explanation of why it is believed the mental injury is attributable to maltreatment or failure to provide proper care and attention.
 - (c) Observations or knowledge about the intent or recklessness of the person alleged to be responsible for causing a mental injury.
- (c) For suspected abuse of a child living out of state and occurring out of state, notification shall be made to any local department of social services in accordance with the requirements of Md. Code FL § 5-705.1.

313.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available for child abuse investigations. These investigators should:

- (a) Conduct interviews in child-appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to child abuse investigations.
- (c) Present all cases of alleged child abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and school administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the child and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (COMAR 07.02.07.22; COMAR 07.02.07.23; Md. Code FL § 5-706(f); Md. Code FL § 5-706(g); Md. Code FL § 5-706.2(b)).

Princess Anne Police Department

Policy Manual

Child Abuse

313.5 INVESTIGATIONS AND REPORTING

In all reported or suspected cases of child abuse, officers shall write a report even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of child abuse should address, as applicable:

- (a) A thorough and timely investigation and report as required by state law (Md. Code FL § 5-706). This should be done by the investigating officer in all circumstances where a suspected child abuse victim is contacted.
- (b) The exigent circumstances that existed if officers interviewed the child victim without the presence of a parent or guardian.
- (c) Any relevant statements the child may have made and to whom he/she made the statements.
- (d) If a child is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (e) Documentation of any visible injuries or any injuries identified by the child. This should include photographs of such injuries, if practicable.
- (f) Whether the child victim is transported for medical treatment or a medical examination.
- (g) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other children who may reside in the residence.
- (h) Identification of any prior related reports or allegations of child abuse, including other jurisdictions, as reasonably known.
- (i) Previous addresses of the victim and suspect.
- (j) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.
- (k) Whether within 24 hours after receiving a report of suspected physical or sexual abuse of a child, and within five days after receiving a report of suspected neglect or suspected mental injury of a child, the handling officer complied with COMAR 07.02.07.08, Md. Code FL § 5-706(c) and Md. Code FL § 5-706.2(c) by:
 - 1. Seeing the child.
 - 2. Attempting to have an on-site interview with the child's caretaker.
 - 3. Deciding on the safety of the child, wherever the child is, and of other children in the household.
 - 4. Deciding on the safety of other children in the care or custody of the alleged abuser.
- (l) Seeking assistance from the local State's Attorney as needed (Md. Code FL § 5-706(d)).
- (m) Completing an investigation as soon as practicable, but not later than the time frames specified by state law (COMAR 07.02.07.09; Md. Code FL § 5-706(h); Md. Code FL § 5-706.2(d)).

Princess Anne Police Department

Policy Manual

Child Abuse

All cases of the unexplained death of a child should be investigated as thoroughly as if it had been a case of suspected child abuse (e.g., a sudden or unexplained death of an infant).

313.6 PROTECTIVE CUSTODY

Before taking any child into protective custody, the officer should make reasonable attempts to contact the local department of social services. Generally, the decision to remove a child from his/her family, guardian or other responsible adult should be left to the child welfare authorities when they are present or have become involved in an investigation.

Generally, members of this department should remove a child from his/her parent or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the child. Prior to taking a child into protective custody, the officer should take reasonable steps to deliver the child to another qualified parent or legal guardian unless it reasonably appears that the release would endanger the child or result in abduction. If this is not a reasonable option, the officer shall ensure that the child is delivered to the local department of social services.

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking a child into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking a child into protective custody.

Children may be temporarily removed from a parent or guardian without prior approval of the juvenile court when a representative of the local department of social services has probable cause to believe that the child is in serious and immediate danger (Md. Code FL § 5-709).

313.6.1 SAFE HAVEN LAW

A mother, or a person with the permission of the mother, may relinquish an unharmed newborn within 10 days after birth to an officer when the mother expresses an interest in abandoning the child. As soon as possible, the officer shall take the newborn to a hospital or other facility designated by the Department of Human Resources (Md. Code CJ § 5-641).

313.7 INTERVIEWS

313.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should record the preliminary interview with suspected child abuse victims. Officers should avoid multiple interviews with a child victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available. Generally, child victims should not be interviewed in the home or location where the alleged abuse occurred.

313.7.2 DETAINING SUSPECTED CHILD ABUSE VICTIMS FOR AN INTERVIEW

An officer should not detain a child involuntarily who is suspected of being a victim of child abuse solely for the purpose of an interview or physical exam without the consent of a parent or guardian unless one of the following applies:

Child Abuse

- (a) Exigent circumstances exist, such as:
 - 1. A reasonable belief that medical issues of the child need to be addressed immediately.
 - 2. A reasonable belief that the child is or will be in danger of harm if the interview or physical exam is not immediately completed.
 - 3. The alleged offender is the custodial parent or guardian and there is reason to believe the child may be in continued danger.
- (b) A court order or warrant has been issued.

313.8 MEDICAL EXAMINATIONS

If the child has been the victim of abuse that requires a medical examination, the investigating officer should obtain consent for such examination from the appropriate parent, guardian or agency having legal custody of the child. The officer should also arrange for the child's transportation to the appropriate medical facility.

In cases where the alleged offender is the custodial parent or guardian and is refusing consent for the medical examination, officers should notify a supervisor before proceeding. If exigent circumstances do not exist or if state law does not provide for officers to take the child for a medical examination, the notified supervisor should consider obtaining a court order for such an examination.

An examination and emergency medical treatment may be provided for a child without parental consent if an officer states a belief that the child has been abused or neglected (COMAR 07.02.07.07(f)(3)).

313.9 DRUG-ENDANGERED CHILDREN

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of children exposed to the manufacturing, trafficking or use of narcotics.

313.9.1 SUPERVISOR RESPONSIBILITIES

The Criminal Investigations supervisor should:

- (a) Work with professionals from the appropriate agencies, including the local department of social services, other law enforcement agencies, medical service providers and local prosecutors to develop community specific procedures for responding to situations where there are children endangered by their exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Criminal Investigations supervisor that the officer has responded to a drug lab or other narcotics crime scene where a child is present or where evidence indicates that a child lives at the scene.

Princess Anne Police Department

Policy Manual

Child Abuse

- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the child.

313.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where a child is present or where there is evidence that a child lives should:

- (a) Document the environmental, medical, social and other conditions of the child using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Criminal Investigations supervisor so an interagency response can begin.

313.10 STATE MANDATES AND OTHER RELEVANT LAWS

Maryland requires or permits the following:

313.10.1 PROCESSING REPORTS AND RECORDS

The handling officer shall ensure that (COMAR 07.02.07.07; Md. Code FL § 5-706(i); Md. Code FL § 5-706(j)):

- (a) A preliminary report of findings of the investigation is submitted to the local State's Attorney within 10 days after receiving a report of suspected abuse.
- (b) A written report of findings of the investigation is submitted to the local State's Attorney within five business days after the investigation is completed.

313.10.2 RELEASE OF REPORTS

Information related to incidents of child abuse or suspected child abuse is confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy (COMAR 07.02.07.21; Md. Code FL § 5-707).

313.10.3 CHILD FATALITY REVIEW

This department will cooperate with a local or state child death review team (Md. Code FL § 5-706).

313.10.4 HOUSEHOLD ENTRY

Upon request, an officer shall accompany a representative of the local department of social services who has been denied entry into a household in which the representative has probable cause to believe that a child is in serious, immediate danger. If necessary, the officer may use reasonable force to enable the representative to gain entry (Md. Code FL § 5-709(b)).

313.10.5 FAILURE TO REPORT

An officer investigating allegations of child abuse who believes that a person has knowingly failed to report suspected abuse or neglect shall file a complaint with the appropriate agency or board (Md. Code FL § 5-705.4).

313.11 TRAINING

The Department should provide training on best practices in child abuse investigations to members tasked with investigating these cases. The training should include:

Princess Anne Police Department

Policy Manual

Child Abuse

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting forensic interviews.
- (c) Availability of therapy services for children and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to child abuse investigations.
- (f) Availability of victim advocate or guardian ad litem support.
- (g) Recognizing abuse that requires mandatory notification to another agency.

Adult Abuse

314.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation and reporting of suspected abuse of certain adults who may be more vulnerable than others. This policy also addresses mandatory notification for Princess Anne Police Department members as required by law.

314.1.1 DEFINITIONS

Definitions related to this policy include:

Adult abuse - Any offense or attempted offense involving violence or neglect of an adult victim when committed by a person responsible for the adult's care, or any other act that would mandate reporting or notification to a social service agency or law enforcement.

314.2 POLICY

The Princess Anne Police Department will investigate all reported incidents of alleged adult abuse and ensure proper reporting and notification as required by law.

314.3 MANDATORY NOTIFICATION

Members of the Princess Anne Police Department shall notify the local Adult Protective Services (APS) when there is reason to believe that an adult who lacks the physical or mental capacity to provide for his/her own daily needs has been subjected to abuse, neglect, self-neglect or exploitation (Md. Code FL § 14-302(a)).

314.3.1 NOTIFICATION PROCEDURE

Notification shall occur as follows (Md. Code FL § 14-302):

- (a) The officer investigating the case shall notify the local APS office by telephone, direct communication or in writing as soon as possible.
- (b) The investigating officer shall include at least the following information as reasonably known:
 1. The name, age and home address of the adult, including his/her current whereabouts.
 2. The name and home address of the person responsible for the adult's care.
 3. The nature of the adult's suspected incapacity.
 4. The nature and extent of the abuse, neglect, self-neglect or exploitation, including any reasonably known evidence or information concerning previous injury that may have resulted from abuse, neglect, self-neglect or exploitation.
 5. Any other information that would help to determine the cause of the suspected abuse, neglect, self-neglect or exploitation, and the identity of any individual responsible for the abuse, neglect, self-neglect or exploitation.

Adult Abuse

314.4 QUALIFIED INVESTIGATORS

Qualified investigators should be available to investigate cases of adult abuse. These investigators should:

- (a) Conduct interviews in appropriate interview facilities.
- (b) Be familiar with forensic interview techniques specific to adult abuse investigations.
- (c) Present all cases of alleged adult abuse to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies and facility administrators as needed.
- (e) Provide referrals to therapy services, victim advocates, guardians and support for the victim and family as appropriate.
- (f) Participate in or coordinate with multidisciplinary investigative teams as applicable (COMAR 07.02.16.07(B)).

314.5 INVESTIGATIONS AND REPORTING

All reported or suspected cases of adult abuse require investigation and a report, even if the allegations appear unfounded or unsubstantiated.

Investigations and reports related to suspected cases of adult abuse should address, as applicable:

- (a) The overall basis for the contact. This should be done by the investigating officer in all circumstances where a suspected adult abuse victim is contacted.
- (b) Any relevant statements the victim may have made and to whom he/she made the statements.
- (c) If a person is taken into protective custody, the reasons, the name and title of the person making the decision, and why other alternatives were not appropriate.
- (d) Documentation of any visible injuries or any injuries identified by the victim. This should include photographs of such injuries, if practicable.
- (e) Whether the victim was transported for medical treatment or a medical examination.
- (f) Whether the victim identified a household member as the alleged perpetrator, and a list of the names of any other potential victims or witnesses who may reside in the residence.
- (g) Identification of any prior related reports or allegations of abuse, including other jurisdictions, as reasonably known.
- (h) Previous addresses of the victim and suspect.
- (i) Other potential witnesses who have not yet been interviewed, such as relatives or others close to the victim's environment.

Any unexplained death of an adult who was in the care of a guardian or caretaker should be considered as potential adult abuse and investigated similarly.

Adult Abuse

314.6 PROTECTIVE CUSTODY

Before taking an adult abuse victim into protective custody when facts indicate the adult may not be able to care for him/herself, the officer should make reasonable attempts to contact APS. Generally, removal of an adult abuse victim from his/her family, guardian or other responsible adult should be left to the welfare authorities when they are present or have become involved in an investigation (Md. Code FL § 14-307).

Generally, members of this department should remove an adult abuse victim from his/her family or guardian without a court order only when no other effective alternative is reasonably available and immediate action reasonably appears necessary to protect the victim. Prior to taking an adult abuse victim into protective custody, the officer should take reasonable steps to deliver the adult to another qualified legal guardian, unless it reasonably appears that the release would endanger the victim or result in abduction. If this is not a reasonable option, the officer shall ensure that the adult is delivered to APS (Md. Code ET § 13-709(a)).

Whenever practicable, the officer should inform a supervisor of the circumstances prior to taking an adult abuse victim into protective custody. If prior notification is not practicable, officers should contact a supervisor promptly after taking the adult into protective custody.

When adult abuse victims are under state control, have a state-appointed guardian or there are other legal holdings for guardianship, it may be necessary or reasonable to seek a court order on behalf of the adult victim to either remove the adult from a dangerous environment (protective custody) or restrain a person from contact with the adult.

314.7 INTERVIEWS

314.7.1 PRELIMINARY INTERVIEWS

Absent extenuating circumstances or impracticality, officers should audio record the preliminary interview with a suspected adult abuse victim. Officers should avoid multiple interviews with the victim and should attempt to gather only the information necessary to begin an investigation. When practicable, investigating officers should defer interviews until a person who is specially trained in such interviews is available.

314.7.2 DETAINING VICTIMS FOR INTERVIEWS

An officer should not detain an adult involuntarily who is suspected of being a victim of abuse solely for the purpose of an interview or physical exam without his/her consent or the consent of a guardian unless one of the following applies:

- (a) The adult cannot adequately provide for his or her own care or protection and exigent circumstances exist, such as:
 1. A reasonable belief that medical issues of the adult need to be addressed immediately.
 2. A reasonable belief that the adult is or will be in danger of harm if the interview or physical exam is not immediately completed.

Adult Abuse

3. The alleged offender is a family member or guardian and there is reason to believe the adult may be in continued danger.
 - (b) A court order or warrant has been issued.

314.8 MEDICAL EXAMINATIONS

When an adult abuse investigation requires a medical examination, the investigating officer should obtain consent for such examination from the victim, guardian, agency or entity having legal custody of the adult. The officer should also arrange for the adult's transportation to the appropriate medical facility.

In cases where the alleged offender is a family member, guardian, agency or entity having legal custody and is refusing to give consent for the medical examination, officers should notify a supervisor before proceeding. The supervisor should consider other government agencies or services that may obtain a court order for such an examination.

314.9 DRUG-ENDANGERED VICTIMS

A coordinated response by law enforcement and social services agencies is appropriate to meet the immediate and longer-term medical and safety needs of an adult abuse victim who has been exposed to the manufacturing, trafficking or use of narcotics.

314.9.1 SUPERVISOR RESPONSIBILITIES

The Criminal Investigations supervisor should:

- (a) Work with professionals from the appropriate agencies, including APS, other law enforcement agencies, medical service providers and local prosecutors to develop community-specific procedures for responding to situations where there are adult abuse victims endangered by exposure to methamphetamine labs or the manufacture and trafficking of other drugs.
- (b) Activate any available interagency response when an officer notifies the Criminal Investigations supervisor that he/she has responded to a drug lab or other narcotics crime scene where an adult abuse victim is present or where evidence indicates that an adult abuse victim lives at the scene.
- (c) Develop a report format or checklist for use when officers respond to drug labs or other narcotics crime scenes. The checklist will help officers document the environmental, medical, social and other conditions that may affect the adult.

314.9.2 OFFICER RESPONSIBILITIES

Officers responding to a drug lab or other narcotics crime scene where an adult abuse victim is present or where there is evidence that an adult abuse victim lives there should:

- (a) Document the environmental, medical, social and other conditions of the adult, using photography as appropriate and the checklist or form developed for this purpose.
- (b) Notify the Criminal Investigations supervisor so an interagency response can begin.

Adult Abuse

314.10 STATE MANDATES AND OTHER RELEVANT LAWS

Maryland requires or permits the following:

314.10.1 ADMINISTRATION RESPONSIBILITIES

The Administration is responsible for:

- (a) Providing a copy of the adult abuse report to APS as required by law.
- (b) Retaining the original adult abuse report with the initial case file.
- (c) Providing copies of a report of alleged abuse at a facility that cares for adults as required by law (Md. Code HG § 19-347).

314.10.2 RELEASE OF REPORTS

Information related to incidents of adult abuse or suspected adult abuse are confidential and may only be disclosed pursuant to state law and the Records Maintenance and Release Policy. However, law enforcement and participating agencies involved in the investigation may share information (Md. Code FL § 14-303(e)).

314.10.3 INVESTIGATION ASSISTANCE

On request of APS or any law enforcement agency, the handling officer shall assist in investigation of adult abuse (Md. Code FL § 14-303(c)).

If, in the course of an investigation, an APS representative believes that an emergency exists, the representative may request law enforcement assistance. Responding officers shall accompany the representative. If the officer believes that an emergency exists as described in Md. Code ET § 13-709(a), the officer shall ensure that the individual is transported to an appropriate health care facility (Md. Code FL § 14-304).

314.11 TRAINING

The Department should provide training on best practices in adult abuse investigations to members tasked with investigating these cases. The training should include:

- (a) Participating in multidisciplinary investigations, as appropriate.
- (b) Conducting interviews.
- (c) Availability of therapy services for adults and families.
- (d) Availability of specialized forensic medical exams.
- (e) Cultural competence (including interpretive services) related to adult abuse investigations.
- (f) Availability of victim advocates or other support.

Discriminatory Harassment

315.1 PURPOSE AND SCOPE

The purpose of this policy is to prevent department members from being subjected to discriminatory harassment, including sexual harassment and retaliation. Nothing in this policy is intended to create a legal or employment right or duty that is not created by law.

315.2 POLICY

The Princess Anne Police Department is an equal opportunity employer and is committed to creating and maintaining a work environment that is free of all forms of discriminatory harassment, including sexual harassment and retaliation. The Department will not tolerate discrimination against a member in hiring, promotion, discharge, compensation, fringe benefits and other privileges of employment. The Department will take preventive and corrective action to address any behavior that violates this policy or the rights and privileges it is designed to protect.

The nondiscrimination policies of the Department may be more comprehensive than state or federal law. Conduct that violates this policy may not violate state or federal law but still could subject a member to discipline.

315.3 DEFINITIONS

Definitions related to this policy include:

315.3.1 DISCRIMINATION

The Department prohibits all forms of discrimination, including any employment-related action by a member that adversely affects an applicant or member and is based on actual or perceived race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, pregnancy, genetic information, veteran status, marital status, and any other classification or status protected by law.

Discriminatory harassment, including sexual harassment, is verbal or physical conduct that demeans or shows hostility or aversion toward an individual based upon that individual's protected class. It has the effect of interfering with an individual's work performance or creating a hostile or abusive work environment.

Conduct that may, under certain circumstances, constitute discriminatory harassment, can include making derogatory comments; making crude and offensive statements or remarks; making slurs or off-color jokes; stereotyping; engaging in threatening acts; making indecent gestures, pictures, cartoons, posters, or material; making inappropriate physical contact; or using written material or department equipment and/or systems to transmit or receive offensive material, statements, or pictures. Such conduct is contrary to department policy and to a work environment that is free of discrimination.

Princess Anne Police Department

Policy Manual

Discriminatory Harassment

315.3.2 RETALIATION

Retaliation is treating a person differently or engaging in acts of reprisal or intimidation against the person because the person has engaged in protected activity, filed a charge of discrimination, participated in an investigation, or opposed a discriminatory practice. Retaliation will not be tolerated.

315.3.3 SEXUAL HARASSMENT

The Department prohibits all forms of discrimination and discriminatory harassment, including sexual harassment. It is unlawful to harass an applicant or a member because of that person's sex.

Sexual harassment includes but is not limited to unwelcome sexual advances, requests for sexual favors, or other verbal, visual, or physical conduct of a sexual nature when:

- (a) Submission to such conduct is made either explicitly or implicitly as a term or condition of employment, position, or compensation.
- (b) Submission to, or rejection of, such conduct is used as the basis for any employment decisions affecting the member.
- (c) Such conduct has the purpose or effect of substantially interfering with a member's work performance or creating an intimidating, hostile, or offensive work environment.

315.3.4 ADDITIONAL CONSIDERATIONS

Discrimination and discriminatory harassment do not include actions that are in accordance with established rules, principles, or standards, including:

- (a) Acts or omission of acts based solely upon bona fide occupational qualifications under the Equal Employment Opportunity Commission and the Maryland Commission on Civil Rights guidelines.
- (b) Bona fide requests or demands by a supervisor that the member improve the member's work quality or output, that the member report to the job site on time, that the member comply with Town or department rules or regulations, or any other appropriate work-related communication between supervisor and member.

315.4 RESPONSIBILITIES

This policy applies to all department members, who shall follow the intent of these guidelines in a manner that reflects department policy, professional standards, and the best interest of the Department and its mission.

Members are encouraged to promptly report any discriminatory, retaliatory, or harassing conduct or known violations of this policy to a supervisor. Any member who is not comfortable with reporting violations of this policy to the member's immediate supervisor may bypass the chain of command and make the report to a higher-ranking supervisor or manager. Complaints may also be filed with the Chief of Police, or the Town Manager.

Any member who believes, in good faith, that the member has been discriminated against, harassed, subjected to retaliation, or who has observed harassment, discrimination, or retaliation,

Princess Anne Police Department

Policy Manual

Discriminatory Harassment

is encouraged to promptly report such conduct in accordance with the procedures set forth in this policy.

Supervisors and managers receiving information regarding alleged violations of this policy shall determine if there is any basis for the allegation and shall proceed with resolution as stated below.

315.4.1 QUESTIONS OR CLARIFICATION

Members with questions regarding what constitutes discrimination, sexual harassment, or retaliation are encouraged to contact a supervisor, the Chief of Police, or the Town Manager for further information, direction, or clarification.

315.4.2 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors and managers shall include but are not limited to:

- (a) Continually monitoring the work environment and striving to ensure that it is free from all types of unlawful discrimination, including harassment or retaliation.
- (b) Taking prompt, appropriate action within their work units to avoid and minimize the incidence of any form of discrimination, harassment, or retaliation.
- (c) Ensuring that their subordinates understand their responsibilities under this policy.
- (d) Ensuring that members who make complaints or who oppose any unlawful employment practices are protected from retaliation and that such matters are kept confidential to the extent possible.
- (e) Making a timely determination regarding the substance of any allegation based upon all available facts.
- (f) Notifying the Chief of Police or the Chief of Police in writing of the circumstances surrounding any reported allegations or observed acts of discrimination, harassment, or retaliation no later than the next business day.

315.4.3 SUPERVISOR'S ROLE

Supervisors and managers shall be aware of the following:

- (a) Behavior of supervisors and managers should represent the values of the Department and professional standards.
- (b) False or mistaken accusations of discrimination, harassment, or retaliation can have negative effects on the careers of innocent members.

Nothing in this section shall be construed to prevent supervisors or managers from discharging supervisory or management responsibilities, such as determining duty assignments, evaluating or counseling members, or issuing discipline in a manner that is consistent with established procedures.

315.5 INVESTIGATION OF COMPLAINTS

Various methods of resolution exist. During the pendency of any such investigation, the supervisor of the involved member should take prompt and reasonable steps to mitigate or eliminate any continuing abusive or hostile work environment. It is the policy of the Department that all

Princess Anne Police Department

Policy Manual

Discriminatory Harassment

complaints of discrimination, retaliation, or harassment shall be fully documented and promptly and thoroughly investigated.

315.5.1 SUPERVISOR RESOLUTION

Members who believe they are experiencing discrimination, harassment, or retaliation should be encouraged to inform the individual that the behavior is unwelcome, offensive, unprofessional, or inappropriate. However, if the member feels uncomfortable, or threatened or has difficulty expressing the member's concern, or if this does not resolve the concern, assistance should be sought from a supervisor who is a rank higher than the alleged transgressor.

315.5.2 FORMAL INVESTIGATION

If the complaint cannot be satisfactorily resolved through the supervisory resolution process, a formal investigation will be conducted.

The person assigned to investigate the complaint will have full authority to investigate all aspects of the complaint. Investigative authority includes access to records and the cooperation of any members involved. No influence will be used to suppress any complaint and no member will be subject to retaliation or reprisal for filing a complaint, encouraging others to file a complaint, or for offering testimony or evidence in an investigation.

Formal investigation of the complaint will be confidential to the extent possible and will include but not be limited to details of the specific incident, frequency and dates of occurrences, and names of any witnesses. Witnesses will be advised regarding the prohibition against retaliation, and that a disciplinary process, up to and including termination, may result if retaliation occurs.

Members who believe they have been discriminated against, harassed, or retaliated against because of their protected status are encouraged to follow the chain of command but may also file a complaint directly with the Chief of Police, or the Town Manager.

315.5.3 ALTERNATIVE COMPLAINT PROCESS

No provision of this policy shall be construed to prevent any member from seeking legal redress outside the Department. Members who believe that they have been harassed, discriminated against, or retaliated against are entitled to bring complaints of employment discrimination to federal, state, and/or local agencies responsible for investigating such allegations. Specific time limitations apply to the filing of such charges. Members are advised that proceeding with complaints under the provisions of this policy does not in any way affect those filing requirements.

315.6 DOCUMENTATION OF COMPLAINTS

All complaints or allegations shall be thoroughly documented on the appropriate forms and in a manner designated by the Chief of Police. The outcome of all reports shall be:

- (a) Approved by the Chief of Police.
- (b) Maintained in accordance with the established records retention schedule.

Princess Anne Police Department

Policy Manual

Discriminatory Harassment

315.6.1 NOTIFICATION OF DISPOSITION

The complainant and/or victim will be notified in writing of the disposition of the investigation and the actions taken to remedy or address the circumstances giving rise to the complaint.

315.7 TRAINING

All new members shall be provided with a copy of this policy as part of their orientation. The policy shall be reviewed with each new member. The member shall certify by signing the prescribed form that the member has been advised of this policy, is aware of and understands its contents, and agrees to abide by its provisions during the member's term with the Department.

All members shall receive annual training on the requirements of this policy and shall certify by signing the prescribed form that they have reviewed the policy, understand its contents, and agree that they will continue to abide by its provisions.

Missing Persons

316.1 PURPOSE AND SCOPE

This policy provides guidance for handling missing person investigations.

316.1.1 DEFINITIONS

Definitions related to this policy include:

At risk - A missing child who meets any of the following conditions (Md. Code FL § 9-402):

- (a) The child has not been the subject of a prior missing persons report.
- (b) The child suffers from a mental or physical handicap or illness.
- (c) The disappearance is of a suspicious or dangerous nature.
- (d) The person filing the report has reason to believe that the missing child may have been abducted.
- (e) The child has previously been the subject of a child abuse report filed with the state or a local law enforcement agency.
- (f) The missing child is under 17 years of age.
- (g) The missing child has not been located within 12 hours of the initial report.

Missing child - A person under the age of 18 who is the subject of a missing person report filed with a law enforcement agency in Maryland and whose location is unknown (Md. Code FL § 9-401).

Missing person - Any person who is reported missing to law enforcement when that person's location is unknown.

Missing person networks - Databases or computer networks that are available to law enforcement and are suitable for obtaining information related to missing person investigations. This includes the National Crime Information Center (NCIC), the Maryland Center for Missing and Unidentified Persons (MCMUP) and the Maryland Electronic Telecommunications Enforcement Resource System (METERS).

316.2 POLICY

The Princess Anne Police Department does not consider any report of a missing person to be routine and assumes that the missing person is in need of immediate assistance until an investigation reveals otherwise. Priority shall be given to missing person cases over property-related cases. Members will initiate an investigation into all reports of missing persons, regardless of the length of time the person has been missing.

316.3 REQUIRED FORMS AND DNA COLLECTION KITS

The Criminal Investigations supervisor shall ensure the following forms and kits are developed and available:

- The State of Maryland Missing Person Report (SOMMPR) form

Princess Anne Police Department

Policy Manual

Missing Persons

- Missing person investigation checklist that provides investigation guidelines and resources that could be helpful in the early hours of a missing person investigation (including the steps to be taken as set forth in Md. Code FL § 9-402 regarding missing children)
- Missing person school notification form
- Medical records release form
- Maryland State Police DNA collection kits

316.4 ACCEPTANCE OF REPORTS

Any member encountering an individual who wishes to report a missing person or runaway shall render assistance without delay. This can be accomplished by accepting the report via telephone or in-person and initiating the investigation. Those members who do not take such reports or who are unable to give immediate assistance shall promptly dispatch or alert a member who can take the report (Md. Code FL § 9-402(e); Md. Code PS § 3-601).

A report shall be accepted in all cases and regardless of where the person was last seen, where the person resides or any question of jurisdiction.

When taking a missing person report, department members shall use the SOMMPR form (Md. Code PS § 3-602).

316.5 INITIAL INVESTIGATION

Officers or other members conducting the initial investigation of a missing person should take the following investigative actions, as applicable:

- (a) Respond to a dispatched call as soon as practicable.
- (b) Interview the reporting party and any witnesses to determine whether the person qualifies as a missing person and, if so, whether the person may be at risk.
- (c) Notify a supervisor immediately if there is evidence that a missing person is either at risk or may qualify for a public alert, or both (see the Public Alerts Policy).
- (d) Broadcast a "Be on the Look-Out" (BOLO) bulletin if the person is under 17 years of age or there is evidence that the missing person is at risk. The BOLO should be broadcast as soon as practicable but in no event more than one hour after determining the missing person is under 17 years of age or may be at risk.
- (e) Ensure that entries are made into the appropriate missing person networks, as follows:
 1. Immediately, when the missing person is at risk (Md. Code FL § 9-402).
 2. In all other cases, as soon as practicable, but not later than two hours from the time of the initial report (34 USC § 41308).
- (f) Complete the appropriate report forms accurately and completely and initiate a search as applicable under the facts.
- (g) Collect and/or review:

Princess Anne Police Department

Policy Manual

Missing Persons

1. A photograph and fingerprint card of the missing person, if available.
 2. A voluntarily provided biological sample of the missing person, if available (e.g., toothbrush, hairbrush).
 3. Any documents that may assist in the investigation, such as court orders regarding custody.
 4. Any other evidence that may assist in the investigation, including personal electronic devices (e.g., cell phones, computers).
- (h) When circumstances permit and if appropriate, attempt to determine the missing person's location through his/her telecommunications carrier.
- (i) Contact the appropriate agency if the report relates to a missing person report previously made to another agency and that agency is actively investigating the report. When this is not practicable, the information should be documented in an appropriate report for transmission to the appropriate agency. If the information relates to an at-risk missing person, the member should notify a supervisor and proceed with reasonable steps to locate the missing person.
- (j) If the person qualifies for a Silver Alert, contact the Maryland State Police as soon as practicable.

316.5.1 SPECIAL CIRCUMSTANCES

Upon determining that a missing child is at-risk, investigating officers or supervisors shall immediately take the following additional steps as part of the investigation (Md. Code FL § 9-402):

- (a) Initiate search procedures, including the coordination of volunteer search teams.
- (b) Notify the National Center for Missing and Exploited Children.
- (c) Notify local departments and, if applicable, obtain any information that may help with locating the missing person.
- (d) Request the assistance of the Department of State Police, when appropriate.

316.6 REPORT PROCEDURES AND ROUTING

Members should complete all missing person reports and forms promptly and advise the appropriate supervisor as soon as a missing person report is ready for review.

316.6.1 SUPERVISOR RESPONSIBILITIES

The responsibilities of the supervisor shall include, but not be limited to:

- (a) Reviewing and approving missing person reports upon receipt.
 1. The reports should be promptly sent to the Administration.
- (b) Ensuring resources are deployed as appropriate.
- (c) Initiating a command post as needed.
- (d) Ensuring applicable notifications and public alerts are made and documented.

Princess Anne Police Department

Policy Manual

Missing Persons

- (e) Ensuring that records have been entered into the appropriate missing person networks.
- (f) Taking reasonable steps to identify and address any jurisdictional issues to ensure cooperation among agencies.
 - 1. If the case falls within the jurisdiction of another agency, the supervisor should facilitate transfer of the case to the agency of jurisdiction.

316.6.2 ADMINISTRATION RESPONSIBILITIES

The responsibilities of the Administration receiving member shall include, but not be limited to:

- (a) As soon as reasonable under the circumstances, notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's residence in cases where the missing person is a resident of another jurisdiction.
- (b) Notifying and forwarding a copy of the report to the agency of jurisdiction where the missing person was last seen.
- (c) Notifying and forwarding a copy of the report to the agency of jurisdiction for the missing person's intended or possible destination, if known.
- (d) Forwarding a copy of the report to the Criminal Investigations.
- (e) Coordinating with the NCIC Terminal Contractor for Maryland to have the missing person record in the NCIC computer networks updated with additional information obtained from missing person investigations (34 USC § 41308).

316.7 CRIMINAL INVESTIGATIONS FOLLOW-UP

In addition to completing or continuing any actions listed above, the investigator assigned to a missing person investigation:

- (a) Shall coordinate the investigation with the Maryland State Police if a missing child has not been located within 24 hours and there is reason to believe the child may be located in another jurisdiction (Md. Code FL § 9-402(d)).
- (b) Should ensure that the missing person's school is notified within 10 days if the missing person is a juvenile.
 - 1. The notice shall be in writing and should also include a photograph.
 - 2. The investigator should meet with school officials as appropriate to stress the importance of including the notice in the child's student file, along with the investigator's contact information if the school receives a call requesting the transfer of the missing child's files to another school.
- (c) Should recontact the reporting party and/or other witnesses within 30 days of the initial report and within 30 days thereafter to keep them informed, as appropriate, and to determine if any additional information has become available.
- (d) Should consider contacting other agencies involved in the case to determine if any additional information is available.

Princess Anne Police Department

Policy Manual

Missing Persons

- (e) Shall verify and update MCMUP, METERS, NCIC and any other applicable missing person networks within 30 days of the original entry into the networks and every 30 days thereafter until the missing person is located (34 USC § 41308).
- (f) Should continue to make reasonable efforts to locate the missing person and document these efforts at least every 30 days.
- (g) Shall maintain a close liaison with state and local child welfare systems and the National Center for Missing and Exploited Children (NCMEC) if the missing person is under the age of 21 and shall promptly notify NCMEC when the person is missing from a foster care family home or childcare institution (34 USC § 41308).
- (h) Should make appropriate inquiry with the Medical Examiner.
- (i) Should obtain and forward medical and dental records, photos, X-rays and biological samples, as applicable.
- (j) Shall attempt to obtain the most recent photograph for persons under 18 years of age if it has not been obtained previously and forward the photograph to the Department of State Police and enter the photograph into applicable missing person networks (34 USC § 41308).
- (k) Should consider making appropriate entries and searches in the National Missing and Unidentified Persons System (NamUs).
- (l) In the case of an at-risk missing person or a person who has been missing for an extended time, should consult with a supervisor regarding seeking federal assistance from the FBI and the U.S. Marshals Service (28 USC § 566).

316.8 WHEN A MISSING PERSON IS FOUND

When any person reported missing is found, the assigned investigator shall document the location of the missing person in the appropriate report, notify the relatives and/or reporting party, as appropriate, and other involved agencies and refer the case for additional investigation if warranted.

The Administrative Assistant should ensure that, upon receipt of information that a missing person has been located, the following occurs:

- (a) Notification is made to the Maryland State Police.
- (b) A missing child's school is notified.
- (c) Entries are made in the applicable missing person networks.
- (d) When a person is at risk, the fact that the person has been found should be reported within 24 hours to MCMUP, METERS and NCIC.
- (e) Notification shall be made to any other law enforcement agency that took the initial report or participated in the investigation.

316.8.1 UNIDENTIFIED PERSONS

Members investigating a case of an unidentified person who is deceased or a living person who cannot assist in identifying him/herself should:

Missing Persons

- (a) Obtain a complete description of the person.
- (b) Enter the unidentified person's description into the NCIC Unidentified Person File.
- (c) Use available resources, such as those related to missing persons, to identify the person.

316.9 CASE CLOSURE

The Criminal Investigations supervisor may authorize the closure of a missing person case after considering the following:

- (a) Closure is appropriate when the missing person is confirmed returned or evidence matches an unidentified person or body.
- (b) If the missing person is a resident of Princess Anne or this department is the lead agency, the case should be kept under active investigation for as long as the person may still be alive. Exhaustion of leads in the investigation should not be a reason for closing a case.
- (c) If this department is not the lead agency, the case can be made inactive if all investigative leads have been exhausted, the lead agency has been notified and entries are made in the applicable missing person networks, as appropriate.
- (d) A missing person case should not be closed or reclassified because the person would have reached a certain age or adulthood or because the person is now the subject of a criminal or civil warrant.

316.10 TRAINING

Subject to available resources, the Training Officer should ensure that members of this department whose duties include missing person investigations and reports receive training that includes:

- (a) The initial investigation:
 - 1. Assessments and interviews
 - 2. Use of current resources, such as Mobile Audio Video (MAV)
 - 3. Confirming missing status and custody status of minors
 - 4. Evaluating the need for a heightened response
 - 5. Identifying the zone of safety based on chronological age and developmental stage
- (b) Briefing of department members at the scene.
- (c) Identifying NCIC Missing Person File categories (e.g., disability, endangered, involuntary, juvenile and catastrophe).
- (d) Verifying the accuracy of all descriptive information.
- (e) Initiating a neighborhood investigation.
- (f) Investigating any relevant recent family dynamics.
- (g) Addressing conflicting information.

Missing Persons

- (h) Key investigative and coordination steps.
- (i) Managing a missing person case.
- (j) Additional resources and specialized services.
- (k) Update procedures for case information and descriptions.
- (l) Preserving scenes.
- (m) Internet and technology issues (e.g., Internet use, cell phone use).
- (n) Media relations.

Public Alerts

317.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for alerting the public to important information and soliciting public aid when appropriate.

317.2 POLICY

Public alerts may be employed using the Emergency Alert System (EAS), local radio, television and press organizations and other groups to notify the public of incidents, or enlist the aid of the public, when the exchange of information may enhance the safety of the community. Various types of alerts may be available based upon each situation and the alert system's individual criteria.

317.3 RESPONSIBILITIES

317.3.1 MEMBER RESPONSIBILITIES

Members of the Princess Anne Police Department should notify their supervisor, Supervisor or Criminal Investigations supervisor as soon as practicable upon learning of a situation where public notification, a warning or enlisting the help of the media and the public could assist in locating a missing person, apprehending a dangerous person or gathering information.

317.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor apprised of the need for a public alert is responsible to make the appropriate notifications based upon the circumstances of each situation. The supervisor shall promptly notify the Chief of Police, or the Captain when any public alert is generated.

The supervisor in charge of the investigation to which the alert relates is responsible for the following:

- (a) Updating alerts.
- (b) Canceling alerts.
- (c) Ensuring all appropriate reports are completed.
- (d) Preparing an after-action evaluation of the investigation to be forwarded to the Captain.

317.4 AMBER ALERT

The AMBER Alert™ Program is used to provide a statewide system for the rapid dissemination of information regarding abducted children.

317.4.1 CRITERIA

The following criteria are utilized to determine if an AMBER Alert should be issued:

- (a) There is confirmation that the child has been abducted.
- (b) The child is under the age of 18.

Princess Anne Police Department

Policy Manual

Public Alerts

- (c) The circumstances surrounding the abduction indicate that the child is in danger of serious bodily harm or death.
- (d) There is enough descriptive information about the child, abductor and/or suspect's vehicle to believe an immediate broadcast alert will help.
- (e) The child is believed to still be in the broadcast area.
- (f) The child's name and other critical elements have been entered into the National Crime Information Center (NCIC).

317.4.2 PROCEDURE

After verifying a report that a child has been abducted and is in danger of serious bodily harm, the supervisor in charge of the investigation shall:

- (a) Immediately notify the field supervisor.
- (b) After confirming that the AMBER Alert criteria have been met, the field supervisor shall contact the Maryland State Police (MSP) headquarters duty officer and request an AMBER Alert activation.
- (c) Provide all necessary information to the MSP Missing Child Recovery Unit.
- (d) Be prepared to follow up the verbal request with a written request made via fax to the MSP headquarters duty officer.

317.5 BLUE ALERT

The National Blue Alert System™ is used to provide a statewide system for the rapid dissemination of information regarding a violent criminal who has seriously injured or killed a local, state or federal law enforcement officer (Md. Code PS § 3-605).

317.5.1 CRITERIA

The following criteria are utilized to determine if a Blue Alert should be issued:

- (a) An officer must have been killed or seriously injured by an offender.
- (b) It has been determined that the offender poses a serious risk or threat to the public and other law enforcement personnel.
- (c) A detailed description of the offender's vehicle, vehicle tag or partial tag must be available for broadcast to the public.

317.5.2 PROCEDURE

The following are the procedures for a Blue Alert:

- (a) Upon confirmation of the Blue Alert criteria, the supervisor in charge of the investigation shall recommend activation of the Blue Alert to the MSP.
- (b) Once this department apprehends a missing offender who is the subject of a Blue Alert, the supervisor in charge of the investigation shall immediately notify the MSP

Princess Anne Police Department

Policy Manual

Public Alerts

and any law enforcement agency that filed the report resulting in the Blue Alert that the missing offender has been apprehended (Md. Code PS § 3-605).

317.6 SILVER ALERT

Silver Alerts are used to provide a statewide system for the rapid dissemination of information regarding a missing person who has a cognitive disorder (Md. Code PS § 3-604).

317.6.1 CRITERIA

The following criteria are utilized to determine if a Silver Alert should be issued:

- (a) The whereabouts of a person at least 60 years old is unknown.
- (b) The person suffers a cognitive impairment, including a diagnosis of Alzheimer's disease or dementia to the extent that the individual requires assistance from a caregiver.
- (c) The disappearance poses a credible threat to the health and safety of the person due to age, health, mental or physical disability, and environment or weather conditions, as determined by this department.
- (d) The person is traveling in a vehicle and there is enough descriptive information about the missing person and the vehicle to issue an alert.
- (e) The Department has already activated a local or regional alert by contacting media outlets in the jurisdiction and the missing person has been entered into NCIC.

317.6.2 PROCEDURE

The following are the procedures for a Silver Alert:

- (a) Upon confirmation of the Silver Alert criteria, the supervisor in charge of the investigation shall contact the MSP headquarters duty officer and request a Silver Alert.
- (b) Once the Department confirms that the missing person has been located, the supervisor in charge of the investigation shall notify the MSP that the missing person has been located.

317.7 YELLOW ALERT

Yellow Alerts are used to provide a statewide system for the rapid dissemination of information regarding a suspect in a hit-and-run involving serious injury or death (Md. Code PS § 3-606).

317.7.1 CRITERIA

The following criteria are utilized to determine if a Yellow Alert should be issued:

- (a) The whereabouts of a person suspected of leaving the scene of an accident involving serious bodily injury or death are unknown (Md. Code TR § 20-102).
- (b) The suspect's vehicle can be described, including any information about the vehicle's license plate number.

Princess Anne Police Department

Policy Manual

Public Alerts

317.7.2 PROCEDURE

The following are the procedures for a Yellow Alert:

- (a) Upon confirmation of the Yellow Alert criteria, the supervisor in charge of the investigation shall contact the MSP headquarters duty officer and request a Yellow Alert.
- (b) Once the Department confirms that the vehicle or suspect has been located, the supervisor in charge of the investigation shall notify the MSP.

317.8 LOCAL MEDIA ALERT

317.8.1 CRITERIA

A local media alert should be used for the rapid dissemination of information to assist in finding a missing person regardless of whether the criteria for a state alert are met.

317.8.2 PROCEDURE

Regardless of whether a public alert is activated, the following procedures to alert the media and other local law enforcement agencies should be followed:

- (a) The Chief of Police or designee will prepare an initial press release that includes all available information that might aid in locating a child, suspect or missing person, such as:
 1. The person's identity, age and description.
 2. A photograph, if available.
 3. Pertinent vehicle description.
 4. Details regarding the location of the incident, last known direction of travel and potential destinations, if known.
 5. The name and contact number of the Chief of Police or designee or other authorized media liaison.
 6. A contact number for the public to call with leads or information.
- (b) The press release should be faxed to local television and radio stations.
- (c) The information in the press release should also be forwarded to local law enforcement agencies.
- (d) The activating official or other individual responsible for making notifications shall prepare and fax to the previously described locations, follow-up press releases with updates regarding the search and investigation, or immediately upon locating the person identified in the public alert.

The Chief of Police or designee is responsible for providing relevant updates to the supervisor in charge of the investigation.

Victim and Witness Assistance

318.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that crime victims and witnesses receive appropriate assistance, that they are provided with information from government and private resources, and that the agency meets all related legal mandates.

318.2 POLICY

The Princess Anne Police Department is committed to providing guidance and assistance to the victims and witnesses of crime. The members of the Princess Anne Police Department will show dignity, respect, courtesy, sensitivity, compassion and understanding for victims and witnesses and will make reasonable efforts to provide the support and information identified in this policy.

318.3 CRIME VICTIM LIAISON

The Chief of Police may appoint a member of the Department to serve as the crime victim liaison. The crime victim liaison will be the point of contact for individuals requiring further assistance or information from the Princess Anne Police Department regarding benefits from crime victim resources. This person shall also be responsible for maintaining compliance with all legal mandates related to crime victims and/or witnesses.

318.3.1 DNA PROFILE INFORMATION

The crime victim liaison shall ensure that a system is in place to provide victims of violent crime who have made a written request for notice of DNA profile information with the following (Md. Code CP § 11-104):

- (a) Whether an evidentiary DNA profile is obtained from evidence in the case
- (b) When a DNA profile developed in the case is entered into the statewide DNA database system
- (c) When a confirmed match or hit on the DNA profile is received

318.4 CRIME VICTIMS AND WITNESSES

Officers on first contact shall provide all victims or victim's representative with the applicable victim information handout (Md. Code CP § 11-104).

Officers should never guarantee a victim's or witness' safety from future harm but should take reasonable safety precautions and make practical safety suggestions to victims who express fear of future harm or retaliation (Md. Code CP § 11-1002(b)(4)).

Officers should provide a separate area away from suspects or the family and friends of suspects during an investigation and should never guarantee that a person qualifies as a victim for the purpose of compensation or restitution but should direct him/her to the proper written department material or available victim resources (Md. Code CP § 11-1002).

Princess Anne Police Department

Policy Manual

Victim and Witness Assistance

Officers should investigate allegations of witness intimidation and take enforcement action when lawful and reasonable.

318.4.1 SPECIFIC REQUIREMENTS REGARDING VICTIMS

When interacting with individuals suspected of being or claiming to be victims of sexually assaultive behavior as defined by Md. Code CP § 10-923, members should not present to the victim any form purporting to (Md. Code CP § 11-929):

- (a) Relieve the Department of any obligation to the victim.
- (b) Preclude or define the scope of the investigation.
- (c) Prevent or limit a prosecution of an act allegedly committed against the victim.
- (d) Limit a victim's private right of action pertaining to an act allegedly committed against the victim or the victim's interaction with the Department.

If such a victim requests the investigation be suspended or limited in scope, the responding member should thoroughly document that request and follow-up according to the practices recommended by the MPTSC (Md. Code CP § 11-929).

318.5 VICTIM AND WITNESS INFORMATION

The Captain shall ensure that victim and witness information handouts are available and current. These should include as appropriate (Md. Code CP § 11-1002):

- (a) Shelters and other community resources for victims including domestic violence and sexual assault victims.
- (b) Crisis intervention help, including medical treatment, creditor intervention services, counseling or other social services.
- (c) Assurance that sexual assault victims will not incur out-of-pocket expenses for forensic medical exams, and information about evidence collection, storage and preservation in sexual assault cases (34 USC § 10449; 34 USC § 20109; Md. Code CP § 11-925).
- (d) Contact information for the Maryland Sex Offender Alert Line.
- (e) An advisement that a person who was arrested may be released on bond or some other form of release and that the victim should not rely upon an arrest as a guarantee of safety.
- (f) A clear explanation of relevant court orders and how they can be obtained.
- (g) Available compensation for qualifying victims of crime (Md. Code CP § 11-916).
- (h) VINE® information (Victim Information and Notification Everyday), including the telephone number and whether this free service is available to allow victims to check on an offender's custody status and to register for automatic notification when a person is released from jail.
- (i) Notice regarding U visa and T visa application processes.
- (j) Resources available for victims of identity theft.
- (k) The victim's right, upon written request, to the following:

Princess Anne Police Department

Policy Manual

Victim and Witness Assistance

1. To be kept reasonably informed of the arrest of a suspect and closing of the case.
 2. Which office to contact for information about the case.
 3. For victims of a violent crime, to be notified and updated on matters related to a suspect's DNA profile pursuant to Md. Code CP § 11-104.
- (l) The right to have stolen or other property promptly returned and, upon written request, should have the property promptly returned when evidentiary requirements for prosecution can be satisfied by other means, unless there is a compelling law enforcement reason for keeping it.
- (m) A place for the officer's name, badge number and any applicable case or incident number.
- (n) How a victim may keep his/her address confidential (Md. Code FL § 4-522; Md. Code SG § 7-303).
- (o) Maryland Electronic Courts (MDEC) system for requesting and receiving notices electronically, if applicable (Md. Code CP § 11-104).
- (p) How to request information regarding an unsolved case (Md. Code CP § 11-104).

318.5.1 CONFIDENTIAL INFORMATION

The Department, on request of the state, may withhold the address or telephone number of the victim, victim's representative, witness to a felony, domestically related crime, or other covered crime before the trial or adjudicatory hearing in a juvenile delinquency proceeding, unless a judge determines that good cause has been shown for the release of the information (Md. Code CP § 11-205).

Hate Crimes

319.1 PURPOSE AND SCOPE

The purpose of this policy is to provide members of this department with guidelines for identifying and investigating incidents and crimes that may be motivated by hatred or other bias.

319.1.1 DEFINITIONS

Definitions related to this policy include:

Hate crime - A crime motivated by prejudice based on actual or perceived race, color, religion, national origin, ethnicity, gender, sexual orientation, gender identity or expression, or disability of the victim. This includes homelessness (Md. Code CR § 10-304).

319.2 POLICY

The Princess Anne Police Department recognizes and places a high priority on the rights of all individuals guaranteed under the state and federal constitutions and incorporated in state and federal law.

319.3 PREVENTION AND PREPARATION

While it is recognized that not all crime can be prevented, this department is committed to taking a proactive approach to preventing and preparing for likely hate crimes by:

- (a) Making an affirmative effort to establish contact with persons and groups within the community who are likely targets of hate crimes, and forming networks that address prevention and response.
- (b) Providing victim assistance, community follow-up or identifying available resources.
- (c) Educating community and civic groups about hate crime laws.

319.4 INVESTIGATIONS

Whenever any member of this department receives a report of a suspected hate crime or other activity that reasonably appears to involve a potential hate crime, the following should occur:

- (a) Assigned officers should promptly contact the victim, witness or reporting party to investigate the matter further, as circumstances may dictate.
- (b) A supervisor should be notified of the circumstances as soon as practicable.
- (c) Once the in-progress aspect of any such situation has been stabilized (e.g., treatment of victims or arrest of suspects at the scene), the assigned officers should take reasonable steps to preserve evidence that establishes a possible hate crime.
- (d) Based upon available information, officers should take appropriate action to mitigate further injury or damage to potential victims or the community.
- (e) Depending on the situation, the assigned officers or supervisor may request assistance from investigators or other resources.

Princess Anne Police Department

Policy Manual

Hate Crimes

- (f) The assigned officers should interview available witnesses, victims and others to determine what circumstances, if any, indicate that the situation may involve a hate crime.
- (g) The assigned officers should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as required by the Victim and Witness Assistance Policy.
- (h) The assigned officers should include all available evidence indicating the likelihood of a hate crime in the relevant reports. All related reports should be clearly marked "Hate Crime."
- (i) The assigned officers and supervisor should take reasonable steps to ensure that any such situation does not escalate further and should provide information to the victim regarding legal aid protective order through the courts or State's Attorney.

319.4.1 CRIMINAL INVESTIGATIONS RESPONSIBILITIES

If a hate crime case is assigned to the Criminal Investigations, the assigned investigator will be responsible for:

- (a) Coordinating further investigation with the State's Attorney and other appropriate law enforcement agencies.
- (b) Maintaining contact with the victim and other involved individuals, as needed.
- (c) Maintaining statistical data and tracking of suspected hate crimes, as indicated or required by state law.

319.5 TRAINING

All members of this department should receive training on hate crime recognition and investigation.

Standards of Conduct

320.1 PURPOSE AND SCOPE

This policy establishes standards of conduct that are consistent with the values and mission of the Princess Anne Police Department and are expected of all department members. The standards contained in this policy are not intended to be an exhaustive list of requirements and prohibitions, but they do identify many of the important matters concerning conduct. In addition to the provisions of this policy, members are subject to all other provisions contained in this manual, as well as any additional guidance on conduct that may be disseminated by this department or a member's supervisors.

320.2 POLICY

The continued employment or appointment of every member of this department shall be based on conduct that reasonably conforms to the guidelines set forth herein. Failure to meet the guidelines set forth in this policy, whether on- or off-duty, may be cause for disciplinary action.

320.3 DIRECTIVES AND ORDERS

Members shall comply with lawful directives and orders from any department supervisor or person in a position of authority, absent a reasonable and bona fide justification.

320.3.1 UNLAWFUL OR CONFLICTING ORDERS

Supervisors shall not knowingly issue orders or directives that, if carried out, would result in a violation of any law or department policy. Supervisors should not issue orders that conflict with any previous order without making reasonable clarification that the new order is intended to countermand the earlier order.

No member is required to obey any order that appears to be in direct conflict with any federal law, state law or local ordinance. Following a known unlawful order is not a defense and does not relieve the member from criminal or civil prosecution or administrative discipline. If the legality of an order is in doubt, the affected member shall ask the issuing supervisor to clarify the order or shall confer with a higher authority. The responsibility for refusal to obey rests with the member, who shall subsequently be required to justify the refusal.

Unless it would jeopardize the safety of any individual, members who are presented with a lawful order that is in conflict with a previous lawful order, department policy or other directive shall respectfully inform the issuing supervisor of the conflict. The issuing supervisor is responsible for either resolving the conflict or clarifying that the lawful order is intended to countermand the previous lawful order or directive, in which case the member is obliged to comply. Members who are compelled to follow a conflicting lawful order after having given the issuing supervisor the opportunity to correct the conflict, will not be held accountable for disobedience of the lawful order or directive that was initially issued.

Princess Anne Police Department

Policy Manual

Standards of Conduct

The person countermanning the original order shall notify, in writing, the person issuing the original order, indicating the action taken and the reason.

320.3.2 SUPERVISOR RESPONSIBILITIES

Supervisors and managers are required to follow all policies and procedures and may be subject to discipline for:

- (a) Failure to be reasonably aware of the performance of their subordinates or to provide appropriate guidance and control.
- (b) Failure to promptly and fully report any known misconduct of a member to his/her immediate supervisor or to document such misconduct appropriately or as required by policy.
- (c) Directing a subordinate to violate a policy or directive, acquiescing to such a violation or exhibiting indifference to such a violation.
- (d) Exercising unequal or disparate authority toward any member for malicious or other improper purpose.

320.4 GENERAL STANDARDS

Members shall conduct themselves, whether on- or off-duty, in accordance with the United States and Maryland constitutions and all applicable laws, ordinances, and rules enacted or established pursuant to legal authority.

Members shall familiarize themselves with policies and procedures and are responsible for compliance with each. Members should seek clarification and guidance from supervisors in the event of any perceived ambiguity or uncertainty.

Discipline may be initiated for any good cause. It is not mandatory that a specific policy or rule violation be cited to sustain discipline. This policy is not intended to cover every possible type of misconduct.

320.5 CAUSES FOR DISCIPLINE

The following are illustrative of causes for disciplinary action. This list is not intended to cover every possible type of misconduct and does not preclude the recommendation of disciplinary action for violation of other rules, standards, ethics and specific action or inaction that is detrimental to efficient department service:

320.5.1 LAWS, RULES AND ORDERS

- (a) Violation of, or ordering or instructing a subordinate to violate, any policy, procedure, rule, order, directive or requirement, or failure to follow instructions contained in department or Town manuals.
- (b) Disobedience of any legal directive or order issued by any department member of a higher rank.
- (c) Violation of federal, state, local or administrative laws, rules or regulations.

Princess Anne Police Department

Policy Manual

Standards of Conduct

320.5.2 ETHICS

- (a) Using or disclosing one's status as a member of the Princess Anne Police Department in any way that could reasonably be perceived as an attempt to gain influence or authority for non-department business or activity.
- (b) The wrongful or unlawful exercise of authority on the part of any member for malicious purpose, personal gain, willful deceit or any other improper purpose.
- (c) The receipt or acceptance of a reward, fee or gift from any person for service incident to the performance of the member's duties (lawful subpoena fees and authorized work permits excepted).
- (d) Acceptance of fees, gifts or money contrary to the rules of this department and/or laws of the state.
- (e) Offer or acceptance of a bribe or gratuity.
- (f) Misappropriation or misuse of public funds, property, personnel or services.
- (g) Any other failure to abide by the standards of ethical conduct.

320.5.3 DISCRIMINATION, OPPRESSION, OR FAVORITISM

Unless required by law or policy, discriminating against, oppressing, or providing favoritism to any person because of actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, age, disability, economic status, cultural group, veteran status, marital status, and any other classification or status protected by law, or intentionally denying or impeding another in the exercise or enjoyment of any right, privilege, power, or immunity, knowing the conduct is unlawful.

320.5.4 RELATIONSHIPS

- (a) Unwelcome solicitation of a personal or sexual relationship while on-duty or through the use of one's official capacity.
- (b) Engaging in on-duty sexual activity including, but not limited to, sexual intercourse, excessive displays of public affection or other sexual contact.
- (c) Establishing or maintaining an inappropriate personal or financial relationship, as a result of an investigation, with a known victim, witness, suspect or defendant while a case is being investigated or prosecuted, or as a direct result of any official contact.
- (d) Associating with or joining a criminal gang, organized crime and/or criminal syndicate when the member knows or reasonably should know of the criminal nature of the organization. This includes any organization involved in a definable criminal activity or enterprise, except as specifically directed and authorized by this department.
- (e) Associating on a personal, rather than official basis with persons who demonstrate recurring involvement in serious violations of state or federal laws after the member knows, or reasonably should know, of such criminal activities, except as specifically directed and authorized by this department.

Princess Anne Police Department

Policy Manual

Standards of Conduct

320.5.5 ATTENDANCE

- (a) Leaving the job to which the member is assigned during duty hours without a reasonable excuse and proper permission and approval.
- (b) Unexcused or unauthorized absence or tardiness.
- (c) Excessive absenteeism or abuse of leave privileges.
- (d) Failure to report to work or to the place of assignment at the time specified and fully prepared to perform duties without a reasonable excuse.

320.5.6 UNAUTHORIZED ACCESS, DISCLOSURE, OR USE

- (a) Unauthorized and inappropriate intentional release of confidential or protected information, materials, data, forms, or reports obtained as a result of the member's position with this department.
- (b) Disclosing to any unauthorized person any active investigation information.
- (c) The use of any information, photograph, video, or other recording obtained or accessed as a result of employment or appointment to this department for personal or financial gain or without the express authorization of the Chief of Police or the authorized designee.
- (d) Loaning, selling, allowing unauthorized use, giving away, or appropriating any department property for personal use, personal gain, or any other improper or unauthorized use or purpose.
- (e) Using department resources in association with any portion of an independent civil action. These resources include but are not limited to personnel, vehicles, equipment, and non-subpoenaed records.

320.5.7 EFFICIENCY

- (a) Neglect of duty.
- (b) Unsatisfactory work performance including but not limited to failure, incompetence, inefficiency, or delay in performing and/or carrying out proper orders, work assignments, or the instructions of supervisors without a reasonable and bona fide excuse.
- (c) Concealing, attempting to conceal, removing, or destroying defective or incompetent work.
- (d) Unauthorized sleeping during on-duty time or assignments.
- (e) Failure to notify the Department within 24 hours of any change in residence address or contact numbers.
- (f) Failure to notify the Administration of changes in relevant personal information (e.g., information associated with benefits determination) in a timely fashion.

Princess Anne Police Department

Policy Manual

Standards of Conduct

320.5.8 PERFORMANCE

- (a) Failure to disclose or misrepresenting material facts or making any false or misleading statement on any application, examination form or other official document, report or form, or during the course of any work-related investigation.
- (b) The falsification of any work-related records, making misleading entries or statements with the intent to deceive, or the willful and unauthorized removal, alteration, destruction and/or mutilation of any department record, public record, book, paper or document.
- (c) Failure to participate in investigations, or giving false or misleading statements, or misrepresenting or omitting material information to a supervisor or other person in a position of authority, in connection with any investigation or in the reporting of any department-related business.
- (d) Being untruthful or knowingly making false, misleading or malicious statements that are reasonably calculated to harm the reputation, authority or official standing of this department or its members.
- (e) Disparaging remarks or conduct concerning duly constituted authority to the extent that such conduct disrupts the efficiency of this department or subverts the good order, efficiency and discipline of this department or that would tend to discredit any of its members.
- (f) Unlawful gambling or unlawful betting at any time or any place. Legal gambling or betting under any of the following conditions:
 - 1. While on department premises.
 - 2. At any work site, while on-duty or while in uniform, or while using any department equipment or system.
 - 3. Gambling activity undertaken as part of an officer's official duties and with the express knowledge and permission of a direct supervisor is exempt from this prohibition.
- (g) Improper political activity including:
 - 1. Unauthorized attendance while on-duty at official legislative or political sessions.
 - 2. Solicitations, speeches or distribution of campaign literature for or against any political candidate or position while on-duty, on department property or while in any way representing him/herself as a member of this department, except as expressly authorized by Town policy, the collective bargaining agreement or memorandum of understanding, or the Chief of Police (Md. Code PS § 3-103(a)(2)).
- (h) Engaging in political activities during assigned working hours except as expressly authorized by Town policy, the collective bargaining agreement or memorandum of understanding, or the Chief of Police (Md. Code PS § 3-103(a)(2)).
- (i) Any act on- or off-duty that tends to bring discredit to this department.

Princess Anne Police Department

Policy Manual

Standards of Conduct

320.5.9 CONDUCT

- (a) Failure of any member to promptly and fully report activities on his/her part or the part of any other member where such activities resulted in contact with any other law enforcement agency or that may result in criminal prosecution or discipline under this policy.
- (b) Unreasonable and unwarranted force to a person encountered or a person under arrest.
- (c) Exceeding lawful peace officer powers by unreasonable, unlawful or excessive conduct.
- (d) Unauthorized or unlawful fighting, threatening or attempting to inflict unlawful bodily harm on another.
- (e) Engaging in horseplay that reasonably could result in injury or property damage.
- (f) Discourteous, disrespectful or discriminatory treatment of any member of the public or any member of this department or the Town.
- (g) Use of obscene, indecent, profane or derogatory language while on-duty or in uniform.
- (h) Criminal, dishonest, or disgraceful conduct, whether on- or off-duty, that adversely affects the member's relationship with this department.
- (i) Unauthorized possession of, loss of, or damage to department property or the property of others, or endangering it through carelessness or maliciousness.
- (j) Attempted or actual theft of department property; misappropriation or misuse of public funds, property, personnel or the services or property of others; unauthorized removal or possession of department property or the property of another person.
- (k) Activity that is incompatible with a member's conditions of employment or appointment as established by law or that violates a provision of any employment agreement, including fraud in securing the appointment or hire.
- (l) Initiating any civil action for recovery of any damages or injuries incurred in the course and scope of employment or appointment without first notifying the Chief of Police of such action.
- (m) Any other on- or off-duty conduct that any member knows or reasonably should know is unbecoming a member of this department, is contrary to good order, efficiency or morale, or tends to reflect unfavorably upon this department or its members.

320.5.10 SAFETY

- (a) Failure to observe or violating department safety standards or safe working practices.
- (b) Failure to maintain current licenses or certifications required for the assignment or position (e.g., driver's license, first aid).
- (c) Failure to maintain good physical condition sufficient to adequately and safely perform law enforcement duties.
- (d) Unsafe firearm or other dangerous weapon handling including loading or unloading firearms in an unsafe manner, either on- or off-duty.

Princess Anne Police Department

Policy Manual

Standards of Conduct

- (e) Carrying, while on the premises of the work site, any firearm or other lethal weapon that is not authorized by the member's appointing authority.
- (f) Unsafe or improper driving habits or actions in the course of employment or appointment.
- (g) Any personal action contributing to a preventable traffic accident.
- (h) Concealing or knowingly failing to report any on-the-job or work-related accident or injury as soon as practicable but within 24 hours.

320.5.11 INTOXICANTS

- (a) Reporting for work or being at work while intoxicated or when the member's ability to perform assigned duties is impaired due to the use of alcohol, medication or drugs, whether legal, prescribed or illegal.
- (b) Possession or use of alcohol at any work site or while on-duty, except as authorized in the performance of an official assignment. A member who is authorized to consume alcohol is not permitted to do so to such a degree that it may impair on-duty performance.
- (c) Unauthorized possession, use of, or attempting to bring a controlled substance, illegal drug or non-prescribed medication to any work site.

Report Preparation

322.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to those members of the Department who complete investigations and reports as a part of their duties.

322.2 POLICY

It is the policy of the Princess Anne Police Department that members shall act with promptness and efficiency in the preparation and processing of all reports. Reports shall document sufficient information to refresh the member's memory and shall provide enough detail for follow-up investigation and successful prosecution.

322.3 EXPEDITIOUS REPORTING

An incomplete report, unorganized reports or reports that are delayed without supervisory approval are not acceptable. Reports shall be processed according to established priorities or to a special priority made necessary under exceptional circumstances.

322.4 REPORT PREPARATION

Reports should be sufficiently detailed for their purpose and free from errors prior to submission and approval. It is the responsibility of the member to complete and submit all reports taken during the shift before going off-duty unless permission to hold the report has been approved by a supervisor (Md. Code PS § 3-514). Generally, reports requiring prompt follow-up action on active leads or arrest reports where the suspect remains in custody should not be held.

All reports shall accurately reflect the identity of the persons involved, all pertinent information seen, heard, or assimilated by any other sense, and any actions taken. Members shall not suppress, conceal, or distort the facts of any reported incident, nor shall any member make a false report orally or in writing. Generally, the reporting member's opinions should not be included in reports unless specifically identified as such.

322.4.1 HANDWRITTEN OR TYPED REPORTS

County, state and federal agency forms may be block printed unless the requirement for typing is apparent. Supervisors may require block printing or typing of reports of any nature for department consistency.

Handwritten reports must be prepared legibly. If the report is not legible, the submitting member will be required by the reviewing supervisor to promptly make corrections and resubmit the report.

In general, the narrative portion of reports where an arrest is made or when there is a long narrative should be typed or dictated. Members who dictate reports shall use appropriate grammar, as the content is not the responsibility of the typist.

Members who generate reports on computers are subject to all requirements of this policy.

Princess Anne Police Department

Policy Manual

Report Preparation

322.4.2 ELECTRONIC SIGNATURES

The Princess Anne Police Department has established an electronic signature procedure for use by all members of the Princess Anne Police Department. The Captain shall be responsible for maintaining the electronic signature system, ensuring that each member creates a unique, confidential password for his/her electronic signature and that the use of electronic signatures otherwise complies with the law (Md. Code CL § 21-106).

- (a) Members may only use their electronic signatures for official reports or other official communications.
- (b) Each member shall be responsible for the security and use of his/her electronic signature and shall promptly notify a supervisor if the electronic signature has or may have been compromised or misused.

322.5 REQUIRED REPORTING

In all of the following situations, members shall complete reports using the appropriate department-approved forms and reporting methods, unless otherwise approved by a supervisor.

The reporting requirements are not intended to be all-inclusive. A member may complete a report if he/she deems it necessary or as directed by a supervisor.

322.5.1 CRIMINAL ACTIVITY

When a member responds to a call for service, or as a result of self-initiated activity becomes aware of any activity where a crime has occurred, the member shall document the incident regardless of whether a victim desires prosecution.

Activity to be documented in a written report includes:

- (a) All arrests.
- (b) All felony crimes.
- (c) Non-felony incidents involving threats or stalking behavior.
- (d) Situations covered by separate policy. These include:
 - 1. Use of Force Policy.
 - 2. Domestic Violence Policy.
 - 3. Child Abuse Policy.
 - 4. Adult Abuse Policy.
 - 5. Hate Crimes Policy.
 - 6. Suspicious Activity Reporting Policy.
- (e) All misdemeanor crimes where the victim desires a report.

Misdemeanor crimes where the victim does not desire a report shall be documented using the department-approved alternative reporting method (e.g., a dispatch log).

Princess Anne Police Department

Policy Manual

Report Preparation

322.5.2 NON-CRIMINAL ACTIVITY

Non-criminal activity to be documented includes:

- (a) Any found property or found evidence.
- (b) All protective custody and welfare detentions.
- (c) Any time a person is reported missing, regardless of jurisdiction (see the Missing Persons Policy).
- (d) Suspicious incidents that may indicate a potential for crimes against children or that a child's safety is in jeopardy.
- (e) Suspicious incidents that may place the public or others at risk.
- (f) Any use of force by members of this department against any person (see the Use of Force Policy).
- (g) Any firearm discharge (see the Firearms Policy).
- (h) Any time a member points a firearm at any person.
- (i) Any traffic accidents above the minimum reporting level (see the Traffic Accidents Policy).
- (j) Whenever the member believes the circumstances should be documented or at the direction of a supervisor.

322.5.3 MISCELLANEOUS INJURIES

Any injury that is reported to this department shall require a report when:

- (a) The injury is a result of drug overdose.
- (b) There is an attempted suicide
- (c) The injury is major or serious, and potentially fatal.
- (d) The circumstances surrounding the incident are suspicious in nature and it is desirable to document the event.

322.5.4 DEATHS

Death investigations require specific investigation methods, depending on the circumstances. They should be handled in accordance with the Death Investigation Policy. The handling member should notify and apprise a supervisor of the circumstances surrounding the incident to determine how to proceed. The following incidents shall be appropriately investigated and documented:

- (a) Unattended deaths (no physician or qualified hospice care during the period preceding death)
- (b) Sudden, accidental or suspicious deaths
- (c) Suicides
- (d) Homicide or suspected homicide

Report Preparation

- (e) Found dead bodies or body parts

322.5.5 TOWN PERSONNEL OR PROPERTY

Incidents involving Town personnel or property shall require a report when:

- (a) An injury occurs as the result of an act of a Town employee or on Town property.
- (b) There is damage to Town property or equipment.

322.6 ALTERNATIVE REPORTING FOR VICTIMS

Reports that may be submitted by the public via online or other self-completed reporting processes include:

- (a) Lost property.
- (b) Misdemeanor thefts of property, other than firearms or materials threatening to public safety, when there is no suspect information or serial number or ability to trace the item.
 - 1. Misdemeanor thefts of cellular telephones may be reported even though they have a serial number.
- (c) Misdemeanor vandalism with no suspect information and no hate crime implications.
- (d) Vehicle burglaries with no suspect information or evidence.
- (e) Stolen vehicle attempts with no suspect information or evidence.
- (f) Annoying telephone calls with no suspect information.
- (g) Identity theft without an identifiable suspect.
- (h) Online or email fraud solicitations without an identifiable suspect and if the financial loss classifies the crime as a misdemeanor.
- (i) Hit-and-run vehicle accidents with no suspect or suspect vehicle.
- (j) Supplemental property lists.

Members at the scene of one of the above incidents should not refer the reporting party to an alternative means of reporting without authorization from a supervisor. Members may refer victims to online victim assistance programs (e.g., the Federal Communications Commission (FCC) website for identity theft; the Internet Crime Complaint Center (IC3) website for computer crimes).

322.7 REVIEW AND CORRECTIONS

Supervisors shall review reports for content and accuracy. If a correction is necessary, the reviewing supervisor should complete a correction form stating the reasons for rejection.

Princess Anne Police Department

Policy Manual

Report Preparation

The original report and the correction form should be returned to the reporting member for correction as soon as practicable. It shall be the responsibility of the originating member to ensure that any report returned for correction is processed in a timely manner.

322.7.1 CHANGES AND ALTERATIONS

Reports that have been approved by a supervisor and submitted to the Administration for filing and distribution shall not be modified or altered except by way of a supplemental report.

Reviewed reports that have not yet been submitted to the Administration may be corrected or modified by the authoring member only with the knowledge and authorization of the reviewing supervisor.

322.8 STATE REPORTING REQUIREMENTS

322.8.1 TEMPORARY DETENTION OR INVESTIGATIVE STOP SEARCHES

Any temporary detention or investigative stop that results in a search requires the department performing the search to file a written report with this department within 24 hours of the incident. The report shall be completed using the form prescribed by the Secretary of Public Safety and Correctional Services and shall include:

- (a) The name of the person searched.
- (b) The circumstances surrounding and reasons for the search or seizure.

The Administration is required to deliver copies of all forms completed for this purpose to the Secretary of the State Police (Md. Code CR § 4-206(c)).

322.8.2 HATE CRIMES

The Administration, in conjunction with the Criminal Investigations for cases assigned for investigation, shall report all incidents apparently directed against an individual or group because of race, color, religious beliefs, sexual orientation, gender, disability, national origin, homelessness, or any other class specified by state law to the Department of State Police in accordance with any procedures they adopt (Md. Code PS § 2-307).

Registered Offender Information

326.1 PURPOSE AND SCOPE

This policy establishes guidelines by which the Princess Anne Police Department will address issues associated with certain offenders who are residing in the jurisdiction, and how the Department will disseminate information and respond to public inquiries for information about registered offenders.

326.2 POLICY

It is the policy of the Princess Anne Police Department to identify and monitor registered offenders living within this jurisdiction and to take reasonable steps to address the risks those persons may pose.

326.3 REGISTRATION

The process of registration of offenders is the responsibility of the Somerset County Sheriff's Office.

326.4 MONITORING OF REGISTERED OFFENDERS

The Somerset County Sheriff's Office is primarily responsible for the monitoring of registered offenders. The Princess Anne Police Department will assist with the monitoring upon request of the Sheriff's Office.

326.5 DISSEMINATION OF PUBLIC INFORMATION

Members will not unilaterally make a public notification advising the community of a particular registrant's presence in the community. Members who identify a significant risk or other public safety issue associated with a registrant should promptly advise their supervisor. The supervisor should evaluate the request and forward the information to the Chief of Police if warranted. A determination will be made by the Chief of Police, with the assistance of legal counsel as necessary, whether such a public alert should be made.

Princess Anne Police Department

Policy Manual

Registered Offender Information

Members of the public requesting information on registrants should be provided the Maryland Department of Public Safety and Correctional Services Sex Offender Registry or the Princess Anne Police Department's website.

The Administrative Assistant shall release local registered offender information to residents in accordance with Md. Code CP § 11-716 and in compliance with a Maryland Public Information Act request.

326.5.1 RELEASE NOTIFICATIONS

Registrant information that is released should include notification that:

- (a) The offender registry includes only those persons who have been required by law to register and who are in compliance with the offender registration laws. It does not include juvenile registrants whose information is confidential and only accessible to law enforcement (Md. Code CP § 11-704.1(c)).
- (b) The information is provided as a public service and may not be current or accurate.
- (c) Persons should not rely solely on the offender registry as a safeguard against offenses in their communities.
- (d) The crime for which a person is convicted may not accurately reflect the level of risk.
- (e) Anyone who uses information contained in the registry to harass registrants or commit any crime may be subject to criminal prosecution.

326.6 INTERNAL DISSEMINATION OF INFORMATION

As soon as possible but not later than 3 working days after receiving notice of registration or change in registration information from another local law enforcement unit, the Department shall send a copy of the notice to the Captain.

Major Incident Notification

327.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Princess Anne Police Department in determining when, how and to whom notification of major incidents should be made.

327.2 POLICY

The Princess Anne Police Department recognizes that certain incidents should be brought to the attention of supervisors or other specified personnel of this department to facilitate the coordination of activities and ensure that inquiries from the media and the public may be properly addressed.

327.3 CRITERIA FOR NOTIFICATION

Most situations where the media show a strong interest are also of interest to the Chief of Police and the Town. The following list of incident types is provided as a guide for notification and is not intended to be all inclusive:

- Officer-involved shooting, whether on- or off-duty (see the Officer-Involved Shootings and Deaths Policy for special notification)
- Homicides, suspicious deaths or deaths related to law enforcement activity
- Crimes of unusual violence or circumstances that may include hostages, barricaded persons, home invasions, armed robbery or sexual assaults
- At risk missing children or endangered missing adults
- In-custody deaths
- Aircraft, train, boat or other transportation accidents with major damage and/or injury or death
- Traffic accidents with fatalities or severe injuries
- Death of a prominent Princess Anne official
- Significant injury or death to a member of the Department, whether on- or off-duty
- Arrest of a member of the Department or prominent Princess Anne official
- Equipment failures, utility failures and incidents that may affect staffing or pose a threat to basic police services
- Any other incident, which has or is likely to attract significant media attention

327.4 SUPERVISOR RESPONSIBILITIES

The Supervisor is responsible for making the appropriate notifications. The Supervisor shall make reasonable attempts to obtain as much information on the incident as possible before notification, and shall attempt to make the notifications as soon as practicable.

Princess Anne Police Department

Policy Manual

Major Incident Notification

327.4.1 COMMAND STAFF NOTIFICATION

In the event an incident occurs as identified in the Criteria for Notification section above, the Chief of Police shall be notified along with the Captain..

327.4.2 INVESTIGATOR NOTIFICATION

If the incident requires that an investigator respond from home, the immediate supervisor of the appropriate detail shall be notified, who will then contact the appropriate investigator.

327.4.3 PATROL DIVISION NOTIFICATION

In the event of a major injury or traffic fatality, the supervisor shall be notified, who will then contact the Captain.

327.4.4 CHIEF OF POLICE OR DESIGNEE

After members of the command staff have been notified, the Chief of Police or designee shall be called if it appears the media may have a significant interest in the incident.

Death Investigation

328.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for situations where officers initially respond to and investigate the circumstances of a deceased person.

Some causes of death may not be readily apparent and some cases differ substantially from what they appear to be initially. The thoroughness of death investigations and use of appropriate resources and evidence gathering techniques is critical.

328.2 POLICY

It is the policy of the Princess Anne Police Department to respond, document and investigate incidents where a person is deceased. Investigations involving the death of a person, including those from natural causes, accidents, workplace incidents, suicide and homicide, shall be initiated, investigated and properly documented.

328.3 INVESTIGATION CONSIDERATIONS

Emergency medical services shall be called in all suspected death cases unless death is obvious (e.g., decapitated, decomposed).

A supervisor shall be notified as soon as possible to assist and provide appropriate personnel and resources. The on-scene supervisor should determine whether follow-up investigation is required and notify the Criminal Investigations Division Commander as necessary. The Supervisor will make notification to command staff in accordance with the Major Incident Notification Policy.

328.3.1 REPORTING

All incidents involving a death shall be documented on the appropriate form.

328.3.2 MEDICAL EXAMINER REQUEST

Officers are not authorized to pronounce death unless they are also Medical Examiners, Deputy Medical Examiners or appointed Medical Examiner investigators. The Medical Examiner shall be called in all sudden or unexpected deaths or deaths due to other than natural causes. State law requires that the Medical Examiner and the State's Attorney for the county where the body was found be notified and given the known facts concerning the time, place, manner and circumstances of the death in any of the following cases (Md. Code HG § 5-309):

- (a) If the death occurred:
 1. By violence.
 2. By suicide.
 3. By casualty.
 4. Suddenly, if the deceased was in apparent good health or unattended by a physician.

Death Investigation

5. In any suspicious or unusual manner.
- (b) If the death of a human fetus:
 1. Occurred before the complete expulsion or extraction of the fetus from the mother when the mother was not attended by a physician at or after the delivery, regardless of the duration of the pregnancy.

328.3.3 SEARCHING DEAD BODIES

- (a) The Medical Examiner, his/her assistant and authorized investigators are generally the only persons permitted to move, handle or search a dead body.
- (b) An officer may make a reasonable search of an individual who it is reasonable to believe is dead, or near death, for the purpose of identification or for information identifying the individual as an anatomical donor. If a donor document is located, the Medical Examiner or his/her assistant shall be promptly notified.
- (c) The Medical Examiner, with the permission of the Department, may take property, objects or articles found on the deceased or in the immediate vicinity of the deceased that may be necessary for conducting an investigation to determine the identity of the deceased or the cause or manner of death.
- (d) Should exigent circumstances indicate to an officer that any other search of a known dead body is warranted prior to the arrival of the Medical Examiner or his/her assistant, the investigating officer should first obtain verbal consent from the Medical Examiner or his/her assistant when practicable.
- (e) Whenever reasonably possible, a witness, preferably a relative to the deceased or a member of the household, should be requested to remain nearby the scene and available to the officer pending the arrival of the Medical Examiner or his/her assistant. The name and address of this person shall be included in the narrative of the death report.
- (f) Whenever personal effects are removed from the body of the deceased by the Medical Examiner or his/her assistant, a receipt shall be obtained. This receipt shall be attached to the death report.

328.3.4 SUSPECTED HOMICIDE

If the initially assigned officer suspects that the death involves a homicide or other suspicious circumstances, the officer shall take steps to protect the scene. The Criminal Investigations shall be notified to determine the possible need for an investigator to respond to the scene.

If the on-scene supervisor, through consultation with the Supervisor or Criminal Investigations supervisor is unable to determine the manner of death, the investigation shall proceed as though it is a homicide.

Death Investigation

The investigator assigned to investigate a homicide or death that occurred under suspicious circumstances may, with the approval of his/her supervisor, request the Medical Examiner to conduct physical examinations and tests, and to provide a report.

328.3.5 EMPLOYMENT-RELATED DEATHS OR INJURIES

Any member of this department who responds to and determines that a death, serious illness or serious injury has occurred as a result of an accident at or in connection with the victim's employment should ensure that the regional Occupational Safety and Health Administration (OSHA) office is notified of all pertinent information.

328.4 UNIDENTIFIED DEAD BODY

If the identity of a dead body cannot be established, the handling officer will request from the Medical Examiner a unique identifying number for the body. The number shall be included in any report.

328.5 DEATH NOTIFICATION

When reasonably practicable, and if not handled by the Medical Examiner's Office, notification to the next-of-kin of the deceased person shall be made, in person, by the officer assigned to the incident. If the next-of-kin lives in another jurisdiction, a law enforcement official from that jurisdiction shall be requested to make the personal notification.

If a deceased person has been identified as a missing person, this department shall attempt to locate family members and inform them of the death and location of the deceased missing person's remains. All efforts to locate and notify family members shall be recorded in appropriate reports.

Identity Theft

329.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the investigation of identity theft.

329.2 POLICY

It is the policy of the Princess Anne Police Department to effectively investigate cases of identity theft.

329.3 ACCEPTANCE OF REPORTS

A report should be taken any time a person residing within the jurisdiction of the Princess Anne Police Department reports that he/she has been a victim of identity theft. This includes:

- (a) Taking a report even if the location of the crime is outside the jurisdiction of this department or has not been determined.
- (b) Providing the victim with department information, as set forth in the Victim and Witness Assistance Policy and encourage the individual to review the material, and assist with any questions.

A report should also be taken if a person living outside the department jurisdiction reports an identity theft that may have been committed or facilitated within this jurisdiction (e.g., use of a post office box in Princess Anne to facilitate the crime).

329.4 FOLLOW-UP INVESTIGATION

Members of this department presented with the crime of identity theft shall prepare and file a report and provide a copy to the person making the report when (Md. Code CR § 8-304):

- (a) The person resides in any part of the town.
- (b) The crime occurred in any part of the town.

A member investigating a case of identity theft should ensure that each case is referred to the appropriate agency if it is determined that this department should not be the investigating agency (e.g., an identity theft ring working from out of state). The victim should be advised that the case is being transferred to the agency of jurisdiction for investigation. The investigating member should also ensure that appropriate entries are made into related databases that have been authorized for department use.

329.5 IDENTITY THEFT PASSPORT

Upon request by a person who is the victim of identity theft, Administration staff shall submit an application for an identity theft passport and a copy of the person's identity theft report to the Attorney General (Md. Code CR § 8-305(c)).

Princess Anne Police Department

Policy Manual

Identity Theft

An application for an identity theft passport and any supporting documents are not public records and may not be released except to another law enforcement agency.

329.5.1 ACCEPTANCE OF IDENTITY THEFT PASSPORT

Officers have discretion whether to accept or reject an identity theft passport that an individual presents to help prevent his/her arrest or detention when another person has committed an offense and used the individual's personal identifying information. In determining whether to accept or reject an identity theft passport presented to this department, the officer may consider the surrounding circumstances and available information regarding the offense of identity fraud against the person (Md. Code CR § 8-305(f)).

Private Person's Arrest

330.1 PURPOSE AND SCOPE

This policy provides guidance for the handling and acceptance of a private person's arrest.

330.2 POLICY

It is the policy of the Princess Anne Police Department to accept a private person's arrest only when legal and appropriate.

330.3 ARRESTS BY PRIVATE PERSON

A private person may arrest another under the following circumstances:

- (a) An arrest without a warrant varies based on the nature of the crime.
- (b) If the crime is a felony, a private person can make an arrest if:
 - 1. A felony is being committed in the private person's presence.
 - 2. A felony has in fact been committed and the private person making the arrest has probable cause to believe the individual arrested has committed the felony, whether or not in the private person's presence.
- (c) If the crime is a misdemeanor, a private person can make an arrest if the misdemeanor amounts to a breach of the peace and is committed in the private person's presence or view.

330.4 OFFICER RESPONSIBILITIES

An officer confronted with a person claiming to have made a private person's arrest should determine whether or not such an arrest would be lawful.

If the officer determines that the private person's arrest is unlawful, the officer should:

- (a) Take no action to further detain or restrain the arrested individual, unless there is independent justification for continuing a detention.
- (b) Advise the parties that the arrest will not be accepted but the circumstances will be documented in a report.
- (c) Document the incident, including the basis for refusing to accept custody of the individual.

Whenever an officer determines that a private person's arrest is justified, the officer may take the individual into custody and proceed in the same manner as with any other arrest.

330.5 PRIVATE PERSON'S ARREST FORM

The arresting person should be asked to complete and sign an arrest form. If the person fails or refuses to do so, the arrested individual should be released, unless the officer has a lawful reason,

Princess Anne Police Department

Policy Manual

Private Person's Arrest

independent of the private person's arrest, to take the individual into custody and determines an arrest is appropriate.

Limited English Proficiency Services

331.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with limited English proficiency (LEP) (42 USC § 2000d).

331.1.1 DEFINITIONS

Definitions related to this policy include:

Authorized interpreter - A person who has been screened and authorized by the Department to act as an interpreter and/or translator for others.

Interpret or interpretation - The act of listening to a communication in one language (source language) and orally converting it to another language (target language), while retaining the same meaning.

Limited English proficient (LEP) - Any individual whose primary language is not English and who has a limited ability to read, write, speak or understand English. These individuals may be competent in certain types of communication (e.g., speaking or understanding) but still be LEP for other purposes (e.g., reading or writing). Similarly, LEP designations are context-specific; an individual may possess sufficient English language skills to function in one setting but these skills may be insufficient in other situations.

Qualified bilingual member - A member of the Princess Anne Police Department, designated by the Department, who has the ability to communicate fluently, directly and accurately in both English and another language. Bilingual members may be fluent enough to communicate in a non-English language but may not be sufficiently fluent to interpret or translate from one language into another.

Translate or translation - The replacement of written text from one language (source language) into an equivalent written text (target language).

331.2 POLICY

It is the policy of the Princess Anne Police Department to reasonably ensure that LEP individuals have meaningful access to law enforcement services, programs and activities, while not imposing undue burdens on its members (see generally Md. Code SG § 10-1101 et seq.).

The Department will not discriminate against or deny any individual access to services, rights or programs based upon national origin or any other protected interest or right.

331.3 LEP COORDINATOR

The Chief of Police shall delegate certain responsibilities to an LEP coordinator. The coordinator shall be appointed by and directly responsible to the Captain or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

Princess Anne Police Department

Policy Manual

Limited English Proficiency Services

- (a) Coordinating and implementing all aspects of the Princess Anne Police Department's LEP services to LEP individuals.
- (b) Developing procedures that will enable members to access LEP services, including telephonic interpreters, and ensuring the procedures are available to all members.
- (c) Ensuring that a list of all qualified bilingual members and authorized interpreters is maintained and available to each Supervisor. The list should include information regarding the following:
 - 1. Languages spoken
 - 2. Contact information
 - 3. Availability
- (d) Ensuring signage stating that interpreters are available free of charge to LEP individuals is posted in appropriate areas and in the most commonly spoken languages.
- (e) Reviewing existing and newly developed documents to determine which are vital documents and should be translated, and into which languages the documents should be translated.
- (f) Annually assessing demographic data and other resources, including contracted language services utilization data and community-based organizations, to determine if there are additional documents or languages that are appropriate for translation.
- (g) Identifying standards and assessments to be used by this department to qualify individuals as qualified bilingual members or authorized interpreters.
- (h) Periodically reviewing efforts of this department in providing meaningful access to LEP individuals, and, as appropriate, developing reports, new procedures, or recommending modifications to this policy.
- (i) Receiving and responding to complaints regarding department LEP services.
- (j) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

331.4 FOUR-FACTOR ANALYSIS

Since there are many different languages that members could encounter, the Department will utilize the four-factor analysis outlined in the U.S. Department of Justice (DOJ) Guidance to Federal Financial Assistance Recipients, available at the DOJ website, to determine which measures will provide meaningful access to its services and programs. It is recognized that law enforcement contacts and circumstances will vary considerably. This analysis, therefore, must remain flexible and will require an ongoing balance of the following four factors, which are:

- (a) The number or proportion of LEP individuals eligible to be served or likely to be encountered by department members, or who may benefit from programs or services within the jurisdiction of this department or a particular geographic area.

Limited English Proficiency Services

- (b) The frequency with which LEP individuals are likely to come in contact with department members, programs or services.
- (c) The nature and importance of the contact, program, information or service provided.
- (d) The cost of providing LEP assistance and the resources available.

331.5 TYPES OF LEP ASSISTANCE AVAILABLE

Princess Anne Police Department members should never refuse service to an LEP individual who is requesting assistance, nor should they require an LEP individual to furnish an interpreter as a condition for receiving assistance. The Department will make every reasonable effort to provide meaningful and timely assistance to LEP individuals through a variety of services.

The Department will utilize all reasonably available tools, such as language identification cards, when attempting to determine an LEP individual's primary language.

LEP individuals may choose to accept department-provided LEP services at no cost or they may choose to provide their own.

Department-provided LEP services may include, but are not limited to, the assistance methods described in this policy.

331.6 WRITTEN FORMS AND GUIDELINES

Vital documents or those that are frequently used should be translated into languages most likely to be encountered. The LEP coordinator will arrange to make these translated documents available to members and other appropriate individuals, as necessary.

331.7 AUDIO RECORDINGS

The Department may develop audio recordings of important or frequently requested information in a language most likely to be understood by those LEP individuals who are representative of the community being served.

331.8 QUALIFIED BILINGUAL MEMBERS

Bilingual members may be qualified to provide LEP services when they have demonstrated through established department procedures a sufficient level of skill and competence to fluently communicate in both English and a non-English language. Members utilized for LEP services must demonstrate knowledge of the functions of an interpreter/translator and the ethical issues involved when acting as a language conduit. Additionally, bilingual members must be able to communicate technical and law enforcement terminology, and be sufficiently proficient in the non-English language to perform complicated tasks, such as conducting interrogations, taking statements, collecting evidence or conveying rights or responsibilities.

When a qualified bilingual member from this department is not available, personnel from other Town departments, who have been identified by the Department as having the requisite skills and competence, may be requested.

Limited English Proficiency Services

331.9 AUTHORIZED INTERPRETERS

Any person designated by the Department to act as an authorized interpreter and/or translator must have demonstrated competence in both English and the involved non-English language, must have an understanding of the functions of an interpreter that allows for correct and effective translation, and should not be a person with an interest in the department case or investigation involving the LEP individual. A person providing interpretation or translation services may be required to establish the accuracy and trustworthiness of the interpretation or translation in a court proceeding.

Authorized interpreters must pass a screening process established by the LEP coordinator which demonstrates that their skills and abilities include:

- (a) The competence and ability to communicate information accurately in both English and in the target language.
- (b) Knowledge, in both languages, of any specialized terms or concepts peculiar to this department and of any particularized vocabulary or phraseology used by the LEP individual.
- (c) The ability to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (d) Knowledge of the ethical issues involved when acting as a language conduit.

331.9.1 SOURCES OF AUTHORIZED INTERPRETERS

The Department may contract with authorized interpreters who are available over the telephone. Members may use these services with the approval of a supervisor and in compliance with established procedures.

Other sources may include:

- Qualified bilingual members of this department or personnel from other Town departments.
- Individuals employed exclusively to perform interpretation services.
- Contracted in-person interpreters, such as state or federal court interpreters, among others.
- Interpreters from other agencies who have been qualified as interpreters by this department, and with whom the Department has a resource-sharing or other arrangement that they will interpret according to department guidelines.

331.9.2 COMMUNITY VOLUNTEERS AND OTHER SOURCES OF LANGUAGE ASSISTANCE

Language assistance may be available from community volunteers who have demonstrated competence in either monolingual (direct) communication and/or in interpretation or translation (as noted in above), and have been approved by the Department to communicate with LEP individuals.

Princess Anne Police Department

Policy Manual

Limited English Proficiency Services

Where qualified bilingual members or other authorized interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the LEP individual and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

While family or friends of an LEP individual may offer to assist with communication or interpretation, members should carefully consider the circumstances before relying on such individuals. For example, children should not be relied upon except in exigent or very informal and non-confrontational situations.

331.10 CONTACT AND REPORTING

While all law enforcement contacts, services and individual rights are important, this department will utilize the four-factor analysis to prioritize service to LEP individuals so that such services may be targeted where they are most needed, according to the nature and importance of the particular law enforcement activity involved.

Whenever any member of this department is required to complete a report or when other documentation, and interpretation services are provided to any involved LEP individual, such services should be noted in the related report. Members should document the type of interpretation services utilized and whether the individual elected to use services provided by the Department or some other identified source.

331.11 RECEIVING AND RESPONDING TO REQUESTS FOR ASSISTANCE

The Princess Anne Police Department will take reasonable steps and will work with the Administration to develop in-house language capacity by hiring or appointing qualified members proficient in languages representative of the community being served.

331.11.1 EMERGENCY CALLS TO 9-1-1

Department members will make every reasonable effort to promptly accommodate LEP individuals utilizing 9-1-1 lines. When a 9-1-1 call-taker receives a call and determines that the caller is an LEP individual, the call-taker shall quickly determine whether sufficient information can be obtained to initiate an appropriate emergency response. If language assistance is still needed, the language is known and a qualified bilingual member is available in Somerset Emergency Services, the call shall immediately be handled by the qualified bilingual member.

If a qualified bilingual member is not available or the call-taker is unable to identify the caller's language, the call-taker will contact the contracted telephone interpretation service and establish a three-way call between the call-taker, the LEP individual and the interpreter.

Dispatchers will make every reasonable effort to dispatch a qualified bilingual member to the assignment, if available and appropriate.

Princess Anne Police Department

Policy Manual

Limited English Proficiency Services

While 9-1-1 calls shall receive top priority, reasonable efforts should also be made to accommodate LEP individuals seeking routine access to services and information by utilizing the resources listed in this policy.

331.12 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve LEP individuals. The scope and nature of these activities and contacts will inevitably vary. Members and/or supervisors must assess each situation to determine the need and availability of language assistance to all involved LEP individuals and utilize the methods outlined in this policy to provide such assistance.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to request consent to search if the officer is unable to effectively communicate with an LEP individual.

If available, officers should obtain the assistance of a qualified bilingual member or an authorized interpreter before placing an LEP individual under arrest.

331.13 INVESTIGATIVE FIELD INTERVIEWS

In any situation where an interview may reveal information that could be used as the basis for arrest or prosecution of an LEP individual and a qualified bilingual member is unavailable or lacks the skills to directly communicate with the LEP individual, an authorized interpreter should be used. This includes interviews conducted during an investigation with victims, witnesses and suspects. In such situations, audio recordings of the interviews should be made when reasonably possible. Identification and contact information for the interpreter (e.g., name, address) should be documented so that the person can be subpoenaed for trial if necessary.

If an authorized interpreter is needed, officers should consider calling for an authorized interpreter in the following order:

- An authorized department member or allied agency interpreter
- An authorized telephone interpreter
- Any other authorized interpreter

Any *Miranda* warnings shall be provided to suspects in their primary language by an authorized interpreter or, if the suspect is literate, by providing a translated *Miranda* warning card.

The use of an LEP individual's bilingual friends, family members, children, neighbors or bystanders may be used only when a qualified bilingual member or authorized interpreter is unavailable and there is an immediate need to interview an LEP individual.

Limited English Proficiency Services

331.14 CUSTODIAL INTERROGATIONS

Miscommunication during custodial interrogations may have a substantial impact on the evidence presented in a criminal prosecution. Only qualified bilingual members or, if none is available or appropriate, authorized interpreters shall be used during custodial interrogations. *Miranda* warnings shall be provided to suspects in their primary language by the qualified bilingual member or an authorized interpreter.

In order to ensure that translations during custodial interrogations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

331.15 BOOKINGS

When gathering information during the booking process, members should remain alert to the impediments that language barriers can create. In the interest of the arrestee's health and welfare, the safety and security of the facility, and to protect individual rights, it is important that accurate medical screening and booking information be obtained. Members should seek the assistance of a qualified bilingual member whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by an LEP individual.

331.16 COMPLAINTS

The Department shall ensure that LEP individuals who wish to file a complaint regarding members of this department are able to do so. The Department may provide an authorized interpreter or translated forms, as appropriate. Complaints will be referred to the LEP coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Authorized interpreters used for any interview with an LEP individual during an investigation should not be members of this department.

Any notice required to be sent to an LEP individual as a complaining party pursuant to the Personnel Complaints Policy should be translated or otherwise communicated in a language-accessible manner.

331.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

331.18 TRAINING

To ensure that all members who may have contact with LEP individuals are properly trained, the Department will provide periodic training on this policy and related procedures, including how to access department-authorized telephonic and in-person interpreters and other available resources.

Princess Anne Police Department

Policy Manual

Limited English Proficiency Services

The Training Officer shall be responsible for ensuring new members receive LEP training. Those who may have contact with LEP individuals should receive refresher training at least once every two years thereafter. The Training Officer shall maintain records of all LEP training provided, and will retain a copy in each member's training file in accordance with the established records retention schedule.

331.18.1 TRAINING FOR AUTHORIZED INTERPRETERS

All members on the authorized interpreter list must successfully complete prescribed interpreter training. To complete interpreter training successfully, an interpreter must demonstrate proficiency in and ability to communicate information accurately in both English and in the target language, demonstrate knowledge in both languages of any specialized terms or phraseology, and understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.

Members on the authorized interpreter list must receive refresher training annually or they will be removed from the authorized interpreter list. This annual training should include language skills competency (including specialized terminology) and ethical considerations.

The Training Officer shall be responsible for coordinating the annual refresher training and will maintain a record of all training the interpreters have received.

Communications with Persons with Disabilities

332.1 PURPOSE AND SCOPE

This policy provides guidance to members when communicating with individuals with disabilities, including those who are deaf or hard of hearing, have impaired speech or vision, or are blind.

332.1.1 DEFINITIONS

Definitions related to this policy include:

Auxiliary aids - Tools used to communicate with people who have a disability or impairment. They include, but are not limited to, the use of gestures or visual aids to supplement oral communication; a notepad and pen or pencil to exchange written notes; a computer or typewriter; an assistive listening system or device to amplify sound; a teletypewriter (TTY) or videophones (video relay service or VRS); taped text; qualified readers; or a qualified interpreter.

Disability or impairment - A physical or mental impairment that substantially limits a major life activity, including hearing or seeing, regardless of whether the disabled person uses assistive or adaptive devices or auxiliary aids. Individuals who wear ordinary eyeglasses or contact lenses are not considered to have a disability (42 USC § 12102).

Qualified interpreter - A person who is able to interpret effectively, accurately and impartially, both receptively and expressively, using any necessary specialized vocabulary. Qualified interpreters include oral interpreters, transliterators, sign language interpreters and intermediary interpreters.

332.2 POLICY

It is the policy of the Princess Anne Police Department to reasonably ensure that people with disabilities, including victims, witnesses, suspects and arrestees have equal access to law enforcement services, programs and activities. Members must make efforts to communicate effectively with individuals with disabilities.

The Department will not discriminate against or deny any individual access to services, rights or programs based upon disabilities.

332.3 AMERICANS WITH DISABILITIES (ADA) COORDINATOR

The Chief of Police shall delegate certain responsibilities to an ADA coordinator (28 CFR 35.107). The coordinator shall be appointed by and directly responsible to the Captain or the authorized designee.

The responsibilities of the coordinator include, but are not limited to:

- (a) Working with the Town ADA coordinator regarding the Princess Anne Police Department's efforts to ensure equal access to services, programs and activities.
- (b) Developing reports, new procedures, or recommending modifications to this policy.

Princess Anne Police Department

Policy Manual

Communications with Persons with Disabilities

- (c) Acting as a liaison with local disability advocacy groups or other disability groups regarding access to department services, programs and activities.
- (d) Ensuring that a list of qualified interpreter services is maintained and available to each Supervisor. The list should include information regarding the following:
 - 1. Contact information
 - 2. Availability
- (e) Developing procedures that will enable members to access auxiliary aids or services, including qualified interpreters, and ensure the procedures are available to all members.
- (f) Ensuring signage is posted in appropriate areas, indicating that auxiliary aids are available free of charge to individuals with disabilities.
- (g) Ensuring appropriate processes are in place to provide for the prompt and equitable resolution of complaints and inquiries regarding discrimination in access to department services, programs and activities.

332.4 FACTORS TO CONSIDER

Because the nature of any law enforcement contact may vary substantially from one situation to the next, members of this department should consider all information reasonably available to them when determining how to communicate with an individual with a disability. Members should carefully balance all known factors in an effort to reasonably ensure people who are disabled have equal access to services, programs and activities. These factors may include, but are not limited to:

- (a) Members should not always assume that effective communication is being achieved. The fact that an individual appears to be nodding in agreement does not always mean he/she completely understands the message. When there is any doubt, members should ask the individual to communicate back or otherwise demonstrate his/her understanding.
- (b) The nature of the disability (e.g., deafness or blindness vs. hard of hearing or low vision).
- (c) The nature of the law enforcement contact (e.g., emergency vs. non-emergency, custodial vs. consensual contact).
- (d) The availability of auxiliary aids. The fact that a particular aid is not available does not eliminate the obligation to reasonably ensure access. However, in an emergency, availability may factor into the type of aid used.

332.5 INITIAL AND IMMEDIATE CONSIDERATIONS

Recognizing that various law enforcement encounters may be potentially volatile and/or emotionally charged, members should remain alert to the possibility of communication problems.

Princess Anne Police Department

Policy Manual

Communications with Persons with Disabilities

Members should exercise special care in the use of all gestures, and verbal and written communication to minimize initial confusion and misunderstanding when dealing with any individual with known or suspected disabilities.

In a non-emergency situation, when a member knows or suspects an individual requires assistance to effectively communicate, the member shall identify the individual's choice of auxiliary aid or service.

The individual's preferred communication method must be honored unless another effective method of communication exists under the circumstances (28 CFR 35.160).

Factors to consider when determining whether an alternative method is effective include:

- (a) The methods of communication usually used by the individual.
- (b) The nature, length and complexity of the communication involved.
- (c) The context of the communication.

In emergency situations involving an imminent threat to the safety or welfare of any person, members may use whatever auxiliary aids and services that reasonably appear effective under the circumstances. This may include, for example, exchanging written notes or using the services of a person who knows sign language but is not a qualified interpreter, even if the person who is deaf or hard of hearing would prefer a qualified sign language interpreter or another appropriate auxiliary aid or service. Once the emergency has ended, the continued method of communication should be reconsidered. The member should inquire as to the individual's preference and give primary consideration to that preference.

If an individual who is deaf, hard of hearing or has impaired speech must be handcuffed while in the custody of the Princess Anne Police Department, consideration should be given, safety permitting, to placing the handcuffs in the front of the body to facilitate communication using sign language or writing.

332.6 TYPES OF ASSISTANCE AVAILABLE

Princess Anne Police Department members shall never refuse an available service to an individual with disabilities who is requesting assistance. The Department will not charge anyone to receive auxiliary aids, nor shall they require anyone to furnish their own auxiliary aid or service as a condition for receiving assistance. The Department will make every reasonable effort to provide equal access and timely assistance to disabled individuals through a variety of services.

Disabled individuals may choose to accept department-provided auxiliary aids or services or they may choose to provide their own.

Department-provided auxiliary aids or services may include, but are not limited to, the assistance methods described in this policy.

Princess Anne Police Department

Policy Manual

Communications with Persons with Disabilities

332.7 AUDIO RECORDINGS AND ENLARGED PRINT

The Department may develop audio recordings to assist people who are blind or have a visual impairment with accessing important information. If such a recording is not available, members may read aloud from the appropriate form, for example a personnel complaint form, or provide forms with enlarged print.

332.8 QUALIFIED INTERPRETERS

A qualified interpreter may be needed in lengthy or complex transactions (e.g., interviewing a victim, witness, suspect or arrestee), if the individual to be interviewed normally relies on sign language or speechreading (lip-reading) to understand what others are saying. The qualified interpreter should not be a person with an interest in the case or the investigation. A person providing interpretation services may be required to establish the accuracy and trustworthiness of the interpretation in a court proceeding.

Qualified interpreters should be:

- (a) Available within a reasonable amount of time but in no event longer than one hour if requested.
- (b) Experienced in providing interpretation services related to law enforcement matters.
- (c) Familiar with the use of VRS and/or video remote interpreting services.
- (d) Certified in either American Sign Language (ASL) or Signed English (SE).
- (e) Able to understand and adhere to the interpreter role without deviating into other roles, such as counselor or legal adviser.
- (f) Knowledgeable of the ethical issues involved when providing interpreter services.

Members should use department-approved procedures to request a qualified interpreter at the earliest reasonable opportunity, and generally not more than 15 minutes after a request for an interpreter has been made or it is reasonably apparent that an interpreter is needed. No individual who is disabled shall be required to provide his/her own interpreter (28 CFR 35.160).

332.9 TTY AND RELAY SERVICES

In situations where an individual without a disability would have access to a telephone (e.g., booking or attorney contacts), members must also provide those who are deaf, hard of hearing or have impaired speech the opportunity to place calls using an available TTY (also known as a telecommunications device for deaf people, or TDD). Members shall provide additional time, as needed, for effective communication due to the slower nature of TTY and TDD communications.

The Department will accept all TTY or TDD calls placed by those who are deaf or hard of hearing and received via a telecommunications relay service (28 CFR 35.162).

Note that relay services translate verbatim, so the conversation must be conducted as if speaking directly to the caller.

Princess Anne Police Department

Policy Manual

Communications with Persons with Disabilities

332.10 COMMUNITY VOLUNTEERS

Interpreter services may be available from community volunteers who have demonstrated competence in communication services, such as ASL or SE, and have been approved by the Department to provide interpreter services.

Where qualified interpreters are unavailable to assist, approved community volunteers who have demonstrated competence may be called upon when appropriate. However, department members must carefully consider the nature of the contact and the relationship between the individual with the disability and the volunteer to ensure that the volunteer can provide neutral and unbiased assistance.

332.11 FAMILY AND FRIENDS

While family or friends may offer to assist with interpretation, members should carefully consider the circumstances before relying on such individuals. The nature of the contact and relationship between the individual with the disability and the person offering services must be carefully considered (e.g., victim/suspect).

Children shall not be relied upon except in emergency or critical situations when there is no qualified interpreter reasonably available.

Adults may be relied upon when (28 CFR 35.160):

- (a) There is an emergency or critical situation and there is no qualified interpreter reasonably available.
- (b) The person with the disability requests that the adult interpret or facilitate communication and the adult agrees to provide such assistance, and reliance on that adult for such assistance is reasonable under the circumstances.

332.12 REPORTING

Whenever any member of this department is required to complete a report or other documentation, and communication assistance has been provided, such services should be noted in the related report. Members should document the type of communication services utilized and whether the individual elected to use services provided by the Department or some other identified source. If the individual's express preference is not honored, the member must document why another method of communication was used.

All written communications exchanged in a criminal case shall be attached to the report or placed into evidence.

332.13 FIELD ENFORCEMENT

Field enforcement will generally include such contacts as traffic stops, pedestrian stops, serving warrants and restraining orders, crowd/traffic control and other routine field contacts that may involve individuals with disabilities. The scope and nature of these activities and contacts will inevitably vary.

Communications with Persons with Disabilities

The Department recognizes that it would be virtually impossible to provide immediate access to complete communication services to every member of this department. Members and/or supervisors must assess each situation and consider the length, complexity and importance of the communication, as well as the individual's preferred method of communication when determining the type of resources to use and whether a qualified interpreter is needed.

Although not every situation can be addressed in this policy, it is important that members are able to effectively communicate the reason for a contact, the need for information and the meaning or consequences of any enforcement action. For example, it would be meaningless to verbally request consent to search if the officer is unable to effectively communicate with an individual who is deaf or hard of hearing and requires communications assistance.

If available, officers should obtain the assistance of a qualified interpreter before placing an individual with a disability under arrest. Individuals who are arrested and are assisted by service animals should be permitted to make arrangements for the care of such animals prior to transport.

332.13.1 FIELD RESOURCES

Examples of methods that may be sufficient for transactions, such as checking a license or giving directions to a location or for urgent situations such as responding to a violent crime in progress, may, depending on the circumstances, include such simple things as:

- (a) Hand gestures or visual aids with an individual who is deaf, hard of hearing or has impaired speech.
- (b) Exchange of written notes or communications.
- (c) Verbal communication with an individual who can speechread by facing the individual and speaking slowly and clearly.
- (d) Use of computer, word processing, personal communication device or similar device to exchange texts or notes.
- (e) Slowly and clearly speaking or reading simple terms to individuals who have a visual or mental impairment.

Members should be aware that these techniques may not provide effective communication as required by law and this policy depending on the circumstances.

332.14 CUSTODIAL INTERROGATIONS

In an effort to ensure that the rights of individuals who are deaf, hard of hearing or have speech impairment are protected during a custodial interrogation, this department will provide interpreter services before beginning an interrogation, unless exigent circumstances exist or the individual has made a clear indication that he/she understands the process and desires to proceed without an interpreter. The use of a video remote interpreting service should be considered, where appropriate, if a live interpreter is not available. *Miranda* warnings shall be provided to suspects who are deaf or hard of hearing by a qualified interpreter or by providing a written *Miranda* warning card.

Princess Anne Police Department

Policy Manual

Communications with Persons with Disabilities

In order to ensure that communications during custodial investigations are accurately documented and are admissible as evidence, interrogations should be recorded whenever reasonably possible. See guidance on recording custodial interrogations in the Investigation and Prosecution Policy.

332.15 ARRESTS AND BOOKINGS

If an individual with speech or hearing disabilities is arrested, the arresting officer shall use department-approved procedures to provide a qualified interpreter at the place of arrest or booking as soon as reasonably practicable, unless the individual indicates that he/she prefers a different auxiliary aid or service or the officer reasonably determines another effective method of communication exists under the circumstances.

When gathering information during the booking process, members should remain alert to the impediments that often exist when communicating with those who are deaf, hard of hearing, who have impaired speech or vision, are blind, or have other disabilities. In the interest of the arrestee's health and welfare, the safety and security of the facility and to protect individual rights, it is important that accurate medical screening and booking information be obtained. If necessary, members should seek the assistance of a qualified interpreter whenever there is concern that accurate information cannot be obtained or that booking instructions may not be properly understood by the individual.

Individuals who require and possess personally owned communication aids (e.g., hearing aids, cochlear processors) should be permitted to retain them while in custody.

332.16 COMPLAINTS

The Department shall ensure that individuals with disabilities who wish to file a complaint regarding members of this department are able to do so. The Department may provide a qualified interpreter or forms in enlarged print, as appropriate. Complaints will be referred to the ADA coordinator.

Investigations into such complaints shall be handled in accordance with the Personnel Complaints Policy. Qualified interpreters used during the investigation of a complaint should not be members of this Department.

332.17 COMMUNITY OUTREACH

Community outreach programs and other such services offered by this department are important to the ultimate success of more traditional law enforcement duties. This department will continue to work with community groups, local businesses and neighborhoods to provide equal access to such programs and services.

332.18 TRAINING

To ensure that all members who may have contact with disabled individuals are properly trained, the Department will provide periodic training that should include:

- (a) Awareness and understanding of this policy and related procedures, related forms and available resources.

Princess Anne Police Department

Policy Manual

Communications with Persons with Disabilities

- (b) Procedures for accessing qualified interpreters and other available resources.
- (c) Working with in-person and telephone interpreters and related equipment.

The Training Officer shall be responsible for ensuring new members receive training related to interacting with individuals who have disabilities, including those who are deaf, hard of hearing, who have impaired speech or vision, or are blind. Those who may have contact with such individuals should receive refresher training at least once every two years thereafter. The Training Officer shall maintain records of all training provided, and will retain a copy in each member's training file in accordance with the established records retention schedule.

332.18.1 CALL-TAKER TRAINING

Emergency call-takers shall be trained in the use of TTY equipment protocols for communicating with individuals who are deaf, hard of hearing or who have speech impairments. Such training and information should include:

- (a) The requirements of the ADA and Section 504 of the Rehabilitation Act for telephone emergency service providers.
- (b) ASL syntax and accepted abbreviations.
- (c) Practical instruction on identifying and processing TTY or TDD calls, including the importance of recognizing silent TTY or TDD calls, using proper syntax, abbreviations and protocol when responding to TTY or TDD calls.
- (d) Hands-on experience in TTY and TDD communications, including identification of TTY or TDD tones.

Training should be mandatory for all members who may have contact with individuals from the public who are deaf, hard of hearing or have impaired speech. Refresher training should occur every six months.

Chaplains

334.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Princess Anne Police Department chaplains to provide counseling or emotional support to members of the Department, their families and members of the public.

334.2 POLICY

The Princess Anne Police Department shall ensure that department chaplains are properly appointed, trained and supervised to carry out their responsibilities without financial compensation.

334.3 ELIGIBILITY

Requirements for participation as a chaplain for the Department may include, but are not limited to:

- (a) Being above reproach, temperate, prudent, respectable, hospitable, able to teach, be free from addiction to alcohol or other drugs, and excessive debt.
- (b) Managing their households, families and personal affairs well.
- (c) Having a good reputation in the community.
- (d) Successful completion of an appropriate level background investigation.
- (e) A minimum of five years of successful counseling experience.
- (f) Possession of a valid driver's license.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

334.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Princess Anne Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

All applicants shall be required to meet and pass the same pre-employment procedures as department personnel before appointment.

334.4.1 RECRUITMENT

Chaplains should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity and non-discriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public. Chaplain candidates are encouraged to participate in ride-alongs with department members before and during the selection process.

Princess Anne Police Department

Policy Manual

Chaplains

334.4.2 SELECTION AND APPOINTMENT

Chaplain candidates shall successfully complete the following process prior to appointment as a chaplain:

- (a) Submit the appropriate written application.
- (b) Include a recommendation from their employer or volunteer program.
- (c) Interview with the Chief of Police and the chaplain coordinator.
- (d) Successfully complete an appropriate-level background investigation.
- (e) Complete an appropriate probationary period as designated by the Chief of Police.

Chaplains are volunteers and serve at the discretion of the Chief of Police. Chaplains shall have no property interest in continued appointment. However, if a chaplain is removed for alleged misconduct, the chaplain will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

334.5 IDENTIFICATION AND UNIFORMS

As representatives of the Department, chaplains are responsible for presenting a professional image to the community. Chaplains shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each chaplain. Identification symbols worn by chaplains shall be different and distinct from those worn by officers through the inclusion of "Chaplain" on the uniform and not reflect any religious affiliation.

Chaplains will be issued Princess Anne Police Department identification cards and a badge which must be carried at all times while on-duty. The identification cards and badge will be the standard Princess Anne Police Department identification cards and badge with the exception that "Chaplain" will be indicated on the cards and badge. Chaplains shall be required to return any issued uniforms or department property at the termination of service.

Chaplains shall conform to all uniform regulations and appearance standards of this department.

334.6 CHAPLAIN COORDINATOR

The Chief of Police shall delegate certain responsibilities to a chaplain coordinator. The coordinator shall be appointed by and directly responsible to the Chief of Police or the authorized designee.

The chaplain coordinator shall serve as the liaison between the chaplains and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective chaplain management within the Department, and to direct and assist efforts to jointly provide more productive chaplain services. Under the general direction of the Chief of Police or the authorized designee, chaplains shall report to the chaplain coordinator and/or Supervisor.

The chaplain coordinator may appoint a senior chaplain or other designee to assist in the coordination of chaplains and their activities.

Princess Anne Police Department

Policy Manual

Chaplains

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

- (a) Recruiting, selecting and training qualified chaplains.
- (b) Conducting chaplain meetings.
- (c) Establishing and maintaining a chaplain callout roster.
- (d) Maintaining records for each chaplain.
- (e) Tracking and evaluating the contribution of chaplains.
- (f) Maintaining a record of chaplain schedules and work hours.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining liaison with other agency chaplain coordinators.

An evaluation of the overall use of chaplains will be conducted on an annual basis by the coordinator.

334.7 DUTIES AND RESPONSIBILITIES

Chaplains assist the Department, its members and the community, as needed. Assignments of chaplains will usually be to augment the Patrol Division. Chaplains may be assigned to other areas within the Department as needed. Chaplains should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All chaplains will be assigned to duties by the chaplain coordinator or the authorized designee.

Chaplains may not proselytize or attempt to recruit members of the Department or the public into a religious affiliation while representing themselves as a chaplain with this department unless the receiving person has solicited spiritual guidance or teaching. If there is any question as to the receiving person's intent, chaplains should verify that the person is desirous of spiritual counseling or guidance before engaging in such discussion.

Chaplains may not accept gratuities for any service, or any subsequent actions or follow-up contacts that were provided while functioning as a chaplain for the Princess Anne Police Department.

334.7.1 COMPLIANCE

Chaplains are volunteer members of the Department, and except as otherwise specified within this policy, are required to comply with the Volunteers Policy and other applicable policies.

334.7.2 OPERATIONAL GUIDELINES

Princess Anne Police Department

Policy Manual

Chaplains

- (a) Chaplains shall be permitted to ride with officers during any shift and observe Princess Anne Police Department operations, provided the Supervisor has been notified and has approved the activity.
- (b) Chaplains shall not be evaluators of members of the Department.
- (c) In responding to incidents, a chaplain shall never function as an officer.
- (d) When responding to in-progress calls for service, chaplains may be required to stand-by in a secure area until the situation has been deemed safe.
- (e) Chaplains shall serve only within the jurisdiction of the Princess Anne Police Department unless otherwise authorized by the Chief of Police or the authorized designee.
- (f) Each chaplain shall have access to current department member rosters, addresses, telephone numbers, duty assignments and other information that may assist in his/her duties. Such information will be considered confidential and each chaplain will exercise appropriate security measures to prevent distribution of the data.

334.7.3 ASSISTING DEPARTMENT MEMBERS

The responsibilities of a chaplain related to department members include, but are not limited to:

- (a) Assisting in making notification to families of members who have been seriously injured or killed and, after notification, responding to the hospital or home of the member.
- (b) Visiting sick or injured members in the hospital or at home.
- (c) Attending and participating, when requested, in funerals of active or retired members.
- (d) Serving as a resource for members when dealing with the public in incidents, such as accidental deaths, suicides, suicidal subjects, serious accidents, drug and alcohol abuse and other such situations that may arise.
- (e) Providing counseling and support for members and their families.
- (f) Being alert to the needs of members and their families.

334.7.4 ASSISTING THE DEPARTMENT

The responsibilities of a chaplain related to the Department include, but are not limited to:

- (a) Assisting members in the diffusion of a conflict or incident, when requested.
- (b) Responding to natural and accidental deaths, suicides and attempted suicides, family disturbances and any other incident that in the judgment of the Supervisor or supervisor aids in accomplishing the mission of the Department.

Princess Anne Police Department

Policy Manual

Chaplains

- (c) Responding to all major disasters, such as natural disasters, bombings and similar critical incidents.
- (d) Being on-call and, if possible, on-duty during major demonstrations or any public function that requires the presence of a large number of department members.
- (e) Attending department and academy graduations, ceremonies and social events and offering invocations and benedictions, as requested.
- (f) Participating in in-service training classes.
- (g) Willingness to train others to enhance the effectiveness of the Department.

334.7.5 ASSISTING THE COMMUNITY

The duties of a chaplain related to the community include, but are not limited to:

- (a) Familiarity with the role of law enforcement in the community.
- (b) Providing an additional link between the community, other chaplain coordinators and the Department.
- (c) Providing liaison with various civic, business and religious organizations.
- (d) Promptly facilitating requests for representatives or leaders of various denominations.
- (e) Assisting the community in any other function as needed or requested.
- (f) Making referrals in cases where specialized attention is needed or in cases that are beyond the chaplain's ability to assist.

334.7.6 CHAPLAIN MEETINGS

All chaplains are required to attend scheduled meetings. Any absences must be satisfactorily explained to the chaplain coordinator.

334.8 PRIVILEGED COMMUNICATIONS

No person who provides chaplain services to members of the Department may work or volunteer for the Princess Anne Police Department in any capacity other than that of chaplain.

Department chaplains shall be familiar with state evidentiary laws and rules pertaining to the limits of the clergy-penitent, psychotherapist-patient and other potentially applicable privileges and shall inform members when it appears reasonably likely that the member is discussing matters that are not subject to the privileged communications. In such cases, the chaplain should consider referring the member to a non-department counseling resource.

No chaplain shall provide counsel to or receive confidential communications from any Princess Anne Police Department member concerning an incident personally witnessed by the chaplain or concerning an incident involving the chaplain.

Chaplains

334.9 TRAINING

The Department will establish a minimum number of training hours and standards for department chaplains. The training, as approved by the Training Officer, may include:

- Stress management
- Death notifications
- Symptoms of post-traumatic stress
- Burnout for members of law enforcement and chaplains
- Legal liability and confidentiality
- Ethics
- Responding to crisis situations
- The law enforcement family
- Substance abuse
- Suicide
- Officer injury or death
- Sensitivity and diversity

Child and Dependent Adult Safety

336.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that children and dependent adults are not left without appropriate care in the event their caregiver or guardian is arrested or otherwise prevented from providing care due to actions taken by members of this department.

This policy does not address the actions to be taken during the course of a child abuse or dependent adult investigation. These are covered in the Child Abuse and Adult Abuse policies.

336.2 POLICY

It is the policy of this department to mitigate, to the extent reasonably possible, the stressful experience individuals may have when their parent or caregiver is arrested. The Princess Anne Police Department will endeavor to create a strong, cooperative relationship with local, state and community-based social services to ensure an effective, collaborative response that addresses the needs of those affected, including call-out availability and follow-up responsibilities.

336.3 PROCEDURES DURING AN ARREST

When encountering an arrest or prolonged detention situation, officers should make reasonable attempts to determine if the arrestee is responsible for children or dependent adults. In some cases this may be obvious, such as when children or dependent adults are present. However, officers should inquire if the arrestee has caregiver responsibilities for any children or dependent adults who are without appropriate supervision. The following steps should be taken:

- (a) Inquire about and confirm the location of any children or dependent adults.
- (b) Look for evidence of children and dependent adults. Officers should be mindful that some arrestees may conceal the fact that they have a dependent for fear the individual may be taken from them.
- (c) Consider inquiring of witnesses, neighbors, friends and relatives of the arrestee as to whether the person is responsible for a child or dependent adult.

Whenever reasonably possible, officers should consider reasonable alternatives to arresting a parent, guardian or caregiver in the presence of his/her child or dependent adult.

Whenever it is safe to do so, officers should allow the parent or caregiver to assure children or dependent adults that they will be provided care. If this is not safe or if the demeanor of the parent or caregiver suggests this conversation would be non-productive, the officer at the scene should explain the reason for the arrest in age-appropriate language and offer reassurance to the child or dependent adult that he/she will receive appropriate care.

336.3.1 AFTER AN ARREST

Whenever an arrest is made, the officer should take all reasonable steps to ensure the safety of the arrestee's disclosed or discovered children or dependent adults.

Princess Anne Police Department

Policy Manual

Child and Dependent Adult Safety

Officers should allow the arrestee reasonable time to arrange for care of children and dependent adults. Temporary placement with family or friends may be appropriate. However, any decision should give priority to a care solution that is in the best interest of the child or dependent adult. In such cases the following guidelines should be followed:

- (a) Allow the person reasonable time to arrange for the care of children and dependent adults with a responsible party, as appropriate.
 - 1. Officers should consider allowing the person to use his/her cell phone to facilitate arrangements through access to contact phone numbers, and to lessen the likelihood of call screening by the recipients due to calls from unknown sources.
- (b) Unless there is evidence to the contrary (e.g., signs of abuse, drug use, unsafe environment), officers should respect the parent or caregiver's judgment regarding arrangements for care. It is generally best if the child or dependent adult remains with relatives or family friends that he/she knows and trusts because familiarity with surroundings and consideration for comfort, emotional state and safety are important.
 - 1. Except when an existing court order limits contact, the officer should attempt to locate and place children or dependent adults with the non-arrested parent, guardian or caregiver.
- (c) Provide for the immediate supervision of children or dependent adults until an appropriate caregiver arrives.
- (d) Notify child protective services or the adult protective services through the local Departments of Social Services, if appropriate.
- (e) Notify the field supervisor or Supervisor of the disposition of children or dependent adults.

If children or dependent adults are at school or another known location outside the household at the time of arrest, the arresting officer should attempt to contact the school or other known location and inform the principal or appropriate responsible adult of the caregiver's arrest and of the arrangements being made for the care of the arrestee's dependent. The result of such actions should be documented in the associated report.

336.3.2 DURING THE BOOKING PROCESS

During the booking process, the arrestee shall be allowed to make telephone calls to arrange for the care of any child or dependent adult in accordance with the Temporary Custody of Adults Policy.

If an arrestee is unable to arrange for the care of any child or dependent adult through this process, a supervisor should be contacted to determine the appropriate steps to arrange for care. These steps may include additional telephone calls or contacting a local, county or state services agency.

Child and Dependent Adult Safety

336.3.3 REPORTING

- (a) For all arrests where children are present or living in the household, the reporting member will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Special needs (e.g., medical, mental health)
 - 5. How, where and with whom or which agency the child was placed
 - 6. Identities and contact information for other potential caregivers
 - 7. Notifications made to other adults (e.g., schools, relatives)
- (b) For all arrests where dependent adults are present or living in the household, the reporting member will document the following information:
 - 1. Name
 - 2. Sex
 - 3. Age
 - 4. Whether he/she reasonably appears able to care for him/herself
 - 5. Disposition or placement information if he/she is unable to care for him/herself

336.3.4 SUPPORT AND COUNSELING REFERRAL

If, in the judgment of the handling officers, the child or dependent adult would benefit from additional assistance, such as counseling services, contact with a victim advocate or a crisis response telephone number, the appropriate referral information may be provided.

336.4 DEPENDENT WELFARE SERVICES

Whenever an arrestee is unwilling or incapable of arranging for the appropriate care of any child or dependent adult, the handling officer should contact the appropriate welfare service or other department-approved social service agency to determine whether protective custody is appropriate.

Only when other reasonable options are exhausted should a child or dependent adult be transported to the police facility, transported in a marked law enforcement vehicle or taken into formal protective custody.

Under no circumstances should a child or dependent adult be left unattended or without appropriate care.

Princess Anne Police Department

Policy Manual

Child and Dependent Adult Safety

336.5 TRAINING

The Training Officer is responsible to ensure that all members of this department who may be involved in arrests affecting children or dependent adults receive approved training on effective safety measures when a parent, guardian or caregiver is arrested.

Volunteers

338.1 PURPOSE AND SCOPE

This policy establishes the guidelines for Princess Anne Police Department volunteers to supplement and assist department personnel in their duties. Trained volunteers are members who can augment department personnel and help complete various tasks.

338.1.1 DEFINITIONS

Definitions related to this policy include:

Active status - A volunteer who provides 144 hours or more of service each year.

Police auxiliary, reserve volunteer program, or program - The various activities using volunteers to assist the Princess Anne Police Department by performing administrative or technical tasks, or other services in support of the duties or mission of the Department (COMAR 12.04.07.02.B(6)).

Volunteer - An individual who performs a service for the Department without promise, expectation, or receipt of compensation for services rendered. This may include unpaid chaplains, unpaid reserve or auxiliary officers, interns, persons providing administrative support, and youth involved in a law enforcement Explorer Post, among others.

338.2 POLICY

The Princess Anne Police Department shall ensure that volunteers are properly appointed, trained and supervised to carry out specified tasks and duties in order to create an efficient department and improve services to the community.

The program supporting the use of volunteers shall meet all the requirements and have been approved as required by law (COMAR 12.04.07.03; COMAR 12.04.07.04).

338.3 ELIGIBILITY

Requirements for participation as a volunteer for the Department may include, but are not limited to:

- (a) Being at least 18 years of age for all positions other than Explorer.
- (b) Being at least 14 years of age for Explorer.
- (c) Possession of a valid driver's license if the position requires vehicle operation.
- (d) Possession of liability insurance for any personally owned equipment, vehicles or horses utilized during volunteer work.
- (e) No conviction of a felony, any crime of a sexual nature or against children, any crime related to assault or violence, any crime related to dishonesty, or any crime related to impersonating a law enforcement officer.

Princess Anne Police Department

Policy Manual

Volunteers

- (f) No conviction of a misdemeanor or gross misdemeanor crime within the past 10 years, excluding petty misdemeanor traffic offenses.
- (g) No mental illness or chemical dependency condition that may adversely affect the person's ability to serve in the position.
- (h) Physical requirements reasonably appropriate to the assignment.
- (i) A personal background history and character suitable for a person representing the Department, as validated by a background investigation.

The Chief of Police may apply exceptions for eligibility based on organizational needs and the qualifications of the individual.

338.4 RECRUITMENT, SELECTION AND APPOINTMENT

The Princess Anne Police Department shall endeavor to recruit and appoint only those applicants who meet the high ethical, moral and professional standards set forth by this department.

338.4.1 RECRUITMENT

Volunteers should be recruited on a continuous and ongoing basis consistent with department policy on equal opportunity, nondiscriminatory employment. A primary qualification for participation in the application process should be an interest in and an ability to assist the Department in serving the public.

Requests for volunteers should be submitted in writing by interested department members to the volunteer coordinator through the requester's immediate supervisor. A complete description of the volunteer's duties and a requested time frame should be included in the request. All department members should understand that the recruitment of volunteers is enhanced by creative and interesting assignments. The volunteer coordinator may withhold assignment of any volunteer until such time as the requestor is prepared to make effective use of volunteer resources.

338.4.2 SELECTION

Volunteer candidates shall successfully complete the following process prior to appointment as a volunteer:

- (a) Submit the appropriate written application.
- (b) Interview with the volunteer coordinator.
- (c) Successfully complete an appropriate-level background investigation.

338.4.3 APPOINTMENT

Service as a volunteer with the Department shall begin with an official notice of acceptance or appointment by the Chief of Police or the authorized designee. Notice may only be given by an authorized representative of the Department, who will normally be the volunteer coordinator.

Princess Anne Police Department

Policy Manual

Volunteers

No volunteer should begin any assignment until he/she has been officially accepted for that position and has completed all required screening and paperwork. At the time of final acceptance, each volunteer should complete all required enrollment paperwork and will receive a copy of the position description and agreement of service with the Department.

All volunteers shall receive a copy of the volunteer orientation materials and shall be required to sign a volunteer agreement.

Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

Volunteers serve at the discretion of the Chief of Police.

338.5 IDENTIFICATION AND UNIFORMS

As representatives of the Department, volunteers are responsible for presenting a professional image to the community. Volunteers shall dress appropriately for the conditions and performance of their duties. Uniforms and necessary safety equipment will be provided for each volunteer. Identification symbols worn by volunteers shall be different and distinct from those worn by officers or members of this department through the inclusion of "Volunteer," "Reserve" or "Auxiliary" on the uniform.

Volunteers will be issued Princess Anne Police Department identification cards must be carried at all times while on-duty. The identification cards will be the standard Princess Anne Police Department identification cards, with the exception that "Volunteer," "Reserve" or "Auxiliary" will be indicated on the cards.

338.6 PERSONNEL WORKING AS VOLUNTEERS

Qualified regular department personnel, when authorized, may also serve as volunteers. However, this department shall not utilize the services of volunteers in such a way that it would violate employment laws, collective bargaining agreements or memorandums of understanding (e.g., a detention officer participating as a volunteer for reduced or no pay). Therefore, the volunteer coordinator should consult with the Administration prior to allowing regular department personnel to serve in a volunteer capacity (29 CFR 553.30).

338.7 VOLUNTEER COORDINATOR

The Chief of Police shall delegate certain responsibilities to a volunteer coordinator. The coordinator shall be appointed by and directly responsible to the Chief of Police or the authorized designee.

The volunteer coordinator shall serve as the liaison between the volunteers and the Chief of Police. The function of the coordinator is to provide a central coordinating point for effective volunteer management within the Department, and to direct and assist efforts to jointly provide more productive volunteer services. Under the general direction of the Chief of Police or the authorized designee, volunteers shall report to the volunteer coordinator and/or Supervisor.

Princess Anne Police Department

Policy Manual

Volunteers

The volunteer coordinator may appoint a senior volunteer or other designee to assist in the coordination of volunteers and their activities.

The responsibilities of the coordinator or the authorized designee include, but are not limited to:

- (a) Recruiting, selecting and training qualified volunteers.
- (b) Conducting volunteer meetings.
- (c) Establishing and maintaining a volunteer callout roster.
- (d) Maintaining records for each volunteer.
- (e) Tracking and evaluating the contribution of volunteers.
- (f) Maintaining a record of volunteer schedules and work hours.
- (g) Completing and disseminating, as appropriate, all necessary paperwork and information.
- (h) Planning periodic recognition events.
- (i) Maintaining liaison with other volunteer-utilizing programs in the community and assisting in community-wide efforts to recognize and promote volunteering.
- (j) Maintaining volunteer orientation and training materials, and outlining expectations, policies and responsibilities for all volunteers.

An evaluation of the overall use of volunteers will be conducted on an annual basis by the coordinator.

338.8 DUTIES AND RESPONSIBILITIES

Volunteers assist department personnel as needed. Assignments of volunteers will usually be to augment the Patrol Division. Volunteers may be assigned to other areas within the Department as needed. Volunteers should be placed only in assignments or programs that are consistent with their knowledge, skills, abilities and the needs of the Department.

All volunteers will be assigned to duties by the volunteer coordinator or the authorized designee.

338.8.1 COMPLIANCE

Volunteers shall be required to adhere to all department policies and procedures. A copy of the policies and procedures will be made available to each volunteer upon appointment. The volunteer shall become thoroughly familiar with these policies.

Whenever a rule, regulation or guideline in this Policy Manual refers to regular department personnel, it shall also apply to a volunteer, unless by its nature it is inapplicable.

Volunteers are required by this department to meet department-approved training requirements as applicable to their assignments.

338.8.2 VOLUNTEER MEETINGS

All volunteers are required to attend scheduled meetings. Any absences must be satisfactorily explained to the volunteer coordinator.

Princess Anne Police Department

Policy Manual

Volunteers

338.9 TASK-SPECIFIC TRAINING

Task-specific training is intended to provide the required instruction and practice for volunteers to properly and safely perform their assigned duties. A volunteer's training should correspond to his/her assignment as determined by the volunteer coordinator.

Volunteers will be provided with an orientation program to acquaint them with the policies of the Department and law enforcement procedures applicable to their assignments.

Volunteers should receive position-specific training to ensure they have adequate knowledge and skills to complete the required tasks, and should receive ongoing training as deemed appropriate by their supervisors or the volunteer coordinator.

Training should reinforce to volunteers that they shall not intentionally represent themselves as, or by omission infer that they are officers or other full-time members of the Department. They shall always represent themselves as volunteers.

All volunteers shall comply with the rules of conduct and with all orders and directives, either oral or written, issued by the Department.

338.9.1 VOLUNTEER TRAINING MATERIALS

Each new volunteer will be issued volunteer training materials. The materials outline the subject matter and skills necessary to properly function as a volunteer with the Princess Anne Police Department. The volunteer shall become knowledgeable of the subject matter and proficient with the skills as set forth in the training materials.

338.10 SUPERVISION

Each volunteer must have a clearly identified supervisor who is responsible for direct management of that volunteer. This supervisor will be responsible for day-to-day management and guidance of the work of the volunteer and should be available to the volunteer for consultation and assistance.

Functional supervision of volunteers is the responsibility of the supervisor in charge of the volunteer's assigned duties. The following are some considerations that supervisors should keep in mind while supervising volunteers:

- (a) Take the time to introduce volunteers to members on all levels.
- (b) Ensure volunteers have work space and necessary office supplies.
- (c) Make sure the work is challenging. Do not hesitate to give volunteers an assignment or task that will tap these valuable resources.

A volunteer may be assigned as a supervisor of other volunteers, provided that the supervising volunteer is under the direct supervision of Princess Anne Police Department personnel.

338.10.1 EVALUATIONS

While in training, volunteers should be continuously evaluated using standardized daily and weekly observation reports. A volunteer will be considered a trainee until he/she has satisfactorily

Princess Anne Police Department

Policy Manual

Volunteers

completed training. Volunteers who have completed their training should be evaluated annually using performance dimensions applicable to the duties and authorities granted to that volunteer.

338.10.2 FITNESS FOR DUTY

No volunteer shall report for work or be at work when his/her judgment or physical condition has been impaired due to illness or injury, or by the use of alcohol or drugs, whether legal or illegal.

Volunteers shall report to their supervisors any change in status that may affect their ability to fulfill their duties. This includes, but is not limited to, the following:

- (a) Driver's license
- (b) Medical condition
- (c) Arrests
- (d) Criminal investigations
- (e) All law enforcement contacts

338.11 INFORMATION ACCESS

With appropriate security clearance, a volunteer may have access to or be in the vicinity of criminal histories, investigative files or information portals. Unless otherwise directed by a supervisor, the duties of the position or department policy, all such information shall be considered confidential. Only that information specifically identified and approved by authorized members shall be released. Confidential information shall be given only to persons who have a need and a right to know as determined by department policy and supervisory personnel.

A volunteer whose assignment requires the use of, or access to, confidential information will be required to have his/her fingerprints submitted to the Maryland Criminal Justice Information System (CJIS) to obtain clearance. Volunteers working this type of assignment will receive training in data practices and be required to sign a nondisclosure agreement before being given an assignment with the Department. Subsequent unauthorized disclosure of any confidential information verbally, in writing or by any other means by the volunteer is grounds for immediate dismissal and possible criminal prosecution.

Volunteers shall not address public gatherings, appear on radio or television, prepare any article for publication, act as correspondents to newspapers or other periodicals, release or divulge any information concerning the activities of the Department, or maintain that they represent the Department in such matters without permission from the proper department personnel.

338.11.1 RADIO AND MDT USAGE

Volunteers shall successfully complete state and federal database access training and radio procedures training prior to using the police radio or MDT and shall comply with all related provisions. The volunteer coordinator should ensure that radio and database access training is provided for volunteers whenever necessary.

Volunteers

338.12 EQUIPMENT

Any property or equipment issued by the Department shall be for official and authorized use only. Any property or equipment issued to a volunteer shall remain the property of the Department and shall be returned at the termination of service.

338.12.1 VEHICLE USE

Any volunteer who operates any vehicle while acting in the capacity of a volunteer shall receive training in safe driving and defensive driving. The specific training and course of study shall be determined by the volunteer coordinator.

Volunteers assigned to duties that require the use of a vehicle must first complete:

- (a) A driving safety briefing and department-approved driver safety course.
- (b) Verification that the volunteer possesses a valid driver's license.
- (c) Verification that the volunteer carries current vehicle insurance.

The coordinator should ensure that all volunteers receive safety briefing updates and license and insurance verification at least once a year.

When operating department vehicles, volunteers shall obey all rules of the road, including seat belt requirements.

Volunteers should not operate a marked law enforcement vehicle unless there is a prominently placed sign indicating that the vehicle is out of service.

Volunteers are not authorized to operate department vehicles under emergency conditions (lights and siren).

338.13 DISCIPLINARY PROCEDURES/TERMINATION

If a volunteer has a personnel complaint made against him/her or becomes involved in an internal investigation, the matter shall be investigated in compliance with the Personnel Complaints Policy.

Volunteers are considered at-will and may be removed from service at the discretion of the Chief of Police, with or without cause. Volunteers shall have no property interest in their continued appointments. However, if a volunteer is removed for alleged misconduct, the volunteer will be afforded an opportunity solely to clear his/her name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police or the authorized designee.

Volunteers may resign from volunteer service with the Department at any time. It is requested that volunteers who intend to resign provide advance notice and a reason for their decision.

338.13.1 EXIT INTERVIEWS

The volunteer coordinator should conduct exit interviews, where possible. These interviews should ascertain why the volunteer is leaving the position and should solicit the volunteer's suggestions on improving the position. When appropriate, an exit interview should also include a discussion on the possibility of involvement in some other capacity with the Department.

Princess Anne Police Department

Policy Manual

Volunteers

338.14 REPORTING

The volunteer coordinator shall:

- (a) Maintain annual records on each volunteer, including (COMAR 12.04.07.07.A):
 - 1. Full name.
 - 2. Social Security number.
 - 3. The total itemized hours of service worked each month.
 - 4. Other information the Maryland Police Training and Standards Commission (MPTSC) or the State Comptroller may require.
- (b) Provide to each active status volunteer, no later than February 15 of each year, a written report in the format specified by MPTSC, the volunteer's specific information, including:
 - 1. The identity of the volunteer
 - 2. Certification signed by an authorized department member stating that the volunteer is qualified to apply for the subtraction modification under Md. Code TG § 10-208(l)(2) on the basis that the individual has, between January 1 and December 31 of the preceding year:
 - (a) Participated in a MPTSC-approved program.
 - (b) Met the requirements of Md. Code TG § 10-208(l)(2) to be considered a qualifying police auxiliary or reserve volunteer.
 - (c) Met the minimum requirements for active status.
- (c) Submit an annual report to MPTSC and the State Comptroller by October 1, in the format specified, that includes the annual records for each volunteer collected under COMAR 12.04.07.07 from January 1 through December 31 of the preceding year that either (COMAR 12.04.07.07.C):
 - (a) Qualified to apply for the subtraction modification established under Md. Code TG § 10-208(l).
 - (b) Otherwise met minimum requirements for active status.
- (d) Report any change to the information submitted as part of the original application for MPTSC approval or the department program supporting volunteers to the Deputy MPTSC Director within 30 days of the effective date (COMAR 12.04.07.06.B).

Off-Duty Law Enforcement Actions

340.1 PURPOSE AND SCOPE

This policy is intended to provide guidelines for officers of the Princess Anne Police Department with respect to taking law enforcement action while off-duty.

340.2 POLICY

It is the policy of the Princess Anne Police Department that officers generally should not initiate law enforcement action while off-duty. Officers are not expected to place themselves in unreasonable peril and should first consider reporting and monitoring the activity. However, any officer who becomes aware of an incident or circumstance that he/she reasonably believes poses an imminent threat of serious bodily injury or death, or significant property damage or loss may take reasonable action to minimize or eliminate the threat.

340.3 DECISION TO INTERVENE

There is no legal requirement for off-duty officers to take law enforcement action. Officers should consider waiting for on-duty uniformed peace officers to arrive and gather as much accurate intelligence as possible, instead of immediately intervening. However, should an officer decide to intervene, he/she must evaluate whether the action is necessary or desirable, and should take into consideration:

- (a) The potential to be misidentified by other peace officers.
- (b) The potential to be misidentified by members of the public, who may be armed or who may take action.
- (c) The tactical disadvantage of being alone and the possibility of multiple or hidden suspects.
- (d) Limited off-duty firearms capabilities and ammunition.
- (e) The inability to communicate with responding peace officers.
- (f) The lack of equipment, such as body armor, handcuffs or control devices.
- (g) Unfamiliarity with the surroundings, including escape routes.
- (h) The potential for increased risk to bystanders by confronting a suspect or taking action.

340.3.1 INTERVENTION PROCEDURE

If involvement is reasonably necessary, the officer should attempt to call or have someone else call 9-1-1 to request immediate assistance. If possible, the dispatcher receiving the call should obtain a description of the off-duty officer from the caller and broadcast that information to responding officers.

Princess Anne Police Department

Policy Manual

Off-Duty Law Enforcement Actions

Whenever practicable, the officer should loudly and repeatedly identify him/herself as an officer with the Princess Anne Police Department until acknowledged. Official identification should also be displayed when possible.

340.4 CONSIDERATIONS

When encountering a non-uniformed officer in public, uniformed officers should wait for acknowledgement by the non-uniformed officer in case he/she is working in an undercover capacity.

340.4.1 CIVILIAN RESPONSIBILITIES

Civilian members should not become involved in any law enforcement action while off-duty except to notify the local law enforcement authority and remain at the scene, if safe and practicable.

340.4.2 INCIDENTS OF PERSONAL INTEREST

Department members should refrain from handling incidents of personal interest (e.g., family or neighbor disputes) and should remain neutral. In such circumstances members should call the responsible agency to handle the matter.

340.5 REPORTING

If prior notification to the appropriate local law enforcement agency is not reasonably possible before taking action, the officer shall notify the agency as soon as reasonably practicable. Officers shall cooperate fully with the agency having jurisdiction by providing statements or reports as requested or as appropriate.

Officers shall notify the Supervisor regarding any law enforcement action taken while off-duty. The Supervisor may send a supervisor to the location. The supervisor may request assistance from the Administration, if deemed appropriate.

The Supervisor shall determine whether a criminal or administrative report should be completed by the involved officer.

Community Relations

342.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for community relationship-building.

Additional guidance on community relations and outreach is provided in other policies, including the:

- Hate Crimes Policy.
- Limited English Proficiency Services Policy.
- Communications with Persons with Disabilities Policy.
- Chaplains Policy.
- Patrol Policy.
- Suspicious Activity Reporting Policy.

342.2 POLICY

It is the policy of the Princess Anne Police Department to promote positive relationships between department members and the community by treating community members with dignity and respect and engaging them in public safety strategy development and relationship-building activities, and by making relevant policy and operations information available to the community in a transparent manner.

342.3 MEMBER RESPONSIBILITIES

Officers should, as time and circumstances reasonably permit:

- (a) Make casual and consensual contacts with community members to promote positive community relationships (see the Contacts and Temporary Detentions Policy).
- (b) Become reasonably familiar with the schools, businesses and community groups in their assigned jurisdictional areas.
- (c) Work with community members and the department community relations coordinator to identify issues and solve problems related to community relations and public safety.
- (d) Conduct periodic foot patrols of their assigned areas to facilitate interaction with community members. Officers carrying out foot patrols should notify an appropriate supervisor and Somerset Emergency Services of their status (i.e., on foot patrol) and location before beginning and upon completion of the foot patrol. They should also periodically inform Somerset Emergency Services of their location and status during the foot patrol.

Community Relations

342.4 COMMUNITY RELATIONS COORDINATOR

The Chief of Police or the authorized designee should designate a member of the Department to serve as the community relations coordinator. He/she should report directly to the Chief of Police or the authorized designee and is responsible for:

- (a) Obtaining department-approved training related to his/her responsibilities.
- (b) Responding to requests from department members and the community for assistance in identifying issues and solving problems related to community relations and public safety.
- (c) Organizing surveys to measure the condition of the department's relationship with the community.
- (d) Working with community groups, department members and other community resources to:
 - 1. Identify and solve public safety problems within the community.
 - 2. Organize programs and activities that help build positive relationships between department members and the community and provide community members with an improved understanding of department operations.
- (e) Working with the Captain to develop patrol deployment plans that allow officers the time to participate in community engagement and problem-solving activities.
- (f) Recognizing department and community members for exceptional work or performance in community relations efforts.
- (g) Attending Town council and other community meetings to obtain information on community relations needs.
- (h) Assisting with the department's response to events that may affect community relations, such as an incident where the conduct of a department member is called into public question.
- (i) Informing the Chief of Police and others of developments and needs related to the furtherance of the department's community relations goals, as appropriate.

342.5 SURVEYS

The community relations coordinator should arrange for a survey of community members and department members to be conducted at least annually to assess the condition of the relationship between the Department and the community. Survey questions should be designed to evaluate perceptions of the following:

- (a) Overall performance of the Department
- (b) Overall competence of department members
- (c) Attitude and behavior of department members
- (d) Level of community trust in the Department
- (e) Safety, security or other concerns

Princess Anne Police Department

Policy Manual

Community Relations

A written summary of the compiled results of the survey should be provided to the Chief of Police.

342.6 COMMUNITY AND YOUTH ACTIVITIES AND PROGRAMS

The community relations coordinator should organize or assist with programs and activities that create opportunities for department members and community members, especially youth, to interact in a positive setting. Examples of such programs and events include:

- (a) Department-sponsored athletic programs (e.g., baseball, basketball, soccer, bowling).
- (b) Police-community get-togethers (e.g., cookouts, meals, charity events).
- (c) Youth leadership and life skills mentoring.
- (d) School resource officer/Drug Abuse Resistance Education (D.A.R.E.®) programs.
- (e) Neighborhood Watch and crime prevention programs.

342.7 INFORMATION SHARING

The community relations coordinator should work with the Chief of Police or designee to develop methods and procedures for the convenient sharing of information (e.g., major incident notifications, significant changes in department operations, comments, feedback, positive events) between the Department and community members. Examples of information-sharing methods include:

- (a) Community meetings.
- (b) Social media (see the Department Use of Social Media Policy).
- (c) Department website postings. Information should be regularly refreshed, to inform and engage community members continuously.

342.8 LAW ENFORCEMENT OPERATIONS EDUCATION

The community relations coordinator should develop methods to educate community members on general law enforcement operations so they may understand the work that officers do to keep the community safe. Examples of educational methods include:

- (a) Development and distribution of informational cards/flyers.
- (b) Department website postings.
- (c) Presentations to driver education classes.
- (d) Instruction in schools.
- (e) Department ride-alongs (see the Ride-Alongs Policy).
- (f) Scenario/Simulation exercises with community member participation.
- (g) Youth internships at the Department.
- (h) Citizen academies.

Instructional information should include direction on how community members should interact with the police during enforcement or investigative contacts and how community members can make

Community Relations

a complaint to the Department regarding alleged misconduct or inappropriate job performance by department members.

342.9 SAFETY AND OTHER CONSIDERATIONS BEST PRACTICE

Department members responsible for community relations activities should consider the safety of the community participants and, as much as reasonably practicable, not allow them to be present in any location or situation that would jeopardize their safety.

Department members in charge of community relations events should ensure that participating community members have completed waiver forms before participation, if appropriate. A parent or guardian must complete the waiver form if the participating community member has not reached 18 years of age.

Community members are subject to a criminal history check before approval for participation in certain activities, such as citizen academies.

342.10 COMMUNITY ADVISORY COMMITTEE

The Chief of Police should establish a committee of volunteers consisting of community members, community leaders and other community stakeholders (e.g., representatives from schools, churches, businesses, social service organizations). The makeup of the committee should reflect the demographics of the community as much as practicable.

The committee should convene regularly to:

- (a) Provide a public forum for gathering information about public safety concerns in the community.
- (b) Work with the Department to develop strategies to solve public safety problems.
- (c) Generate plans for improving the relationship between the Department and the community.
- (d) Participate in community outreach to solicit input from community members, including youth from the community.

The Training Officer should arrange for initial and ongoing training for committee members on topics relevant to their responsibilities.

The Chief of Police may include the committee in the evaluation and development of department policies and procedures and may ask them to review certain personnel complaints for the purpose of providing recommendations regarding supervisory, training or other issues as appropriate.

342.10.1 LEGAL CONSIDERATIONS

The Chief of Police and the community relations coordinator should work with the Town Attorney as appropriate to ensure the committee complies with any legal requirements such as public notices, records maintenance and any other associated obligations or procedures.

Community Relations

342.11 TRANSPARENCY

The Department should periodically publish statistical data and analysis regarding the department's operations. The reports should not contain the names of the officer, suspects or case numbers. The community relations coordinator should work with the community advisory committee to identify information that may increase transparency regarding department operations.

342.11.1 POSTING

The community relations coordinator should post department policies on the department website and the MPTSC website, as appropriate (Md. Code PS § 3-515).

342.12 TRAINING

Subject to available resources, members should receive training related to this policy, including training on topics such as:

- (a) Effective social interaction and communication skills.
- (b) Cultural, racial and ethnic diversity and relations.
- (c) Building community partnerships.
- (d) Community policing and problem-solving principles.
- (e) Enforcement actions and their effects on community relations.

Where practicable and appropriate, community members, especially those with relevant expertise, should be involved in the training to provide input from a community perspective.

342.13 OTHER STATE REQUIREMENTS

The community relations coordinator should ensure that the department's community policing program is filed annually with the MPTSC (Md. Code PS § 3-517).

Extreme Risk Protective Orders

343.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for petitioning for and serving extreme risk protective orders and accounting for firearms and ammunition obtained pursuant to those orders.

343.1.1 DEFINITIONS

Definitions related to this policy include:

Extreme risk protective order - An order prohibiting a named person from having in his/her custody or control or purchasing a firearm or ammunition, as applicable (Md. Code PS § 5–601 et seq.).

343.2 POLICY

It is the policy of the Princess Anne Police Department to petition for and serve extreme risk protective orders in compliance with state law, and to properly account for firearms and ammunition obtained by the Department pursuant to such orders.

343.3 EXTREME RISK PROTECTIVE ORDER COORDINATOR

The Chief of Police will appoint an extreme risk protective order coordinator. The responsibilities of the coordinator include:

- (a) Developing and maintaining procedures for the filing of a petition for an extreme risk protective order by the Department (Md. Code PS § 5–601; Md. Code PS § 5–602).
- (b) Developing and maintaining procedures for the receipt and service of extreme risk protective orders consistent with the requirements of Md. Code PS § 5–603, Md. Code PS § 5–604, Md. Code PS § 5–607, and Md. Code PS § 5–608. Procedures should include:
 1. Acceptance of voluntarily surrendered firearms and ammunition from a person who is the subject of the protective order.
 2. Assessing a protective order prior to service to determine whether the order should be served pursuant to the Warrant Service Policy and the Operations Planning and Deconfliction Policy.
 3. Preparing or obtaining a search warrant prior to attempting service of the extreme risk protective order.
 4. Service of the extreme risk protective order as soon as possible, return of service to the clerk, and notification to the Department of Public Safety and Correctional Services.
 5. Storage and return or disposition of surrendered and seized firearms.
 6. Criteria for assessing mental health risks and the appropriateness for emergency evaluations.

Princess Anne Police Department

Policy Manual

Extreme Risk Protective Orders

- (c) Coordinating with the Training Officer to provide officers who may be involved in petitioning for or serving extreme risk protective orders with appropriate training. Training should include determining when a petition is appropriate, the process for seeking an extreme risk protective order, and the process for serving such an order.
- (d) Reviewing each petition and service for an extreme risk protective order to ensure compliance with this policy, department procedures, and state law.

343.4 EXTREME RISK PROTECTIVE ORDERS

An officer who reasonably believes that an extreme risk protective order is appropriate should obtain supervisor approval prior to seeking an order.

343.4.1 STANDARDS

Extreme risk protective orders may be appropriate if a person poses an immediate and present danger of causing personal injury to him/herself or another by having a firearm (Md. Code PS § 5-603).

343.4.2 REQUIREMENTS OF PETITION

An application for an extreme risk protective order should be prepared consistent with state law and the procedures developed by the extreme risk protective order coordinator (Md. Code PS § 5-602).

343.5 SERVICE

Officers shall personally serve a copy of an extreme risk protective order, along with the accompanying notice of hearing and petition, if applicable, on the person named in the order as soon as possible and make the proper return. Service of risk protection orders takes precedence over the service of other orders, except for orders of a similar emergency nature (Md. Code PS § 5-603; Md. Code PS § 5-604).

Within two hours after service of an extreme risk protective order, this department is responsible for electronically notifying the Department of Public Safety and Correctional Services (Md. Code PS § 5-603; Md. Code PS § 5-604).

343.5.1 SAFETY CONSIDERATIONS

Upon receipt of an extreme risk protective order, the Captain or the authorized designee should evaluate the circumstances of the order and consider what precautions are appropriate for service.

When appropriate based on the circumstances and department procedures, service of extreme risk protective orders should be executed pursuant to the Operations Planning and Deconfliction Policy.

In no circumstances should less than two officers be present when an extreme risk protective order is being served.

Princess Anne Police Department

Policy Manual

Extreme Risk Protective Orders

343.5.2 SURRENDER OF FIREARMS AND AMMUNITION

Officers serving an extreme risk protective order shall request that the person who is the subject of the order immediately surrender all firearms and ammunition in his/her custody, control, or possession. Officers shall take custody of any firearms or ammunition.

A receipt identifying all surrendered items and the process for reclaiming the items shall be prepared by the officer and a copy given to the person (Md. Code PS § 5–608). The officer should ensure the original receipt is forwarded to the Administrative Assistant as soon as practicable.

All items collected should be handled and booked in accordance with the Evidence Room Policy.

343.5.3 SEARCH WARRANTS

If the person subject to the extreme risk protective order refuses to surrender all firearms and ammunition or if an officer serving an extreme risk protective order reasonably believes there are firearms or ammunition in the person's custody, control, or possession that have not been surrendered, the officer should consider whether to seek a search warrant (Md. Code CP § 1–203; Md. Code PS § 5–607).

Officers should be prepared to file a search warrant prior to attempting service of an extreme risk protective order. Preparation and service of the search warrant should be done in accordance with the Warrant Service Policy.

343.6 RECORDS HEAD RESPONSIBILITIES

The Administrative Assistant is responsible for:

- (a) Ensuring orders have been properly entered into state and national databases as required.
- (b) Removing from any computer-based system in which it was entered, an original order upon receipt of an order to vacate from the court as required

343.7 COURT-ORDERED SURRENDER OF FIREARMS AND AMMUNITION

Authorized members should accept firearms and ammunition from any person who is the subject of an extreme risk protective order. The member receiving any such firearms or ammunition shall issue a receipt identifying all surrendered items, in addition to following other relevant Department procedures (Md. Code PS § 5–608).

343.7.1 STATE-SPECIFIC REQUIREMENTS

The receipt identifying all surrendered items shall contain information concerning make, model, and serial number, as applicable, and a copy shall be given to the person (Md. Code PS § 5–608). The member should ensure the original receipt is forwarded to the Administrative Assistant as soon as practicable.

The receiving member shall also ensure that the person who is the subject of the order is provided with information on the process for reclaiming the firearms and/or ammunition upon the expiration or termination of the order (Md. Code PS § 5–608).

Princess Anne Police Department

Policy Manual

Extreme Risk Protective Orders

All firearms received in relation to an extreme risk protective order should be stored and transported in a protective case, if available, and in a manner to prevent damage to the firearm. No identifying or other marks may be placed on the firearm (Md. Code PS § 5-608).

343.8 RELEASE OF FIREARMS AND AMMUNITION

Any person requesting the release of any firearm or ammunition in Department custody pursuant to an extreme risk protective order should be referred to the Evidence Room. Firearms or ammunition received in relation to an extreme risk protective order should only be disposed of in accordance with Md. Code PS § 5-608 and established office policies and procedures.

343.9 RENEWAL OF EXTREME RISK PROTECTIVE ORDER

The Criminal Investigations supervisor is responsible for the review of any extreme risk protective order obtained by the Department to determine if renewal or extension of the order should be requested within the time prescribed by law (Md. Code PS § 5-606).

343.10 MENTAL HEALTH REFERRALS

Any member who receives notice of a referral for an emergency mental evaluation of a respondent in a matter involving an extreme risk protective order from a District Court commissioner should ensure that an emergency mental evaluation is conducted, if appropriate, in accordance with state law and the Mental Health Evaluations policy (Md. Code PS § 5-603; Md. Code HG § 10-601 et seq.).

Chapter 4 - Patrol Operations

Patrol

400.1 PURPOSE AND SCOPE

The purpose of this policy is to define the patrol function and address intraorganizational cooperation and information sharing.

400.2 POLICY

The Princess Anne Police Department provides patrol services 24 hours a day, seven days a week and will prioritize responses to requests for emergency services using available resources to enhance the safety of the public and department members.

400.3 FUNCTION

Patrol will generally be conducted by uniformed officers in clearly marked law enforcement vehicles in assigned jurisdictional areas of Princess Anne. The function of patrol is to respond to calls for assistance and reports of criminal activity, act as a deterrent to crime, enforce state and local laws, identify community needs, provide support and assistance to the community and respond to emergencies.

Patrol services include, but are not limited to:

- (a) Responding to emergency calls for service.
- (b) Apprehending criminal offenders.
- (c) Providing mutual aid and assistance to other agencies for emergency and law enforcement-related activities.
- (d) Patrol that is directed at the prevention of criminal acts, traffic violations and collisions, the maintenance of public order and the discovery of hazardous situations or conditions.
- (e) Responding to reports of both criminal and non-criminal acts.
- (f) Responding to routine calls for service, such as public assistance or public safety.
- (g) Traffic direction and control.
- (h) Crime prevention activities, such as residential inspections, business inspections and community presentations.
- (i) Community-oriented policing and problem-solving activities including the application of resources to improve or resolve specific problems or situations and contacting or assisting members of the public in a positive way.
- (j) The application of resources to specific problems or situations within the community that may be improved or resolved by community-oriented policing and problem-solving strategies.

Patrol

400.4 INFORMATION SHARING

To the extent feasible, all information relevant to the mission of the Department should be shared among all divisions and specialized units on a timely basis. Members should be provided with opportunities on a regular basis to share information during the daily roll calls and to attend roll calls of other divisions or specialized units.

Additionally, information should be shared with outside agencies and the public in conformance with department policies and applicable laws.

400.5 CROWDS, EVENTS AND GATHERINGS

Officers may encounter gatherings of people, including, but not limited to, civil demonstrations, civic, social and business events, public displays, parades and sporting events. Officers should monitor such events as time permits in an effort to keep the peace and protect the safety and rights of those present. A patrol supervisor should be notified when it becomes reasonably foreseeable that such an event may require increased monitoring, contact or intervention.

Officers responding to an event or gathering that warrants law enforcement involvement should carefully balance the speech and association rights of those present with applicable public safety concerns before taking enforcement action.

Generally, officers should consider seeking compliance through advisements and warnings for minor violations, and should reserve greater enforcement options for more serious violations or when voluntary compliance with the law is not achieved.

Officers are encouraged to contact organizers or responsible persons to seek voluntary compliance that may address relevant public safety concerns.

Bias-Based Policing

401.1 PURPOSE AND SCOPE

This policy provides guidance to department members that affirms the Princess Anne Police Department's commitment to policing that is fair and objective (Md. Code TR § 25-113).

Nothing in this policy prohibits the use of specified characteristics in law enforcement activities designed to strengthen the department's relationship with its diverse communities (e.g., cultural and ethnicity awareness training, youth programs, community group outreach, partnerships).

401.1.1 DEFINITIONS

Definitions related to this policy include:

Bias-based policing - An inappropriate reliance on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, disability, or affiliation with any non-criminal group (protected characteristics) as the basis for providing differing law enforcement service or enforcement.

401.2 POLICY

The Princess Anne Police Department is committed to providing law enforcement services to the community with due regard for the racial, cultural or other differences of those served. It is the policy of this department to provide law enforcement services and to enforce the law equally, fairly, objectively and without discrimination toward any individual or group.

401.3 BIAS-BASED POLICING PROHIBITED

Bias-based policing is strictly prohibited.

However, nothing in this policy is intended to prohibit an officer from considering protected characteristics in combination with credible, timely and distinct information connecting a person or people of a specific characteristic to a specific unlawful incident, or to specific unlawful incidents, specific criminal patterns or specific schemes.

401.3.1 OTHER PROHIBITIONS

The Princess Anne Police Department prohibits the illegal use of an individual or group's attire, appearance or mode of transportation, including the fact that an individual rides a motorcycle or wears motorcycle-related paraphernalia, as a factor in deciding to stop and question, take enforcement action, arrest or search a person or vehicle (Md. Code PS § 3-207).

401.4 MEMBER RESPONSIBILITIES

Every member of this department shall perform his/her duties in a fair and objective manner and is responsible for promptly reporting any suspected or known instances of bias-based policing to a supervisor. Members should, when reasonable to do so, intervene to prevent any biased-based actions by another member.

Princess Anne Police Department

Policy Manual

Bias-Based Policing

401.4.1 REASON FOR CONTACT

Officers contacting a person shall be prepared to articulate sufficient reason for the contact, independent of the protected characteristics of the individual.

To the extent that written documentation would otherwise be completed (e.g., arrest report, field interview (FI) card), the involved officer should include those facts giving rise to the contact, as applicable.

Except for required data-collection forms or methods, nothing in this policy shall require any officer to document a contact that would not otherwise require reporting.

401.4.2 REPORTING TRAFFIC STOPS

Officers shall not use an individual's race or ethnicity as the sole justification to initiate a traffic stop. However, this does not alter the authority of an officer to make an arrest, conduct a search or seizure, or otherwise fulfill the officer's law enforcement obligations (Md. Code TR § 25-113).

Each time an officer makes a traffic stop, the officer shall report any information as required in the Safety Equipment Repair Orders (SERO), Traffic and Parking Citations Policy (Md. Code TR § 25-113).

401.5 SUPERVISOR RESPONSIBILITIES

Supervisors should monitor those individuals under their command for compliance with this policy and shall handle any alleged or observed violations in accordance with the Personnel Complaints Policy.

- (a) Supervisors should discuss any issues with the involved officer and his/her supervisor in a timely manner.
 - 1. Supervisors should document these discussions, in the prescribed manner.
- (b) Supervisors should periodically review Mobile Audio/Video (MAV) recordings, portable audio/video recordings, Mobile Data Terminal (MDT) data and any other available resource used to document contact between officers and the public to ensure compliance with this policy.
 - 1. Supervisors should document these periodic reviews.
 - 2. Recordings or data that capture a potential instance of bias-based policing should be appropriately retained for administrative investigation purposes.
- (c) Supervisors shall initiate investigations of any actual or alleged violations of this policy.
- (d) Supervisors should take prompt and reasonable steps to address any retaliatory action taken against any member of this department who discloses information concerning bias-based policing.

401.6 STATE REPORTING

The Administration shall compile and submit the required traffic stop data to the Maryland Statistical Analysis Center no later than March 1 of the following calendar year (Md. Code TR § 25-113).

Bias-Based Policing

401.7 ADMINISTRATION

The Captain should review the efforts of the Department to provide fair and objective policing, including traffic stop data, and submit an annual report, including public concerns and complaints, to the Chief of Police. The annual report should not contain any identifying information about any specific complaint, member of the public or officer. It should be reviewed by the Chief of Police to identify any changes in training or operations that should be made to improve service (Md. Code TR § 25-113).

Supervisors should review the annual report and discuss the results with those they are assigned to supervise.

The Captain shall also review the annual report generated by the Maryland Statistical Analysis Center analyzing the information submitted by this and other law enforcement agencies (Md. Code TR § 25-113).

401.8 TRAINING

Training on fair and objective policing and review of this policy should be conducted as directed by the Training Officer.

Roll call

402.1 PURPOSE AND SCOPE

This policy discusses the activity of roll call and includes the tasks that should be accomplished during this short period.

402.2 POLICY

Roll call is intended to facilitate the accurate flow of information in order to enhance coordination of activities, improve performance and safety, and outline the expected actions of members.

402.3 ROLL CALL

All divisions and specialized units will conduct regular roll call to discuss, disseminate and exchange information among department members, work groups and other organizations. A supervisor generally will conduct roll call. However, the supervisor may delegate this responsibility to a subordinate member in his/her absence or for training purposes.

Roll call should include, but not be limited to:

- (a) Providing members with information regarding daily activities, with particular attention given to changes in the status of the following:
 - 1. Wanted persons.
 - 2. Crime patterns.
 - 3. Suspect descriptions.
 - 4. Intelligence reports and photographs.
 - 5. Community issues affecting law enforcement.
 - 6. Major investigations.
- (b) Notifying members of changes in schedules and assignments.
- (c) Reviewing recent incidents for situational awareness and training purposes.
- (d) Providing training on a variety of subjects.
- (e) Periodic personnel inspections.

Supervisors should also ensure that all members are informed about General Orders and any recent policy changes.

402.4 PREPARATION OF MATERIALS

The member conducting roll call is responsible for preparation of the materials necessary for a constructive roll call.

Princess Anne Police Department

Policy Manual

Roll call

402.5 TRAINING

Roll call training should incorporate short segments on a variety of subjects or topics and may include:

- (a) Review and discussion of new or updated policies.
- (b) Presentation and discussion of the proper application of existing policy to routine daily activities.
- (c) Presentation and discussion of the proper application of existing policy to unusual activities.
- (d) Review of recent incidents for training purposes.

Roll call training materials and a curriculum or summary shall be forwarded to the Training Officer for inclusion in training records, as appropriate.

Crime and Disaster Scene Integrity

403.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance in handling a major crime or disaster.

403.2 POLICY

It is the policy of the Princess Anne Police Department to secure crime or disaster scenes so that evidence is preserved, and to identify and mitigate the dangers associated with a major crime or disaster scene for the safety of the community and those required to enter or work near the scene.

403.3 SCENE RESPONSIBILITY

The first officer at the scene of a crime or major incident is generally responsible for the immediate safety of the public and preservation of the scene. Officers shall also consider officer safety and the safety of those persons entering or exiting the area, including those rendering medical aid to any injured parties. Once an officer has assumed or been assigned to maintain the integrity and security of the crime or disaster scene, it shall be maintained until the officer is properly relieved by a supervisor or other designated person.

403.4 FIRST RESPONDER CONSIDERATIONS

The following list generally describes the first responder's function at a crime or disaster scene. This list is not intended to be all-inclusive, is not necessarily in order and may be altered according to the demands of each situation:

- (a) Broadcast emergency information, including requests for additional assistance and resources.
- (b) Provide for the general safety of those within the immediate area by mitigating, reducing or eliminating threats or dangers.
- (c) Locate or identify suspects and determine whether dangerous suspects are still within the area.
- (d) Provide first aid to injured parties if it can be done safely.
- (e) Evacuate the location safely as required or appropriate.
- (f) Secure the inner perimeter.
- (g) Protect items of apparent evidentiary value.
- (h) Secure an outer perimeter.
- (i) Identify potential witnesses.
- (j) Start a chronological log noting critical times and personnel allowed access.

Crime and Disaster Scene Integrity

403.5 SEARCHES

Officers arriving at crime or disaster scenes are often faced with the immediate need to search for and render aid to victims, and to determine if suspects are present and continue to pose a threat. Once officers are satisfied that no additional suspects are present and/or there are no injured persons to be treated, those exigent circumstances will likely no longer exist. Officers should thereafter secure the scene and conduct no further search until additional or alternate authority for the search is obtained, such as consent or a search warrant.

403.5.1 CONSENT

When possible, officers should seek written consent to search from authorized individuals. However, in the case of serious crimes or major investigations, it may be prudent to also obtain a search warrant. Consent as an additional authorization may be sought, even in cases where a search warrant has been granted.

Critical Incident Response

404.1 PURPOSE AND SCOPE

This policy provides guidelines for the specialized support of critical incident response units in handling critical field operations where special tactical deployment methods or intense negotiations are beyond the capacity of field officers.

404.2 POLICY

It shall be the policy of the Princess Anne Police Department to contact the Maryland State Police in the event a special critical incident response is needed. The request is to be made by the Chief of Police or his designee. Officers that are on scene of a critical incident should secure the scene and notify the Chief of Police through the chain of command. The Chief of Police will make the final determination of what resources are needed and then complete the requests.

Ride-Alongs

405.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for a ride-along with members of the Princess Anne Police Department. This policy provides the requirements, approval process, hours of operation and member responsibilities for ride-alongs.

405.2 POLICY

Ride-along opportunities will be provided to the members of the public, Town employees and members of this department to observe and experience first-hand various functions of the Princess Anne Police Department. The term “ride-along” includes riding as a passenger with an officer on patrol or observing the work day of members engaged in other functions within the Department.

405.3 ELIGIBILITY

A ride-along is available to residents, business owners, students currently attending class in the Criminal Justice field, and those employed within the Town of Princess Anne. Efforts will be made to accommodate all interested persons. However, any applicant may be disqualified without cause from participating.

Factors that may be considered in disqualifying an applicant include, but are not limited to, the following:

- Being under 15 years of age
- Prior criminal history
- Pending criminal action
- Pending lawsuit against this department or the Town
- Denial by any supervisor

405.4 AVAILABILITY

A ride-along is available most days of the week, from 10:00 a.m. to 11:00 p.m. Exceptions to this schedule may be made as approved by the Chief of Police or Supervisor.

405.5 REQUESTS TO PARTICIPATE

Generally, ride-along requests will be approved by the Chief of Police or designee. Approved ride-along requests will be maintained and scheduled by the Supervisor. The applicant will complete and sign a ride-along waiver form. If the applicant is under 18 years of age, a parent or guardian must be present to complete the waiver form. Information requested will include a valid state-issued identification card or driver’s license number, birthdate, address and telephone number.

Princess Anne Police Department

Policy Manual

Ride-Alongs

The Supervisor will schedule a date, based on availability, generally one week after the date of application. If approved, a copy of the waiver form will be forwarded to the appropriate division as soon as possible for scheduling considerations.

If the request is denied, a representative of this department will advise the applicant of the denial.

405.6 PROCEDURES

Once approved, ride-along applicants will be allowed to participate no more than once every six months. An exception may apply to the following law enforcement-involved participants:

- Explorers
- Volunteers
- Chaplains
- Princess Anne Police Department applicants
- Any others with approval of the Supervisor
- Students enrolled in any department-approved dispatcher training course

An effort will be made to ensure that no more than one member of the public will participate in a ride-along during any given time period. Normally, no more than one ride-along participant will be allowed in department vehicles at a given time.

Ride-along requirements for department Explorers are covered in the Explorers Policy.

405.6.1 OFF-DUTY PARTICIPATION

Off-duty members of this department or any other law enforcement agency, and employees of the Town, will not be permitted to participate in a ride-along with on-duty members of this department without the express consent of the Chief of Police.

In the event that such participation is permitted, the off-duty department member, other law enforcement agency personnel or Town employee shall not:

- (a) Be considered on-duty.
- (b) Represent him/herself as a member of this department or any other law enforcement agency.
- (c) Participate in any law enforcement activity except as emergency circumstances may require.

405.6.2 CRIMINAL HISTORY CHECK

All ride-along applicants are subject to a criminal history check. The criminal history check may include a local records check and a Maryland Criminal Justice Information System (CJIS) check prior to approval of the ride-along.

Princess Anne Police Department

Policy Manual

Ride-Alongs

405.6.3 SUITABLE ATTIRE

Any person approved to participate in a ride-along or is required to be suitably dressed in a collared shirt, blouse or jacket, slacks and shoes. Sandals, t-shirts, tank tops, shorts and ripped or torn pants are not permitted. Hats and ball caps will not be worn without the express consent of the Supervisor. The Supervisor or a supervisor may refuse a ride-along to anyone who is not dressed appropriately.

405.7 MEMBER RESPONSIBILITIES

The assigned department member shall consider the safety of the ride-along participant at all times. The member shall maintain control over the participant and shall instruct the individual about the conditions that necessarily limit his/her participation. Instructions should include:

- (a) The participant will follow the directions of the department member.
- (b) The participant will not become involved in any investigation, handling of evidence, discussions with victims or suspects, reading an individual's criminal history or other protected information, or handling any police department equipment.
- (c) Participation may be terminated at any time by the department member if the participant interferes with the performance of the member's duties.
 - 1. If the participant is on a ride-along, the member may return the participant to the point the ride originated.
- (d) Participants may be allowed to continue a ride-along during the transportation and booking process, provided it does not jeopardize their safety.
- (e) Members will not allow participants to be present in any location or situation that would jeopardize the participant's safety or cause undue stress or embarrassment to a victim or any other member of the public.
- (f) Participants who are not law enforcement officers shall not be permitted to accompany the department member into a private residence without the express consent of the resident or other authorized person.

The member assigned to provide a ride-along shall advise the dispatcher that a ride-along participant is present in the vehicle before going into service. An officer with a ride-along participant should use sound discretion when encountering a potentially dangerous situation, such as a high speed pursuit, and if feasible, let the participant out of the vehicle in a well-lit public place. The dispatcher will be advised of the situation and as soon as practicable have another department member respond to pick up the participant at that location. The ride-along may be continued or terminated at this time.

Conduct by a person participating in a ride-along that results in termination of the ride, or is otherwise inappropriate, should be immediately reported to the Supervisor. The member should enter comments regarding the reasons for terminating the ride-along on the waiver form.

Upon completion of the ride-along, the member shall return the waiver form to the Supervisor.

Foreign Diplomatic and Consular Representatives

411.1 PURPOSE AND SCOPE

This policy provides guidelines to ensure that members of the Princess Anne Police Department extend appropriate privileges and immunities to foreign diplomatic and consular representatives in accordance with international law.

411.2 POLICY

The Princess Anne Police Department respects international laws related to the special privileges and immunities afforded foreign diplomatic and consular representatives assigned to the United States.

All foreign diplomatic and consular representatives shall be treated with respect and courtesy, regardless of any privileges or immunities afforded them.

411.3 CLAIMS OF IMMUNITY

If a member comes into contact with a person where law enforcement action may be warranted and the person claims diplomatic or consular privileges and immunities, the member should, without delay:

- (a) Notify a supervisor.
- (b) Advise the person that his/her claim will be investigated and he/she may be released in accordance with the law upon confirmation of the person's status.
- (c) Request the person's identification card, either issued by the U.S. Department of State (DOS), Office of the Chief of Protocol, or in the case of persons accredited to the United Nations, by the U.S. Mission to the United Nations. These are the only reliable documents for purposes of determining privileges and immunities.
- (d) Contact the DOS Diplomatic Security Command Center at 571-345-3146 or toll free at 866-217-2089, or at another current telephone number and inform the center of the circumstances.
- (e) Verify the immunity status with DOS and follow any instructions regarding further detention, arrest, prosecution and/or release, as indicated by the DOS representative. This may require immediate release, even if a crime has been committed.

Identity or immunity status should not be presumed from the type of license plates displayed on a vehicle. If there is a question as to the status or the legitimate possession of a Diplomat or Consul license plate a query should be run via the National Law Enforcement Telecommunications System (NLETS), designating "US" as the state.

Foreign Diplomatic and Consular Representatives

411.4 ENFORCEMENT ACTION

If the DOS is not immediately available for consultation regarding law enforcement action, members shall be aware of the following:

- (a) Generally, all persons with diplomatic and consular privileges and immunities may be issued a citation or notice to appear. However, the person may not be compelled to sign the citation.
- (b) All persons, even those with a valid privilege or immunity, may be reasonably restrained in exigent circumstances for purposes of self-defense, public safety or the prevention of serious criminal acts.
- (c) An impaired foreign diplomatic or consular representative may be prevented from driving a vehicle, even if the person may not be arrested due to privileges and immunities.
 - 1. Investigations, including the request for field sobriety tests, chemical tests and any other tests regarding impaired driving may proceed but they shall not be compelled.
- (d) The following persons may not be detained or arrested, and any property or vehicle owned by these persons may not be searched or seized:
 - 1. Diplomatic-level staff of missions to international organizations and recognized family members
 - 2. Diplomatic agents and recognized family members
 - 3. Members of administrative and technical staff of a diplomatic mission and recognized family members
 - 4. Career consular officers, unless the person is the subject of a felony warrant
- (e) The following persons may generally be detained and arrested:
 - 1. International organization staff; however, some senior officers are entitled to the same treatment as diplomatic agents.
 - 2. Support staff of missions to international organizations
 - 3. Diplomatic service staff and consular employees; however, special bilateral agreements may exclude employees of certain foreign countries.
 - 4. Honorary consular officers

411.5 DOCUMENTATION

All contacts with persons who have claimed privileges and immunities afforded foreign diplomatic and consular representatives should be thoroughly documented and the related reports forwarded to DOS.

Princess Anne Police Department

Policy Manual

Foreign Diplomatic and Consular Representatives

411.6 DIPLOMATIC IMMUNITY

Reference table on diplomatic immunity:

Category	Arrested or Detained	Enter Residence Subject to Ordinary Procedures	Issued Traffic Citation	Subpoenaed as Witness	Prosecuted	Recognized Family Members
Diplomatic Agent	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Member of Admin and Tech Staff	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity & inviolability)
Service Staff	Yes (note (a))	Yes	Yes	Yes	No for official acts. Yes otherwise (note (a))	No immunity or inviolability (note (a))
Career Consul Officer	Yes if for a felony and pursuant to a warrant (note (a))	Yes (note (d))	Yes	No for official acts Testimony may not be compelled in any case	No for official acts Yes otherwise (note (a))	No immunity or inviolability
Honorable Consul Officer	Yes	Yes	Yes	No for official acts Yes otherwise.	No for official acts Yes otherwise	No immunity or inviolability
Consulate Employees	Yes (note (a))	Yes	Yes	No-for official acts Yes otherwise	No for official acts Yes otherwise (note (a))	No immunity or inviolability (note (a))
Int'l Org Staff (note (b))	Yes (note (c))	Yes (note (c))	Yes	Yes (note (c))	No for official acts Yes otherwise (note (c))	No immunity or inviolability

Princess Anne Police Department

Policy Manual

Foreign Diplomatic and Consular Representatives

Diplomatic-Level Staff of Missions to Int'l Org	No (note (b))	No	Yes	No	No	Same as sponsor (full immunity and inviolability)
Support Staff of Missions to Int'l Orgs	Yes	Yes	Yes	Yes	No for official acts Yes otherwise	No immunity or inviolability

Notes for diplomatic immunity table:

- (a) This table represents general rules. The employees of certain foreign countries may enjoy higher levels of privileges and immunities on the basis of special bilateral agreements.
- (b) Reasonable constraints, however, may be applied in emergency circumstances involving self-defense, public safety, or in the prevention of serious criminal acts.
- (c) A small number of senior officers are entitled to be treated identically to diplomatic agents.
- (d) Note that consul residences are sometimes located within the official consular premises. In such cases, only the official office space is protected from police entry.

Utility Service Emergencies

414.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for addressing Town utility service emergencies. This policy will address calls for service that are directed to the Police Department.

414.2 POLICY

It is the policy of the Princess Anne Police Department to appropriately respond to Town emergency utility service requests received by this department.

414.3 UTILITY SERVICE EMERGENCY

A current contact list of Town personnel to be notified in the event of a utility service emergency should be available in Somerset Emergency Services.

414.3.1 WATER LINES

The Town's responsibility for water lines ends at the water meter; any break or malfunction in the water system from the water meter to a residence or business is the responsibility of the customer.

If a water line break occurs on the Town side of the water meter, Somerset Sanitary District personnel should be notified as soon as practicable.

414.3.2 ELECTRICAL LINES

When an electrical power line poses a hazard, a member of this department should be dispatched to the reported location to protect against personal injury or property damage that might be caused by the power line. The fire department, electric company and/or the public works department should be promptly notified, as appropriate.

414.3.3 RESERVOIRS, PUMPS, WELLS

In the event of flooding or equipment malfunctions involving Town reservoirs, pumps or wells, the public works department and Somerset Sanitary District should be contacted as soon as practicable.

414.3.4 NATURAL GAS LINES

All reports of a possible leak of natural gas or damage to a natural gas line shall promptly be referred to the fire department and the local entity responsible for gas lines. A member of this department should be dispatched to the reported location if it appears that assistance such as traffic control or evacuation is needed.

414.3.5 TRAFFIC SIGNALS

A member of this department should be dispatched upon report of a damaged or malfunctioning traffic signal in order to protect against personal injury or property damage that might occur as the result of the damaged or malfunctioning signal. The member will advise Somerset Emergency

Princess Anne Police Department

Policy Manual

Utility Service Emergencies

Services of the problem with the traffic signal. The dispatcher should make the necessary notification to the appropriate traffic signal maintenance agency as soon as practicable.

A decision to place a signal on flash should include a consultation with the appropriate traffic signal maintenance agency, unless exigent circumstances exist.

Air Support

418.1 PURPOSE AND SCOPE

The use of air support can be invaluable in certain situations. This policy specifies situations where the use of air support may be requested and the responsibilities for making a request.

418.2 POLICY

It is the policy of the Princess Anne Police Department to prioritize requests for air support to enhance law enforcement objectives and provide additional safety to officers and the community.

418.3 REQUEST FOR AIR SUPPORT

If a supervisor or officer in charge of an incident determines that the use of air support would be beneficial, a request to obtain air support may be made.

418.3.1 CIRCUMSTANCES FOR REQUESTS

Law enforcement air support may be requested under conditions that include, but are not limited to:

- (a) Whenever the safety of officers or the community is in jeopardy and the presence of air support may reduce such hazard.
- (b) When the use of air support will aid in the capture of a suspected fleeing felon whose continued freedom represents an ongoing threat to officers or the community.
- (c) When air support is needed to locate a person who is lost and whose continued absence constitutes a serious health or safety hazard.
- (d) Vehicle pursuits.
- (e) Pre-planned events or actions that require air support.
- (f) When air support is activated under existing mutual aid agreements.
- (g) When the Supervisor or equivalent authority determines a reasonable need exists.

418.3.2 ALLIED AGENCY REQUEST

After consideration and approval of the request for air support, the Supervisor or the authorized designee will call the closest agency having available air support and will apprise that agency of the specific details of the incident prompting the request.

Contacts and Temporary Detentions

419.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for temporarily detaining but not arresting persons in the field, conducting field interviews (FI) and pat-down searches, and the taking and disposition of photographs.

419.1.1 DEFINITIONS

Definitions related to this policy include:

Consensual encounter - When an officer contacts an individual but does not create a detention through words, actions, or other means. In other words, a reasonable individual would believe that his/her contact with the officer is voluntary.

Field interview (FI) - The brief detainment of an individual, whether on foot or in a vehicle, based on reasonable suspicion for the purpose of determining the individual's identity and resolving the officer's suspicions.

Field photographs - Posed photographs taken of a person during a contact, temporary detention, or arrest in the field. Undercover surveillance photographs of an individual and recordings captured by the normal operation of a Mobile Audio/Video (MAV) system, body-worn camera, or public safety camera when persons are not posed for the purpose of photographing are not considered field photographs.

Pat-down search - A type of search used by officers in the field to check an individual for dangerous weapons. It involves a thorough patting-down of clothing to locate any weapons or dangerous items that could pose a danger to the officer, the detainee, or others.

Reasonable suspicion - When, under the totality of the circumstances, an officer has articulable facts that criminal activity may be afoot and a particular person is connected with that possible criminal activity.

Temporary detention - When an officer intentionally, through words, actions, or physical force, causes an individual to reasonably believe he/she is required to restrict his/her movement without an actual arrest. Temporary detentions also occur when an officer actually restrains a person's freedom of movement.

419.2 POLICY

The Princess Anne Police Department respects the right of the public to be free from unreasonable searches or seizures. Due to an unlimited variety of situations confronting the officer, the decision to temporarily detain a person and complete an FI, pat-down search or field photograph shall be left to the officer based on the totality of the circumstances, officer safety considerations and constitutional safeguards.

Contacts and Temporary Detentions

419.3 FIELD INTERVIEWS

Based on observance of suspicious circumstances or upon information from investigation, an officer may initiate the stop of a person, and conduct an FI, when there is articulable, reasonable suspicion to do so. A person, however, shall not be detained longer than is reasonably necessary to resolve the officer's suspicion.

Nothing in this policy is intended to discourage consensual contacts. Frequent casual contact with consenting individuals is encouraged by the Princess Anne Police Department to strengthen community involvement, community awareness, and problem identification.

419.3.1 INITIATING A FIELD INTERVIEW

When initiating the stop, the officer should be able to point to specific facts which, when considered with the totality of the circumstances, reasonably warrant the stop. Such facts include but are not limited to an individual's:

- (a) Appearance or demeanor suggesting that he/she is part of a criminal enterprise or is engaged in a criminal act.
- (b) Actions suggesting that he/she is engaged in a criminal activity.
- (c) Presence in an area at an inappropriate hour of the day or night.
- (d) Presence in a particular area is suspicious.
- (e) Carrying of suspicious objects or items.
- (f) Excessive clothes for the climate or clothes bulging in a manner that suggest he/she is carrying a dangerous weapon.
- (g) Location in proximate time and place to an alleged crime.
- (h) Physical description or clothing worn that matches a suspect in a recent crime.
- (i) Prior criminal record or involvement in criminal activity as known by the officer.

419.4 PAT-DOWN SEARCHES

Once a valid stop has been made, and consistent with the officer's training and experience, an officer may pat a suspect's outer clothing for weapons if the officer has a reasonable, articulable suspicion the suspect may pose a safety risk. The purpose of this limited search is not to discover evidence of a crime, but to allow the officer to pursue the investigation without fear of violence. Circumstances that may establish justification for performing a pat-down search include but are not limited to:

- (a) The type of crime suspected, particularly in crimes of violence where the use or threat of weapons is involved.
- (b) Where more than one suspect must be handled by a single officer.
- (c) The hour of the day and the location or area where the stop takes place.
- (d) Prior knowledge of the suspect's use of force and/or propensity to carry weapons.
- (e) The actions and demeanor of the suspect.

Princess Anne Police Department

Policy Manual

Contacts and Temporary Detentions

- (f) Visual indications which suggest that the suspect is carrying a firearm or other dangerous weapon.

Whenever practicable, a pat-down search should not be conducted by a lone officer. A cover officer should be positioned to ensure safety and should not be involved in the search.

419.4.1 LIMITED SEARCH FOR WEAPONS

An officer may make an inquiry and conduct a limited search of a person if, in light of the officer's observations, information and experience, the officer reasonably believes that (Md. Code CR § 4-206):

- (a) A person may be wearing, carrying or transporting a handgun in violation of the law.
- (b) Because the person possesses a handgun, the person is or presently may be dangerous to the officer or to others.
- (c) Under the circumstances, it is impracticable to obtain a search warrant.
- (d) To protect the officers or others, swift measures are necessary to discover whether the person is wearing, carrying or transporting a handgun.

419.5 FIELD PHOTOGRAPHS

All available databases should be searched before photographing any field detainee. If a photograph is not located, or if an existing photograph no longer resembles the detainee, the officer shall carefully consider, among other things, the factors listed below.

419.5.1 FIELD PHOTOGRAPHS TAKEN WITH CONSENT

Field photographs may be taken when the subject being photographed knowingly and voluntarily gives consent. When taking a consensual photograph, the officer should have the individual read and sign the appropriate form accompanying the photograph.

419.5.2 FIELD PHOTOGRAPHS TAKEN WITHOUT CONSENT

Field photographs may be taken without consent only if they are taken during a detention that is based upon reasonable suspicion of criminal activity, and the photograph serves a legitimate law enforcement purpose related to the detention. The officer must be able to articulate facts that reasonably indicate that the subject was involved in or was about to become involved in criminal conduct. The subject should not be ordered to remove or lift any clothing for the purpose of taking a photograph.

If, prior to taking a photograph, the officer's reasonable suspicion of criminal activity has been dispelled, the detention must cease and the photograph should not be taken.

All field photographs and related reports shall be submitted to a supervisor and retained in compliance with this policy.

419.5.3 DISPOSITION OF PHOTOGRAPHS

All detainee photographs must be adequately labeled and submitted to the Supervisor with either an associated FI card or other documentation explaining the nature of the contact. If an individual

Princess Anne Police Department

Policy Manual

Contacts and Temporary Detentions

is photographed as a suspect in a particular crime, the photograph should be submitted as an evidence item in the related case, following standard evidence procedures.

If a photograph is not associated with an investigation where a case number has been issued, the Supervisor should review and forward the photograph to one of the following locations:

- (a) If the photograph and associated FI or documentation is relevant to criminal organization/enterprise enforcement, the Supervisor will forward the photograph and documents to the designated criminal intelligence system supervisor. The supervisor will ensure the photograph and supporting documents are retained as prescribed in the Criminal Organizations Policy.
- (b) Photographs that do not qualify for retention in a criminal intelligence system or temporary information file shall be forwarded to the Administration.

When a photograph is taken in association with a particular case, the investigator may use such photograph in a photo lineup. Thereafter, the individual photograph should be retained as a part of the case file. All other photographs shall be retained in accordance with the established records retention schedule.

419.5.4 SUPERVISOR RESPONSIBILITIES

While it is recognized that field photographs often become valuable investigative tools, supervisors should monitor such practices in view of the above listed considerations. This is not to imply that supervisor approval is required before each photograph is taken.

Access to, and use of, field photographs shall be strictly limited to law enforcement purposes.

419.6 WITNESS IDENTIFICATION AND INTERVIEWS

Because potential witnesses to an incident may become unavailable or the integrity of their statements compromised with the passage of time, officers should, when warranted by the seriousness of the case, take reasonable steps to promptly coordinate with an on-scene supervisor and/or criminal investigator to utilize available members for the following:

- (a) Identifying all persons present at the scene and in the immediate area.
 1. When feasible, a recorded statement should be obtained from those who claim not to have witnessed the incident but who were present at the time it occurred.
 2. Any potential witness who is unwilling or unable to remain available for a formal interview should not be detained absent reasonable suspicion to detain or probable cause to arrest. Without detaining the individual for the sole purpose of identification, officers should attempt to identify the witness prior to his/her departure.
- (b) Witnesses who are willing to provide a formal interview should be asked to meet at a suitable location where criminal investigators may obtain a recorded statement. Such witnesses, if willing, may be transported by department members.
 1. A written, verbal, or recorded statement of consent should be obtained prior to transporting a witness. When the witness is a minor, consent should be obtained from the parent or guardian, if available, prior to transport.

Princess Anne Police Department

Policy Manual

Contacts and Temporary Detentions

Criminal Organizations

420.1 PURPOSE AND SCOPE

The purpose of this policy is to ensure that the Princess Anne Police Department appropriately utilizes criminal intelligence systems and temporary information files to support investigations of criminal organizations and enterprises.

420.1.1 DEFINITIONS

Definitions related to this policy include:

Criminal intelligence system - Any record system that receives, stores, exchanges or disseminates information that has been evaluated and determined to be relevant to the identification of a criminal organization or enterprise, its members or affiliates. This does not include temporary information files.

420.2 POLICY

The Princess Anne Police Department recognizes that certain criminal activities, including but not limited to gang crimes and drug trafficking, often involve some degree of regular coordination and may involve a large number of participants over a broad geographical area.

It is the policy of this department to collect and share relevant information while respecting the privacy and legal rights of the public.

420.3 CRIMINAL INTELLIGENCE SYSTEMS

No department member may create, submit to or obtain information from a criminal intelligence system unless the Chief of Police has approved the system for department use.

Any criminal intelligence system approved for department use should meet or exceed the standards of 28 CFR 23.20.

A designated supervisor will be responsible for maintaining each criminal intelligence system that has been approved for department use. The supervisor or the authorized designee should ensure the following:

- (a) Members using any such system are appropriately selected and trained.
- (b) Use of every criminal intelligence system is appropriately reviewed and audited.
- (c) Any system security issues are reasonably addressed.

420.3.1 SYSTEM ENTRIES

It is the designated supervisor's responsibility to approve the entry of any information from a report, FI, photo or other relevant document into an authorized criminal intelligence system. If entries are made based upon information that is not on file with this department, such as open or public source documents or documents that are on file at another agency, the designated supervisor should ensure copies of those documents are retained by the Administration. Any

Criminal Organizations

supporting documentation for an entry shall be retained by the Administration in accordance with the established records retention schedule and for at least as long as the entry is maintained in the system.

The designated supervisor should ensure that any documents retained by the Administration are appropriately marked as intelligence information. The Administrative Assistant may not purge such documents without the approval of the designated supervisor.

420.4 TEMPORARY INFORMATION FILE

No member may create or keep files on individuals that are separate from the approved criminal intelligence system. However, members may maintain temporary information that is necessary to actively investigate whether a person or group qualifies for entry into the department-approved criminal intelligence system only as provided in this section. Once information qualifies for inclusion, it should be submitted to the supervisor responsible for consideration of criminal intelligence system entries.

420.4.1 FILE CONTENTS

A temporary information file may only contain information and documents that, within one year, will have a reasonable likelihood to meet the criteria for entry into an authorized criminal intelligence system.

Information and documents contained in a temporary information file:

- (a) Must only be included upon documented authorization of the responsible department supervisor.
- (b) Should not be originals that would ordinarily be retained by the Administration or Evidence Room, but should be copies of, or references to, retained documents, such as copies of reports, field interview (FI) forms, Somerset Emergency Services records or booking forms.
- (c) Shall not include opinions. No person, organization or enterprise shall be labeled as being involved in crime beyond what is already in the document or information.
- (d) May include information collected from publicly available sources or references to documents on file with another government agency. Attribution identifying the source should be retained with the information.

420.4.2 FILE REVIEW AND PURGING

The contents of a temporary information file shall not be retained longer than one year. At the end of one year, the contents must be purged.

The designated supervisor shall periodically review the temporary information files to verify that the contents meet the criteria for retention. Validation and purging of files is the responsibility of the supervisor.

Criminal Organizations

420.5 INFORMATION RECOGNITION

Department members should document facts that suggest an individual, organization or enterprise is involved in criminal activity and should forward that information appropriately. Examples include, but are not limited to:

- (a) Gang indicia associated with a person or residence.
- (b) Information related to a drug-trafficking operation.
- (c) Vandalism indicating an animus for a particular group.
- (d) Information related to an illegal gambling operation.

Department supervisors who utilize an authorized criminal intelligence system should work with the Training Officer to train members to identify information that may be particularly relevant for inclusion.

420.6 RELEASE OF INFORMATION

Department members shall comply with the rules of an authorized criminal intelligence system regarding inquiries and release of information.

Information from a temporary information file may only be furnished to department members and other law enforcement agencies on a need-to-know basis and consistent with the Records Maintenance and Release Policy.

When an inquiry is made by the parent or guardian of a juvenile as to whether that juvenile's name is in a temporary information file, such information should be provided by the supervisor responsible for the temporary information file, unless there is good cause to believe that the release of such information might jeopardize an ongoing criminal investigation.

420.7 CRIMINAL STREET GANGS

The Criminal Investigations supervisor should ensure that there are an appropriate number of department members who can:

- (a) Testify as experts on matters related to criminal street gangs, and maintain an above average familiarity with identification of criminal organizations, criminal organization members, and patterns of organized crime activity (Md. Code CL § 9-801 et seq.).
- (b) Coordinate with other agencies in the region regarding criminal street gang-related crimes and information.
- (c) Train other members to identify gang indicia and investigate criminal street gang-related crimes.

420.8 TRAINING

The Training Officer should provide training on best practices in the use of each authorized criminal intelligence system to those tasked with investigating criminal organizations and enterprises. Training should include:

Princess Anne Police Department

Policy Manual

Criminal Organizations

- (a) The protection of civil liberties.
- (b) Participation in a multiagency criminal intelligence system.
- (c) Submission of information into a multiagency criminal intelligence system or the receipt of information from such a system, including any governing federal and state rules and statutes.
- (d) The type of information appropriate for entry into a criminal intelligence system or temporary information file.
- (e) The review and purging of temporary information files.

Supervisors

421.1 PURPOSE AND SCOPE

This policy provides guidelines for the designation of a Supervisor and, as needed, an acting Supervisor for each shift.

421.2 POLICY

Each shift will be directed by a Supervisor capable of making decisions and managing in a manner consistent with the mission of the Princess Anne Police Department. To accomplish this, a Supervisor shall be designated as the Supervisor for each shift.

421.3 DESIGNATION AS ACTING SUPERVISOR

With prior authorization from the Captain, generally when a Supervisor is unavailable for duty as Supervisor, a qualified lower-ranking member shall be designated as acting Supervisor in accordance with the terms of applicable memorandums of understanding or collective bargaining agreements.

421.4 SUPERVISOR RESPONSIBILITIES

The Supervisor shall have overall responsibility and accountability for the operation of this department on an assigned shift. Duties may include, but are not limited to:

- (a) Ensuring at least one uniformed patrol supervisor is deployed during each shift, in addition to the Supervisor.
- (b) Ensuring sufficient members are on-duty to accomplish the mission of the Princess Anne Police Department.
- (c) Providing command-level oversight of major crime scenes, tactical situations or disasters.
- (d) Establishing service level priorities.
- (e) Providing job-related training and guidance to subordinates.
- (f) Acquiring outside resources or providing assistance to other agencies, when applicable.
- (g) Handling service inquiries or complaints from the public.
- (h) Acting as the Chief of Police or designee when appropriate.
- (i) Managing risk exposure.
- (j) Ensuring the security of all department facilities.
- (k) Ensuring the proper equipment and vehicles are available for member use.
- (l) Representing the Department at community functions.

Princess Anne Police Department

Policy Manual

Supervisors

- (m) Serving as a temporary Captain when so designated.

Public Recording of Law Enforcement Activity

425.1 PURPOSE AND SCOPE

This policy provides guidelines for handling situations in which members of the public photograph or audio/video record law enforcement actions and other public activities that involve members of this department. In addition, this policy provides guidelines for situations where the recordings may be evidence.

425.2 POLICY

The Princess Anne Police Department recognizes the right of persons to lawfully record members of this department who are performing their official duties. Members of this department will not prohibit or intentionally interfere with such lawful recordings. Any recordings that are deemed to be evidence of a crime or relevant to an investigation will only be collected or seized lawfully.

Officers should exercise restraint and should not resort to highly discretionary arrests for offenses such as interference, failure to comply or disorderly conduct as a means of preventing someone from exercising the right to record members performing their official duties.

425.3 RECORDING LAW ENFORCEMENT ACTIVITY

Members of the public who wish to record law enforcement activities are limited only in certain aspects.

- (a) Recordings may be made from any public place or any private property where the individual has the legal right to be present.
- (b) Beyond the act of photographing or recording, individuals may not interfere with the law enforcement activity. Examples of interference include, but are not limited to:
 1. Tampering with a witness or suspect.
 2. Inciting others to violate the law.
 3. Being so close to the activity as to present a clear safety hazard to the officers.
 4. Being so close to the activity as to interfere with an officer's effective communication with a suspect or witness.
- (c) The individual may not present an undue safety risk to the officers, him/herself or others.

425.4 OFFICER RESPONSE

Officers should promptly request that a supervisor respond to the scene whenever it appears that anyone recording activities may be interfering with an investigation or it is believed that the recording may be evidence. If practicable, officers should wait for the supervisor to arrive before taking enforcement action or seizing any cameras or recording media.

Whenever practicable, officers or supervisors should give clear and concise warnings to individuals who are conducting themselves in a manner that would cause their recording or

Public Recording of Law Enforcement Activity

behavior to be unlawful. Accompanying the warnings should be clear directions on what an individual can do to be compliant; directions should be specific enough to allow compliance. For example, rather than directing an individual to clear the area, an officer could advise the person that he/she may continue observing and recording from the sidewalk across the street.

If an arrest or other significant enforcement activity is taken as the result of a recording that interferes with law enforcement activity, officers shall document in a report the nature and extent of the interference or other unlawful behavior and the warnings that were issued.

425.5 SUPERVISOR RESPONSIBILITIES

A supervisor should respond to the scene when requested or any time the circumstances indicate a likelihood of interference or other unlawful behavior.

The supervisor should review the situation with the officer and:

- (a) Request any additional assistance as needed to ensure a safe environment.
- (b) Take a lead role in communicating with individuals who are observing or recording regarding any appropriate limitations on their location or behavior. When practical, the encounter should be recorded.
- (c) When practicable, allow adequate time for individuals to respond to requests for a change of location or behavior.
- (d) Ensure that any enforcement, seizure or other actions are consistent with this policy and constitutional and state law.
- (e) Explain alternatives for individuals who wish to express concern about the conduct of Department members, such as how and where to file a complaint.

425.6 SEIZING RECORDINGS AS EVIDENCE

Officers should not seize recording devices or media unless (42 USC § 2000aa):

- (a) There is probable cause to believe the person recording has committed or is committing a crime to which the recording relates, and the recording is reasonably necessary for prosecution of the person.
 1. Absent exigency or consent, a warrant should be sought before seizing or viewing such recordings. Reasonable steps may be taken to prevent erasure of the recording.
- (b) There is reason to believe that the immediate seizure of such recordings is necessary to prevent serious bodily injury or death of any person.
- (c) The person consents.
 1. To ensure that the consent is voluntary, the request should not be made in a threatening or coercive manner.
 2. If the original recording is provided, a copy of the recording should be provided to the recording party, if practicable. The recording party should be permitted to be present while the copy is being made, if feasible. Another way to obtain the

Princess Anne Police Department

Policy Manual

Public Recording of Law Enforcement Activity

evidence is to transmit a copy of the recording from a device to a department-owned device.

Recording devices and media that are seized will be submitted within the guidelines of the Evidence Room Policy.

First Amendment Assemblies

431.1 PURPOSE AND SCOPE

This policy provides guidance for responding to public assemblies or demonstrations.

431.2 POLICY

The Princess Anne Police Department respects the rights of people to peaceably assemble. It is the policy of this department not to unreasonably interfere with, harass, intimidate or discriminate against persons engaged in the lawful exercise of their rights, while also preserving the peace, protecting life and preventing the destruction of property.

431.3 GENERAL CONSIDERATIONS

Individuals or groups present on the public way, such as public facilities, streets or walkways, generally have the right to assemble, rally, demonstrate, protest or otherwise express their views and opinions through varying forms of communication, including the distribution of printed matter. These rights may be limited by laws or ordinances regulating such matters as the obstruction of individual or vehicle access or egress, trespass, noise, picketing, distribution of handbills and leafleting, loitering. However, officers shall not take action or fail to take action based on the opinions being expressed.

Participant behavior during a demonstration or other public assembly can vary. This may include, but is not limited to:

- Lawful, constitutionally protected actions and speech.
- Civil disobedience (typically involving minor criminal acts).
- Rioting.

All of these behaviors may be present during the same event. Therefore, it is imperative that law enforcement actions are measured and appropriate for the behaviors officers may encounter. This is particularly critical if force is being used. Adaptable strategies and tactics are essential.

The purpose of a law enforcement presence at the scene of public assemblies and demonstrations should be to preserve the peace, to protect life and prevent the destruction of property.

Officers should not:

- (a) Engage in assembly or demonstration-related discussion with participants.
- (b) Harass, confront, or intimidate participants.
- (c) Seize the cameras, cell phones or materials of participants or observers unless an officer is placing a person under lawful arrest.

Supervisors should continually observe department members under their commands to ensure that members' interaction with participants and their response to crowd dynamics is appropriate.

Princess Anne Police Department

Policy Manual

First Amendment Assemblies

431.3.1 PHOTOGRAPHS AND VIDEO RECORDINGS

Photographs and video recording, when appropriate, can serve a number of purposes, including support of criminal prosecutions by documenting criminal acts; assistance in evaluating department performance; serving as training material; recording the use of dispersal orders; and facilitating a response to allegations of improper law enforcement conduct.

Photographs and videos will not be used or retained for the sole purpose of collecting or maintaining information about the political, religious or social views of associations, or the activities of any individual, group, association, organization, corporation, business or partnership, unless such information directly relates to an investigation of criminal activities and there is reasonable suspicion that the subject of the information is involved in criminal conduct.

431.4 UNPLANNED EVENTS

When responding to an unplanned or spontaneous public gathering, the first responding officer should conduct an assessment of conditions, including, but not limited to, the following:

- Location
- Number of participants
- Apparent purpose of the event
- Leadership (whether it is apparent and/or whether it is effective)
- Any initial indicators of unlawful or disruptive activity
- Indicators that lawful use of public facilities, streets or walkways will be impacted
- Ability and/or need to continue monitoring the incident

Initial assessment information should be promptly communicated to Somerset Emergency Services, and the assignment of a supervisor should be requested. Additional resources should be requested as appropriate. The responding supervisor shall assume command of the incident until command is expressly assumed by another, and the assumption of command is communicated to the involved members. A clearly defined command structure that is consistent with the Incident Command System (ICS) should be established as resources are deployed.

431.5 PLANNED EVENT PREPARATION

For planned events, comprehensive, incident-specific operational plans should be developed. The ICS should be considered for such events.

431.5.1 INFORMATION GATHERING AND ASSESSMENT

In order to properly assess the potential impact of a public assembly or demonstration on public safety and order, relevant information should be collected and vetted. This may include:

- Information obtained from outreach to group organizers or leaders.

Princess Anne Police Department

Policy Manual

First Amendment Assemblies

- Information about past and potential unlawful conduct associated with the event or similar events.
- The potential time, duration, scope, and type of planned activities.
- Any other information related to the goal of providing a balanced response to criminal activity and the protection of public safety interests.

Information should be obtained in a transparent manner, and the sources documented. Relevant information should be communicated to the appropriate parties in a timely manner.

Information will be obtained in a lawful manner and will not be based solely on the purpose or content of the assembly or demonstration, or actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability of the participants (or any other characteristic that is unrelated to criminal conduct or the identification of a criminal subject).

431.5.2 OPERATIONAL PLANS

An operational planning team with responsibility for event planning and management should be established. The planning team should develop an operational plan for the event.

The operational plan will minimally provide for the following:

- (a) Command assignments, chain of command structure, roles and responsibilities
- (b) Staffing and resource allocation
- (c) Management of criminal investigations
- (d) Designation of uniform of the day and related safety equipment (helmets, shields, etc.)
- (e) Deployment of specialized resources
- (f) Event communications and interoperability in a multijurisdictional event
- (g) Liaison with demonstration leaders and external agencies
- (h) Liaison with Town government and legal staff
- (i) Media relations
- (j) Logistics: food, fuel, replacement equipment, duty hours, relief and transportation
- (k) Traffic management plans
- (l) First aid and emergency medical service provider availability
- (m) Prisoner transport and detention
- (n) Review of policies regarding public assemblies and use of force in crowd control
- (o) Parameters for declaring an unlawful assembly
- (p) Arrest protocol, including management of mass arrests
- (q) Protocol for recording information flow and decisions

Princess Anne Police Department

Policy Manual

First Amendment Assemblies

- (r) Rules of engagement, including rules of conduct, protocols for field force extraction and arrests, and any authorization required for the use of force
- (s) Protocol for handling complaints during the event
- (t) Parameters for the use of body-worn cameras and other portable recording devices

431.5.3 MUTUAL AID AND EXTERNAL RESOURCES

The magnitude and anticipated duration of an event may necessitate interagency cooperation and coordination. The assigned Incident Commander should ensure that any required memorandums of understanding or other agreements are properly executed, and that any anticipated mutual aid is requested and facilitated (Outside Agency Assistance Policy).

431.6 UNLAWFUL ASSEMBLY DISPERSAL ORDERS

If a public gathering or demonstration remains peaceful and nonviolent, and there is no reasonably imminent threat to persons or property, the Incident Commander should generally authorize continued monitoring of the event.

Should the Incident Commander make a determination that public safety is presently or is about to be jeopardized, he/she or the authorized designee should attempt to verbally persuade event organizers or participants to disperse of their own accord. Warnings and advisements may be communicated through established communications links with leaders and/or participants or to the group.

When initial attempts at verbal persuasion are unsuccessful, the Incident Commander or the authorized designee should make a clear standardized announcement to the gathering that the event is an unlawful assembly, and should order the dispersal of the participants. The announcement should be communicated by whatever methods are reasonably available to ensure that the content of the message is clear and that it has been heard by the participants. The announcement should be amplified, made in different languages as appropriate, made from multiple locations in the affected area and documented by audio and video. The announcement should provide information about what law enforcement actions will take place if illegal behavior continues and should identify routes for egress. A reasonable time to disperse should be allowed following a dispersal order.

431.7 USE OF FORCE

Use of force is governed by current department policy and applicable law (see the Use of Force, Handcuffing and Restraints, Control Devices, and Conducted Energy Device policies).

Individuals refusing to comply with lawful orders (e.g., nonviolent refusal to disperse) should be given a clear verbal warning and a reasonable opportunity to comply. If an individual persists in refusing to comply with lawful orders, the Incident Commander shall evaluate the type of resistance and adopt a reasonable response in order to accomplish the law enforcement mission (such as dispersal or arrest of those acting in violation of the law). Control devices and CEWs should be considered only when the participants' conduct reasonably appears to present the potential to

First Amendment Assemblies

harm officers, themselves or others, or will result in substantial property loss or damage. Any use of CEW devices must conform to the Conducted Energy Device Policy.

Force or control devices, including oleoresin capsaicin (OC), should be directed toward individuals and not toward groups or crowds, unless specific individuals cannot reasonably be targeted due to extreme circumstances, such as a riotous crowd.

Operational circumstances may preclude contemporaneous completion of use of force reports, in which case use of force incidents shall be communicated to Somerset Community Services for documentation. After-action reports shall include a detailed explanation of all incidents where force was used.

431.8 ARRESTS

The Princess Anne Police Department should respond to unlawful behavior in a manner that is consistent with the operational plan. If practicable, warnings or advisements should be communicated prior to arrest.

Mass arrests should be employed only when alternate tactics and strategies have been or reasonably appear likely to be unsuccessful. Mass arrests shall only be undertaken upon the order of the Incident Commander or the authorized designee. There must be probable cause for each arrest.

If employed, mass arrest protocols should fully integrate:

- (a) Reasonable measures to address the safety of officers and arrestees.
- (b) Dedicated arrest, booking and report writing teams.
- (c) Timely access to medical care.
- (d) Timely access to legal resources.
- (e) Timely processing of arrestees.
- (f) Full accountability for arrestees and evidence.
- (g) Coordination and cooperation with the prosecuting authority, jail and courts (see the Citation Releases Policy).

431.9 MEDIA RELATIONS

The Chief of Police or designee should use all available avenues of communication, including press releases, briefings, press conferences and social media to maintain open channels of communication with media representatives and the public about the status and progress of the event, taking all opportunities to reassure the public about the professional management of the event (see the Media Relations Policy).

First Amendment Assemblies

431.10 DEMOBILIZATION

When appropriate, the Incident Commander or the authorized designee should implement a phased and orderly withdrawal of law enforcement resources. All relieved personnel should promptly complete any required reports, including use of force reports, and account for all issued equipment and vehicles to their supervisors prior to returning to normal operational duties.

431.11 POST EVENT

The Incident Commander should designate a member to assemble full documentation of the event, to include the following:

- (a) Operational plan
- (b) Any incident logs
- (c) Any assignment logs
- (d) Vehicle, fuel, equipment and supply records
- (e) Incident, arrest, use of force, injury and property damage reports
- (f) Photographs, audio/video recordings, Somerset Community Services records/tapes
- (g) Media accounts (print and broadcast media)

431.11.1 AFTER-ACTION REPORTING

The Incident Commander should work with Town legal counsel, as appropriate, to prepare a comprehensive after-action report of the event, to include the following:

- (a) Date, time and description of the event.
- (b) Actions taken and outcomes (injuries, property damage, arrests, etc.).
- (c) Problems identified.
- (d) Significant events.
- (e) Recommendations for improvement; opportunities for training should be documented in a generic manner, without identifying individuals or specific incidents, facts or circumstances.

431.12 TRAINING

Department members should receive periodic training regarding this policy, as well as the dynamics of crowd control and incident management. The Department should, when practicable, train with its external and mutual aid partners.

Suspicious Activity Reporting

433.1 PURPOSE AND SCOPE

This policy provides guidelines for reporting and investigating suspicious and criminal activity.

433.1.1 DEFINITIONS

Definitions related to this policy include:

Involved party - An individual who has been observed engaging in suspicious activity, as defined in this policy, when no definitive criminal activity can be identified, thus precluding the person's identification as a suspect.

Suspicious activity - Any reported or observed activity that a member reasonably believes may have a nexus to any criminal act or attempted criminal act, or to foreign or domestic terrorism. Actual or perceived characteristics such as race, ethnicity, national origin religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability should not be considered as factors that create suspicion (although these factors may be used as specific suspect descriptions). Examples of suspicious activity may include but are not limited to:

- Suspected pre-operational surveillance or intelligence gathering (e.g., photographing security features, asking questions about sensitive security-related subjects).
- Tests of security measures and response to incidents (e.g., "dry run," creating false alarms, attempts to enter secure areas without authorization).
- Suspicious purchases (e.g., purchasing large quantities of otherwise legal items, such as fertilizer, that could be used to create an explosive or other dangerous device).
- An individual in possession of such things as a hoax explosive or dispersal device, sensitive materials (e.g., passwords, access codes, classified government information), or coded or ciphered literature or correspondence.

Suspicious Activity Report (SAR) - An incident report used to document suspicious activity.

433.2 POLICY

The Princess Anne Police Department recognizes the need to protect the public from criminal conduct and acts of terrorism and shall lawfully collect, maintain, and disseminate information regarding suspicious activities, while safeguarding civil liberties and privacy protections.

433.3 RESPONSIBILITIES

The Criminal Investigations Division supervisor and the authorized designee(s) will manage SAR activities. Authorized designees should include supervisors who are responsible for the department participation in Criminal Intelligence System(s) as outlined in the Criminal Organization policy.

The Criminal Investigations Division Supervisor will have the following duties:

Princess Anne Police Department

Policy Manual

Suspicious Activity Reporting

- (a) Remain familiar with those databases available to the Princess Anne Police Department that would facilitate the purpose of this policy.
- (b) Maintain adequate training in the area of intelligence gathering to ensure no information is being maintained that would violate the law or civil rights of any individual.
- (c) Ensure a process is available that would allow employees to report relevant information. The process should be designed to promote efficient and quick reporting, and should not be cumbersome, duplicative or complicated.
- (d) Ensure that Princess Anne Police Department personnel are made aware of the purpose and value of documenting information regarding suspicious activity, as well as the databases and other information resources that are available to the department.
- (e) Ensure that SAR information is appropriately disseminated to personnel in accordance with their job responsibilities.
- (f) Coordinate investigative follow-up, if appropriate.
- (g) Coordinate with the appropriate agency or fusion center.
- (h) Ensure that, as resources are available, the Princess Anne Police Department conducts outreach that is designed to encourage community members to report suspicious activity and that outlines what they should look for and how they should report it (e.g., website, public service announcements).

433.4 REPORTING AND INVESTIGATION

Any department member receiving information regarding suspicious activity should take any necessary immediate and appropriate action, including a request for tactical response or immediate notification of specialized entities, when applicable. Any department member who is not a peace officer and receives such information should ensure that it is passed on to an officer in a timely manner.

If the activity is not directly related to a reportable crime, the information will be recorded on a SAR, which will document information about the involved party and the circumstances of the incident. If an officer comes across such information while investigating an unrelated crime or incident, he/she will make no mention of the suspicious activity in the original incident/arrest report, but will document the suspicious activity on a SAR and include the incident/arrest report number.

433.5 HANDLING INFORMATION

Administration will forward copies of SARs, in a timely manner, to the following:

- Criminal Investigations Division supervisor
- Authorized designees
- Crime Analysis Unit

Chapter 6 - Investigation Operations

Investigation and Prosecution

600.1 PURPOSE AND SCOPE

The purpose of this policy is to set guidelines and requirements pertaining to the handling and dispositions of criminal investigations.

600.2 POLICY

It is the policy of the Princess Anne Police Department to investigate crimes thoroughly and with due diligence, and to evaluate and prepare criminal cases for appropriate clearance or submission to a prosecutor.

600.3 INITIAL INVESTIGATION

600.3.1 OFFICER RESPONSIBILITIES

An officer responsible for an initial investigation shall complete no less than the following:

- (a) Make a preliminary determination of whether a crime has been committed by completing, at a minimum:
 - 1. An initial statement from any witnesses or complainants.
 - 2. A cursory examination for evidence.
- (b) If information indicates a crime has occurred, the officer shall:
 - 1. Preserve the scene and any evidence as required to complete the initial and follow-up investigation.
 - 2. Determine if additional investigative resources (e.g., investigators or scene processing) are necessary and request assistance as required.
 - 3. If assistance is warranted, or if the incident is not routine, notify a supervisor or the Supervisor.
 - 4. Make reasonable attempts to locate, identify and interview all available victims, complainants, witnesses and suspects.
 - 5. Collect any evidence.
 - 6. Take any appropriate law enforcement action.
 - 7. Complete and submit the appropriate reports and documentation.
- (c) If the preliminary determination is that no crime occurred, determine what other action may be necessary and what other resources may be available, and advise the informant or complainant of this information.

Investigation and Prosecution

600.3.2 CIVILIAN RESPONSIBILITIES

A civilian member assigned to any preliminary investigation is responsible for all investigative steps, except making any attempt to locate, contact or interview a suspect face-to-face or take any enforcement action. Should an initial investigation indicate that those steps are required, the assistance of an officer shall be requested.

600.4 CUSTODIAL INTERROGATION REQUIREMENTS

Suspects who are in custody and subjected to an interrogation shall be given the *Miranda* warning, unless an exception applies. Interview or interrogation of a juvenile shall be in accordance with the Temporary Custody of Juveniles Policy.

600.4.1 AUDIO/VIDEO RECORDINGS

An officer conducting a custodial interrogation of an individual who is suspected of having committed any violent felony offense, including murder, rape, sexual offense in the first degree or sexual offense in the second degree, shall make reasonable efforts to create an audiovisual recording in its entirety. Regardless of where the interrogation occurs, every reasonable effort should be made to secure functional recording equipment to accomplish such recordings (Md. Code CP § 2-402).

Consideration should also be given to recording a custodial interrogation, or any investigative interview, for any other offense when it is reasonable to believe it would be appropriate and beneficial to the investigation and is otherwise allowed by law.

No recording of a custodial interrogation should be destroyed or altered without written authorization from the prosecuting attorney and the Criminal Investigations supervisor. Copies of recorded interrogations or interviews may be made in the same or a different format as the original recording, provided the copies are true, accurate and complete and are made only for authorized and legitimate law enforcement purposes. An audio or audiovisual recording made by a law enforcement unit of a custodial interrogation of a criminal suspect is exempt from the Maryland Wiretapping and Electronic Surveillance Act (Md. Code CP § 2-403).

Recordings should not take the place of a thorough report and investigative interviews. Written statements from suspects should continue to be obtained when applicable.

600.5 DISCONTINUATION OF INVESTIGATIONS

The investigation of a criminal case or efforts to seek prosecution should only be discontinued if one of the following applies:

- (a) All reasonable investigative efforts have been exhausted, no reasonable belief that the person who committed the crime can be identified and the incident has been documented appropriately.
- (b) The perpetrator of a misdemeanor has been identified and a warning is the most appropriate disposition.

Princess Anne Police Department

Policy Manual

Investigation and Prosecution

1. In these cases, the investigator shall document that the person was warned and why prosecution was not sought.
 2. Warnings shall not be given for felony offenses or other offenses identified in this policy or by law that require an arrest or submission of a case to a prosecutor.
- (c) The case has been submitted to the appropriate prosecutor but no charges have been filed. Further investigation is not reasonable nor has the prosecutor requested further investigation.
- (d) The case has been submitted to the appropriate prosecutor; charges have been filed; further investigation is not reasonable, warranted or requested; and there is no need to take the suspect into custody.
- (e) Suspects have been arrested, there are no other suspects, and further investigation is either not warranted or requested.
- (f) Investigation has proved that a crime was not committed (see the Sexual Assault Investigations Policy for special considerations in these cases).

The Domestic Violence, Child Abuse, Sexual Assault Investigations and Adult Abuse policies may also require an arrest or submittal of a case to a prosecutor.

600.6 COMPUTERS AND DIGITAL EVIDENCE

The collection, preservation, transportation and storage of computers, cell phones and other digital devices may require specialized handling to preserve the value of the related evidence. If it is anticipated that computers or similar equipment will be seized, officers should request that computer forensic examiners assist with seizing computers and related evidence. If a forensic examiner is unavailable, officers should take reasonable steps to prepare for such seizure and use the resources that are available.

600.7 INVESTIGATIVE USE OF SOCIAL MEDIA AND INTERNET SOURCES

Use of social media and any other Internet source to access information for the purpose of criminal investigation shall comply with applicable laws and policies regarding privacy, civil rights and civil liberties. Information gathered via the Internet should only be accessed by members while on-duty and for purposes related to the mission of this department. If a member encounters information relevant to a criminal investigation while off-duty or while using his/her own equipment, the member should note the dates, times and locations of the information and report the discovery to his/her supervisor as soon as practicable. The member, or others who have been assigned to do so, should attempt to replicate the finding when on-duty and using department equipment.

Information obtained via the Internet should not be archived or stored in any manner other than department-established record keeping systems (see the Records Maintenance and Release and the Criminal Organizations policies).

Investigation and Prosecution

600.7.1 ACCESS RESTRICTIONS

Information that can be accessed from any department computer, without the need of an account, password, email address, alias or other identifier (unrestricted websites), may be accessed and used for legitimate investigative purposes without supervisory approval.

Accessing information from any Internet source that requires the use or creation of an account, password, email address, alias or other identifier, or the use of nongovernment IP addresses, requires supervisor approval prior to access. The supervisor will review the justification for accessing the information and consult with legal counsel as necessary to identify any policy or legal restrictions. Any such access and the supervisor approval shall be documented in the related investigative report.

Accessing information that requires the use of a third party's account or online identifier requires supervisor approval and the consent of the third party. The consent must be voluntary and shall be documented in the related investigative report.

Information gathered from any Internet source should be evaluated for its validity, authenticity, accuracy and reliability. Corroborative evidence should be sought and documented in the related investigative report.

Any information collected in furtherance of an investigation through an Internet source should be documented in the related report. Documentation should include the source of information and the dates and times that the information was gathered.

600.7.2 INTERCEPTING ELECTRONIC COMMUNICATION

Intercepting social media communications in real time may be subject to federal and state wiretap laws. Officers should seek legal counsel before any such interception.

Sexual Assault Investigations

601.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the investigation of sexual assaults. These guidelines will address some of the unique aspects of such cases and the effects that these crimes have on the victims.

Mandatory notification requirements are addressed in the Child Abuse and Adult Abuse policies.

601.1.1 DEFINITIONS

Definitions related to this policy include:

Sexual assault - Any crime or attempted crime of a sexual nature, to include, but not limited to, offenses defined in Md. Code CR § 3-301 et seq. (Sexual Crimes).

Sexual Assault Response Team (SART) - A multidisciplinary team generally comprised of advocates; law enforcement officers; forensic medical examiners, including sexual assault forensic examiners (SAFEs) or sexual assault nurse examiners (SANEs) if possible; forensic laboratory personnel; and prosecutors. The team is designed to coordinate a broad response to sexual assault victims (Md. Code CP § 11-923).

601.2 POLICY

It is the policy of the Princess Anne Police Department that its members, when responding to reports of sexual assaults, will strive to minimize the trauma experienced by the victims, and will aggressively investigate sexual assaults, pursue expeditious apprehension and conviction of perpetrators, and protect the safety of the victims and the community.

601.3 QUALIFIED INVESTIGATORS

Qualified investigators should be available for assignment of sexual assault investigations. These investigators should:

- (a) Have specialized training in, and be familiar with, interview techniques and the medical and legal issues that are specific to sexual assault investigations.
- (b) Conduct follow-up interviews and investigation.
- (c) Present appropriate cases of alleged sexual assault to the prosecutor for review.
- (d) Coordinate with other enforcement agencies, social service agencies, and medical personnel as needed.
- (e) Provide referrals to therapy services, victim advocates, and support for the victim (Md. Code CP § 11-926).
- (f) Participate in or coordinate with the SART or other multidisciplinary investigative teams as applicable.

Princess Anne Police Department

Policy Manual

Sexual Assault Investigations

601.4 REPORTING

In all reported or suspected cases of sexual assault, a report shall be written and assigned for follow-up investigation. This includes incidents in which the allegations appear unfounded or unsubstantiated.

601.5 VICTIM INTERVIEWS

The primary considerations in sexual assault investigations, which begin with the initial call the victim makes to Somerset Emergency Services, should be the health and safety of the victim, the preservation of evidence, and preliminary interviews to determine if a crime has been committed and to attempt to identify the suspect.

Whenever possible, a member of the SART should be included in the initial victim interviews.

An in-depth follow-up interview should not be conducted until after the medical and forensic examinations are completed and the personal needs of the victim have been met (e.g., change of clothes, bathing). The follow-up interview may be delayed to the following day based upon the circumstances. Whenever practicable, the follow-up interview should be conducted by a qualified investigator.

No opinion of whether the case is unfounded should be included in a report.

Victims should not be asked or required to take a polygraph examination (34 USC § 10451).

Victims should be apprised of applicable victim's rights provisions, as outlined in the Victim and Witness Assistance Policy.

601.6 COLLECTION AND TESTING OF BIOLOGICAL EVIDENCE

Whenever possible, a SART member should be involved in the collection of forensic evidence from the victim.

When the facts of the case indicate that collection of biological evidence is warranted, it should be collected regardless of how much time has elapsed since the reported assault.

If a drug-facilitated sexual assault is suspected, urine and blood samples should be collected from the victim as soon as practicable.

Subject to requirements set forth in this policy, biological evidence from all sexual assault cases, including cases where the suspect is known by the victim, should be submitted for testing (Md. Code PS § 2-504(a)(3)(iii)).

Victims who choose not to assist with an investigation, do not desire that the matter be investigated, or wish to remain anonymous may still consent to the collection of evidence under their control. In these circumstances, the evidence should be collected and stored appropriately.

601.6.1 DNA TEST RESULTS

Members investigating sexual assault cases should (Md. Code CP § 11-926; COMAR 02.08.01.03):

Princess Anne Police Department

Policy Manual

Sexual Assault Investigations

- (a) Within 30 days of any request by a victim, provide notification regarding the [DepartmentOffice]'s decision as to whether to send a sexual assault evidence kit for analysis; and if sent, the status and results, unless doing so would impede or compromise the investigation.
- (b) If no request is made, victims should be notified of any DNA test results as soon as reasonably practicable.

A SART member should be consulted regarding the best way to deliver biological testing results to a victim so as to minimize victim trauma, especially in cases where there has been a significant delay in getting biological testing results (e.g., delays in testing the evidence or delayed DNA databank hits). Members should make reasonable efforts to assist the victim by providing available information on local assistance programs and organizations as provided in COMAR 02.08.02.04 and the Victim and Witness Assistance Policy.

Members investigating sexual assault cases should ensure that DNA results are entered into databases when appropriate and as soon as practicable.

601.6.2 COLLECTION AND TESTING REQUIREMENTS

Members investigating sexual assaults or handling related evidence are required to do the following:

- (a) Offer the alleged victim the opportunity to be taken immediately to the nearest medical facility. The offer shall be made without regard for the place of the alleged sexual assault or where it is reported (Md. Code CP § 11-924(b)).
- (b) Inform any victim who wants to remain anonymous and not file a criminal complaint that he/she may file a criminal complaint in the future (Md. Code CP § 11-926):
- (c) Submit any sexual assault evidence collection kit and any associated reference standards to a forensic laboratory for analysis within 30 days of receipt unless (Md. Code CP § 11-926):
 - 1. Clear evidence exists that disproves the sexual assault allegation;
 - 2. The alleged facts do not amount to a sexual assault, abuse, a crime relating to prostitution, or another covered crime;
 - 3. The victim from whom the evidence was collected declines to give consent for testing; or
 - 4. The evidence was collected from a suspect who has pleaded guilty to the offense for the purpose of entry into the Combined DNA Index System (CODIS).
- (d) If not already completed, take steps to enter any eligible results of the analysis of a kit into CODIS (Md. Code CP § 11-926).
- (e) Promptly retrieve sexual assault evidence collection kits upon notice of their availability (e.g., a hospital calls and advises a kit is ready for law enforcement collection) (COMAR 02.08.01.04).

Sexual Assault Investigations

601.7 DISPOSITION OF CASES

If the assigned investigator has reason to believe the case is without merit, the case may be classified as unfounded only upon review and approval of the Criminal Investigations supervisor.

Classification of a sexual assault case as unfounded requires the Criminal Investigations supervisor to determine that the facts have significant irregularities with reported information and that the incident could not have happened as it was reported. When a victim has recanted his/her original statement, there must be corroborating evidence that the allegations were false or baseless (i.e., no crime occurred) before the case should be determined as unfounded.

601.8 CASE REVIEW

The Criminal Investigations supervisor should ensure cases are reviewed on a periodic basis, at least annually, using an identified group that is independent of the investigation process. The reviews should include an analysis of:

- Case dispositions.
- Decisions to collect biological evidence.
- Submissions of biological evidence for lab testing.

The SART and/or victim advocates should be considered for involvement in this audit. Summary reports on these reviews should be forwarded through the chain of command to the Chief of Police.

601.9 RELEASING INFORMATION TO THE PUBLIC

In cases where the perpetrator is not known to the victim, and especially if there are multiple crimes where more than one appear to be related, consideration should be given to releasing information to the public whenever there is a reasonable likelihood that doing so may result in developing helpful investigative leads. The Criminal Investigations supervisor should weigh the risk of alerting the suspect to the investigation with the need to protect the victim and the public, and to prevent more crimes.

601.10 TRAINING

Subject to available resources, periodic training should be provided to:

- (a) Members who are first responders. Training should include:
 1. Initial response to sexual assaults.
 2. Legal issues.
 3. Victim advocacy.
 4. Victim's response to trauma.
- (b) Qualified Investigators, who should receive advanced training on additional topics. Advanced training should include:
 1. Interviewing sexual assault victims.

Princess Anne Police Department

Policy Manual

Sexual Assault Investigations

2. SART.
3. Medical and legal aspects of sexual assault investigations.
4. Serial crimes investigations.
5. Use of community and other federal and state investigative resources, such as the Violent Criminal Apprehension Program (ViCAP).
6. Techniques for communicating with victims to minimize trauma.

Asset Forfeiture

602.1 PURPOSE AND SCOPE

This policy describes the authority and procedure for the seizure, forfeiture, and liquidation of property associated with designated offenses.

602.1.1 DEFINITIONS

Definitions related to this policy include:

Fiscal agent - The person designated by the Chief of Police to be responsible for securing and maintaining seized assets and distributing any proceeds realized from any forfeiture proceedings. This includes any time the Princess Anne Police Department seizes property for forfeiture or when the Princess Anne Police Department is acting as the fiscal agent pursuant to a multi-agency agreement.

Forfeiture - The process by which legal ownership of an asset is transferred to a government or other authority.

Forfeiture reviewer - The department member assigned by the Chief of Police who is responsible for reviewing all forfeiture cases and acting as the liaison between the Department and the forfeiting authority (Md. Code CP § 12-101(f)).

Property subject to forfeiture - Items that may generally be subject to forfeiture include:

- (a) Real property, tangible and intangible personal property, money, weapons, vehicles, aircraft or vessels, and items or objects used in connection with a crime under the Controlled Dangerous Substances law (Md. Code CP § 12-102).
 1. Motor vehicles must meet required seizure guidelines (Md. Code CP § 12-204).
- (b) A handgun, handgun ammunition, or parts in violation of gun laws (Md. Code CP § 12-201).
- (c) A regulated firearm in violation of the law (Md. Code PS § 5-135).
- (d) Illegal possession of a handgun (Md. Code CR § 4-206).
- (e) Firearms used in specific designated crimes (Md. Code CR § 5-621(e)).
- (f) Money seized in illegal gambling investigations (Md. Code CP § 13-102).
- (g) Vehicles, vessels, or aircraft used in violation of explosives laws (Md. Code CP § 13-301).
- (h) Motor vehicles, money, and real property used in the connection of a violation of human trafficking laws (Md. Code CP § 13-502) or personal property that is directly or indirectly dangerous to health and safety (Md. Code CP § 13-504).
- (i) Contraband alcohol, cigarettes, and motor fuel, and conveyances used to transport the products (Md. Code TG § 13-835).
- (j) Crimes involving telecommunications and electronics (Md. Code CR § 7-310).

Princess Anne Police Department

Policy Manual

Asset Forfeiture

- (k) Property used or intended for use in the course of a violation of the Mortgage Fraud law (Md. Code CP § 13-402).

Seizure - The act of law enforcement officials taking property, cash, or assets that have been used in connection with or acquired by specified illegal activities.

602.2 POLICY

The Princess Anne Police Department recognizes that appropriately applied forfeiture laws are helpful to enforce the law, deter crime, and reduce the economic incentive of crime. However, the potential of revenue shall not be allowed to jeopardize the effective investigation and prosecution of criminal offenses, officer safety, the integrity of ongoing investigations, or any person's due process rights.

It is the policy of the Princess Anne Police Department that all members, including those assigned to internal or external law enforcement task force operations, shall comply with all state and federal laws pertaining to forfeitures.

602.3 ASSET SEIZURE

The following property may be seized for forfeiture as provided in this policy:

602.3.1 PROPERTY SUBJECT TO SEIZURE

The following may be seized upon review and approval of a supervisor and in conjunction with the forfeiture reviewer:

- (a) Property subject to forfeiture may be seized on a warrant or court order.
- (b) Property subject to forfeiture may be seized without a warrant when:
 1. The seizure is incident to an arrest or a search under a search warrant and the property is subject to forfeiture due to a controlled dangerous substance violation, human trafficking violation, or handgun violation (Md. Code CP § 12-202; Md. Code CP § 13-504; Md. Code CP § 13-202).
 2. The seizure is incident to an inspection under an administrative inspection warrant and the property is forfeitable due to a controlled dangerous substance or human trafficking violation (Md. Code CP § 12-202; Md. Code CP § 13-504).
 3. There is probable cause to believe that the property has been used or is intended to be used for a violation of a Controlled Dangerous Substances law (Md. Code CP § 12-202).
- (c) Property subject to forfeiture that may be lawfully seized as evidence of a crime.
- (d) A vehicle, when there is probable cause to believe that it is subject to forfeiture for a violation of human trafficking (Md. Code CR § 3-1102; Md. Code CR § 3-1103) and after considering (Md. Code CP § 13-507):
 1. Evidence that the motor vehicle was acquired with proceeds from a transaction involving a violation of Md. Code CR § 3-1102 or Md. Code CR § 3-1103.
 2. The circumstances of the arrest.

Asset Forfeiture

3. How the vehicle was used.

Whenever practicable, obtaining a search warrant or court order for seizure prior to making a seizure is the preferred method.

A large amount of money alone is insufficient to establish the probable cause required to make a seizure.

602.3.2 PROPERTY NOT SUBJECT TO SEIZURE

Property that should not be seized for forfeiture includes:

- (a) Cash and property that does not meet the forfeiture counsel's current minimum forfeiture thresholds (Md. Code CP § 12-102).
- (b) Any personal property or vehicle if the officer reasonably knows the owner did not have knowledge of the offense or did not consent to the property's use ("innocent owner").
- (c) Real property without a court order.

602.4 PROCESSING SEIZED PROPERTY FOR FORFEITURE PROCEEDINGS

When property or cash subject to this policy is seized, the officer making the seizure should ensure compliance with the following (Md. Code CP § 12-301 et seq.):

- (a) Complete the applicable seizure forms and present the appropriate copy to the person from whom the property is seized. If cash or property is seized from more than one person, a separate copy must be provided to each person, specifying the items seized. When property is seized and no one claims an interest in the property, the officer must leave the copy in the place where the property was found, if it is reasonable to do so (Md. Code CP § 12-305).
- (b) Complete and submit a report and original seizure forms within 24 hours of the seizure, if practicable (Md. Code CP § 12-301).
- (c) Forward the original seizure forms and related reports to the forfeiture reviewer within two days of seizure (see generally Md. Code CP § 12-206).

The officer will book seized property as evidence with the notation in the comment section of the property form, "Seized Subject to Forfeiture." Property seized subject to forfeiture should be booked on a separate property form. No other evidence from the case should be booked on this form.

Photographs shall be taken of seized cash and should be taken of other valuable items (Md. Code CP § 12-202(b)(1); Md. Code CP § 13-103; Md. Code CP § 13-505).

Officers who suspect property may be subject to seizure but are not able to seize the property (e.g., the property is located elsewhere, the whereabouts of the property is unknown, it is real estate, bank accounts, non-tangible assets) should document and forward the information in the appropriate report to the forfeiture reviewer.

Princess Anne Police Department

Policy Manual

Asset Forfeiture

602.5 MAINTAINING SEIZED PROPERTY

The Evidence Room supervisor is responsible for ensuring compliance with the following:

- (a) All property received for forfeiture is reasonably secured and properly stored to prevent waste and preserve its condition (Md. Code CP § 12-203).
- (b) All property received for forfeiture is checked to determine if the property has been stolen.
- (c) All property received for forfeiture is retained in the same manner as evidence until forfeiture is finalized or the property is returned to the claimant or the person with an ownership interest.
- (d) Property received for forfeiture is not used by the Department unless the forfeiture action has been completed.
- (e) All money is deposited into the appropriate financial account (Md. Code CP § 12-202; Md. Code CP § 13-103; Md. Code CP § 13-505).
- (f) Pending final disposition, money seized for illegal gambling shall be properly accounted for and deposited in an interest-bearing bank account or invested in accordance with Title 17 of the Local Government Article (Md. Code CP § 13-104).
- (g) On receipt of an application, the Department shall hold an informal review to determine whether the owner knew or should have known of the use or intended use of a handgun that is seized in violation of Md. Code CR § 4-203 or Md. Code CR § 4-204 (Md. Code CP § 13-204).
- (h) The Department shall surrender a motor vehicle to the owner upon request if the motor vehicle falls within the purview of a forfeiture exception or the required legal standards are not met (Md. Code CP § 12-207; Md. Code CP § 13-509).

602.6 FORFEITURE REVIEWER

The Chief of Police will appoint a forfeiture reviewer as allowed by law.

The responsibilities of the forfeiture reviewer include:

- (a) Remaining familiar with forfeiture laws, particularly Criminal Procedure Article Title 12 and Title 13.
- (b) Serving as the liaison between the Department and the Town Treasurer or Director of Finance (Md. Code CP § 12-101(j)).
- (c) Serving as the liaison between the Department and the forfeiting authority and ensuring prompt legal review and filing of all seizures (Md. Code CP § 12-304; Md. Code CP § 13-517).
- (d) Making reasonable efforts to obtain annual training that includes best practices in pursuing, seizing, and tracking forfeitures.
- (e) Reviewing each seizure-related case and deciding whether the seizure is more appropriately made under state or federal seizure laws. The forfeiture reviewer should contact federal authorities when appropriate (Md. Code CP § 12-212).

Princess Anne Police Department

Policy Manual

Asset Forfeiture

- (f) Ensuring that responsibilities, including the designation of a fiscal agent, are clearly established whenever multiple agencies are cooperating in a forfeiture case.
- (g) Ensuring that seizure forms are available and appropriate for department use. These should include notice forms, a receipt form and a checklist that provides relevant guidance to officers. The forms should be available in languages appropriate for the region and should contain spaces for (Md. Code CP § 12-104):
 - 1. Names and contact information for all relevant persons and law enforcement officers involved.
 - 2. Information as to how ownership or other property interests may have been determined (e.g., verbal claims of ownership, titles, public records).
 - 3. A space for the signature of the person from whom cash or property is being seized.
 - 4. A tear-off portion or copy, which should be given to the person from whom cash or property is being seized, that includes the legal authority for the seizure, information regarding the process to contest the seizure, and a detailed description of the items seized.
 - 5. A case or other reference number associated with the seized property.
 - 6. The notice provisions required by Md. Code CP § 12-104.
 - 7. Any other information required by Md. Code CP § 12-104.
- (h) Ensuring that members who may be involved in asset forfeiture receive training in the proper use of the seizure forms and the forfeiture process. The training should be developed in consultation with the appropriate legal counsel and may be accomplished through traditional classroom education, electronic media, Daily Training Bulletins (DTBs), or General Orders. The training should cover this policy and address any relevant statutory changes and court decisions.
- (i) Reviewing each asset forfeiture case to ensure that:
 - 1. Written documentation of the seizure and the items seized is in the case file.
 - 2. Independent legal review of the circumstances and propriety of the seizure is made in a timely manner.
 - 3. The Chief of Police personally reviews and recommends forfeiture of motor vehicles in violation of the Controlled Dangerous Substances or Human Trafficking laws (Md. Code CP § 12-206; Md. Code CP § 13-508).
 - 4. Notice of seizure has been given in a timely manner to those who hold an interest in the seized property (Md. Code CP § 12-104; Md. Code CP § 12-209).
 - 5. Property is promptly released to those entitled to its return.
 - 6. All changes to forfeiture status are forwarded to any supervisor who initiates a forfeiture case.
 - 7. Any cash received is deposited with the fiscal agent.

Princess Anne Police Department

Policy Manual

Asset Forfeiture

8. Assistance with the resolution of ownership claims and the release of property to those entitled is provided (Md. Code CP § 12-203).
 9. Current minimum forfeiture thresholds are communicated appropriately to officers.
 10. This policy and any related policies are periodically reviewed and updated to reflect current federal and state statutes and case law.
- (j) Ensuring that a written plan is available that enables the Chief of Police to address any extended absence of the forfeiture reviewer, thereby ensuring that contact information for other law enforcement personnel and attorneys who may assist in these matters is available.
 - (k) Ensuring that the Department disposes of property as provided by law following any forfeiture.
 - (l) Ensuring that the process of selling or adding forfeited property to department inventory is in accordance with all applicable laws and consistent with the use and disposition of similar property.
 - (m) Upon completion of any forfeiture process, ensuring that no property is retained by the Princess Anne Police Department unless the Chief of Police authorizes in writing the retention of the property for official use.
 - (n) Ensuring that an annual report is filed with the Maryland Statistical Analysis Center of the Governor's Office of Crimel, Prevention, Youth, and Victim Services as required by Md. Code CP § 12-602.

Forfeiture proceeds should be maintained in a separate fund or account subject to appropriate accounting control, with regular reviews or audits of all deposits and expenditures.

Forfeiture reporting and expenditures should be completed in the manner prescribed by the law and Town financial directives.

602.7 DISPOSITION OF FORFEITED PROPERTY

No member of this department may use property that has been seized for forfeiture until the forfeiture action has been completed and the Chief of Police has given written authorization to retain the property for official use. No department member involved in the decision to seize property should be involved in any decision regarding the disposition of the property.

If an order of forfeiture is not entered by the court, the Department shall return to the owner that part of the proceeds and any costs of the forfeiture proceedings paid from the proceeds of the sale (Md. Code CP § 12-503; Md. Code CP § 13-534).

After a full court hearing, if the court determines that the property should not be forfeited, the property shall be promptly returned to the legal owner (Md. Code CP § 12-402; Md. Code CP § 13-534).

Whenever property is forfeited by the court under the Controlled Dangerous Substances or Human Trafficking laws, the property may be kept for official use, destroyed or otherwise disposed of, or

Princess Anne Police Department

Policy Manual

Asset Forfeiture

the Department may sell the property if the law does not require the property to be destroyed and the property is not harmful to the public (Md. Code CP § 12-403; Md. Code CP § 13-529).

Whenever property is forfeited under a violation of gun laws, the Department may only retain the property for official use, destroy the forfeited property, or sell, exchange, or transfer the forfeited property to another law enforcement agency for official use by that agency (Md. Code CP § 13-206(a)).

Shared forfeiture proceeds from a state law enforcement agency under the Controlled Dangerous Substances law shall be deposited in the Town general fund (Md. Code CP § 12-403(e)).

Forfeiture proceeds under the Maryland Mortgage Fraud Protection Act shall be deposited in the state's general fund (Md. Code CP § 13-407(c)(4)).

Proceeds from a violation of the Human Trafficking laws shall be deposited to the Town General Fund (Md. Code CP § 13-530).

Informants

603.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidelines for the use of informants.

603.1.1 DEFINITIONS

Definitions related to this policy include:

Informant - A person who covertly interacts with other individuals or suspects at the direction of, request of, or by agreement with the Princess Anne Police Department for law enforcement purposes. This also includes a person agreeing to supply information to the Princess Anne Police Department for a benefit (.e.g., a quid pro quo in the form of a reduced criminal penalty, money).

603.2 POLICY

The Princess Anne Police Department recognizes the value of informants to law enforcement efforts and will strive to protect the integrity of the informant process. It is the policy of this department that all funds related to informant payments will be routinely audited and that payments to informants will be made according to the criteria outlined in this policy.

603.3 USE OF INFORMANTS

603.3.1 INITIAL APPROVAL

Before using an individual as an informant, an officer must receive approval from his/her supervisor. The officer shall compile sufficient information through a background investigation and experience with the informant in order to determine the suitability of the individual, including age, maturity and risk of physical harm, as well as any indicators of his/her reliability and credibility.

Members of this department should not guarantee absolute safety or confidentiality to an informant.

603.3.2 JUVENILE INFORMANTS

The use of informants under the age of 13 is prohibited.

Except for the enforcement of laws related to the commercial sale of alcohol or tobacco products, the use of any juvenile 13 years of age or older as an informant is only permitted when authorized by court order.

In all cases, a juvenile 13 years of age or older may only be used as an informant with the written consent of each of the following:

- (a) The juvenile's parents or legal guardians
- (b) The juvenile's attorney, if any
- (c) The court in which the juvenile's case is being handled, if applicable
- (d) The Chief of Police or the authorized designee

Princess Anne Police Department

Policy Manual

Informants

603.3.3 INFORMANT AGREEMENTS

All informants are required to sign and abide by the provisions of the designated department informant agreement. The officer using the informant shall discuss each of the provisions of the agreement with the informant.

Details of the agreement are to be approved in writing by a supervisor before being finalized with the informant.

603.4 INFORMANT INTEGRITY

To maintain the integrity of the informant process, the following must be adhered to:

- (a) The identity of an informant acting in a confidential capacity shall not be withheld from the Chief of Police, Captain, Investigations supervisor or their authorized designees.
 - 1. Identities of informants acting in a confidential capacity shall otherwise be kept confidential.
- (b) Criminal activity by informants shall not be condoned.
- (c) Informants shall be told they are not acting as police officers, employees or agents of the Princess Anne Police Department, and that they shall not represent themselves as such.
- (d) The relationship between department members and informants shall always be ethical and professional.
 - 1. Members shall not become intimately involved with an informant.
 - 2. Social contact shall be avoided unless it is necessary to conduct an official investigation, and only with prior approval of the Investigations supervisor.
 - 3. Members shall neither solicit nor accept gratuities or engage in any private business transaction with an informant.
- (e) Officers shall not meet with informants in a private place unless accompanied by at least one additional officer or with prior approval of the Investigations supervisor.
 - 1. Officers may meet informants alone in an occupied public place, such as a restaurant.
- (f) When contacting informants for the purpose of making payments, officers shall arrange for the presence of another officer.
- (g) In all instances when department funds are paid to informants, a voucher shall be completed in advance, itemizing the expenses.
- (h) Since the decision rests with the appropriate prosecutor, officers shall not promise that the informant will receive any form of leniency or immunity from criminal prosecution.

Informants

603.4.1 UNSUITABLE INFORMANTS

The suitability of any informant should be considered before engaging him/her in any way in a covert or other investigative process. Members who become aware that an informant may be unsuitable will notify the supervisor, who will initiate a review to determine suitability. Until a determination has been made by a supervisor, the informant should not be used by any member. The supervisor shall determine whether the informant should be used by the Department and, if so, what conditions will be placed on his/her participation or any information the informant provides. The supervisor shall document the decision and conditions in file notes and mark the file "unsuitable" when appropriate.

Considerations for determining whether an informant is unsuitable include, but are not limited to, the following:

- (a) The informant has provided untruthful or unreliable information in the past.
- (b) The informant behaves in a way that may endanger the safety of an officer.
- (c) The informant reveals to suspects the identity of an officer or the existence of an investigation.
- (d) The informant appears to be using his/her affiliation with this department to further criminal objectives.
- (e) The informant creates officer-safety issues by providing information to multiple law enforcement agencies simultaneously, without prior notification and approval of each agency.
- (f) The informant engages in any other behavior that could jeopardize the safety of officers or the integrity of a criminal investigation.
- (g) The informant commits criminal acts subsequent to entering into an informant agreement.

603.5 INFORMANT FILES

Informant files shall be utilized as a source of background information about the informant, to enable review and evaluation of information provided by the informant, and to minimize incidents that could be used to question the integrity of department members or the reliability of the informant.

Informant files shall be maintained in a secure area within the Investigations. The Investigations supervisor or the authorized designee shall be responsible for maintaining informant files. Access to the informant files shall be restricted to the Chief of Police, Captain, Investigations supervisor or their authorized designees.

The Captain should arrange for an audit using a representative sample of randomly selected informant files on a periodic basis, but no less than one time per year. If the Investigations supervisor is replaced, the files will be audited before the new supervisor takes over management of the files. The purpose of the audit is to ensure compliance with file content and updating

Princess Anne Police Department

Policy Manual

Informants

provisions of this policy. The audit should be conducted by a supervisor who does not have normal access to the informant files.

603.5.1 FILE SYSTEM PROCEDURE

A separate file shall be maintained on each informant and shall be coded with an assigned informant control number. An informant history that includes the following information shall be prepared for each file:

- (a) Name and aliases
- (b) Date of birth
- (c) Physical description: sex, race, height, weight, hair color, eye color, scars, tattoos or other distinguishing features
- (d) Photograph
- (e) Current home address and telephone numbers
- (f) Current employers, positions, addresses and telephone numbers
- (g) Vehicles owned and registration information
- (h) Places frequented
- (i) Briefs of information provided by the informant and his/her subsequent reliability
 1. If an informant is determined to be unsuitable, the informant's file is to be marked "unsuitable" and notations included detailing the issues that caused this classification.
- (j) Name of the officer initiating use of the informant
- (k) Signed informant agreement
- (l) Update on active or inactive status of informant

603.6 INFORMANT PAYMENTS

No informant will be told in advance or given an exact amount or percentage for his/her service. The amount of funds to be paid to any informant will be evaluated against the following criteria:

- The extent of the informant's personal involvement in the case
- The significance, value or effect on crime
- The value of assets seized
- The quantity of the drugs or other contraband seized
- The informant's previous criminal activity
- The level of risk taken by the informant

Princess Anne Police Department

Policy Manual

Informants

The Investigations supervisor will discuss the above factors with the Captain and recommend the type and level of payment, subject to approval by the Chief of Police.

603.6.1 PAYMENT PROCESS

Approved payments to an informant should be in cash using the following process:

- (a) Payments of \$500 and under may be paid in cash from a Investigations buy/expense fund.
 - 1. The Investigations supervisor shall sign the voucher for cash payouts from the buy/expense fund.
- (b) Payments exceeding \$500 shall be made by issuance of a check, payable to the officer who will be delivering the payment.
 - 1. The check shall list the case numbers related to and supporting the payment.
 - 2. A written statement of the informant's involvement in the case shall be placed in the informant's file.
 - 3. The statement shall be signed by the informant verifying the statement as a true summary of his/her actions in the case.
 - 4. Authorization signatures from the Chief of Police and the Town Manager are required for disbursement of the funds.
- (c) To complete the payment process for any amount, the officer delivering the payment shall complete a cash transfer form.
 - 1. The cash transfer form shall include the following:
 - (a) Date.
 - (b) Payment amount.
 - (c) Princess Anne Police Department case number.
 - (d) A statement that the informant is receiving funds in payment for information voluntarily rendered.
 - 2. The cash transfer form shall be signed by the informant.
 - 3. The cash transfer form will be kept in the informant's file.

603.6.2 REPORTING OF PAYMENTS

Each informant receiving a cash payment shall be advised of his/her responsibility to report the cash to the Internal Revenue Service (IRS) as income. If funds distributed exceed \$600 in any reporting year, the informant should be provided IRS Form 1099 (26 CFR 1.6041-1). If such documentation or reporting may reveal the identity of the informant and by doing so jeopardize

Princess Anne Police Department

Policy Manual

Informants

any investigation, the safety of officers or the safety of the informant (26 CFR 1.6041-3), then IRS Form 1099 should not be issued.

In such cases, the informant shall be provided a letter identifying the amount he/she must report on a tax return as “other income” and shall be required to provide a signed acknowledgement of receipt of the letter. The completed acknowledgement form and a copy of the letter shall be retained in the informant’s file.

603.6.3 AUDIT OF PAYMENTS

The Investigations supervisor or the authorized designee shall be responsible for compliance with any audit requirements associated with grant provisions and applicable state and federal law.

At least once every six months, the Chief of Police or the authorized designee should conduct an audit of all informant funds for the purpose of accountability and security of the funds. The funds and related documents (e.g., buy/expense fund records, cash transfer forms, invoices, receipts and logs) will assist with the audit process.

Eyewitness Identification

604.1 PURPOSE AND SCOPE

This policy sets forth guidelines to be used when members of this department employ eyewitness identification techniques (Md. Code PS § 3-506).

604.1.1 DEFINITIONS

Definitions related to this policy include (Md. Code PS § 3-506.1):

Eyewitness identification process - Any field identification, live lineup or photographic identification.

Field identification - A live presentation of a single individual to a witness following the commission of a criminal offense for the purpose of identifying or eliminating the person as the suspect.

Live lineup - A live presentation of individuals to a witness for the purpose of identifying or eliminating an individual as the suspect.

Photographic lineup - Presentation of photographs to a witness for the purpose of identifying or eliminating an individual as the suspect.

604.2 POLICY

The Princess Anne Police Department will strive to use eyewitness identification techniques, when appropriate, to enhance the investigative process and will emphasize identifying persons responsible for crime and exonerating the innocent.

604.3 INTERPRETIVE SERVICES

Members should make a reasonable effort to arrange for an interpreter before proceeding with eyewitness identification if communication with a witness is impeded due to language or hearing barriers.

Before the interpreter is permitted to discuss any matter with the witness, the investigating member should explain the identification process to the interpreter. Once it is determined that the interpreter comprehends the process and can explain it to the witness, the eyewitness identification may proceed as provided for within this policy.

604.4 EYEWITNESS IDENTIFICATION PROCESS AND FORM

The Criminal Investigations supervisor shall be responsible for the development and maintenance of an eyewitness identification process for use by members when they are conducting eyewitness identifications.

The process should include appropriate forms or reports that provide:

- (a) The date, time and location of the eyewitness identification procedure.
- (b) The name and identifying information of the witness.

Princess Anne Police Department

Policy Manual

Eyewitness Identification

- (c) The name of the person administering the identification procedure.
- (d) If applicable, the names of all individuals present during the identification procedure.
- (e) An instruction to the witness that it is as important to exclude innocent persons as it is to identify a perpetrator.
- (f) An instruction to the witness that the perpetrator may or may not be among those presented and that the witness is not obligated to make an identification (Md. Code PS § 3-506.1).
- (g) If the identification process is a photographic or live lineup, an instruction to the witness that the perpetrator may not appear exactly as he/she did on the date of the incident.
- (h) An instruction to the witness that the investigation will continue regardless of whether an identification is made by the witness.
- (i) A signature line where the witness acknowledges that he/she understands the identification procedures, instructions and identification statement.
- (j) A signed statement from the witness in the witness's own words describing how certain he/she is of the identification or non-identification. This statement should be taken at the time of the identification procedure (Md. Code PS § 3-506.1).

The process and related forms should be reviewed at least annually and modified when necessary.

604.5 EYEWITNESS IDENTIFICATION

Members are cautioned not to, in any way influence a witness as to whether any subject or photo presented in a lineup is in any way connected to the case. Members should avoid mentioning that:

- The individual was apprehended near the crime scene.
- The evidence points to the individual as the suspect.
- Other witnesses have identified or failed to identify the individual as the suspect.

In order to avoid undue influence, witnesses should view suspects or a lineup individually and outside the presence of other witnesses. Witnesses should be instructed to avoid discussing details of the incident or of the identification process with other witnesses.

Whenever feasible, the eyewitness identification procedure should be audio and/or video recorded and the recording should be retained according to current evidence procedures.

604.6 PHOTOGRAPHIC LINEUP AND LIVE LINEUP CONSIDERATIONS

When practicable, the member presenting the lineup should not be involved in the investigation of the case or know the identity of the suspect. In no case should the member presenting a lineup to a witness know which photograph or person in the lineup is being viewed by the witness. Techniques to achieve this include randomly numbering photographs, shuffling folders or using a computer program to order the persons in the lineup (Md. Code PS § 3-506.1).

Individuals in the lineup should reasonably match the description of the perpetrator provided by the witness and should bear similar characteristics to avoid causing any person to unreasonably

Eyewitness Identification

standout. In cases involving multiple suspects, a separate lineup should be conducted for each suspect. The suspects should be placed in a different order within each lineup.

The member presenting the lineup should do so sequentially (i.e., show the witness one person at a time) and not simultaneously. The witness should view all persons in the lineup.

A live lineup should only be used before criminal proceedings have been initiated against the suspect. If there is any question as to whether any criminal proceedings have begun, the investigating member should contact the appropriate prosecuting attorney before proceeding.

604.6.1 MULTIPLE EYEWITNESSES

When there are multiple eyewitnesses (Md. Code PS § 3-506.1):

- (a) The identification procedure shall be conducted separately for each eyewitness.
 - 1. Instructions shall be provided to each eyewitness outside the presence of other eyewitnesses.
- (b) The suspect shall be placed in a different position for each identification procedure conducted for each eyewitness.
- (c) The eyewitnesses may not be allowed to communicate with each other until all identification procedures have been completed.

604.6.2 MULTIPLE SUSPECTS

If an eyewitness has previously participated in an identification procedure in connection with the identification of another person suspected of involvement in the offense, the fillers in the identification procedure shall be different from the fillers used in any prior identification procedure (Md. Code PS § 3-506.1).

604.6.3 NUMBER OF LINEUP MEMBERS

Lineups shall consist of the following number of members, not including the suspect (Md. Code PS § 3-506.1).

- (a) For a live lineup, at least four persons.
- (b) For a photo lineup, at least five photographs.

604.7 FIELD IDENTIFICATION CONSIDERATIONS

Field identifications, also known as field elimination show-ups or one-on-one identifications, may be helpful in certain cases, where exigent circumstances make it impracticable to conduct a photo or live lineup identification. A field elimination show-up or one-on-one identification should not be used when independent probable cause exists to arrest a suspect. In such cases a live or photo lineup is the preferred course of action if eyewitness identification is contemplated.

When initiating a field identification, the member should observe the following guidelines:

- (a) Obtain a complete description of the suspect from the witness.

Princess Anne Police Department

Policy Manual

Eyewitness Identification

- (b) Assess whether a witness should be included in a field identification process by considering:
 - 1. The length of time the witness observed the suspect.
 - 2. The distance between the witness and the suspect.
 - 3. Whether the witness could view the suspect's face.
 - 4. The quality of the lighting when the suspect was observed by the witness.
 - 5. Whether there were distracting noises or activity during the observation.
 - 6. Any other circumstances affecting the witness's opportunity to observe the suspect.
 - 7. The length of time that has elapsed since the witness observed the suspect.
- (c) If safe and practicable, the person who is the subject of the show-up should not be handcuffed or in a patrol vehicle.
- (d) When feasible, members should bring the witness to the location of the subject of the show-up, rather than bring the subject of the show-up to the witness.
- (e) The person who is the subject of the show-up should not be shown to the same witness more than once.
- (f) In cases involving multiple suspects, witnesses should only be permitted to view the subjects of the show-up one at a time.
- (g) The person who is the subject of the show-up should not be required to put on clothing worn by the suspect, to speak words uttered by the suspect or to perform other actions mimicking those of the suspect.
- (h) If a witness positively identifies a subject of a show-up as the suspect, members should not conduct any further field identifications with other witnesses for that suspect. In such instances members should document the contact information for any additional witnesses for follow up, if necessary.

604.8 DOCUMENTATION

A thorough description of the eyewitness process and the result of any eyewitness identification shall be documented in the case report (Md. Code PS § 3-506.1).

If a photographic lineup is utilized, a copy of the photographic lineup presented to the witness shall be included in the case report. In addition, the order in which the photographs were presented to the witness should be documented in the case report.

A written record is not required if a video or audio record of the identification procedure is made that captures all of the information specified in Md. Code PS § 3-506.1.

Brady Information

605.1 PURPOSE AND SCOPE

This policy establishes guidelines for identifying and releasing potentially exculpatory or impeachment information (so-called “*Brady* information”) to a prosecuting attorney.

605.1.1 DEFINITIONS

Definitions related to this policy include:

***Brady* information** - Information known or possessed by the Princess Anne Police Department that is both favorable and material to the current prosecution or defense of a criminal defendant.

605.2 POLICY

The Princess Anne Police Department will conduct fair and impartial criminal investigations and will provide the prosecution with both incriminating and exculpatory evidence, as well as information that may adversely affect the credibility of a witness. In addition to reporting all evidence of guilt, the Princess Anne Police Department will assist the prosecution by complying with its obligation to disclose information that is both favorable and material to the defense. The Department will identify and disclose to the prosecution potentially exculpatory information, as provided in this policy.

605.3 DISCLOSURE OF INVESTIGATIVE INFORMATION

Officers must include in their investigative reports adequate investigative information and reference to all material evidence and facts that are reasonably believed to be either incriminating or exculpatory to any individual in the case. If an officer learns of potentially incriminating or exculpatory information any time after submission of a case, the officer or the handling investigator must prepare and submit a supplemental report documenting such information as soon as practicable. Supplemental reports shall be promptly processed and transmitted to the prosecutor’s office.

If information is believed to be privileged or confidential (e.g., informant or attorney-client information, attorney work product), the officer should discuss the matter with a supervisor and/or prosecutor to determine the appropriate manner in which to proceed.

Evidence or facts are considered material if there is a reasonable probability that they would affect the outcome of a criminal proceeding or trial. Determining whether evidence or facts are material often requires legal or even judicial review. If an officer is unsure, the officer should address the issue with a supervisor.

Supervisors who are uncertain about whether evidence or facts are material should address the issue in a written memo to an appropriate prosecutor. A copy of the memo should be retained in the department case file.

605.4 BRADY PROCESS

The Captain coordinate requests for *Brady* information.

Princess Anne Police Department

Policy Manual

Brady Information

The responsibilities of the coordinator include, but are not limited to:

- (a) Working with the appropriate prosecutors' offices and the Town Attorney's office to establish systems and processes to determine what constitutes *Brady* information and the method for notification and disclosure.
- (b) Maintaining a current list of members who have *Brady* information in their files or backgrounds (Md. Code PS § 3-106.1).
 - 1. Updating this list whenever potential *Brady* information concerning any department member becomes known to the Department or is placed into a personnel or internal affairs file.
 - 2. Providing timely notice to an officer if his/her name is placed on the list.

605.5 DISCLOSURE OF REQUESTED INFORMATION

If *Brady* information is located, the following procedure shall apply:

- (a) In the event that a motion has not already been filed by the criminal defendant or other party, the prosecuting attorney and department member whose file is related to the motion shall be notified of the potential presence of *Brady* information.
- (b) The prosecuting attorney or Town Attorney should be requested to file a motion in order to initiate an in-camera review by the court.
 - 1. If no motion is filed, the Custodian of Records should work with the appropriate counsel to determine whether the records should be disclosed to the prosecutor.
- (c) The Custodian of Records shall accompany all relevant personnel files during any in-camera inspection and address any issues or questions raised by the court in determining whether any information contained in the files is both material and favorable to the criminal defendant.
- (d) If the court determines that there is relevant *Brady* information contained in the files, only that information ordered released will be copied and released to the parties filing the motion.
 - 1. Prior to the release of any information pursuant to this process, a protective order should be requested from the court limiting the use of such information to the involved case and requiring the return of all copies upon completion of the case.
- (e) If a court has determined that relevant *Brady* information is contained in a member's file in any case, the prosecutor should be notified of that fact in all future cases involving that member.

605.6 INVESTIGATING BRADY ISSUES

If the Department receives information from any source that a member may have issues of credibility, dishonesty or has been engaged in an act of moral turpitude or criminal conduct, the information shall be investigated and processed in accordance with the Personnel Complaints Policy.

Princess Anne Police Department

Policy Manual

Brady Information

605.7 SUBPOENA PROCESSING

The individual processing subpoenas (or the supervisor of the subpoenaed member) shall check the subpoenaed member's name against the current list of those who are known to have *Brady* information in their files or background, and shall alert the Captain if a person on the list is subpoenaed.

605.8 TRAINING

Department personnel should receive periodic training on the requirements of this policy.

Unmanned Aerial System (UAS) Operations

606.1 PURPOSE AND SCOPE

The purpose of this policy is to establish guidelines for the use of an unmanned aerial system (UAS) and for the storage, retrieval and dissemination of images and data captured by the UAS.

606.1.1 DEFINITIONS

Definitions related to this policy include:

Unmanned Aerial System (UAS) - An unmanned aircraft of any type that is capable of sustaining directed flight, whether preprogrammed or remotely controlled (commonly referred to as an unmanned aerial vehicle (UAV)), and all of the supporting or attached systems designed for gathering information through imaging, recording or any other means.

606.2 POLICY

Unmanned aerial systems may be utilized to enhance the department's mission of protecting lives and property when other means and resources are not available or are less effective. Any use of a UAS will be in strict accordance with constitutional and privacy rights and Federal Aviation Administration (FAA) regulations.

606.3 PRIVACY

The use of the UAS potentially involves privacy considerations. Absent a warrant or exigent circumstances, operators and observers shall adhere to FAA altitude regulations and shall not intentionally record or transmit images of any location where a person would have a reasonable expectation of privacy (e.g., residence, yard, enclosure). Operators and observers shall take reasonable precautions to avoid inadvertently recording or transmitting images of areas where there is a reasonable expectation of privacy. Reasonable precautions can include, for example, deactivating or turning imaging devices away from such areas or persons during UAS operations.

606.4 PROGRAM COORDINATOR

The Chief of Police will appoint a program coordinator who will be responsible for the management of the UAS program. The program coordinator will ensure that policies and procedures conform to current laws, regulations and best practices and will have the following additional responsibilities:

- Coordinating the FAA Certificate of Waiver or Authorization (COA) application process and ensuring that the COA is current.
- Ensuring that all authorized operators and required observers have completed all required FAA and department-approved training in the operation, applicable laws, policies and procedures regarding use of the UAS.
- Developing uniform protocol for submission and evaluation of requests to deploy a UAS, including urgent requests made during ongoing or emerging incidents. Deployment of a UAS shall require written authorization of the Chief of Police or the authorized designee, depending on the type of mission.

Princess Anne Police Department

Policy Manual

Unmanned Aerial System (UAS) Operations

- Developing protocol for conducting criminal investigations involving a UAS, including documentation of time spent monitoring a subject.
- Implementing a system for public notification of UAS deployment.
- Developing an operational protocol governing the deployment and operation of a UAS including, but not limited to, safety oversight, use of visual observers, establishment of lost link procedures and secure communication with air traffic control facilities.
- Developing a protocol for fully documenting all missions.
- Developing a UAS inspection, maintenance and record-keeping protocol to ensure continuing airworthiness of a UAS, up to and including its overhaul or life limits.
- Developing protocols to ensure that all data intended to be used as evidence are accessed, maintained, stored and retrieved in a manner that ensures its integrity as evidence, including strict adherence to chain of custody requirements. Electronic trails, including encryption, authenticity certificates and date and time stamping, shall be used as appropriate to preserve individual rights and to ensure the authenticity and maintenance of a secure evidentiary chain of custody.
- Developing protocols that ensure retention and purge periods are maintained in accordance with established records retention schedules.
- Facilitating law enforcement access to images and data captured by the UAS.
- Recommending program enhancements, particularly regarding safety and information security.
- Ensuring that established protocols are followed by monitoring and providing periodic reports on the program to the Chief of Police.

606.5 USE OF UAS

Only authorized operators who have completed the required training shall be permitted to operate the UAS.

Use of vision enhancement technology (e.g., thermal and other imaging equipment not generally available to the public) is permissible in viewing areas only where there is no protectable privacy interest or when in compliance with a search warrant or court order. In all other instances, legal counsel should be consulted.

UAS operations should only be conducted during daylight hours and a UAS should not be flown over populated areas without FAA approval.

606.6 PROHIBITED USE

The UAS video surveillance equipment shall not be used:

- To conduct random surveillance activities.
- To target a person based solely on actual or perceived characteristics such as race, ethnicity, national origin, religion, sex, sexual orientation, gender identity or expression, economic status, age, cultural group, or disability.

Princess Anne Police Department

Policy Manual

Unmanned Aerial System (UAS) Operations

- To harass, intimidate, or discriminate against any individual or group.
- To conduct personal business of any type.

The UAS shall not be weaponized.

606.7 RETENTION OF UAS DATA

Data collected by the UAS shall be retained as provided in the established records retention schedule.

Chapter 8 - Support Services

Crime Analysis

800.1 PURPOSE AND SCOPE

This policy provides guidelines for utilizing crime analysis to support the overall law enforcement efforts of the Princess Anne Police Department. It addresses the collection and dissemination of crime analysis data that is useful to long-range planning and that can assist in identifying enforcement priorities, strategies and tactics.

800.2 POLICY

It is the policy of the Princess Anne Police Department to utilize crime analysis as a tool in crime control and prevention efforts. This entails gathering, analyzing and correlating data to effectively deploy the Department's resources.

800.3 DATA SOURCES

Crime analysis data is extracted from many sources including, but not limited to, the following:

- Crime reports
- Field Interview (FI) cards
- Parole and probation records
- Activity records from Somerset Emergency Services
- Maryland Statistical Analysis Center (MSAC)
- ComStat

800.4 CRIME ANALYSIS FACTORS

The following minimum criteria should be used in collecting data for crime analysis:

- Frequency by type of crime
- Geographic factors
- Temporal factors
- Victim and target descriptors
- Suspect descriptors
- Suspect vehicle descriptors
- Modus operandi factors
- Physical evidence information

Crime Analysis

800.5 CRIME ANALYSIS DISSEMINATION

Information developed through crime analysis should be disseminated to the appropriate divisions or members on a timely basis. Information that is relevant to the operational or tactical plans of specific line members should be sent directly to them.

Information relevant to the development of department strategic plans should be provided to the appropriate command staff members.

When information pertains to tactical and strategic plans, it should be provided to all affected members

Chapter 10 - Personnel

Anti-Retaliation

1004.1 PURPOSE AND SCOPE

This policy prohibits retaliation against members who identify workplace issues, such as fraud, waste, abuse of authority, gross mismanagement or any inappropriate conduct or practices, including violations that may pose a threat to the health, safety or well-being of members.

This policy does not prohibit actions taken for nondiscriminatory or non-retaliatory reasons, such as discipline for cause.

These guidelines are intended to supplement and not limit members' access to other applicable remedies. Nothing in this policy shall diminish the rights or remedies of a member pursuant to any applicable federal law, provision of the U.S. Constitution, law, ordinance or collective bargaining agreement or memorandum of understanding.

1004.2 POLICY

The Princess Anne Police Department has a zero tolerance for retaliation and is committed to taking reasonable steps to protect from retaliation members who, in good faith, engage in permitted behavior or who report or participate in the reporting or investigation of workplace issues. All complaints of retaliation will be taken seriously and will be promptly and appropriately investigated.

1004.3 RETALIATION PROHIBITED

No member may retaliate against any person for engaging in lawful or otherwise permitted behavior; for opposing a practice believed to be unlawful, unethical, discriminatory or retaliatory; for reporting or making a complaint under this policy; or for participating in any investigation related to a complaint under this or any other policy.

Retaliation includes any adverse action or conduct, including but not limited to:

- Refusing to hire or denying a promotion.
- Extending the probationary period.
- Unjustified reassignment of duties or change of work schedule.
- Real or implied threats or other forms of intimidation to dissuade the reporting of wrongdoing or filing of a complaint, or as a consequence of having reported or participated in protected activity.
- Taking unwarranted disciplinary action.
- Spreading rumors about the person filing the complaint or about the alleged wrongdoing.
- Shunning or unreasonably avoiding a person because he/she has engaged in protected activity.

Anti-Retaliation

1004.4 COMPLAINTS OF RETALIATION

Any member who feels he/she has been retaliated against in violation of this policy should promptly report the matter to any supervisor, command staff member, or the Chief of Police.

Members shall act in good faith, not engage in unwarranted reporting of trivial or minor deviations or transgressions, and make reasonable efforts to verify facts before making any complaint in order to avoid baseless allegations. Members shall not report or state an intention to report information or an allegation knowing it to be false, with willful or reckless disregard for the truth or falsity of the information or otherwise act in bad faith.

Investigations are generally more effective when the identity of the reporting member is known, thereby allowing investigators to obtain additional information from the reporting member. However, complaints may be made anonymously. All reasonable efforts shall be made to protect the reporting member's identity. However, confidential information may be disclosed to the extent required by law or to the degree necessary to conduct an adequate investigation and make a determination regarding a complaint. In some situations, the investigative process may not be complete unless the source of the information and a statement by the member is part of the investigative process.

1004.5 SUPERVISOR RESPONSIBILITIES

Supervisors are expected to remain familiar with this policy and ensure that members under their command are aware of its provisions.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring complaints of retaliation are investigated as provided in the Personnel Complaints Policy.
- (b) Receiving all complaints in a fair and impartial manner.
- (c) Documenting the complaint and any steps taken to resolve the problem.
- (d) Acknowledging receipt of the complaint, notifying the Chief of Police via the chain of command and explaining to the member how the complaint will be handled.
- (e) Taking appropriate and reasonable steps to mitigate any further violations of this policy.
- (f) Monitoring the work environment to ensure that any member making a complaint is not subjected to further retaliation.
- (g) Periodic follow-up with the complainant to ensure that retaliation is not continuing.
- (h) Not interfering with or denying the right of a member to make any complaint.
- (i) Taking reasonable steps to accommodate requests for assignment or schedule changes made by a member who may be the target of retaliation if it would likely mitigate the potential for further violations of this policy.

Anti-Retaliation

1004.6 COMMAND STAFF RESPONSIBILITIES

The Chief of Police should communicate to all supervisors the prohibition against retaliation.

Command staff shall treat all complaints as serious matters and shall ensure that prompt actions take place, including but not limited to:

- (a) Communicating to all members the prohibition against retaliation.
- (b) The timely review of complaint investigations.
- (c) Remediation of any inappropriate conduct or condition and instituting measures to eliminate or minimize the likelihood of recurrence.
- (d) The timely communication of the outcome to the complainant.

1004.7 WHISTLE-BLOWING

State law protects officers from discrimination or other negative consequences for disclosing gross mismanagement, waste, substantial dangers or law violations (Md. Code PS § 3-103).

Members who believe they have been the subject of retaliation for engaging in such protected behaviors should promptly report it to a supervisor. Supervisors should refer the complaint to the Administration for investigation pursuant to the Personnel Complaints Policy.

1004.8 RECORDS RETENTION AND RELEASE

The Administrative Assistant shall ensure that documentation of investigations is maintained in accordance with the established records retention schedules.

1004.9 TRAINING

The policy should be reviewed with each new member.

All members should receive periodic refresher training on the requirements of this policy.

Reporting of Arrests, Convictions and Court Orders

1005.1 PURPOSE AND SCOPE

The purpose of this policy is to describe the notification requirements and procedures that members must follow when certain arrests, convictions and court orders restrict their ability to perform the official duties and responsibilities of the Princess Anne Police Department. This policy will also describe the notification requirements and procedures that certain retired officers must follow when an arrest, conviction or court order disqualifies them from possessing a firearm.

1005.2 POLICY

The Princess Anne Police Department requires disclosure of member arrests, convictions and certain court orders to maintain the high standards, ethics and integrity in its workforce, and to ensure compatibility with the duties and responsibilities of the Department.

1005.3 DOMESTIC VIOLENCE CONVICTIONS AND COURT ORDERS

Federal and Maryland law prohibits individuals convicted of certain offenses and individuals subject to certain court orders from lawfully possessing firearms. Such convictions and court orders often involve allegations of the use or attempted use of force, or threatened use of a weapon on any individual in a domestic relationship (e.g., spouse, cohabitant, parent, child) (18 USC § 922; Md. Code PS § 5-133).

All members and retired officers with identification cards issued by the Department are responsible for ensuring that they have not been disqualified from possessing firearms by any such conviction or court order, and shall promptly report any such conviction or court order to a supervisor, as provided in this policy.

1005.4 OTHER CRIMINAL CONVICTIONS AND COURT ORDERS

While legal restrictions may or may not be imposed by statute or by the courts upon conviction of any criminal offense, criminal conduct by members of this department may be inherently in conflict with law enforcement duties and the public trust, and shall be reported as provided in this policy.

1005.5 REPORTING

All members and all retired officers with identification cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Supervisor or the Chief of Police) in writing of any past or current criminal detention, arrest, charge or conviction in any state or foreign country, regardless of whether the matter was dropped or rejected, is currently pending or on appeal, and regardless of the penalty or sentence, if any.

All members and all retired officers with identification cards issued by the Department shall immediately notify their supervisors (retired officers should immediately notify the Supervisor or the Chief of Police) in writing if they become the subject of a domestic violence-related

Princess Anne Police Department

Policy Manual

Reporting of Arrests, Convictions and Court Orders

order or any court order that prevents the member or retired officer from possessing a firearm or requires suspension or revocation of applicable Maryland Police Training and Standards Commission (MPTSC) certification.

Any member whose criminal arrest, conviction or court order restricts or prohibits that member from fully and properly performing his/her duties, including carrying a firearm, may be suspended and disciplined. This includes, but is not limited to, being placed on administrative leave, reassignment and/or termination (COMAR 12.04.01.04(D); Md. Code PS § 3-112).

Any effort to remove such disqualification or restriction from off-duty conduct or conduct outside the scope of employment, shall remain entirely the responsibility of the member, on his/her own time and at his/her own expense.

Any member failing to provide prompt written notice pursuant to this policy shall be subject to discipline, up to and including termination.

Retired officer may have their identification cards rescinded or modified, as may be appropriate (see the Retiree Concealed Firearms Policy).

1005.5.1 NOTIFICATION REQUIREMENTS

The Department shall report arrests or convictions to the MPTSC for possible suspension and revocation of any applicable certification (Md. Code PS § 3-212).

Drug- and Alcohol-Free Workplace

1006.1 PURPOSE AND SCOPE

The purpose of this policy is to establish clear and uniform guidelines regarding controlled dangerous substances (CDS) and alcohol in the workplace.

1006.2 POLICY

It is the policy of the Princess Anne Police Department to provide a drug- and alcohol-free workplace for all members.

1006.3 GENERAL GUIDELINES

Alcohol and CDS use in the workplace or on department time can endanger the health and safety of department members and the public. Such use shall not be tolerated (41 USC § 8103).

Members who have consumed an amount of an alcoholic beverage or taken any medication, or combination thereof, that would tend to adversely affect their mental or physical abilities shall not report for duty. Affected members shall notify the Supervisor or appropriate supervisor as soon as the member is aware that he/she will not be able to report to work. If the member is unable to make the notification, every effort should be made to have a representative contact the supervisor in a timely manner. If the member is adversely affected while on-duty, he/she shall be immediately removed and released from work (see the Work Restrictions section in this policy).

1006.3.1 USE OF MEDICATIONS

Members should avoid taking any medications that will impair their ability to safely and completely perform their duties. Any member who is medically required or has a need to take any such medication shall report that need to his/her immediate supervisor prior to commencing any on-duty status.

Possession of medical cannabis or being under the influence of marijuana on- or off-duty is prohibited and may lead to disciplinary action.

1006.4 MEMBER RESPONSIBILITIES

Members shall report for work in an appropriate mental and physical condition. Members are prohibited from purchasing, manufacturing, distributing, dispensing, possessing or using CDS or alcohol on department premises or on department time (41 USC § 8103). The lawful possession or use of prescribed medications or over-the-counter remedies is excluded from this prohibition.

Members who are authorized to consume alcohol as part of a special assignment shall not do so to the extent of impairing on-duty performance.

Members shall notify a supervisor immediately if they observe behavior or other evidence that they believe demonstrates that a fellow member poses a risk to the health and safety of the member or others due to CDS, medication or alcohol use.

Princess Anne Police Department

Policy Manual

Drug- and Alcohol-Free Workplace

Members are required to notify their immediate supervisors of any criminal drug statute conviction for a violation occurring in the workplace no later than five days after such conviction (41 USC § 8103).

1006.5 EMPLOYEE ASSISTANCE PROGRAM

There may be available a voluntary employee assistance program to assist those who wish to seek help for alcohol and CDS problems (41 USC § 8103). Insurance coverage that provides treatment for CDS and alcohol abuse also may be available. Employees should contact the Administration, their insurance providers or the employee assistance program for additional information. It is the responsibility of each employee to seek assistance before alcohol or CDS problems lead to performance problems.

1006.6 WORK RESTRICTIONS

If a member is on-duty informs a supervisor that he/she has consumed any alcohol, CDS or medication that could interfere with a safe and efficient job performance, the member may be required to obtain clearance from his/her physician before continuing to work.

If the supervisor reasonably believes, based on objective facts, that a member is impaired by the consumption of alcohol, CDS or medication, the supervisor shall prevent the member from continuing work and shall ensure that he/she is safely transported away from the Department.

1006.7 SCREENING TESTS

A supervisor may require an employee to submit to a screening under any the following circumstances (Md. Code HG § 17-214(h)):

- (a) The supervisor reasonably believes, based upon objective facts, that the employee is under the influence of alcohol or CDS that are impairing his/her ability to perform duties safely and efficiently.
- (b) The employee discharges a firearm in the performance of his/her duties (excluding training or authorized euthanizing of an animal).
- (c) The employee discharges a firearm issued by the Department while off-duty, resulting in injury, death or substantial property damage.
- (d) The employee drives a motor vehicle in the performance of his/her duties and becomes involved in an incident that results in bodily injury, death or substantial damage to property.

An officer who is under investigation may be ordered to submit to a blood alcohol test and/or a blood, breath or urine test for CDS when the testing specifically relates to the investigation (Md. Code PS § 3-104(l)(1)).

Princess Anne Police Department

Policy Manual

Drug- and Alcohol-Free Workplace

1006.7.1 SUPERVISOR RESPONSIBILITIES

The supervisor shall prepare a written record documenting the specific facts that led to the decision to require the test, and shall inform the employee in writing of the following:

- (a) The test will be given to detect either alcohol or CDS, or both.
- (b) The result of the test is not admissible in any criminal proceeding against the employee.
- (c) The employee may refuse the test, but refusal may result in dismissal or other disciplinary action.

1006.7.2 DISCIPLINE

An employee may be subject to disciplinary action if he/she:

- (a) Fails or refuses to submit to a screening test (Md. Code PS § 3-104(l)(2)).
- (b) After taking a screening test that indicates the presence of a CDS, fails to provide proof, within 72 hours after being requested, that he/she took the CDS as directed, pursuant to a current and lawful prescription issued in his/her name.

1006.7.3 TESTING REQUIREMENTS

The provisions of a collective bargaining agreement that cover preliminary drug testing of a job applicant preempt conflicting portions of this policy (Md. Code HG § 17-214(l)).

When an employee is required to be tested for job-related reasons for the use or abuse of any CDS or alcohol, this department shall:

- (a) When using a single-use test device, collect, handle, store and ship each specimen in a manner that maintains the employee donor's identity and confidentiality, the physical integrity of the specimen and precludes contamination of the specimen (Md. Code HG § 17-214(d)(1)).
- (b) Maintain a written record of the chain of custody of each specimen from the time that the specimen is collected until the time that the specimen is no longer needed for retesting (Md. Code HG § 17-214(d)(2)).
- (c) Have the specimen tested by a laboratory that is certified or otherwise approved and at the time of testing provide the name and address of the laboratory, if requested by the employee (Md. Code HG § 17-214(b)(1)).
- (d) Upon notice from the laboratory that an employee has tested positive, deliver to the employee by certified mail or in person and within 30 days from the date the test was performed (Md. Code HG § 17-214(c)(1)):
 - 1. A copy of the laboratory test indicating the test results.
 - 2. A copy of this policy.

Princess Anne Police Department

Policy Manual

Drug- and Alcohol-Free Workplace

3. If applicable, written notice of intent to take disciplinary action, terminate employment or change the conditions of continued employment.
4. A statement or copy of the provisions set forth in Md. Code HG § 17-214(e) which permits the employee to request independent testing of the same sample for verification of the test result.

1006.7.4 DISCLOSURE OF INFORMATION

Information that may not be disclosed to the Department includes (Md. Code HG § 17-214(i)(1)):

- (a) The use of a nonprescription drug, excluding alcohol, that is not prohibited under state law.
- (b) The use of a medically prescribed drug, unless the employee being tested is unable to establish that the drug was medically prescribed for him/her in accordance with state law.

The prohibitions against disclosure of information do not apply to the extent that they prevent a person from complying with the applicable provisions of the federal Commercial Motor Vehicle Safety Act of 1986 and the federal Motor Carrier Safety Regulations (Md. Code HG § 17-214(i)(2)).

The results of a mandatory test are not admissible or discoverable in a criminal proceeding against an officer (Md. Code PS § 3-104(l)(3)).

1006.7.5 TRAINING

The Department shall establish a program to train individuals to collect specimens and perform CDS tests in the workplace in accordance with the provisions of Md. Code HG § 17-214(k).

The responsibilities of this department shall include:

- (a) Keeping a record of the training received by each trainee.
- (b) Establishing a procedure to ensure that each trainee receives the minimum training required to properly perform and demonstrate competency in performing the test.
- (c) Maintaining documentation that indicates the trainee has been trained in accordance with state law.

1006.8 COMPLIANCE WITH THE DRUG-FREE WORKPLACE ACT

No later than 30 days following notice of any drug statute conviction for a violation occurring in the workplace involving a member, the Department will take appropriate disciplinary action, up to and including dismissal, and/or requiring the member to satisfactorily participate in a drug abuse assistance or rehabilitation program (41 USC § 8104).

Princess Anne Police Department

Policy Manual

Drug- and Alcohol-Free Workplace

1006.9 CONFIDENTIALITY

The Department recognizes the confidentiality and privacy due to its members. Disclosure of any information relating to substance abuse treatment, except on a need-to-know basis, shall only be with the express written consent of the member involved or pursuant to lawful process.

The written results of any screening tests and all documents generated by the employee assistance program are considered confidential medical records and shall be maintained in the employee's medical file in accordance with the Personnel Records Policy.

Sick Leave

1007.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the use and processing of sick leave. The accrual and terms of use of sick leave for eligible employees is detailed in the Town personnel manual or applicable collective bargaining agreement or memorandum of understanding.

This policy is not intended to cover all types of sick or other leaves. For example, employees may be entitled to additional paid or unpaid leave for certain family and medical reasons as provided for in the Family and Medical Leave Act (FMLA) (29 USC § 2601 et seq.) or the Maryland Flexible Leave Act (Md. Code LE § 3-802).

1007.2 POLICY

It is the policy of the Princess Anne Police Department to provide eligible employees with a sick leave benefit.

1007.3 USE OF SICK LEAVE

Sick leave is intended to be used for qualified absences.

Sick leave is not considered vacation. Abuse of sick leave may result in discipline, denial of sick leave benefits, or both.

Employees on sick leave shall not engage in other employment or self-employment or participate in any sport, hobby, recreational or other activity that may impede recovery from the injury or illness (see the Outside Employment and Outside Overtime Policy).

Qualified appointments should be scheduled during a member's non-working hours when it is reasonable to do so.

1007.3.1 NOTIFICATION

All members should notify the Supervisor or appropriate supervisor as soon as they are aware that they will not be able to report to work and no less than one hour before the start of their scheduled shifts. If, due to an emergency, a member is unable to contact the supervisor, every effort should be made to have a representative for the member contact the supervisor.

When the necessity to be absent from work is foreseeable, such as planned medical appointments or treatments, the member shall, whenever possible and practicable, provide the Department with no less than 30-days' notice of the impending absence.

Upon return to work, members are responsible for ensuring their time off was appropriately accounted for, and for completing and submitting the required documentation describing the type of time off used and the specific amount of time taken.

Princess Anne Police Department

Policy Manual

Sick Leave

1007.4 EXTENDED ABSENCE

Members absent from duty for more than three consecutive days may be required to furnish a statement from a health care provider supporting the need to be absent and/or the ability to return to work. Members on an extended absence shall, if possible, contact their supervisor at specified intervals to provide an update on their absence and expected date of return.

Nothing in this section precludes a supervisor from requiring, with cause, a health care provider's statement for an absence of three or fewer days.

1007.5 SUPERVISOR RESPONSIBILITIES

The responsibilities of supervisors include, but are not limited to:

- (a) Monitoring and regularly reviewing the attendance of those under their command to ensure that the use of sick leave and absences is consistent with this policy.
- (b) Attempting to determine whether an absence of four or more days may qualify as family medical leave and consulting with legal counsel or the Administration as appropriate.
- (c) Addressing absences and sick leave use in the member's performance evaluation when excessive or unusual use has:
 - 1. Negatively affected the member's performance or ability to complete assigned duties.
 - 2. Negatively affected department operations.
- (d) When appropriate, counseling members regarding excessive absences and/or inappropriate use of sick leave.
- (e) Referring eligible members to an available employee assistance program when appropriate.

Personnel Complaints

1010.1 PURPOSE AND SCOPE

This policy provides guidelines for the reporting, investigation, and disposition of complaints regarding the conduct of members of the Princess Anne Police Department. This policy shall not apply to any questioning, counseling, instruction, informal verbal admonishment, or other routine or unplanned contact of a member in the normal course of duty, by a supervisor or any other member, nor shall this policy apply to a criminal investigation.

1010.2 POLICY

The Princess Anne Police Department takes seriously all complaints regarding the service provided by the Department and the conduct of its members.

The Department will accept and address all complaints of misconduct in accordance with this policy and applicable federal, state and local laws; municipal and county rules; and the requirements of any memorandum of understanding.

It is also the policy of this department to ensure that the community can report misconduct without concern for reprisal or retaliation.

1010.3 PERSONNEL COMPLAINTS

Personnel complaints include any allegation of misconduct or improper job performance that, if true, would constitute a violation of department policy, or of federal, state or local law, policy or rule. Personnel complaints may be generated internally or by the public.

Inquiries about conduct or performance that, if true, would not violate department policy, federal, state or local law, policy or rule may be handled informally by a supervisor and shall not be considered a personnel complaint. Such inquiries generally include clarification regarding policy, procedures or the response to specific incidents by the Department.

1010.3.1 COMPLAINT CLASSIFICATIONS

Personnel complaints shall be classified in one of the following categories:

Informal - A matter in which the Supervisor is satisfied that appropriate action has been taken by a supervisor of rank greater than the accused member.

Formal - A matter in which a supervisor determines that further action is warranted. Such complaints may be investigated by a supervisor of rank greater than the accused member or referred to the Administration, depending on the seriousness and complexity of the investigation.

Incomplete - A matter in which the complaining party either refuses to cooperate or becomes unavailable after diligent follow-up investigation. At the discretion of the assigned supervisor or the Administration, such matters may be further investigated depending on the seriousness of the complaint and the availability of sufficient information.

Princess Anne Police Department

Policy Manual

Personnel Complaints

1010.3.2 SOURCES OF COMPLAINTS

The following applies to the source of complaints:

- (a) Individuals from the public may make complaints in any form, including in writing, by email, in person or by telephone.
- (b) Any department member becoming aware of alleged misconduct shall immediately notify a supervisor.
- (c) Supervisors shall initiate a complaint based upon observed misconduct or receipt from any source alleging misconduct that, if true, could result in disciplinary action.
- (d) Anonymous and third-party complaints should be accepted and investigated to the extent that sufficient information is provided.
- (e) Tort claims and lawsuits may generate a personnel complaint.

1010.4 AVAILABILITY AND ACCEPTANCE OF COMPLAINTS

1010.4.1 COMPLAINT FORMS

Personnel complaint forms will be maintained in a clearly visible location in the public area of the police facility and be accessible through the department website. Forms may also be available at other Town facilities.

Personnel complaint forms in languages other than English may also be provided, as determined necessary or practicable.

1010.4.2 ACCEPTANCE

All complaints will be courteously accepted by any department member and promptly given to the appropriate supervisor. Although written complaints are preferred, a complaint may also be filed orally, either in person or by telephone. Such complaints will be directed to a supervisor. If a supervisor is not immediately available to take an oral complaint, the receiving member shall obtain contact information sufficient for the supervisor to contact the complainant. The supervisor, upon contact with the complainant, shall complete and submit a complaint form as appropriate.

Although not required, complainants should be encouraged to file complaints in person so that proper identification, signatures, photographs or physical evidence may be obtained as necessary.

1010.5 DOCUMENTATION

Supervisors shall ensure that all formal and informal complaints are documented on a complaint form. The supervisor shall ensure that the nature of the complaint is defined as clearly as possible.

All complaints and inquiries should also be documented in a log that records and tracks complaints. The log shall include the nature of the complaint and the actions taken to address the complaint. On an annual basis, the Department should audit the log and send an audit report to the Chief of Police or his designee.

Personnel Complaints

1010.6 ADMINISTRATIVE INVESTIGATIONS

Allegations of misconduct will be administratively investigated as follows.

1010.6.1 SUPERVISOR RESPONSIBILITIES

In general, the primary responsibility for the investigation of a personnel complaint shall rest with the member's immediate supervisor, unless the supervisor is the complainant, or the supervisor is the ultimate decision-maker regarding disciplinary action or has any personal involvement regarding the alleged misconduct. The Chief of Police or the authorized designee may direct that another supervisor investigate any complaint.

A supervisor who becomes aware of alleged misconduct shall take reasonable steps to prevent aggravation of the situation.

The responsibilities of supervisors include, but are not limited to:

- (a) Ensuring that upon receiving or initiating any formal complaint, a complaint form is completed.
 - 1. The original complaint form will be directed to the Supervisor of the accused member, via the chain of command, who will take appropriate action and/or determine who will have responsibility for the investigation.
 - 2. In circumstances where the integrity of the investigation could be jeopardized by reducing the complaint to writing or where the confidentiality of a complainant is at issue, a supervisor shall orally report the matter to the Captain or the Chief of Police, who will initiate appropriate action.
- (b) Responding to all complainants in a courteous and professional manner.
- (c) Resolving those personnel complaints that can be resolved immediately.
 - 1. Follow-up contact with the complainant should be made within 24 hours of the Department receiving the complaint.
 - 2. If the matter is resolved and no further action is required, the supervisor will note the resolution on a complaint form and forward the form to the Captain.
- (d) Ensuring that upon receipt of a complaint involving allegations of a potentially serious nature, the Supervisor and the Chief of Police are notified via the chain of command as soon as practicable.
- (e) Promptly contacting the Administration and the Supervisor for direction regarding their roles in addressing a complaint that relates to sexual, racial, ethnic or other forms of prohibited harassment or discrimination.
- (f) Forwarding unresolved personnel complaints to the Supervisor, who will determine whether to contact the complainant or assign the complaint for investigation.
- (g) Informing the complainant of the investigator's name and the complaint number within three days after assignment.
- (h) Investigating a complaint as follows:

Princess Anne Police Department

Policy Manual

Personnel Complaints

1. Making reasonable efforts to obtain names, addresses and telephone numbers of witnesses.
 2. When appropriate, ensuring immediate medical attention is provided and photographs of alleged injuries and accessible uninjured areas are taken.
- (i) Ensuring that the procedural rights of the accused member are followed.
- (j) Ensuring interviews of the complainant are generally conducted during reasonable hours.

1010.6.2 ADMINISTRATIVE INVESTIGATION PROCEDURES

Whether conducted by a supervisor or a member of the Administration, the following applies to members covered by the Law Enforcement Officers' Bill of Rights (LEOBR) (Md. Code PS § 3-104):

- (a) Interviews of an accused member shall be conducted during reasonable hours and preferably when the member is on-duty. If the member is off-duty, he/she shall be compensated.
- (b) Unless waived by the member, interviews of an accused member shall be at the Princess Anne Police Department or other reasonable and appropriate place.
- (c) No more than one interviewer should ask questions of an accused member. The interviewer shall be a sworn law enforcement officer.
- (d) Prior to any interview, a member should be informed in writing of the nature of the investigation. The member under investigation shall also be informed of the name, rank and command of:
1. The law enforcement officer in charge of the investigation.
 2. The interrogating officer.
 3. Each individual present during an interrogation.
- (e) All interviews should be for a reasonable period and the member's personal needs should be accommodated.
- (f) No member should be subjected to offensive or threatening language, nor shall any promises, rewards or other inducements be used to obtain answers.
1. The member under interrogation may not be threatened with transfer, dismissal or disciplinary action.
- (g) Any member refusing to answer questions directly related to the investigation may be ordered to answer questions administratively and may be subject to discipline for failing to do so.
1. A member should be given an order to answer questions in an administrative investigation that might incriminate the member in a criminal matter only after the member has been given a *Garrity* advisement. Administrative investigators should consider the impact that compelling a statement from the member may have on any related criminal investigation and should take reasonable steps to avoid creating any foreseeable conflicts between the two related

Princess Anne Police Department

Policy Manual

Personnel Complaints

- investigations. This may include conferring with the person in charge of the criminal investigation (e.g., discussion of processes, timing, implications).
2. No information or evidence administratively coerced from a member may be provided to anyone involved in conducting the criminal investigation or to any prosecutor.
- (h) The interviewer should record all interviews of members and witnesses. The member may also record the interview. If the member has been previously interviewed, a copy of that recorded interview may be provided to the member prior to any subsequent interview.
 - (i) A complete record shall be kept of the entire interview of the member, including all recess periods. The record may be written, taped or transcribed.
 1. The interview shall be delayed, if necessary, for no more than 5 business days to permit an officer to find counsel or other representation. The Chief of Police may extend this period for good cause (Md. Code PS § 3-104).
 - (j) All members subjected to interviews that could result in discipline have the right to have an uninvolved representative present during the interview. However, in order to maintain the integrity of each individual's statement, involved members shall not consult or meet with a representative or attorney collectively or in groups prior to being interviewed.
 - (k) All members shall provide complete and truthful responses to questions posed during interviews.
 - (l) No member should be compelled to submit to a polygraph examination, nor should any refusal to submit to such examination be mentioned in any investigation (Md. Code PS § 3-104).
 - (m) If the member is under arrest, or is likely to be placed under arrest as a result of the interrogation, the member shall be completely informed of all of his/her rights before the interrogation begins.

1010.6.3 ADMINISTRATIVE INVESTIGATION FORMAT

Formal investigations of personnel complaints shall be thorough, complete and essentially follow this format:

Introduction - Include the identity of the members, the identity of the assigned investigators, the initial date and source of the complaint.

Synopsis - Provide a brief summary of the facts giving rise to the investigation.

Summary - List the allegations separately, including applicable policy sections, with a brief summary of the evidence relevant to each allegation. A separate recommended finding should be provided for each allegation.

Evidence - Each allegation should be set forth with the details of the evidence applicable to each allegation provided, including comprehensive summaries of member and witness statements. Other evidence related to each allegation should also be detailed in this section.

Princess Anne Police Department

Policy Manual

Personnel Complaints

Conclusion - A recommendation regarding further action or disposition should be provided.

Exhibits - A separate list of exhibits (e.g., recordings, photos, documents) should be attached to the report.

1010.6.4 DISPOSITIONS

Each personnel complaint shall be classified with one of the following dispositions:

Unfounded - When the investigation discloses that the alleged acts did not occur or did not involve department members. Complaints that are determined to be frivolous will fall within the classification of unfounded.

Exonerated - When the investigation discloses that the alleged act occurred but that the act was justified, lawful and/or proper.

Not sustained - When the investigation discloses that there is insufficient evidence to sustain the complaint or fully exonerate the member.

Sustained - When the investigation discloses sufficient evidence to establish that the act occurred and that it constituted misconduct.

If an investigation discloses misconduct or improper job performance that was not alleged in the original complaint, the investigator shall take appropriate action with regard to any additional allegations.

1010.6.5 COMPLETION OF INVESTIGATIONS

Every investigator or supervisor assigned to investigate a personnel complaint or other alleged misconduct shall proceed with due diligence in an effort to complete the investigation within one year from the date of discovery by an individual authorized to initiate an investigation because charges must generally be filed within one year (Md. Code PS § 3-106).

1010.6.6 NOTICE TO COMPLAINANT OF INVESTIGATION STATUS

The member conducting the investigation should provide the complainant with periodic updates on the status of the investigation, as appropriate.

1010.7 ADMINISTRATIVE SEARCHES

Assigned lockers, storage spaces and other areas, including desks, offices and vehicles, may be searched as part of an administrative investigation upon a reasonable suspicion of misconduct.

Such areas may also be searched any time by a supervisor for non-investigative purposes, such as obtaining a needed report, radio or other document or equipment.

1010.8 EMERGENCY SUSPENSION

For members covered by the LEOBR, when a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may suspend

Princess Anne Police Department

Policy Manual

Personnel Complaints

the accused member with pay. A member charged with a felony may be suspended without pay (Md. Code PS § 3-112).

Any member suspended:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The member may be required to remain available for contact at all times during such shift, and will report as ordered.

A suspended member shall be provided a prompt hearing (Md. Code PS § 3-112).

1010.9 ADMINISTRATIVE LEAVE

For employees not covered by the LEOBR, when a complaint of misconduct is of a serious nature, or when circumstances indicate that allowing the accused to continue to work would adversely affect the mission of the Department, the Chief of Police or the authorized designee may temporarily assign an accused employee to administrative leave/emergency suspension. Any employee placed on administrative leave:

- (a) May be required to relinquish any department badge, identification, assigned weapons and any other department equipment.
- (b) Shall be required to continue to comply with all policies and lawful orders of a supervisor.
- (c) May be temporarily reassigned to a different shift, generally a normal business-hours shift, during the investigation. The employee may be required to remain available for contact at all times during such shift and will report as ordered.

1010.10 CRIMINAL INVESTIGATION

Where a member is accused of potential criminal conduct, a separate supervisor or investigator shall be assigned to investigate the criminal allegations apart from any administrative investigation. Any separate administrative investigation may parallel a criminal investigation.

The Chief of Police shall be notified as soon as practicable when a member is accused of criminal conduct. The Chief of Police may request a criminal investigation by an outside law enforcement agency.

A member accused of criminal conduct shall be provided with all rights afforded to a civilian. The member should not be administratively ordered to provide any information in the criminal investigation.

The Chief of Police may release information concerning the arrest or detention of any member, including an officer, that has not led to a conviction. No disciplinary action should be taken until an independent administrative investigation is conducted.

Princess Anne Police Department

Policy Manual

Personnel Complaints

1010.11 POST-ADMINISTRATIVE INVESTIGATION PROCEDURES

Upon completion of a formal investigation, an investigation report should be forwarded to the Chief of Police or the authorized designee through the chain of command. Each level of command should review the report and include his/her comments in writing before forwarding the report. The Chief of Police or the authorized designee may accept or modify any classification or recommendation for disciplinary action.

1010.11.1 CAPTAIN RESPONSIBILITIES

Upon receipt of any completed personnel investigation, the Captain shall review the entire investigative file, the member's personnel file and any other relevant materials.

The Captain may make recommendations regarding the disposition of any allegations and the amount of discipline, if any, to be imposed.

Prior to forwarding recommendations to the Chief of Police or the authorized designee, the Captain may return the entire investigation to the assigned investigator or supervisor for further investigation or action.

When forwarding any written recommendation to the Chief of Police or the authorized designee, the Captain shall include all relevant materials supporting the recommendation. Actual copies of a member's existing personnel file need not be provided and may be incorporated by reference.

1010.11.2 CHIEF OF POLICE OR AUTHORIZED DESIGNEE RESPONSIBILITIES

Upon receipt of any written recommendation for disciplinary action, the Chief of Police or the authorized designee shall review the recommendation and all accompanying materials. The Chief of Police or the authorized designee may modify any recommendation and/or may return the file to the Captain for further investigation or action.

Once the Chief of Police or the authorized designee is satisfied that no further investigation or action is required by staff, the Chief of Police or the authorized designee shall determine the amount of discipline, if any, that should be imposed. In the event disciplinary action is proposed, the Chief of Police or the authorized designee shall provide the member with a written notice.

Before any discipline may be imposed, the Chief of Police or the authorized designee shall ensure notice is given to a member covered by the LEOBR of the member's right to a hearing by a hearing board, the time and place of the hearing, the issues involved, and the member's right to choose an alternate method of forming a hearing board (Md. Code PS § 3-107).

1010.11.3 HEARING BY HEARING BOARD

If the Chief of Police recommends demotion, dismissal, transfer, loss of pay, reassignment, or similar punitive action against a member covered by the LEOBR, a hearing before the hearing board will be held before the action is taken. The hearing board shall be convened and conducted as provided in Md. Code PS § 3-107 and § 3-108.

Princess Anne Police Department

Policy Manual

Personnel Complaints

At least 10 days before the hearing, the officer shall be notified of the charges against him/her. The officer also shall be provided with the name of each witness and a copy of the investigatory file, as well as any exculpatory information that relates to the officer and the charges specified. The officer and the officer's representative must execute a confidentiality agreement and pay reasonable costs associated with reproducing the materials (Md. Code PS § 3-104).

The hearing board shall issue a written decision including findings of fact and may also make a written recommendation of a penalty if the hearing board makes a finding of guilt (Md. Code PS § 3-108).

A copy of the hearing board's decision, findings of fact, conclusions and any discipline recommendation shall be sent to the Chief of Police and to the member or attorney or representative of record for the member.

1010.11.4 FINAL ORDER OF CHIEF OF POLICE

Within 30 days after receipt, the Chief of Police shall review the findings, conclusions, and recommendations of the hearing board, consider the member's past job performance, and issue a final order (Md. Code PS § 3-108; Md. Code CS § 11-1009).

1010.11.5 NOTICE OF FINAL DISPOSITION TO THE COMPLAINANT

The Chief of Police or the authorized designee should ensure that the complainant is notified of the disposition (i.e., sustained, not sustained, exonerated, unfounded) of the complaint.

1010.11.6 NOTICE REQUIREMENTS

The Chief of Police or the authorized designee shall provide any notifications required by the uniform citizen complaint process developed by the Maryland Police Training and Standards Commission (MPTSC) (Md. Code PS § 3-207).

1010.12 PRE-DISCIPLINE MEETING

Employees not covered by the LEOBR will be given a pre-discipline meeting with the Chief of Police or the authorized designee.

For members covered by the LEOBR, a pre-discipline hearing will be held if the Chief of Police intends to increase the discipline recommended by the hearing board. The Chief of Police may increase the hearing recommended discipline only after reviewing the entire hearing board record and providing in writing, at least 10 days before the meeting, any oral or written communication not included in the record of the hearing board on which the decision to consider increasing the discipline based. The meeting shall be recorded and the Chief of Police shall state on the record the evidence relied upon to support the increase of the recommended penalty. (Md. Code PS § 3-108).

The pre-discipline process is intended to provide the accused member with an opportunity to present a written or oral response to the Chief of Police after a hearing board recommendation and prior to imposition of discipline. The member shall consider the following:

- (a) The response is not intended to be an adversarial or formal hearing.

Personnel Complaints

- (b) Although the member may be represented by an uninvolved representative or legal counsel, the response is not designed to accommodate the presentation of testimony or witnesses.

1010.13 RESIGNATIONS/RETIREMENTS PRIOR TO DISCIPLINE

In the event that a member tenders a written resignation or notice of retirement prior to the imposition of discipline, it shall be noted in the file. The tender of a resignation or retirement by itself shall not serve as grounds for the termination of any pending investigation or discipline.

Notice that a licensed member separated shall be sent to the Maryland Police Training and Standards Commission (MPTSC) within 30 days of member's change in employment status (COMAR 12.04.01.02).

1010.14 POST-DISCIPLINE APPEAL RIGHTS

Non-probationary employees not covered by the LEOBR have the right to appeal a suspension without pay, punitive transfer, demotion, reduction in pay or step, or termination from employment. The employee has the right to appeal using the procedures established by an employment agreement, or other rules.

In the event of punitive action against a member covered by LEOBR, the appeal process shall be as provided in Md. Code PS § 3-109.

1010.15 PROBATIONARY EMPLOYEES AND OTHER MEMBERS

At-will and probationary employees and members other than non-probationary employees may be disciplined and/or released from employment without adherence to any of the procedures set out in this policy, and without notice or cause at any time. These individuals are not entitled to any rights under this policy. However, any of these individuals released for misconduct should be afforded an opportunity solely to clear their name through a liberty interest hearing, which shall be limited to a single appearance before the Chief of Police.

Any probationary period may be extended at the discretion of the Chief of Police in cases where the individual has been absent for more than a week or when additional time to review the individual is considered to be appropriate.

1010.16 RETENTION OF PERSONNEL INVESTIGATION FILES

All personnel complaints shall be maintained in accordance with the established records retention schedule and as described in the Personnel Records Policy.

Personnel Records

1013.1 PURPOSE AND SCOPE

This policy governs maintenance and access to personnel records. Personnel records include any file maintained under an individual member's name.

1013.2 POLICY

It is the policy of this department to maintain personnel records and preserve the confidentiality of personnel records pursuant to the Constitution and the laws of Maryland.

1013.3 DEPARTMENT FILE

The department file shall be maintained as a record of a person's employment/appointment with this department. The department file should contain, at a minimum:

- (a) Personal data, including photographs, marital status, names of family members, educational and employment history or similar information. A photograph of the member should be permanently retained.
- (b) Election of employee benefits.
- (c) Personnel action reports reflecting assignments, promotions and other changes in employment/appointment status. These should be permanently retained.
- (d) Original performance evaluations. These should be permanently maintained.
- (e) Discipline records, including copies of sustained personnel complaints.
- (f) Adverse comments such as supervisor notes or memos may be retained in the department file after the member has had the opportunity to read and initial the comment (Md. Code PS § 3-104(o)).
 - 1. Once a member has had an opportunity to read and initial any adverse comment, the member shall be given the opportunity to respond in writing to the adverse comment.
 - 2. Any member response shall be attached to and retained with the original adverse comment.
 - 3. If a member refuses to initial or sign an adverse comment, at least one supervisor should note the date and time of such refusal on the original comment. Such a refusal, however, shall not be deemed insubordination, nor shall it prohibit the entry of the adverse comment into the member's file.
- (g) Commendations and awards.
- (h) Any other information, the disclosure of which would constitute an unwarranted invasion of personal privacy.

Princess Anne Police Department

Policy Manual

Personnel Records

- (i) Only information required to accomplish a necessary governmental purpose shall be kept on a member (Md. Code GP § 4-102).

1013.4 DIVISION FILE

Division files may be separately maintained internally by a member's supervisor for the purpose of completing timely performance evaluations. The Division file may contain supervisor comments, notes, notices to correct, and other materials that are intended to serve as a foundation for the completion of timely performance evaluations.

1013.5 TRAINING FILE

An individual training file shall be maintained by the Training Officer for each member. Training files will contain records of all training, original or photocopies of available certificates, transcripts, diplomas and other documentation, education and firearms qualifications. Training records may also be created and stored remotely, either manually or automatically (e.g., Daily Training Bulletin (DTB) records).

- (a) The involved member is responsible for providing the Training Officer or immediate supervisor with evidence of completed training/education in a timely manner.
- (b) The Training Officer or supervisor shall ensure that copies of such training records are placed in the member's training file.

1013.6 INTERNAL AFFAIRS FILE

Internal affairs files shall be maintained under the exclusive control of the Administration in conjunction with the office of the Chief of Police. Access to these files may only be approved by the Chief of Police or the Administration supervisor.

These files shall contain the complete investigation of all formal complaints of member misconduct, regardless of disposition. Investigations of complaints that result in the following findings shall not be placed in the member's department file but will be maintained in the internal affairs file.

- (a) Not sustained
- (b) Unfounded
- (c) Exonerated

An officer may, upon written request, have a record of a formal complaint expunged from his/her personnel file if it meets the applicable requirements (Md. Code PS § 3-110).

1013.7 MEDICAL FILE

A medical file shall be maintained separately from all other personnel records and shall contain all documents relating to the member's medical condition and history, including but not limited to:

- (a) Materials relating to a medical leave of absence, including leave under the Family Medical Leave Act (FMLA).

Princess Anne Police Department

Policy Manual

Personnel Records

- (b) Documents relating to workers' compensation claims or the receipt of short- or long-term disability benefits.
- (c) Fitness-for-duty examinations, psychological and physical examinations, follow-up inquiries and related documents.
- (d) Medical release forms, doctor's slips and attendance records that reveal a member's medical condition.
- (e) Any other documents or material that reveals the member's medical history or medical condition, including past, present or future anticipated mental, psychological or physical limitations.

1013.8 SECURITY

Personnel records should be maintained in a secured location and locked either in a cabinet or access-controlled room. Personnel records maintained in an electronic format should have adequate password protection.

Personnel records are subject to disclosure only as provided in this policy, the Records Maintenance and Release Policy or according to applicable discovery procedures (Md. Code GP § 4-311).

Nothing in this policy is intended to preclude review of personnel records by the Town Manager, Town Attorney or other attorneys or representatives of the Town in connection with official business (Md. Code GP § 4-311).

1013.8.1 REQUESTS FOR DISCLOSURE

Any member receiving a request for a personnel record shall promptly notify the Custodian of Records or other person charged with the maintenance of such records.

Upon receipt of any such request, the responsible person shall notify the affected member as soon as practicable that such a request has been made.

The responsible person shall further ensure that an appropriate response to the request is made in a timely manner, consistent with applicable law. In many cases, this may require assistance of available legal counsel.

All requests for disclosure, which result in access to a member's personnel records, shall be logged in the corresponding file.

1013.8.2 RELEASE OF PERSONNEL INFORMATION

The Department may not release personal information about a member unless allowed by law, regulation or order (Md. Code GP § 4-311; Md. Code GP § 4-401).

The Department may release any factual information concerning a disciplinary investigation if the member who is the subject of the investigation (or the member's representative) publicly makes a statement that is published in the media and that the member (or representative) knows to be

Princess Anne Police Department

Policy Manual

Personnel Records

false. The disclosure of such information, if any, shall be limited to facts that refute any such false statement.

1013.9 MEMBER ACCESS TO HIS/HER OWN PERSONNEL RECORDS

Any member may request access to his/her own personnel records during the normal business hours of those responsible for maintaining such files (Md. Code GP § 4-311).

Any member seeking the removal of any item from his/her personnel records shall file a written request to the Chief of Police through the chain of command. The Department shall remove any such item if appropriate, or within 30 days provide the member with a written explanation of why the contested item will not be removed. If the contested item is not removed from the file, the member's request and the written response from the Department shall be retained with the contested item in the member's corresponding personnel record.

Members may be restricted from accessing files containing any of the following information:

- (a) An ongoing internal affairs investigation to the extent that it could jeopardize or compromise the investigation pending final disposition or notice to the member of the intent to discipline.
- (b) Confidential portions of internal affairs files that have not been sustained against the member.
- (c) Criminal investigations involving the member.
- (d) Letters of reference concerning employment/appointment, licensing or issuance of permits regarding the member.
- (e) Any portion of a test document, except the cumulative total test score for either a section of the test document or for the entire test document.
- (f) Materials used by the Department for staff management planning, including judgments or recommendations concerning future salary increases and other wage treatments, management bonus plans, promotions and job assignments or other comments or ratings used for department planning purposes.
- (g) Information of a personal nature about a person other than the member if disclosure of the information would constitute a clearly unwarranted invasion of the other person's privacy.
- (h) Records relevant to any other pending claim between the Department and the member that may be discovered in a judicial proceeding.

1013.10 RETENTION AND PURGING

Unless provided otherwise in this policy, personnel records shall be maintained in accordance with the established records retention schedule (Md. Code SG § 10-615).

Princess Anne Police Department

Policy Manual

Personnel Records

- (a) During the preparation of each member's performance evaluation, all personnel complaints and disciplinary actions should be reviewed to determine the relevancy, if any, to progressive discipline, training and career development. Each supervisor responsible for completing the member's performance evaluation should determine whether any prior sustained disciplinary file should be retained beyond the required period for reasons other than pending litigation or other ongoing legal proceedings.
- (b) If a supervisor determines that records of prior discipline should be retained beyond the required period, approval for such retention should be obtained through the chain of command from the Chief of Police.
- (c) If, in the opinion of the Chief of Police, a personnel complaint or disciplinary action maintained beyond the required retention period is no longer relevant, all records of such matter may be destroyed in accordance with the established records retention schedule.

Meal Periods and Breaks

1017.1 PURPOSE AND SCOPE

This policy provides general guidance regarding the availability of meal periods and breaks.

1017.2 POLICY

It is the policy of the Princess Anne Police Department to provide meal periods and breaks to members of this department in accordance with applicable memorandums of understanding and collective bargaining agreements and the Town personnel manual.

1017.3 MEAL PERIODS

Officers and dispatchers shall remain on-duty subject to call during meal periods. All other members are not on-call during meal periods unless directed otherwise by a supervisor.

Uniformed officers shall take their meal periods within the Town limits and shall monitor the police radio, unless on assignment outside of the Town.

The time spent for the meal period shall not exceed the authorized time allowed.

1017.4 BREAKS

Each member is entitled to a 15-minute break, near the midpoint, for each four-hour work period. Only one break shall be taken during each four hours of duty. No breaks shall be taken during the first or last hour of a member's shift unless approved by a supervisor.

Members normally assigned to the police facility shall remain at the police facility for their breaks. This does not prohibit them from taking a break away from the facility if they are on official business.

Members assigned to field duties will take their breaks in their assigned areas, subject to call, and shall monitor the police radio.

Payroll Records

1019.1 PURPOSE AND SCOPE

This policy provides the guidelines for completing and submitting payroll records of department members who are eligible for the payment of wages.

1019.2 POLICY

The Princess Anne Police Department maintains timely and accurate payroll records.

1019.3 RESPONSIBILITIES

Members are responsible for the accurate completion and timely submission of their payroll records for the payment of wages.

The Captain is responsible for approving the payroll records for the department.

1019.4 TIME REQUIREMENTS

Members who are eligible for the payment of wages are paid on a scheduled, periodic basis, generally on the same day or date each period, with certain exceptions, such as holidays. Payroll records shall be completed and submitted to Administration as established by the Town payroll procedures.

1019.5 RECORDS

The Captain shall ensure that accurate and timely payroll records are maintained as required by 29 CFR 516.2 for a minimum of three years (29 CFR 516.5).

Overtime Compensation

1020.1 PURPOSE AND SCOPE

This policy establishes guidelines and procedures regarding overtime for employees, in conformance with the Fair Labor Standards Act (FLSA) (29 USC § 201 et seq.).

1020.2 POLICY

The Princess Anne Police Department will compensate nonexempt employees who work authorized overtime either by payment of wages or by the accrual of compensatory time (29 CFR 553.22). Employees who are salary exempt from FLSA are not compensated for overtime worked.

1020.3 COMPENSATION

Payment of wages to nonexempt employees for overtime, or accrual of compensatory time in lieu of compensation for overtime worked, shall be at the rate of not less than one and one-half hours for each hour of employment for which overtime compensation is required (29 USC § 207(k)(2); 29 USC § 207(o)(1)).

Short periods of overtime worked at the end of the normal duty day (e.g., less than one hour in duration) may be handled informally by an agreement between the supervisor and the employee. In such cases, the supervisor shall document the overtime worked and schedule a subsequent shift adjustment within the same work period that the overtime was worked, rather than submit a request for overtime payment (29 USC § 207(k)).

Salary exempt employees may be eligible for administrative leave, which may be granted at the discretion of the exempt employee's immediate supervisor.

1020.4 REQUESTS FOR OVERTIME COMPENSATION

1020.4.1 EMPLOYEE RESPONSIBILITIES

Generally, no employee is authorized to work overtime without the prior approval of a supervisor. If circumstances do not permit prior approval, approval shall be sought as soon as practicable during the overtime shift and in no case later than the end of the shift in which the overtime is worked.

Nonexempt employees shall:

- (a) Obtain supervisory approval, verbal or written.
- (b) Not work in excess of 16 hours, including regularly scheduled work time, overtime and extra-duty time, in any consecutive 24-hour time period without supervisory approval.
- (c) Record the actual time worked in an overtime status using the department-approved form or method. Informal notations on reports, logs or other forms not approved for overtime recording are not acceptable.
- (d) Submit the request for overtime compensation to their supervisors by the end of shift or no later than the next calendar day.

Princess Anne Police Department

Policy Manual

Overtime Compensation

1020.4.2 SUPERVISOR RESPONSIBILITIES

Supervisors shall:

- (a) Prior to authorizing an employee to work overtime, evaluate the need for the overtime.
 1. Supervisors should not authorize any request to work overtime if the overtime would not be an appropriate use of department resources.
- (b) Upon receipt of a request for overtime compensation, confirm that the overtime was authorized and then verify the actual time worked.
 1. Supervisors identifying any unauthorized overtime or discrepancy shall initiate an investigation consistent with the Personnel Complaints Policy.
- (c) After verifying and approving the overtime amount, promptly forward the request for compensation to the Captain for final approval.

Supervisors may not authorize or approve their own overtime.

1020.5 ACCOUNTING FOR PORTIONS OF AN HOUR

Authorized overtime work shall be accounted in the increments as listed:

<u>TIME WORKED</u>	<u>INDICATE ON CARD</u>	
Up to 15 minutes	.25 hour	
16 to 30 minutes	.50 hour	
31 to 45 minutes	.75 hour	
46 to 60 minutes	1 hour	

1020.5.1 VARIATION IN TIME REPORTED

When two or more employees are assigned to the same activity, case or court trial, and the amount of time for which overtime compensation is requested varies among the officers, the Supervisor or other approving supervisor may require each employee to include the reason for the variation on the overtime compensation request.

1020.6 REQUESTING USE OF COMPENSATORY TIME

Employees who have accrued compensatory time shall be allowed to use that time for time off within a reasonable period after making a request, if the request does not unduly disrupt department operations. Requests to use compensatory time will be submitted to the employee's supervisor at least 24 hours in advance of its intended use. Supervisors may make exceptions in unusual or extraordinary circumstances.

Compensatory time may not be used for time off for a date and time when the employee is required to appear in court on department-related matters. Supervisors shall not unreasonably deny employee requests to use compensatory time (29 CFR 553.25).

Work-Related Injury and Illness Reporting

1022.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance regarding timely reporting of work-related injuries and occupational illnesses.

1022.1.1 DEFINITIONS

Definitions in this policy include:

Work-related injury or illness - Accidental personal injury or illness arising out of and in the course of employment (Md. Code LE § 9-101).

1022.2 POLICY

The Princess Anne Police Department will address work-related injuries and occupational illnesses appropriately, and will comply with applicable state workers' compensation requirements (Md. Code LE § 9-101 et seq.).

1022.3 RESPONSIBILITIES

1022.3.1 MEMBER RESPONSIBILITIES

Any member sustaining any work-related injury or occupational illness shall report such event as soon as practicable, but within 24 hours, to a supervisor, and shall seek medical care when appropriate.

1022.3.2 SUPERVISOR RESPONSIBILITIES

A supervisor learning of any work-related injury or occupational illness should ensure the member receives medical care as appropriate.

Supervisors shall ensure that required documents regarding workers' compensation are completed and forwarded promptly (Md. Code LE § 9-707). Any related Town-wide injury- or illness-reporting protocol shall also be followed.

Supervisors shall determine whether the Major Incident Notification and the Workplace Safety and Health policies apply and take additional action as required.

1022.3.3 CAPTAIN RESPONSIBILITIES

The Captain who receives a report of a work-related injury or occupational illness should review the reports for accuracy and determine what additional action should be taken. The reports shall then be forwarded to the Chief of Police and the Town's risk management entity to ensure any required Maryland Occupational Safety and Health (MOSH) Act reporting is made as required in the injury and illness prevention plan identified in the Workplace Safety and Health Policy.

Princess Anne Police Department

Policy Manual

Work-Related Injury and Illness Reporting

1022.3.4 CHIEF OF POLICE RESPONSIBILITIES

The Chief of Police shall review and forward copies of the report to the Town Administration. Copies of the report and related documents retained by the Department shall be filed in the member's confidential medical file.

1022.4 OTHER INJURY OR ILLNESS

Injuries and illnesses caused or occurring on-duty that do not qualify for workers' compensation reporting shall be documented on the designated report of injury form, which shall be signed by a supervisor. A copy of the completed form shall be forwarded to the Captain through the chain of command and a copy sent to the Chief of Police.

Unless the injury is extremely minor, this report shall be signed by the affected member, indicating that he/she desired no medical attention at the time of the report. By signing, the member does not preclude his/her ability to later seek medical attention.

1022.5 SETTLEMENT OFFERS

When a member sustains a work-related injury or occupational illness that is caused by another person and is subsequently contacted by that person, his/her agent, insurance company or attorney and offered a settlement, the member shall take no action other than to submit a written report of this contact to his/her supervisor as soon as possible.

1022.5.1 NO SETTLEMENT WITHOUT PRIOR APPROVAL

No less than 10 days prior to accepting and finalizing the settlement of any third-party claim arising out of or related to a work-related injury or occupational illness, the member shall provide the Chief of Police with written notice of the proposed terms of such settlement. In no case shall the member accept a settlement without first providing written notice to the Chief of Police. The purpose of such notice is to permit the Town to determine whether the offered settlement will affect any claim the Town may have regarding payment for damage to equipment or reimbursement for wages against the person who caused the accident or injury, and to protect the Town's right of subrogation, while ensuring that the member's right to receive compensation for injuries is not affected.

Employee Speech, Expression and Social Networking

1030.1 PURPOSE AND SCOPE

This policy is intended to address issues associated with the use of social networking sites, and provides guidelines for the regulation and balancing of member speech and expression with the needs of the Princess Anne Police Department.

This policy applies to all forms of communication including, but not limited to, film, video, print media, public or private speech, use of all Internet services, including the Web, email, file transfer, remote computer access, news services, social networking, social media, instant messaging, blogs, forums, video and other file-sharing sites.

Nothing in this policy is intended to prohibit or infringe upon any communication, speech or expression that is protected under law. This includes speech and expression protected under state or federal constitutions as well as labor or other applicable laws. For example, this policy does not limit a member from speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, about matters of public concern, such as misconduct or corruption.

Members are encouraged to consult with their supervisors regarding any questions arising from the application or potential application of this policy.

1030.2 POLICY

Members of public entities occupy a trusted position in the community, and thus, their statements have the potential to contravene the policies and performance of the Princess Anne Police Department. Due to the nature of the work and influence associated with the law enforcement profession, it is necessary that members of this department be subject to certain reasonable limitations on their speech and expression. To achieve its mission and efficiently provide service to the public, the Department will carefully balance the individual member's rights against the needs and interests of the Department when exercising a reasonable degree of control over its members' speech and expression.

1030.3 SAFETY

Members should carefully consider the implications of their speech or any other form of expression when using the Internet. Speech and expression that may negatively affect the safety of Princess Anne Police Department members, such as posting personal information in a public forum or posting a photograph taken with a GPS-enabled camera, can result in compromising a member's home address or family ties. Members should therefore not disseminate or post any information on any forum or medium that could reasonably be anticipated to compromise the safety of any member, a member's family or associates. Examples of the type of information that could reasonably be expected to compromise safety include:

Princess Anne Police Department

Policy Manual

Employee Speech, Expression and Social Networking

- Disclosing a photograph and name or address of an officer who is working undercover
- Disclosing the address of a fellow department member
- Otherwise disclosing where another officer can be located off-duty

1030.4 PROHIBITED SPEECH, EXPRESSION AND CONDUCT

To meet the safety, performance and public-trust needs of the Princess Anne Police Department, the following are prohibited unless the speech is otherwise protected (for example, a member speaking as a private citizen, including acting as an authorized member of a recognized bargaining unit or an employee group, on a matter of public concern):

- (a) Speech or expression made pursuant to an official duty that tends to compromise or damage the mission, function, reputation or professionalism of the Department or its members.
- (b) Speech or expression that, while not made pursuant to an official duty, is significantly linked to, or related to, the Department and tends to compromise or damage the mission, function, reputation or professionalism of the Department or its members. Examples may include:
 1. Statements that indicate disregard for the law or the state or U.S. Constitutions.
 2. Expression that demonstrates support for criminal activity.
 3. Participation in sexually explicit photographs or videos for compensation or distribution.
- (c) Speech or expression that could reasonably be foreseen as having a negative impact on the credibility of the member as a witness. For example, posting statements or expressions to a website that glorify or endorse dishonesty, unlawful discrimination or illegal behavior.
- (d) Speech or expression of any form that could reasonably be foreseen as having a negative impact on the safety of the members of the Department (e.g., a statement on a blog that provides specific details as to how and when prisoner transportations are made could reasonably be foreseen as potentially jeopardizing employees by informing criminals of details that could facilitate an escape or attempted escape).
- (e) Speech or expression that is contrary to the canons of the Law Enforcement Code of Ethics as adopted by the Department.
- (f) Use or disclosure, through whatever means of any information, photograph, video or other recording obtained or accessible as a result of employment or appointment with the Department for financial or personal gain, or any disclosure of such materials without the express authorization of the Chief of Police or the authorized designee.

Princess Anne Police Department

Policy Manual

Employee Speech, Expression and Social Networking

- (g) Posting, transmitting or disseminating any photographs, video or audio recordings, likenesses or images of department logos, emblems, uniforms, badges, patches, marked vehicles, equipment or other material that specifically identifies the Princess Anne Police Department on any personal or social networking or other website or web page, without the express authorization of the Chief of Police.

Members must take reasonable and prompt action to remove any content, including content posted by others, that is in violation of this policy from any web page or website maintained by the employee (e.g., social or personal website).

1030.4.1 UNAUTHORIZED ENDORSEMENTS AND ADVERTISEMENTS

While members are not restricted from engaging in the following activities as private citizens or as authorized members of recognized bargaining units or employee groups, members may not represent the Princess Anne Police Department or identify themselves in any way that could be reasonably perceived as representing the Department in order to do any of the following, unless specifically authorized by the Chief of Police (Md. Code LG § 1-303; Md. Code LG § 1-304; Md. Code PS § 3-103; Md. Code SP § 2-304):

- (a) Endorse, support, oppose or contradict any political campaign, political candidate or initiative
- (b) Endorse, support, oppose or contradict any social issue, cause or religion
- (c) Endorse, support, or oppose any product, service, company or other commercial entity.
- (d) Appear in any commercial, social or nonprofit publication or any motion picture, film, video, public broadcast or any website.

Additionally, when it can reasonably be construed that an employee, acting in his/her individual capacity or through an outside group or organization, including as an authorized member of a recognized bargaining unit or an employee group, is affiliated with this department, the member shall give a specific disclaiming statement that any such speech or expression is not representative of the Princess Anne Police Department.

Members retain their rights to vote as they choose, to support candidates of their choice and to express their opinions as private citizens, including as authorized members of a recognized bargaining units or employee groups, on political subjects and candidates at all times while off-duty. However, members may not use their official authority or influence to interfere with or affect the result of elections or nominations for office. Members are also prohibited from directly or indirectly using their official authority to coerce, command or advise another employee to pay, lend or contribute anything of value to a party, committee, organization, agency or person for political purposes (5 USC § 1502).

Princess Anne Police Department

Policy Manual

Employee Speech, Expression and Social Networking

1030.5 PRIVACY EXPECTATION

Members forfeit any expectation of privacy with regard to emails, texts or anything published or maintained through file-sharing software or any Internet site (e.g., Facebook, MySpace) that is accessed, transmitted, received or reviewed on any department technology system (see the Information Technology Use Policy for additional guidance).

However, the Department may not request or require that a member disclose any user name, password or other means for accessing a personal account or service through an electronic communications device (Md. Code LE § 3-712).

1030.6 CONSIDERATIONS

In determining whether to grant authorization of any speech or conduct that is prohibited under this policy, the factors that the Chief of Police or the authorized designee should consider include:

- (a) Whether the speech or conduct would negatively affect the efficiency of delivering public services.
- (b) Whether the speech or conduct would be contrary to the good order of the Department or the efficiency or morale of its members.
- (c) Whether the speech or conduct would reflect unfavorably upon the Department.
- (d) Whether similar speech or conduct has been previously authorized.
- (e) Whether the speech or conduct may be protected and outweighs any interest of the Department.

1030.7 TRAINING

Subject to available resources, the Department should provide training regarding the limitations on speech, expression and use of social networking to all members of the Department.

Line-of-Duty Deaths

1032.1 PURPOSE AND SCOPE

The purpose of this policy is to provide guidance to members of the Princess Anne Police Department in the event of the death of a member occurring in the line of duty and to direct the Department in providing proper support for the member's survivors.

The Chief of Police may also apply some or all of this policy in situations where members are injured in the line of duty and the injuries are life-threatening.

1032.1.1 DEFINITIONS

Definitions related to this policy include:

Line-of-duty death - The death of a sworn member during the course of performing law enforcement-related functions while on- or off-duty, or a civilian member during the course of performing their assigned duties.

Survivors - Immediate family members of the deceased member, which can include spouse, children, parents, other next of kin or significant others. The determination of who should be considered a survivor for purposes of this policy should be made on a case-by-case basis given the individual's relationship with the member and whether the individual was previously designated by the deceased member.

1032.2 POLICY

It is the policy of the Princess Anne Police Department to make appropriate notifications and to provide assistance and support to survivors and coworkers of a member who dies in the line of duty.

It is also the policy of this department to respect the requests of the survivors when they conflict with these guidelines, as appropriate.

1032.3 INITIAL ACTIONS BY COMMAND STAFF

- (a) Upon learning of a line-of-duty death, the deceased member's supervisor should provide all reasonably available information to the Captain and Somerset County Emergency Services.
 1. Communication of information concerning the member and the incident should be restricted to secure networks to avoid interception by the media or others (see the Chief of Police or designee section of this policy).
- (b) The Supervisor should ensure that notifications are made in accordance with the Officer-Involved Shootings and Deaths and Major Incident Notification policies as applicable.
- (c) If the member has been transported to the hospital, the Supervisor or the designee should respond to the hospital to assume temporary responsibilities as the Hospital Liaison.

Princess Anne Police Department

Policy Manual

Line-of-Duty Deaths

- (d) The Chief of Police or the authorized designee should assign members to handle survivor notifications and assign members to the roles of Hospital Liaison (to relieve the temporary Hospital Liaison) and the Department Liaison as soon as practicable (see the Notifying Survivors section and the Department Liaison and Hospital Liaison subsections in this policy).

1032.4 NOTIFYING SURVIVORS

Survivors should be notified as soon as possible in order to avoid the survivors hearing about the incident in other ways.

The Chief of Police or the authorized designee should review the deceased member's emergency contact information and make accommodations to respect the member's wishes and instructions specific to notifying survivors. However, notification should not be excessively delayed because of attempts to assemble a notification team in accordance with the member's wishes.

The Chief of Police, Supervisor or the authorized designee should select at least two members to conduct notification of survivors, one of which may be the Department Chaplain.

Notifying members should:

- (a) Make notifications in a direct and compassionate manner, communicating as many facts of the incident as possible, including the current location of the member. Information that is not verified should not be provided until an investigation has been completed.
- (b) Determine the method of notifying surviving children by consulting with other survivors and taking into account factors such as the child's age, maturity and current location (e.g., small children at home, children in school).
- (c) Plan for concerns such as known health concerns of survivors or language barriers.
- (d) Offer to transport survivors to the hospital, if appropriate. Survivors should be transported in department vehicles. Notifying members shall inform the Hospital Liaison over a secure network that the survivors are on their way to the hospital and should remain at the hospital while the survivors are present.
- (e) When survivors are not at their residences or known places of employment, actively seek information and follow leads from neighbors, other law enforcement, postal authorities and other sources of information in order to accomplish notification in as timely a fashion as possible. Notifying members shall not disclose the reason for their contact other than a family emergency.
- (f) If making notification at a survivor's workplace, ask a workplace supervisor for the use of a quiet, private room to meet with the survivor. Members shall not inform the workplace supervisor of the purpose of their visit other than to indicate that it is a family emergency.
- (g) Offer to call other survivors, friends or clergy to support the survivors and to avoid leaving survivors alone after notification.
- (h) Assist the survivors with meeting childcare or other immediate needs.

Princess Anne Police Department

Policy Manual

Line-of-Duty Deaths

- (i) Provide other assistance to survivors and take reasonable measures to accommodate their needs, wishes and desires. Care should be taken not to make promises or commitments to survivors that cannot be met.
- (j) Inform the survivors of the name and phone number of the Survivor Support Liaison (see the Survivor Support Liaison section of this policy), if known, and the Department Liaison.
- (k) Provide their contact information to the survivors before departing.
- (l) Document the survivor's names and contact information, as well as the time and location of notification. This information should be forwarded to the Department Liaison.
- (m) Inform the Chief of Police or the authorized designee once survivor notifications have been made so that other Princess Anne Police Department members may be apprised that survivor notifications are complete.

1032.4.1 OUT-OF-AREA NOTIFICATIONS

The Department Liaison should request assistance from law enforcement agencies in appropriate jurisdictions for in-person notification to survivors who are out of the area.

- (a) The Department Liaison should contact the appropriate jurisdiction using a secure network and provide the assisting agency with the name and telephone number of the department member that the survivors can call for more information following the notification by the assisting agency.
- (b) The Department Liaison may assist in making transportation arrangements for the member's survivors, but will not obligate the Department to pay travel expenses without the authorization of the Chief of Police.

1032.5 NOTIFYING DEPARTMENT MEMBERS

Supervisors or members designated by the Chief of Police are responsible for notifying department members of the line-of-duty death as soon as possible after the survivor notification is made. Notifications and related information should be communicated in person or using secure networks and should not be transmitted over the radio.

Notifications should be made in person and as promptly as possible to all members on-duty at the time of the incident. Members reporting for subsequent shifts within a short amount of time should be notified in person at the beginning of their shift. Members reporting for duty from their residence should be instructed to contact their supervisor as soon as practicable. Those members who are working later shifts or are on days off should be notified by phone as soon as practicable.

Members having a close bond with the deceased member should be notified of the incident in person. Supervisors should consider assistance (e.g., peer support group, modifying work schedules, approving sick leave) for members who are especially affected by the incident.

Supervisors should direct members not to disclose any information outside the Department regarding the deceased member or the incident.

Princess Anne Police Department

Policy Manual

Line-of-Duty Deaths

1032.6 LIAISONS AND COORDINATORS

The Chief of Police or the authorized designee should select members to serve as liaisons and coordinators to handle responsibilities related to a line-of-duty death, including, but not limited to:

- (a) Department Liaison.
- (b) Hospital Liaison.
- (c) Survivor Support Liaison.
- (d) Critical Incident Stress Management (CISM) coordinator.
- (e) Funeral Liaison.
- (f) Mutual aid coordinator.
- (g) Benefits Liaison.
- (h) Finance coordinator.

Liaisons and coordinators will be directed by the Department Liaison and should be given sufficient duty time to complete their assignments.

Members may be assigned responsibilities of more than one liaison or coordinator position depending on available department resources. The Department Liaison may assign separate liaisons and coordinators to accommodate multiple family units, if needed.

1032.6.1 DEPARTMENT LIAISON

The Department Liaison should be the Captain, and should serve as a facilitator between the deceased member's survivors and the Department. The Department Liaison reports directly to the Chief of Police. The Department Liaison's responsibilities include, but are not limited to:

- (a) Directing the other liaisons and coordinators in fulfilling survivors' needs and requests. Consideration should be given to organizing the effort using the National Incident Management System (NIMS).
- (b) Establishing contact with survivors within 24 hours of the incident and providing them contact information.
- (c) Advising survivors of the other liaison and coordinator positions and their roles and responsibilities.
- (d) Identifying locations that will accommodate a law enforcement funeral and presenting the options to the appropriate survivors, who will select the location.
- (e) Coordinating all official law enforcement notifications and arrangements.
- (f) Making necessary contacts for authorization to display flags at half-mast.
- (g) Ensuring that department members are reminded of appropriate information—sharing restrictions regarding the release of information that could undermine future legal proceedings.
- (h) Coordinating security checks of the member's residence as necessary and reasonable.

Princess Anne Police Department

Policy Manual

Line-of-Duty Deaths

- (i) Serving as a liaison with visiting law enforcement agencies during memorial and funeral services.

1032.6.2 HOSPITAL LIAISON

The Hospital Liaison should work with hospital personnel to:

- (a) Arrange for appropriate and separate waiting areas for:
 - 1. The survivors and others whose presence is requested by the survivors.
 - 2. Department members and friends of the deceased member.
 - 3. Media personnel.
- (b) Ensure, as much as practicable, that any suspects who are in the hospital and their families or friends are not in close proximity to the member's survivors or Princess Anne Police Department members (except for members who may be guarding the suspect).
- (c) Ensure that survivors receive timely updates regarding the member before information is released to others.
- (d) Arrange for survivors to have private time with the member, if requested.
 - 1. The Hospital Liaison or hospital personnel may need to explain the condition of the member to the survivors to prepare them accordingly.
 - 2. The Hospital Liaison should accompany the survivors into the room, if requested.
- (e) Stay with survivors and ensure that they are provided with other assistance as needed at the hospital.
- (f) If applicable, explain to the survivors why an autopsy may be needed.
- (g) Ensure hospital bills are directed to the Department, that the survivors are not asked to sign as guarantor of payment for any hospital treatment and that the member's residence address, insurance information and next of kin are not included on hospital paperwork.

Other responsibilities of the Hospital Liaison include, but are not limited to:

- Arranging transportation for the survivors back to their residence.
- Working with investigators to gather and preserve the deceased member's equipment and other items that may be of evidentiary value.
- Documenting his/her actions at the conclusion of his/her duties.

1032.6.3 CRITICAL INCIDENT STRESS MANAGEMENT COORDINATOR

The CISM coordinator should work with the Chief of Police or the authorized designee, liaisons, coordinators and other resources to make CISM and counseling services available to members and survivors who are impacted by a line-of-duty death. The responsibilities of the CISM coordinator include, but are not limited to:

- (a) Identifying members who are likely to be significantly affected by the incident and may have an increased need for CISM and counseling services, including:

Princess Anne Police Department

Policy Manual

Line-of-Duty Deaths

1. Members involved in the incident.
 2. Members who witnessed the incident.
 3. Members who worked closely with the deceased member but were not involved in the incident.
- (b) Ensuring that members who were involved in or witnessed the incident are relieved of department responsibilities until they can receive CISM support as appropriate and possible.
 - (c) Ensuring that CISM and counseling resources (e.g., peer support, debriefing, grief counselors) are available to members as soon as reasonably practicable following the line-of-duty death.
 - (d) Coordinating with the Survivor Support Liaison to ensure survivors are aware of available CISM and counseling services and assisting with arrangements as needed.
 - (e) Following up with members and the Survivor Support Liaison in the months following the incident to determine if additional CISM or counseling services are needed.

1032.6.4 FUNERAL LIAISON

The Funeral Liaison should work with the Department Liaison, Survivor Support Liaison and survivors to coordinate funeral arrangements to the extent the survivors wish. The Funeral Liaison's responsibilities include, but are not limited to:

- (a) Assisting survivors in working with the funeral director regarding funeral arrangements and briefing them on law enforcement funeral procedures.
- (b) Completing funeral notification to other law enforcement agencies.
- (c) Coordinating the funeral activities of the Department, including, but not limited to the following:
 1. Honor Guard
 - (a) Casket watch
 - (b) Color guard
 - (c) Pallbearers
 - (d) Bell/rifle salute
 2. Bagpipers/bugler
 3. Uniform for burial
 4. Flag presentation
 5. Last radio call
- (d) Briefing the Chief of Police and command staff concerning funeral arrangements.
- (e) Assigning an officer to remain at the family home during the viewing and funeral.
- (f) Arranging for transportation of the survivors to and from the funeral home and interment site using department vehicles and drivers.

Princess Anne Police Department

Policy Manual

Line-of-Duty Deaths

1032.6.5 MUTUAL AID COORDINATOR

The mutual aid coordinator should work with the Department Liaison and the Funeral Liaison to request and coordinate any assistance from outside law enforcement agencies needed for, but not limited to:

- (a) Traffic control during the deceased member's funeral.
- (b) Area coverage so that as many Princess Anne Police Department members can attend funeral services as possible.

The mutual aid coordinator should perform his/her duties in accordance with the Outside Agency Assistance Policy.

1032.6.6 BENEFITS LIAISON

The Benefits Liaison should provide survivors with information concerning available benefits and assist them in applying for benefits. Responsibilities of the Benefits Liaison include, but are not limited to:

- (a) Confirming the filing of workers' compensation claims and related paperwork (see the Workplace Safety and Health Policy).
- (b) Researching and assisting survivors with application for federal government survivor benefits, such as those offered through the:
 1. Public Safety Officers' Benefits (PSOB) Programs.
 2. Public Safety Officers' Educational Assistance (PSOEA) Program.
 3. Social Security Administration.
 4. Department of Veterans Affairs.
- (c) Researching and assisting survivors with application for state and local government survivor benefits.
 1. State death and funeral benefits (Md. Code PS § 1-202)
 2. Pension death benefits (Md. Code SP § 29-201 et seq.)
 3. Educational benefits (Md. Code ED § 18-601)
- (d) Researching and assisting survivors with application for other survivor benefits such as:
 1. Private foundation survivor benefits programs.
 2. Survivor scholarship programs.
- (e) Researching and informing survivors of support programs sponsored by police associations and other organizations.
- (f) Documenting and informing survivors of inquiries and interest regarding public donations to the survivors.
 1. If requested, working with the finance coordinator to assist survivors with establishing a process for the receipt of public donations.

Princess Anne Police Department

Policy Manual

Line-of-Duty Deaths

- (g) Providing survivors with a summary of the nature and amount of benefits applied for, including the name of a contact person at each benefit office. Printed copies of the summary and benefit application documentation should be provided to affected survivors.
- (h) Maintaining contact with the survivors and assisting with subsequent benefit questions and processes as needed.

1032.6.7 FINANCE COORDINATOR

The finance coordinator should work with the Chief of Police and the Department Liaison to manage financial matters related to the line-of-duty death. The finance coordinator's responsibilities include, but are not limited to:

- (a) Establishing methods for purchasing and monitoring costs related to the incident.
- (b) Providing information on finance-related issues, such as:
 - 1. Paying survivors' travel costs if authorized.
 - 2. Transportation costs for the deceased.
 - 3. Funeral and memorial costs.
 - 4. Related funding or accounting questions and issues.
- (c) Working with the Benefits Liaison to establish a process for the receipt of public donations to the deceased member's survivors.
- (d) Providing accounting and cost information as needed.

1032.7 CHIEF OF POLICE OR DESIGNEE

In the event of a line-of-duty death, the department's Chief of Police or designee should be the department's contact point for the media. As such, the Chief of Police or designee should coordinate with the Department Liaison to:

- (a) Collect and maintain the most current incident information and determine what information should be released.
- (b) Ensure that Department members are instructed to direct any media inquiries to the Chief of Police or designee.
- (c) Prepare necessary press releases.
 - 1. Ensure coordination with other entities having media roles (e.g., outside agencies involved in the investigation or incident).
 - 2. Ensure that important public information is disseminated, such as information on how the public can show support for the Department and deceased member's survivors.
- (d) Arrange for community and media briefings by the Chief of Police or the authorized designee as appropriate.
- (e) Respond, or coordinate the response, to media inquiries.
- (f) If requested, assist the member's survivors with media inquiries.

Princess Anne Police Department

Policy Manual

Line-of-Duty Deaths

1. Brief the survivors on handling sensitive issues such as the types of questions that reasonably could jeopardize future legal proceedings.
 - (g) Release information regarding memorial services and funeral arrangements to department members, other agencies and the media as appropriate.
 - (h) If desired by the survivors, arrange for the recording of memorial and funeral services via photos and/or video.

The identity of deceased members should be withheld until the member's survivors have been notified. If the media has obtained identifying information for the deceased member prior to survivor notification, the Chief of Police or designee should request that the media withhold the information from release until proper notification can be made to survivors. The Chief of Police or designee should ensure that media are notified when survivor notifications have been made.

1032.8 DEPARTMENT CHAPLAIN

The Department chaplain may serve a significant role in line-of-duty deaths. His/her duties may include, but are not limited to:

- Assisting with survivor notifications and assisting the survivors with counseling, emotional support or other matters, as appropriate.
- Assisting liaisons and coordinators with their assignments, as appropriate.
- Assisting department members with counseling or emotional support, as requested and appropriate.

Further information on the potential roles and responsibilities of the chaplain is in the Chaplains Policy.

1032.9 INVESTIGATION OF THE INCIDENT

The Chief of Police shall ensure that line-of-duty deaths are investigated thoroughly and may choose to use the investigation process outlined in the Officer-Involved Shootings and Deaths Policy.

Investigators from other agencies may be assigned to work on any criminal investigation related to line-of-duty deaths. Partners, close friends or personnel who worked closely with the deceased member should not have any investigative responsibilities because such relationships may impair the objectivity required for an impartial investigation of the incident.

Involved department members should be kept informed of the progress of the investigations and provide investigators with any information that may be pertinent to the investigations.

1032.10 LINE-OF-DUTY DEATH OF A LAW ENFORCEMENT ANIMAL

The Chief of Police may authorize appropriate memorial and funeral services for law enforcement animals killed in the line of duty.

Princess Anne Police Department

Policy Manual

Line-of-Duty Deaths

1032.11 NON-LINE-OF-DUTY DEATH

The Chief of Police may authorize certain support services for the death of a member not occurring in the line of duty.

Princess Anne Police Department Policy Manual

Policy Manual

INDEX / TOPICS

A

ACKNOWLEDGEMENTS

Departmental directives.	19
Policy manual.	15
Policy revisions.	15

ADMINISTRATIVE COMMUNICATIONS 28

ADMINISTRATIVE LEAVE

Compensation.	331
Employee convictions.	305
Firearms.	72

ADULT ABUSE

Investigations.	267
-------------------------	-----

AIR SUPPORT 242

AIRCRAFT

Flying while armed.	79
Pursuits.	86
Support.	242

ALCOHOL

Firearms.	76
-------------------	----

AMBER ALERTS 145

AMMUNITION

Kinetic energy projectiles.	52
-------------------------------------	----

ANIMALS

Dangerous	56, 77
Euthanize.	78
Injured.	78
Line-of-duty deaths.	347
Service.	189

ANTI-RETALIATION 302

APPOINTMENTS

ADA Coordinator.	185
Brady coordinator.	292
Chaplain coordinator.	194
Community relations coordinator.	214
LEP Coordinator.	177
Line-of-duty death liaisons and coordinators	342
Training committee.	23
UAS Coordinator.	295
Volunteer coordinator.	205

ARRESTS

Child and dependent adult safety.	199
Control devices.	49
Department/Office employee or prominent official.	168
Diplomatic immunity.	236
Disabled persons.	191
Domestic violence.	115
Employee.	305
First amendment assemblies.	261

Handcuffs and restraints.	45
Limited English proficiency.	182
Mass.	259

AUDIO/VIDEO RECORDING

Custodial interrogation.	267
First amendment assemblies.	258

AUDITS

Criminal intelligence system.	248
EMDT device data downloads.	57
EMDT device training.	59
Informant files.	284
Informant funds.	287

AUTHORITY

Command.	17
Member.	18
Official.	337
Policy Manual.	12
Use of force review board.	43

B

BACKGROUNDS

Ride-alongs.	234
----------------------	-----

BADGES, PATCHES AND IDENTIFICATION

Speech, expression and social networking.	336
While armed.	72

BATONS 50

BLUE ALERTS 146

BODY ARMOR

Suspects.	71
-------------------	----

BOMBS

Chaplains.	196
--------------------	-----

BRADY 292

BRIEFING 228

C

CANINES

Foot pursuits.	94
Pursuits.	87

CASH

Asset forfeiture.	277
Audit.	287
Informants.	286

CHAPLAINS 193

Line-of-duty deaths.	347
------------------------------	-----

Ride-alongs.	234
----------------------	-----

CHILD AND DEPENDENT ADULT SAFETY 199

CHILDREN

Alerts.	145
Child safety.	199
Firearms.	75
Language assistance.	180
Pursuits.	90
Report preparation.	163

Princess Anne Police Department

Policy Manual

CITATIONS		
Diplomatic immunity.	237	
COMMAND STAFF		
EMDT device.	59	
Policy review.	15	
Policy reviews.	19	
Protocol.	17	
Use of force review board.	42	
Work-related injuries.	333	
COMMENDATIONS AND AWARDS		
Administrative communications.	28	
COMMUNICATIONS CENTER		
Call notification protocol.	168	
Emergency response considerations.	101	
Foot pursuits.	97	
Limited English proficiency.	181	
Traffic signals.	240	
Utility emergencies.	240	
Vehicle pursuits.	88	
COMMUNICATIONS WITH PERSONS WITH DISABILITIES	185	
COMMUNICATIONS, PERSONS WITH DISABILITIES CALL-TAKER TRAINING	192	
COMMUNITY ADVISORY COMMITTEE	216	
COMMUNITY RELATIONS	213	
COMPENSATORY TIME	331	
COMPENSATORY TIME	332	
COMPUTERS		
Digital evidence.	268	
Email.	26	
CONDUCT		
Anti-retaliation	302, 304	
Criminal.	305	
Discriminatory harassment.	133	
Prohibited speech, expression and social networking.	336	
Ride-alongs.	235	
CONFIDENTIALITY		
Chaplains.	197	
Drug and alcohol-free workplace.	311	
Informants.	282	
Personnel records	326, 326	
Retaliation complaints.	303	
CONTROL DEVICES	49	
First amendment assemblies.	260	
COURT ORDERS		
Child custody.	199	
Foreign.	116	
Juvenile informants.	282	
Members.	305	
CRIME ANALYSIS	299	
CRIME AND DISASTER SCENE INTEGRITY	230	
CRIMINAL INTELLIGENCE SYSTEMS	248	
CRIMINAL ORGANIZATIONS	248	
CUSTODIAL INTERROGATIONS		
Communications with persons with disabilities	190, 190	
Limited English proficient.	183	
CUSTODIAN OF RECORDS		
Email.	26	
D		
DAILY TRAINING BULLETINS (DTBS)	24	
Training records.	325	
DEATH		
Chaplains.	196	
DEATH INVESTIGATIONS	170	
DEFINITIONS		
Terms used in policy manual.	12	
DEPARTMENTAL DIRECTIVES	19	
DEPENDENT ADULTS		
Safety.	199	
DIPLOMATIC IMMUNITY	238	
DISABLED		
Communicating with the.	185	
DISCIPLINE		
Records.	324	
Volunteers.	209	
DISCLAIMER	12	
Administrative communications	28, 28	
DISCRIMINATION		
Americans with Disabilities (ADA).	185	
Limited English proficiency.	177	
DISCRIMINATORY HARASSMENT	133	
DOMESTIC VIOLENCE	113	
Member convictions.	305	
DRIVING		
Defensive.	209	
Pursuit tactics.	85	
DRUG AND ALCOHOL-FREE WORKPLACE	307	
E		
ELECTRONIC MAIL	26	
Speech, expression and social networking.	335	
EMDT DEVICE	54	
EMERGENCY OPERATIONS PLAN	20	
EMPLOYEE ASSISTANCE PROGRAM	308	
EVIDENCE		
Digital.	268	

Princess Anne Police Department

Policy Manual

Seized recordings.	255	IDENTITY THEFT	173
EYEWITNESS IDENTIFICATION	288	INFORMANTS	282
F		INSPECTIONS	
FIREARMS		Control devices.	49
Domestic violence convictions.	305	Firearms	70, 74
Off-duty.	72	Personnel.	228
Pursuits.	90	INVESTIGATION AND PROSECUTION .	266
Retiree carry.	30	J	
Secondary.	72	JURISDICTION	
FIREARMS DISCHARGE		Death notifications.	172
Report preparation.	163	Foreign court orders.	116
FIRST AMENDMENT ASSEMBLIES	257	Identity theft.	173
FITNESS FOR DUTY		Pursuits.	89
Medical file.	325	Registered offenders.	166
Volunteers.	208	JURISDICTIONS	
FLYING WHILE ARMED	79	Emergency operations plan.	20
FOREIGN		K	
Country convictions.	305	KEYS	
Court orders.	116	Searches.	120
Diplomatic and consular representatives.	236	KINETIC ENERGY PROJECTILE	51
FORMS		L	
Cash payment acknowledgement.	286	LIMITED ENGLISH PROFICIENCY	177
Cash transfer.	287	Interpreters.	288
Communications with persons with		LINE-OF-DUTY DEATHS	339
disabilities.	191	M	
EMDT device report.	57	MAJOR INCIDENT NOTIFICATION	168
Eyewitness identification.	288	MEAL PERIODS AND BREAKS	329
Firearm training.	78	MEDIA	
Memorandum.	28	First amendment assemblies.	261
Overtime compensation.	331	Line-of-duty deaths.	346
Report of injury.	334	Major incidents.	168
Ride-along waiver.	233	MEDIA ALERTS	148
Unintentional discharge.	50	MEDICAL	
G		File.	325
GRIEVANCES		Leave Act (FMLA).	312
Supervisor authority.	12	Treatment for EMDT device.	58
H		Treatment for OC spray.	51
HANDCUFFING AND RESTRAINTS	44	Treatment for tear gas.	50
Persons with disabilities.	186	Treatment for work-related injury and illness	333
HATE CRIMES	152	Use of medications on-duty.	307
HOSTAGE AND BARRICADE INCIDENTS		MEDICAL EXAMINER/JOP	170
Notifications.	168	MISSING PERSONS	
I		Report preparation.	163

Princess Anne Police Department

Policy Manual

MUTUAL AID			
Emergency operations plan activation.	20	Sick leave.	313
First amendment assemblies.	260	Volunteers.	207
N		PERSONNEL COMPLAINTS	
NOTIFICATIONS		Brady.	293
Brady.	292	Disabled persons.	191
Complainant - discriminatory harassment.	137	File.	324
Death.	170	Limited English proficiency.	183
Line-of-Duty Deaths.	340	Volunteers.	209
Member arrests, convictions and court orders.	305	PERSONNEL ORDERS	28
Member convictions.	306	PERSONNEL RECORDS	324
OSHA.	172	PHOTOGRAPHS	
Post-OC application.	51	First amendment assemblies.	258
Restraints.	45	Photo lineup.	289
Sick leave.	312	POLICY MANUAL	12
O		PREGNANCY	
OATH OF OFFICE	11	EMDT deployment.	55
OC SPRAY	50	PRIVACY EXPECTATIONS	
Animals.	77	Email.	26
EMDT deployment.	55	Speech, expression and social networking.	338
OFF-DUTY LAW ENFORCEMENT ACTIONS		Unmanned aerial system.	295
.	211	PUBLIC ALERTS	145
OFFICER SAFETY		PUBLIC RECORDING OF LAW ENFORCEMENT ACTIVITY	254
Crime and disaster scene integrity.	230	PURSUITS	
Domestic violence.	113	Foot.	94
EMDT deployment	54, 56	Vehicle.	81
Foot pursuits.	94	Q	
Handcuffing and restraints.	44	QUALIFICATIONS	
Informants.	284	Firearms.	76
LEOSA.	30	R	
Search and seizure.	120	RANGEMASTER	
Vehicle pursuits.	81	Conducted energy devices.	59
OFFICER-INVOLVED SHOOTING (OIS)		Control devices.	49
Notifications.	168	Firearms.	70
OFFICER/DEPUTY RESPONSE TO CALLS	99	Inspections	72, 72, 70
ORGANIZATIONAL STRUCTURE AND RESPONSIBILITY	17	Inspections	72, 70
OVERTIME COMPENSATION	331	Qualifications.	76
P		RECORDS BUREAU	
PATROL	223	Purging system entries.	248
PAYROLL RECORDS	330	RECORDS RETENTION	
PEPPER PROJECTILES	50	Email.	26
PERFORMANCE EVALUATIONS		REGISTRANTS	166
Files.	324	REPORTING OF ARRESTS, CONVICTIONS AND COURT ORDERS	305
		RETIREE CONCEALED FIREARMS	30
		REVIEWS	
		Anti-retaliation.	304

Princess Anne Police Department

Policy Manual

Chaplain program.	194
Departmental directives.	19
EMDT exposures.	59
Emergency operations plan.	21
Eyewitness identification process - annual.	288
Incident review - training.	23
LEP Coordinator.	177
Policy manual.	15
Post pursuit.	87
Report preparation.	164
Training plan.	22
UAS.	295
Use of force review board.	42
Vehicle pursuits - annual.	92
Volunteer program - annual.	205
RIDE-ALONGS	233

S

SAFETY

Anti-retaliation.	302
Control devices.	52
Drug and alcohol-free workplace.	307
Emergency assistance	99, 99
Employee speech, expression and social networking.	335
Firearms.	74
First responder.	230
Shotguns.	70

SAFETY EQUIPMENT

Chaplains.	194
First amendment assemblies.	259
Volunteers.	209

SEARCHES

Crime scene.	231
Dead bodies.	171

SICK LEAVE

SILVER ALERTS

SOCIAL MEDIA

First amendment assemblies.	261
Speech, expression and social networking.	335

SPEECH, EXPRESSION AND SOCIAL NETWORKING

SUPERVISION STAFFING LEVELS

SUSPICIOUS ACTIVITY REPORTING

T

TASER CAM

TEAR GAS

TRAFFIC

Signal malfunctions.	240
------------------------------	-----

TRAINING

Briefing.	229
Chaplains.	198
Child and dependent adult safety.	202
Community relations.	217
Control devices.	53
Criminal organizations.	250
EMDT device.	59
Emergency operations plan.	21
Firearms.	76
First amendment assemblies.	262
Hate or prejudice crimes.	153
Limited English proficiency.	183
Persons with disabilities.	191
Pursuits.	93
Speech, expression and social networking.	338
UAS.	296
Volunteers.	207

U

UNIFORMS

Chaplains.	194
Ride-along attire.	235
Volunteer dress code.	205

UNLAWFUL ASSEMBLY

UNMANNED AERIAL SYSTEM

USE OF FORCE

First amendment assemblies.	260
Review boards.	42

UTILITY SERVICE EMERGENCIES

V

VEHICLES

Pursuits.	81
Volunteers.	209

VOLUNTEERS

W

WARNINGS

EMDT device.	54
Shots.	78

WATCH COMMANDERS

WORK-RELATED INJURY AND ILLNESS

REPORTING

Y

YELLOW ALERTS